

**THE  
Punjab Legislative Council  
Debates.**

**January 3rd to March 23rd, 1927.**

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**Vol. X—A.**

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**OFFICIAL REPORT**



**Lahore :**

**Printed by the Superintendent, Government Printing, Punjab.  
1927.**

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

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*President.*

The Honourable Khan Bahadur Chaudhri Shahab-ud-Din.

*Deputy President.*

Sardar Buta Singh.

*Secretary to the Council :* Sardar Abnasha Singh.

*Assistant Secretary to the Council :* Hakim Ahmad Shuja.

## **PUNJAB LEGISLATIVE COUNCIL.**

### **LIST OF MEMBERS.**

#### **EX-OFFICIO MEMBERS AND MINISTERS.**

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

#### **L—OFFICIALS, NOMINATED.**

- Anderson, Sir George, Kt., C.I.E., Director of Public Instruction, Punjab.
- Astbury, Mr. A. R., M.I.C.E., Chief Engineer, Public Works Department (Buildings and Roads Branch).
- Barron, Mr. C. A., C.S.I., C.I.E., C.V.O., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Development Department.
- Beazley, Mr. J. G., I.C.S., Secretary to Government, Punjab, Transferred Departments.
- Bhide, Mr. M. V., I.C.S., Legal Remembrancer and Secretary to Government, Punjab, Legislative Department.
- Craik, Mr. H. D., C.S.I., I.C.S., Chief Secretary to Government, Punjab.
- Dobson, Mr. B. H., C.B.E., I.C.S., Home Secretary to Government, Punjab.
- Emerson, Mr. H. W., C.I.E., C.B.E., I.C.S., Secretary to Government, Punjab, Finance Department.
- Forster, Lieut. Colonel W. H. C., M.B., D.P.H., I.M.S., Director of Public Health, Punjab.
- King, Mr. C. M., C.S.I., C.I.E., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Revenue Department.
- Milne, Mr. D., C.I.E., Director of Agriculture, Punjab.
- Muzaffar Khan, Khan Bahadur Nawab, Director of Information Bureau, Punjab.
- Smith, Mr. J. B. G., Chief Engineer, Public Works Department (Irrigation Branch).

## II.—NON-OFFICIALS, NOMINATED.

Abdul Qadir, Khan Bahadur Shaikh, Representative, General interests.

Keays Byrne, Mr. F., Representative of the European and Anglo-Indian communities.

Dalpat Singh, Honorary Captain, Sardar Bahadur, I.O.M., M.V.O., Representative of the Punjabi Officers and Soldiers of His Majesty's Indian Forces.

Ghani, Mr. M. A., Representative of the Labouring Classes.

Maya Das, Mr. Ernest, B.A., Representative of Indian Christians.

Rattan Chand, Rai Bahadur Lala, O.B.E., Representative, General interests.

Robertis, Mr. Owen, Representative of the European and Anglo-Indian communities.

Sheo Narayan Singh, Sardar Bahadur Sardar, C.I.E., Representative, General interests.

## III.—ELECTED.

Afzal Haq, Chaudhri, Hoshiarpur-*cum*-Ludhiana, Rural.

Ahmad Yar Khan, Daultana, Mian, Multan East (Muhammadan), Rural.

Akbar Ali, Pir, B.A., LL.B., Ferozepore (Muhammadan), Rural.

Ali Ahmad, Chaudhri, Gujranwala (Muhammadan), Rural.

Balbir Singh, Rao Bahadur Lieut. Rao, O.B.E., Gurgaon (Non-Muhammadan), Rural.

Baldeo Singh, Chaudhri, B.A., B.T., North-West Rohtak (Non-Muhammadan), Rural.

Bishen Singh, Sardar, Sialkot-*cum*-Gurdaspur (Sikh), Rural.

Bodh Raj, Lala, M.A., LL.B., West Punjab Towns (Non-Muhammadan), Urban.

Buta Singh, Sardar, B.A., LL.B., Multan Division and Sheikhupura (Sikh), Rural.

Chhajju Ram, Chaudhri, C.I.E., Hissar (Non-Muhammadan), Rural.

Chhotu Ram, Rai Sahib Chaudhri, B.A., LL.B., South East Rohtak (Non-Muhammadan), Rural.

Daulat Ram, Kalia, Rai Bahadur Pandit, M.B.E., East and West Central Towns (Non-Muhammadan), Urban.

Dhanpat Rai, Rai Bahadur Lala, Punjab Industries.

Din Muhammad, Mr., M.A., LL.B., East and West Central Towns (Muhammadan), Urban.

Duli Chaud, Chaudhri, Karnal (Non-Muhammadan), Rural.

Faiz Muhammad, Shaikh, B.A., LL.B., Dera Ghazi Khan (Muhammadan), Rural.

- Fateh Singh, Sardar Sahib Sardar, Ferozepore (Sikh), Rural.
- Fazi Ali, Khan Bahadur Chaudhri, M.B.E., Gujrat East (Muhammadan), Urban.
- Firoz-ud-Din Khan, Rana, B.A., LL.B., South-East Towns (Muhammadan), Urban.
- Ganga Ram, Rai Sahib Lala, Ambala-cum-Simla (Non-Muhammadan), Rural.
- Gokul Chand, Narang, Dr., M.A., Ph.D., North-West Towns (Non-Muhammadan), Urban.
- Gopal Das, Lala, Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural.
- Gopi Chand, Bhargava, Dr., M.B., B.S., Lahore City (Non-Muhammadan), Urban.
- Gray, Mr. V. F., Punjab Chamber of Commerce and Trades Association, Commerce.
- Habib Ullah, Sardar, Lahore (Muhammadan), Rural.
- Hans Raj, Raizada, Jullundur-cum-Ludhiana (Non-Muhammadan), Rural.
- Hari Singh, Sardar, Ambala Division (Sikh), Rural.
- Hira Singh, Sardar, Lahore (Sikh), Rural.
- Joti Parshad, Lala, South-East Towns (Non-Muhammadan), Urban.
- Kartar Singh, Bedi, Baba, Lyalpur (Sikh), Rural.
- Kesar Singh, Chaudhri, Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural.
- Kesho Ram, Sikhri, Lala, B.A., LL.B., Amritsar City (Non-Muhammadan), Urban.
- Khan Muhammad Khan, Wagha, Malik, Sheikhopura (Muhammadan), Rural.
- Kundan Singh, Mahton, Sardar, Hoshiarpur and Kangra (Sikh), Rural.
- Labb Singh, Mr., M.A., LL.B. (Cantab.), Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural.
- Maqbool Mahmood, Mir, B.A., B.Lit., Amritsar (Muhammadan), Rural.
- Mohan Lal, Lala, B.A., LL.B., North-East Towns (Non-Muhammadan), Urban.
- Mohinder Singh, Sardar, Ludhiana (Sikh), Rural.
- Mubarik Ali Shah, Sayad, Jhang (Muhammadan), Rural.
- Muhammad Abdullah Khan, Khan, Muzaffargarh (Muhammadan), Rural.
- Muhammad Abdul Rahman Khan, Chaudhri, Jullundur (Muhammadan), Rural.
- Muhammad Alam, Dr. Shaikh, West Punjab Towns (Muhammadan), Urban.

Muhammad Amin Khan, Khan Bahadar Malik, O.B.E., Attock (Muhammadan), Rural.

Mohammad Hayat, Qureshi, Khan Bahadur Mian, C.I.E., Shahpur West (Muhammadan), Rural.

Muhammad Husain, Sayad, Montgomery (Muhammadan), Rural.

Muhammad Iqbal, Dr. Sir, M.A., Ph.D., Lahore City (Muhammadan), Urban.

Muhammad Jamal Khan, Leghari, Khan Bahadur Nawab, Baloch Tamandar<sup>s</sup> (Landholders).

Muhammad Raza Shah, Gilani Makhdumzada Sayad, Multan West (Muhammadan), Rural.

Muhammad Sadiq, Shaikh, Amritsar City (Muhammadan), Urban.

Muhammad Saif Ullah Khan, Khan Sahib Khan, Mianwali (Muhammadan), Rural.

Nasek Chand, Pandit, M.A., Hoshiarpur (Non-Muhammadan), Rural.

Narain Singh, Sardar, B.A., LL.B., Rawalpindi Division and Gujranwala (Sikh), Rural.

Narendra Nath, Diwan Bahadur Raja, M.A., Punjab Landholders (General).

Nur Khan, Risaidar Bahadur, Rawalpindi (Muhammadan), Rural.

Partap Singh, Sardar, Jullundur (Sikh), Rural.

Rahim Bakhsh, Maulvi, Sir, K.C.I.E., Ambala Division, North-East (Muhammadan), Rural.

Ram Singh, Chaudhri, Kangra (Non-Muhammadan), Rural.

Sadullah Khan, Mian, Lyallpur South (Muhammadan), Rural.

Sania Singh, Sarjar, Amritsar (Sikh), Rural.

Sewak Ram, Rai Bahadur Lal, Multan Division (Non-Muhammadan), Rural.

Shahadat Khan, Rai, Lyallpur North (Muhammadan), Rural.

Sikandar Hayat Khan, Lieut. Sardar, M.B.E. (Muhammadan), Landholders.

Talib Mehdi Khan, Malik Nawab Major, Jhelum (Muhammadan), Rural.

Ujjal Singh, Sardar, M.A., Sikh (Urban).

Umar Hayat, Chaudhri, Gujrat, West (Muhammadan), Rural.

Yasin Khan, Chaudhri, B.A., LL.B., Gurgaon-cum-Hissar (Muhammadan), Rural.

Zafrullah Khan, Chaudhri, B.A., LL.B., Sialkot (Muhammadan), Rural.

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## **PUNJAB LEGISLATIVE COUNCIL.**

**1st SESSION OF THE 3rd PUNJAB LEGISLATIVE COUNCIL.**

*Monday, the 3rd January 1927.*

The Council met at the Council Chamber at two of the clock.

### **APPOINTMENT OF CHAIRMAN.**

The Secretary of the Council read the following order of His Excellency the Governor :—

Under Rule 3 (2) of the Punjab Legislative Council Rules, I, William Malcolm Hailey, Governor of the Punjab, appoint Mr. C. M. King, C.S.I., C.I.E., as Chairman to preside over the Legislative Council until a President has been duly elected and my approval to the election has been announced to the Council.

LAHORE,

3rd January 1927.

W. M. HAILEY,

Governor of the Punjab.

Mr. C. M. King took the oath of allegiance to the Crown and then occupied the Chair.

### **OATH OF OFFICE.**

The following members were sworn in :—

The Hon'ble Sardar Jagendra Singh (Sikh, Landholders.)

The Hon'ble Mr. Manohar Lal (Punjab University.)

The Hon'ble Malik Firoz Khan Noon [Shahpur East (Muhammadan) Rural.]

Barron, Mr. G. A. (Official, Nominated.)

Forster, Lt.-Col. W. H. C. (Official, Nominated.)

Mazaffar Khan, Khan Bahadur Nawab (Official, Nominated.)

Milne, Mr. D. (Official, Nominated.)

Anderson, Sir George (Official, Nominated.)

Astbury, Mr. A. R. (Official, Nominated.)

Smith, Mr. J. B. G. (Official, Nominated.)

Ram Chandra, Mr. (Official, Nominated.)

Emerson, Mr. H. W. (Official, Nominated.)

Dobson, Mr. B. H. (Official, Nominated.)

Craik, Mr. H. D. (Official, Nominated.)

Keays Byrne, Mr. F. (Non-official, Nominated.)

Abdul Qadir, Khan Bahadur Shaikh (Non-official, Nominated.)

Bhide, Mr. M. V. (Official, Nominated.)

Fazal Haq, Chaudhri [Hoshiarpur-cum-Ludhiana, Rural.]

Ahmad Yar Khan Daultana, Mian [Multan East (Muhammadan) Rural.]

Akbar Ali, Pir [Ferozepore (Muhammadan) Rural.]

Ali Ahmad, Chaudhri [Gujranwala (Muhammadan) Rural.]

Balbair Singh, Rao Bahadur Lieut. Rao [Gurgaon (Non-Muhammadan) Rural.]

Baldeo Singh, Chaudhri [North-West Rohtak (Non-Muhammadan) Rural.]

Bishan Singh, Sardar [Sialkot-cum-Ludhiana (Sikh) Rural.]

Bodh Raj, Lala [West Punjab Towns (Non-Muhammadan) Urban.]

Buta Singh, Sardar [Multan Division and Sheikhupura (Sikh) Rural.]

Chhajju Ram, Chaudhri [Hissar (Non-Muhammadan) Rural.]

Dalpat Singh, Sardar Bahadur Captain (Non-official, Nominated.)

Daulat Ram Kalis, Rai Bahadur Pandit [East and West Central Towns (Non-Muhammadan) Urban.]

Dhanpat Rai, Rai Bahadur, Lala (Punjab Industries.)

Din Muhammad, Mr. [East and West Central Towns (Muhammadan) Urban.]

Duli Chand, Chaudhri [Karnal (Non-Muhammadan) Rural.]

Faiz Muhammad, Shaikh [Dera Ghazi Khan (Muhammadan) Rural.]

Fateh Singh, Sardar Sahib, Sardar [Ferozepore (Sikh) Rural.]

Fazl Ali, Khan Bahadur, Chaudhri [Gujrat East (Muhammadan) Urban.]

Firoz-ud-din Khan, Rana [South-East Towns (Muhammadan) Urban.]

Gopal Das, Lala [Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan) Rural.]

Gopal Das Bhandari, Rai Bahadur, Sir (Non-official, Nominated.)

Ghani, Mr. M.A. (Non-official, Nominated.)

Habib Ullah, Sardar [Lahore (Muhammadan) Rural.]

Hans Raj, Raizada [Jullundur-cum-Ludhiana (Non-Muhammadan) Rural.]

- Hari Singh, Sardar [Ambala Division (Sikh) Rural.]  
 Hira Singh, Sardar [Lahore (Sikh) Rural.]  
 Joti Parshad, Lala [South-East Towns (Non-Muhammadan) Urban.]  
 Kartar Singh Bedi, Baba [Lyallpur (Sikh) Rural.]  
 Kesar Singh, Chaudhri [Amritsar-cum-Gurdaspur (Non-Muhammadan) Rural.]  
 Kesho Ram Sikri, Lala [Amritsar City (Non-Muhammadan) Urban.]  
 Khan Muhammad Khan Wagha, Malik [Sheikhupura (Muhammadan) Rural.]  
 Labh Singh, Mr. [Rawalpindi Division and Lahore Division, North (Non-Muhammadan) Rural.]  
 Chhotu Ram, Rai Sahib, Chaudhri [South-East Rohtak (Non-Muhammadan) Rural.]  
 Maya Das, Mr. E. (Non-official, Nominated.)  
 Mohan Lal, Lala [North-East Towns (Non-Muhammadan) Urban.]  
 Mohinder Singh, Sardar [Ludhiana (Sikh) Rural.]  
 Mubarak Ali Shah, Sayad [Jhang (Muhammadan) Rural.]  
 Muhammad Abdullah Khan, Khan [Muzaftargarh (Muhammadan) Rural.]  
 Muhammad Abdul Rahman Khan, Chaudhri [Jullundur (Muhammadan) Rural.]  
 Muhammad Alam, Dr., Shaikh [-West-Punjab Towns (Muhammadan) Urban.]  
 Muhammad Amin Khan, Khan Bahadur, Malik [Attock (Muhammadan) Rural.]  
 Muhammad Hayat, Qureshi, Khan Bahadur, Mian [Shahpur West (Muhammadan) Rural.]  
 Muhammad Husain, Sayad [Montgomery (Muhammadan) Rural.]  
 Muhammad Iqbal, Dr., Sir [Lahore City (Muhammadan) Urban.]  
 Muhammad Jamal Khan Leghari, Khan Bahadur, Nawab [Baluch Tumandar (Landholders.)]  
 Muhammad Raza Shah Gilani, Makhdomzada, Sayad [Multan West (Muhammadan) Rural.]  
 Muhammad Sadiq, Shaikh, [Amritsar City (Muhammadan) Urban.]  
 Muhammad Saif-ullah Khan, Khan Sahib Khan [Mianwali (Muhammadan) Rural.]  
 Nanak Chand, Pandit [Hoshiarpur (Non-Muhammadan) Rural.]  
 Narain Singh, Sardar [Rawalpindi Division and Gujranwala (Sikh) Rural.]

Narendra Nath, Diwan Bahadur, Raja [Punjab Landholders, General].

Nur Khan, Risaldar Bahadur [Rawalpindi (Muhammadian) Rural].

Pardeep Singh, Sardar [Jullundur (Sikh) Rural].

Rahim Bakhsh, Maulvi, Sit [Ambala Division North-East (Muhammadian) Rural].

Ram Singh, Chaudhri [Kangra (Non-Muhammadian) Rural].

Sadullah Khan, Mian [Lyallpur-South (Muhammadian) Rural].

Santa Singh, Sardar [Amritsar (Sikh) Rural].

Sewak Ram, Bai Bahadur Lala [Multan Division (Non-Muhammadian) Rural].

Shahab-ud-Din, Khan Bahadur Chaudhri [Kangra-cum-Gurdaspur (Muhammadian) Rural].

Shahadat Khan, Rai [Lyallpur North (Muhammadian) Rural].

Sheo Narayan Singh, Sardar Bahadur Sardar [Non-Official, Nominated].

Sikandar Hayat Khan, Lieut. Sardar, [Muhammadian Landholders].

Talib Mehdi Khan, Malik, Nawab, Major [Jhelum (Muhammadian) Rural].

Tek Chand, Bakhshi [Lahore City (Non-Muhammadian) Urban].

Ujjal Singh, Sardar [Sikh (Urban)].

Umar Hayat, Chaudhri [Gujrat West (Muhammadian) Rural].

Yasir Khan, Chaudhri [Gorgeon-cum-Hissar (Muhammadian) Rural].

Zaftrullah Khan, Chaudhri [Sialkot (Muhammadian) Rural].

The Council then adjourned till 2<sup>nd</sup> P.M. on Tuesday the 4th January 1927.

## PUNJAB LEGISLATIVE COUNCIL

### 1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, the 4th January 1927.*

The Council met at the Council Chamber at two of the clock. Mr. C. M. King in the Chair.

#### OATH OF OFFICE.

The following members were sworn in :—

Gokul Chand Narang, Dr. [North-West Towns (Non-Muhammadan, Urban).]

Ganga Ram, Rai Sahib Lala [Ambala-cum-Simla, Non-Muhammadan Rural].

Kundan Singh, Mahton, Sardar [Hoshiarpur and Kangra, (Sikh) Rural].

Maqbool Mahmood, Mir [Amritsar (Muhammadan) Rural].

#### ELECTION OF PRESIDENT.

Mr. Chairman. The Council will now proceed to elect a President by ballot. The following nomination papers of candidates for election to the office of President have been received by the Secretary :—

##### 1. Khan Bahadur Chaudhri Shahab-ud-Din.—

Proposed by Pir Akbar Ali and seconded by Malik Nawab Major Talib Mehdi Khan ;

Proposed by Rai Bahadur Lala Dhanpat Rai and seconded by Rai Bahadur Sir Gopal Das Bandhary ;

Proposed by Sardar Santa Singh and seconded by Sardar Hari Singh ;

Proposed by Chaudhri Duli Chand and seconded by Sardar Bahadur Captain Dalpat Singh ;

Proposed by Rai Sahib Chaudhri Chhotu Ram and seconded by Chaudhri Chhajju Ram ;

Proposed by Dr. Sir Muhammad Iqbal and seconded by Mian Ahmad Yar Khan Daultana ;

Proposed by Sardar Habib Ullah and seconded by Mr. M. A. Ghani ;

Proposed by Chaudhri Zafrullah Khan and seconded by Shaikh Faiz Muhammad ;

Proposed by Sardar Buta Singh and seconded by Sardar Bishan Singh ;

Proposed by Sardar Ujjal Singh and seconded by Sardar Sahib Sardar Fatch Singh ;

Proposed by Lieutenant Sardar Sikandar Hayat Khan and seconded by Sayad Mubarik Ali Shah ;

Proposed by Sayad Muhammad Husain and seconded by Chaudhri Ali Ahmad ;

Proposed by Lala Kesho Ram Sikri and seconded by Mr. F. Keaya Byrne ; and

Proposed by Rai Shahadat Khan and seconded by Mian Sadullah Khan.

(2) Khan Bahadur Shaikh Abdul Qadir.—

Proposed by Pandit Nanak Chand and seconded by Chaudhri Baldeo Singh;

Blank cards will be distributed to the members. They will write thereon the name of the candidate for whom they desire to vote. They will then put their cards in the ballot box provided for the purpose. The Secretary will then count the votes and the result will be announced by me. Members are warned that the writing of anything else than the name of the candidates to whom they wish to give their vote will render the card invalid.

(The voting cards were then distributed to the members. After the voting was over the votes were counted.)

Mr. Chairman.—The result of the voting is as follows:—

For Khan Bahadur Chaudhri Shahab-ud-Din, 59.

For Khan Bahadur Shaikh Abdul Qadir, 29.

I declare Khan Bahadur Chaudhri Shahab-ud-Din duly elected. Under section 72-C of the Government of India Act the name of the President will be submitted to His Excellency the Governor for his approval.

(The Chairman at this stage retired for a couple of minutes and then resumed the chair.)

Mr. Chairman.—I have to announce to the Council that His Excellency the Governor has approved of Khan Bahadur Chaudhri Shahab-ud-Din as President of the Council.

(The newly elected President then took the chair amidst cheers.)

#### CONGRATULATIONS TO THE NEW PRESIDENT.

Mr. President: Gentlemen, I must express my humble acknowledgments and grateful thanks for the high honour you have been pleased to confer upon me by re-electing me to the exalted office of the President. I need hardly assure you that so long as I occupy this chair I will do my best to discharge the onerous duties of my office with absolute and unvarying impartiality. (Hear, hear); I will keep aloof from all party politics, and, therefore, I will not favour or fear any party. Nor will I favour or fear any community, though unfortunately for all concerned the plague of communalism is raging nowadays so furiously in the country. I am sure, gentlemen, you will wholeheartedly co-operate with me in establishing and maintaining

the high traditions of this House and also help me in discharging satisfactorily the great trust you have been pleased to repose in me to-day. Gentlemen, I thank you once more for the great honour you have been pleased to confer upon me (cheers).

**Rai Bahadur Sir Gopal Das Bhandari** [Nominated, Non-official]: Sir, I come forward with the greatest pleasure to congratulate you wholeheartedly on your being elected as President. There is no gainsaying the fact that you richly deserve the honour of the high office. Your exceptionally strong commonsense, your unfailing energy, your indomitable courage to carry on those traditions fearlessly are qualities which individually or collectively I can say and unhesitatingly say will provoke the praise and admiration of even your opponents. You have won the confidence of the House and I trust and hope that in future as in the past you will perform the duties of the high office in the most fitting manner and that you would justify your election to the high office.

**Shaikh Muhammad Sadig** [Amritsar City (Muhammadan), Urban]: Sir, we Indians are accused that we are not consistent in our politics. But, Sir, to-day we have proved that we are consistent in our politics. Not only that. We have shown that we follow not only the traditions of this country but also the traditions of other parliamentary governments. It is a tradition in England that as a rule the President must be re-elected unanimously unless he does anything which is not liked by the House. Sir, this great support you have received from all quarters of this House, from the non-co-operationsists on the one side and the Government on the other, from the Hindus, the Sikhs and the Muhammadans, from all sections of the House, whether white, black or brown (laughter) shows your popularity. Sir, you may remember when Mr. Casson was going out of this office, I said that this chair was meant for a *kala* man. My prophecy has been more than justified, because we have got a *kala* man with a vengeance. Sir, only to-day we can indulge in a little talk like this. In future we must obey your authority. Not only have we to obey your authority but fear your eyes sometimes, because we know the authority of the President of the House must reign supreme otherwise the whole constitution will go to pieces. The traditions of English Parliament are upheld by the President of that Chamber. King Charles I sent his men to drive out the members of Parliament, but it was the President of the Parliament who rose to the occasion and refused the authority of the King. Under the present constitution, I have no fear that the Government will take such a rash action, and send an army to turn us out, but anyhow I am sure that if any such occasion arises whether under self-government or under the present Government, you will rise to the occasion and just like the President of the Parliament of Charles I assert your authority in the Council. We will heartily co-operate with you just as we did last time. We know that in the last Council you made no distinction between any class or community or creed. We know that you were all kindness to all and you had one eye equally for all.

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan) Urban]: Sir, I fully associate myself with the feelings that have been expressed by my honourable friend Sir Gopal Das Bhandari and I congratulate you on being re-elected to the high office. The excellent manner in which you performed your functions as President in the last Council has made many of us vote for you this time and we have every hope that the

assurance that you have given us to-day will be realised and that you will work in your office as a non-party man free from communal feelings and free from any party politics.

**Khan Bahadur Shaikh Abdul Qadir** (Nominated, Non-official) : Let me add, Sir, my tribute of congratulations to you on the result of the election. (Hear, hear). Though I contested this election with you I want to join those who are rejoicing in your election and to assure you that from me, as well as from the other honourable members of this House, you will get the co-operation that you deserve and we shall give you every assistance in the performance of the duties of the high office that you have been called upon to fill and in which, in your last incumbency, you so well distinguished yourself. (Hear, hear and cheers).

**Sardar Buta Singh** [Multan Division and Sheikhupura (Sikh) Rural] : I most heartily associate myself with the members who have spoken before me. This is not the time nor the occasion to make a long speech. It would have given me greater pleasure if according to parliamentary traditions our President, or you, had been returned unopposed. But all the same an overwhelming majority of members have placed full and implicit confidence in you. I assure you, Sir, on behalf of myself and my other Sikh friends that you will have full co-operation from our side as well. Once more I heartily congratulate you on your success and on your election as President.

**Mr. E. Maya Das** (Nominated, Non-official) : Sir, I also heartily congratulate you and I wish to associate myself with all the good things that have been said about you by the previous speakers.

**Dr. Gokul Chand Narang** [North-West Towns, (Non-Muhammadan) Urban] : Sir, I offer you my sincerest congratulations on your election as President of this House. It is very dangerous to praise any one overmuch because sometimes over-praising verges on an estoppel on occasions that might arise in future, but you will agree with me, Sir, that an ounce of judicious and sincere praise and appreciation is far better than a ton of gushing adulation. I assure you that you have many many ounces of that sincere and judicious praise and appreciation and heaps of compliments that you earned in your career as the President of the last Council and I am sure that by your conduct of the proceedings of the new Council you will deserve that meed of praise and compliment that you were fortunate enough to receive for your conduct in the last Council. If parliamentary procedure were followed in every respect in this province and if all those traditions were kept in view in other departments of life and administration and also in matters of legislation and procedure in this House, I am sure that no one would have stood up to oppose you. We are, however, only slowly striving in that direction and until full parliamentary procedure is established in this province also, I am afraid this competition will probably continue. But I am sure it will have no effect upon you especially when the gentleman who was opposing you in this election has had the good taste, generosity and sweetness of getting up and offering you his sincere congratulations. I once more congratulate you, Sir, on your success.

**Dr. Shaikh Muhammad Alam** [West Punjab Towns (Muhammadan) Urban] : Sir, with my friends' and comrades' permission, I mean the members of the Nationalist party, I beg to congratulate you on this occasion on your election as President of this House. I can also add that this is

perhaps the only office and the only honour which is open to Congressmen and an appointment to which we as Congressmen can offer our congratulation. You have that congratulation from us. I may further submit that although this Nationalist Party which has recently been formed is in small numbers, yet I hope it will show great activity and add great strength to the future deliberations of this Council. It is further true, that the choice made by the Nationalist Party in the selection of you as President is approved by the House and I hope it will not be before long that the views of the Nationalist Party would prevail all round in this House and will be approved by all the members of the House. With these few remarks I beg to congratulate you once more.

**Mir Maqbool Mahmood** [Amritsar (Muhammadan) Rural]: Sir, you have been congratulated by various parties and various communities in this House. I am for the present in the enviable position of a free lancer so far as party politics in the Council are concerned. It is as such that I congratulate you on your election as President. The President of the Legislative Council or the Legislative Assembly is the highest honour which lies in the gift of the people's representatives and the representatives of the Punjab have given that honour to you to-day and I cannot pay a better compliment to you than that which has already been paid by honourable members more gifted than myself. I am sure that you will justify the selection by proving true to your traditions in that Chair. You have always stood as a non-party man and as one who was sympathetic to all parties' legitimate expressions of opinion. If you continue as before I am sure, Sir, you will have the whole-hearted co-operation of every side of the House.

**Sayad Muhammad Husain** [Montgomery (Muhammadan) Rural]: I also associate myself with my friends in congratulating you on your election to the office of President of this Council. I hope, Sir, that you will maintain the same old traditions of impartiality and strength of character which marked you out as an ideal President in the last Council.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, it only remains for me now on behalf of the Government to welcome you back as President of this Council and I am doing so as I promised in the last meeting of the last Council—that if you are returned to this Council and this Council calls upon you to fill this exalted office of the President the Government will indeed be very pleased to welcome you.

**Mr. President:** The first item in to-morrow's agenda is the election of the Standing Committees. Therefore, the official members need not attend punctually at 2 o'clock. The Deputy President's election will take place after the Standing Committees are elected and they may take part in that election.

The Council then adjourned till 2 P. M. on Wednesday the 5th January 1927.

THE FIRST PART OF THE HISTORY OF THE  
LIFE OF THE LATE KING CHARLES THE FIRST  
BY SIR SAMUEL JOHNSON  
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## **PUNJAB LEGISLATIVE COUNCIL.**

**1st SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.**

*Wednesday, the 5th January 1927.*

The Council met at the Council Chamber at two of the clock. Mr. President in the chair.

### **ELECTIONS TO THE PUBLIC ACCOUNTS AND STANDING COMMITTEES.**

**Mr. President:** The first item on the list of to-day's business is the election of members to the Public Accounts Committee and the Standing Committees. In this connection I have to draw the attention of the honourable members to Regulation II on page 82 of the Punjab Constitutional Manual, Volume II. It requires, among other things, that, "the President shall call upon members to nominate candidates within such time as he may direct". The notice issued by the Secretary to send in nomination papers till eleven o'clock yesterday morning was issued at a time when there was no President of the Council. Therefore, the notice and the nominations sent in in compliance therewith are invalid. Consequently, I now call upon members to nominate candidates before three o'clock to-day for the Public Accounts Committee and the various Standing Committees. If the honourable members do not propose any fresh candidates, elections can take place at three o'clock to-day, otherwise they will be held at two o'clock to-morrow.

**The Honourable Malik Firoz Khan Noon:** Will the nominations already made hold good?

**Mr. President:** Yes. If the honourable members do not wish to propose any fresh candidates, we might proceed to hold elections immediately.

**Pandit Nanak Chand:** There is one thing, Sir. We received an intimation that the elections were not going to be held to-day. We had to give directions to the members to vote in a certain manner. Having heard that the elections might be postponed, we have not distributed those papers. I think we will require an hour or so before the elections take place.

**Mr. President:** Then the members are at liberty to make fresh nominations.

### **ELECTION OF DEPUTY PRESIDENT.**

**Mr. President:** In connection with the second item on the agenda I have to point out that under paragraph 14 of the Business Manual, volume II, nominations for the office of the Deputy President should have been handed over by the proposers to the President. This has not been done. Therefore, the nominations which have been handed over to the Secretary are strictly speaking invalid. It is open, however, to the proposers of the various candidates to take back their nominations and to hand them over to me now.

**Lala Bodh Raj:** May I know, Sir, if we can give fresh nominations?

**Mr. President :** Certainly.

(The nomination papers were then handed over by the proposers to the President.)

**Mr. President :** The following nominations for the office of Deputy President have been received :—

(1) **Sardar Buta Singh**—Proposed by **Sardar Santa Singh** and seconded by **Sardar Partap Singh**.

Proposed by **Lieutenant Sardar Sikandar Hayat Khan** and seconded by **Shaiikh Faiz Muhammad**.

Proposed by **Sardar Kundan Singh**, Mahton and seconded by **Sardar Hira Singh**.

Proposed by **Rai Sahib Chaudhri Chhotu Ram** and seconded by **Chaudhri Duli Chand**.

Proposed by **Chaudhri Chhajju Ram** and seconded by **Sardar Bahadur Capt. Dalpat Singh**.

(2) **Lala Kesho Ram, Sikri**—Proposed by **Rai Bahadur Lala Sewak Ram** and seconded by **Mr. F. Keays Byrne**.

Blank cards will now be distributed to the members. They will write thereon the name of the candidate for whom they desire to vote. They will then put their cards in the ballot box provided for the purpose. The Secretary will then count the votes and the result will be announced by me. Members are warned that the writing of anything else than the name of the candidate to whom they wish to give their vote will render the card invalid. The Council will now proceed to record their votes.

(The voting cards were then distributed to the members. After the voting was over the votes were counted.)

**Mr. President :** The result of the voting is as follows :—

For **Sardar Buta Singh** ... .. 50

For **Lala Kesho Ram, Sikri** ... .. 33

I declare **Sardar Buta Singh** duly elected. Under Section 72-C of the Government of India Act the name of the Deputy President will be submitted to His Excellency the Governor for his approval.

## ELECTIONS TO THE PUBLIC ACCOUNTS AND STANDING COMMITTEES.

**Pandit Nanak Chand :** Sir, I propose that the elections to the Public Accounts and the Standing Committees be held now.

**Mr. President :** Has any honourable member any objection to the election to the Public Accounts Committee and the various Standing Committees being held now ?

(Voices of "No, no".)

Mr. President : Then the Council will proceed to elect the Committees. The official members may withdraw if they so desire.

I have to announce to the Council that the number of nominations for the Standing Committees on Excise and Public Health are equal to the number of vacancies to be filled. No elections will, therefore, be held for these two committees. The following members who have been nominated for the said two committees are, therefore, declared to have been duly elected:—

#### EXCISE.

1. Shaikh Faiz Muhammad.
2. Sardar Partap Singh.
3. Lala Kesho Ram, Sikri.
4. Mr. Labh Singh.
5. Sardar Ujjal Singh.

#### PUBLIC HEALTH.

1. Rai Shahadat Khan.
2. Lala Kesho Ram, Sikri.
3. Khan Bahadur Malik Muhammad Amin Khan.
4. Raizada Hans Raj.
5. Sardar Santa Singh.
6. Sardar Mohindar Singh.

The number of candidates nominated for the remaining committees exceeds the number of vacancies to be filled. The Council will, therefore, proceed to an election.

There will now be distributed to members eleven ballot papers, one of each committee, for which members have to be elected. The name of the committee is written at the top of each paper as also the number of members to be elected for that committee. The ballot papers contain the names of the candidates also. Members should take each paper in turn and then put opposite to each name in the empty column the number of their choice, the first choice first, the second choice, second, the third, third, and so on until the names are exhausted. It is not, however, necessary to write anything against every name if a member does not so wish. Each paper should be treated separately. Members are warned that the writing of anything but the number against the names of the candidates in the blank column will render the ballot paper invalid. If any member wishes to ask for any information relating to the election I shall be glad to furnish the information or the Secretary will do so.

After filling up the ballot papers members should fold them and drop them in the ballot box provided for that purpose. The results cannot naturally be announced to-day. As soon as they are known they will be notified to honourable members.

After the voting for the various committees concluded the Council adjourned *sine die*.

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## PUNJAB LEGISLATIVE COUNCIL.

Monday, the 28th February 1927.

### ADDRESS BY HIS EXCELLENCY THE GOVERNOR.

His Excellency the Governor arrived in procession with the officers of the Council and his personal staff at 12 Noon and took his seat on the throne.

His Excellency the Governor addressed the Council as follows:—

My first word to you must be one of welcome, and in especial to those who have now for the first time joined your body. They come to a Council very different from that which set out on a novel and uncharted course in 1921. The Council has now an established place in the life of the province, its position well understood, and its powers carefully explored. I do not for the moment dwell on the limitations which the exigencies of a transitional constitution have placed on those powers; but wish to notice two aspects of the work of the Council in the last six years which seem to be of special importance and interest. In the first place, apart from any question of the exact value of the Council as a measure in constitutional advance, there is no doubt that it has succeeded in attracting to itself in a somewhat striking manner the interest and attention of the province at large. I do not mean, to be perfectly frank, that it occupies in the picture which the popular mind draws of Government, a place quite on the same plane as that taken by the administrative organization and its personnel. Given a past history such as that of India the recognition by the people at large of the real position occupied by a representative assembly is bound to be slow; that would possibly be still the case were the Legislature endowed with far more complete powers. It would, indeed, be a useful exercise for those who are occupied in projecting lines of advance, to test their schemes by attempting to forecast to themselves the date at which the Indian population at large would be content to give the first place in its thoughts to a representative institution of its own election, or to surround it with the kind of atmosphere which has enveloped a different species of authority in past generations. At the moment, however, I am concerned only with the point that it is not merely the limitations placed on its powers which have prevented the Council from occupying as yet, in the public eye, a position of the same nature as that held by what is commonly called the bureaucracy. Nevertheless, if one can judge by what one sees and hears, its doings focus a constantly increasing degree of public interest, and there is an increasing recognition of the influence it exerts on the general course of the administration. Everything that I see confirms the impression which I ventured to express when first addressing this Council, that the orbit of political interest is steadily extending in the Punjab; it is not necessary to add, that such widening and deepening of interest is an essential stage in the growth of political consciousness and responsibility. The strength of my impression receives some

support from the figures of the polling in contested constituencies last November. The percentage of votes recorded rose from 49 per cent. in 1923 to 52 per cent. in 1926; but I believe the effective growth of interest to be far greater than this figure would show. No one here will, I think, resent the statement that at the moment electors are apt to concern themselves far more with the personality of candidates than with their policy; and to this extent an election is no doubt less educative in political responsibility than it might otherwise be. That, however, is probably an inevitable first stage in most extensions of the franchise; and I doubt somewhat the correctness of the suggestion that a change would follow on a modification of our present system of communal representation. At the present stage of thought, this might only transfer attention from personal to communal claims. An interest in policies rather than in persons must clearly be a secondary stage for which we must wait awhile.

2. Now this brings me to my second observation. The interest of the historian of the Reforms era will centre less on any definite action of the Council, whether by way of legislation or deliberation, than on the proofs shown that it is likely to develop on lines common to representative institutions elsewhere. Sound traditions of procedure, a sense of responsibility both in its discussions and its decisions; you will not need the reiteration of my own conviction that the Council has given ample proof of these qualities; and, if I do not now dwell on them, it is because the historian himself will possibly direct his enquiry rather to a further point. Representative institutions elsewhere have usually depended for the vitality of their functions on the interactions of party spirit; what signs have we here of the formation of parties in the sense understood elsewhere? The modern philosopher would probably disclaim any rigid test of what constitutes a party; almost any common interest that binds man together is sufficient to create a party; and the reality of its existence is tested more readily by the consistency of its adhesion than by the strength of its devotion to any distinctive policy or political objective. It is not only the cynic who is baffled at times in his attempt to discover the grounds of party differences; and the most earnest enquirer will often see it difficult to find in a party any hind more than a collection of men who happen constantly to act together in politics. Religious or communal feeling can certainly constitute an effective and, so far as politics go, a legitimate basis for the formation of party; though modern political fashion may prefer party watchwords of a less open complexion. The antithesis of rural and urban interests again has furnished a basis for party distinctions at more than one period and in more than one country of Europe; there would be nothing strange if they constituted (as many claim that they do to-day constitute) a valid basis for party difference in a society such as that of the Punjab. I have found in the history of this Council, many of the beginnings of a genuine party spirit; but there has been this difficulty, that definite formation on party lines has constantly been obscured by the influence of other issues; at one time by the after results of the non-co-operation or khilafat movements, at another by the agitation among the Sikhs, and so forth. It was because I felt that, though there were the beginnings of party life in the Council, divisions had nevertheless not crystallized finally on party lines, that I took last December the course of adding a third Ministry to the Punjab. I believed that in the present state of things, when the Punjab was still feeling its way to a definite party system, it would be a real advantage to have, as far as possible,

all the main elements represented in Government. I felt that, in that state of things, the prolonged and apparently indefinite exclusion of one important factor might prove a real obstacle to our political development. I did not believe that differences among various sections in the Council, though no doubt marked, were so radical as to prevent a Ministry which represented all three religious communities and embraced at the same time representatives of the rural and urban interests, from working on a united front in all essential respects. That was my motive. At the moment, our problems are those of development in the many activities conducive to the social and intellectual progress of our people. I attempted in my address here in October last to show how rapid progress had been during the lifetime of the last Council. My hope was to secure for the Punjab, at so interesting and active a period of its development, Ministries constituted on such a basis that no important section could complain that its interests were likely to be disregarded. And lastly, I hoped that by widening somewhat the basis of the administration, I should make some contribution towards the stilling of communal differences, at all events in the political sphere.

3. The present session will show how far I have correctly assumed that there exists in this Council a genuine desire to unite in promoting an ordered and harmonious progress in the province,—a desire strong enough to induce various sections to abate something of their mutual differences in order to secure the greater good of the whole. It is no mean ideal; yet it is not one which in truth asks of any man to make an unreasonable sacrifice.

4. As for other matters, your legislative programme will make no great call on your time. For the delay in producing a measure to take the place of the Bill for the regulation of accounts, I am myself largely responsible; the complications of drafting are great, and I wished to secure to Government a leisure for their consideration which would not be invaded by the distractions of our winter touring or of the budget season. As for finance, you will, I hope, find that in spite of losses sustained by our revenues over this year's cotton crop, and of some necessary caution in allowing for the results of a poor winter rainfall, the general position is nevertheless sound, and I hope that it will not be necessary to curtail the programme of development on which we have been engaged for the last two years. The essence of our financial position lies in the fact that we defray so much of our capital expenditure by sales of land, that our productive works will carry very low interest charges; the certainty of early returns from these works is a justification for utilizing such balances as we possess in order to prevent a set-back in that rising curve of expenditure which is vital to the progress of our transferred branches of administration.

5. For the rest, I reviewed many aspects of our work at such length in October, that I will content myself here with two remarks. There are few problems of administration which have caused more anxiety of late years than the prevalence of serious crime in the Province. But we can now claim with confidence that the special efforts made by our officers have met with definite success; and in 1926 the figures of such crime were less by 2,000 than in 1925. In this respect the province is returning to the normal. But another aspect of public affairs is less assuring. Communal differences are still being deliberately exploited and fomented. The expression is used advisedly. There seems to be one clear feature of the present situation; communal feeling nowhere reaches a real state of tension, and nowhere manifests itself in any dangerous form, unless there has been keen

activity in the communal press or on those disreputable platforms where this form of excitement is purveyed to the public. In one sense, that fact may almost be held to be encouraging ; for it seems to show that communal differences are not really part of our common life ; left to themselves, ordinary men of each community would live at peace and find their own adjustments. It is a distressing feature of affairs to-day, that they are not allowed this peace. The mischief comes from above, and not from below. I cannot judge of the truth of the rebuke sometimes brought against the Punjab, that it supports the worst communal press in India ; but I should pity any other province which could show so many examples of inbred virulence. Of all the infernos which the imagination of mankind has painted, surely the deepest and most dreadful hell must be reserved for those whose only claim to consideration on the day of Judgment will lie in the plea that they have damned the faith of others. We have warned and we have prosecuted ; we have made direct attempts at conciliation ; but this is a matter in which one well directed movement of public opinion would far outweigh any effort which Government can make or any effect which it can produce. In all sincerity I ask for the assistance here of the members of this Council, and for the exercise of the influence which they command outside its walls.

6. And now, I commend you to the labours of the session. You will meet under the Presidentship of one who has already helped the Council to maintain sound traditions in procedure and debate. You will realize, without my impressing the fact on you, that the life of the Council has now reached one of those critical stages which in ancient medicine would have been called a " climacteric," for it is the work of your Council which will come under the direct observation and review of the Statutory Commission. I do not, I say, seek to impress this fact on you. If it were given to you as a caution, you would very justly resent it ; I could not give it to you as an exhortation, for exhortation would equally be out of place when directed to a Council which has throughout shown so high a sense alike of its duty and its responsibilities to the province whose interests it serves.

His Excellency the Governor then left the Council Chamber and the proceedings terminated.

## **PUNJAB LEGISLATIVE COUNCIL.**

1st SESSION OF THE 3rd PUNJAB LEGISLATIVE COUNCIL.

**Monday, the 28th February, 1927.**

The Council assembled in the Council Chamber at two of the clock. Mr. President in the chair.

### **OATH OF OFFICE.**

The following members were sworn in :—

Beazley, Mr. J. G. (Official nominated) ;

Roberts, Mr. Owen (Non-official nominated) ;

Gray, Mr. V. F. (Punjab Chamber of Commerce and Trades Association, Commerce).

### **STARRED QUESTIONS AND ANSWERS.**

#### **VERNAACULAR MIDDLE SCHOOLS.**

1\*. Mian Ahmad Yar Khan, Daultana : (a) Will the Honourable Minister for Education please state how many Vernacular Middle Schools are there in the Province and how many of them are—

(1) aided, and

(2) maintained

by the Education Department ?

(b) What initial and recurring expenditure is necessary to convert the Vernacular Middle Schools maintained by the Department into Anglo-Vernacular Middle Schools ?

The Honourable Mr. Manohar Lal : (a) There were 1,738 Vernacular Middle Schools in the Province on March the 31st, 1926. Of these, 5 were maintained by private bodies and were in receipt of aid ; and the remainder were maintained by local bodies. No Vernacular Middle Schools are maintained by Government.

(b) Does not arise.

#### **CONSTITUTION OF THE AMBALA MUNICIPAL COMMITTEE.**

2\*. Sardar Habib Ullah : (a) Will the Honourable Minister for Local Self-Government be pleased to state whether the constitution of the Ambala municipality has recently been altered, so as to increase the number of nominated seats from two to four ?

(b) If so, will the Honourable Minister for Local Self-Government please state whether the altered constitution adheres to the principle initiated in the note published by the Punjab Government in 1923, to the effect that where separate communal electorate exists and the proportion of representation of different communities in elected seats has been specified, nomination should not be made in such a way as to materially alter this proportion ?

[Sardar Habib Ullah.]

(c) If not, will the Honourable Minister for Local Self-Government please state whether it is proposed to follow in the matter of nomination one principle of general applicability or it is intended to adopt different principles in the case of different municipalities?

(d) Will the Honourable Minister for Local Self-Government please state whether out of the four nominated seats in the Ambala municipality one or two will go to the Muslim community?

The Honourable Malik Firoz Khan, Noon: (a) Yes, but the number of appointed members has again been reduced to three.

(b) Yes.

(c) Does not arise.

(d) There will now be one Muslim and two Hindu appointed members.

#### PUNJAB POLICE COMMITTEE REPORT.

3\*. Chaudhri Afzal Haq: (a) Will the Honourable the Home Member be pleased to state whether it is a fact that the Provincial Police Committee, Punjab, in compliance with the instruction contained in Punjab Government letter No. 24717 (H.—Police), dated 12th November 1925, submitted its report?

(b) Is it a fact that the extract of that report has been published for the information of the public?

(c) If the answers to the above are in the affirmative, will the Honourable Home Member be pleased to state whether there is any truth in the rumour that those paragraphs which contain the criticism on superintendents of police have been omitted in the extracts referred to in part (b) above.

If so, why?

The Honourable Sir Geoffrey de Montmorency: (a) Yes.

(b) Yes.

(c) No. The portions omitted have reference to (1) certain matters affecting the recruitment of the Imperial Police cadre, which is not primarily the concern of the Governor in Council, and (2) to details of additions required to the provincial police force by districts and special units.

#### CORRUPTION IN GOVERNMENT DEPARTMENTS.

4\*. Chaudhri Afzal Haq: With reference to the following remark appearing in paragraph 23 of the Provincial Police Committee's report, pages 21-22, namely:—

"The more thoughtful of our witnesses are practically unanimous in frankly admitting not only that other departments of Government are equally corrupt, but that certain of them are distinctly worse."

(a) Will the Honourable Home Member be pleased to state whether they have decided to resort to extraordinary measures and to devise any sure and certain methods to put down the evil of corruption in the departments alluded to in the said paragraph; and

(b) whether they are considering the desirability of appointing other commissions of enquiries for other departments also on the lines of Jail and Police Enquiry Committees?

The Honourable Sir Geoffrey deMontmorency : (a) Government is not aware what particular departments the witnesses had in their minds when making the statements, of which a summary is given in the Provincial Police Committee's Report.

(b) Government does not contemplate at the moment appointing any other Committees for enquiries into the working of departments similar to those appointed in the case of the Jail and Police Departments.

Chaudhri Afzal Haq : Sir, answers to my questions Nos. 5, 6, 7, 8, 9, 10 and 11 may be laid on the table.

Mr. President : The honourable member had given notice of starred questions. If he did not wish to have his questions answered orally, he ought not to have starred them. Therefore if he wishes the answers to his starred questions to be placed on the table, I shall be justified to conclude that he does not wish to ask those questions.

(The honourable member then proceeded to ask answers to questions 5—11 one by one.)

#### "RURALISING THE MENTALITY OF TEACHERS."

5\*. Chaudhri Afzal Haq : With reference to the speech delivered by the ex-Minister for Education at the close of the Punjab Educational Conference at the Central Training College, Lahore, on December 22, 1926, will the Honourable Minister for Education be pleased to state whether the Government still adhere to the policy of "ruralising the mentality of teachers"?

The Honourable Mr. Manchar Lal : I do not understand what exactly is meant by the expression 'ruralising the mentality of teachers.' The expression is not found in the speech referred to in the question.

#### REMOVAL OF BAR OF POLITICAL PRISONERS FOR ELECTION TO LOCAL BODIES.

6\*. Chaudhri Afzal Haq : (i) Will the Honourable Minister for Local Self-Government be pleased to state the names of those political workers whose convictions stand as a bar for their seeking election to local bodies?

(ii) Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Government have decided to remove all such restrictions in the case of Gurdwara prisoners; and

(b) whether the Government are considering the desirability of removing such restriction in the case of political prisoners also?

**The Honourable Malik Firoz Khan, Noon:** (i) No list is maintained, and Government do not propose to examine the cases of all persons sentenced to more than three months' imprisonment during the last five years in order to ascertain which of them could be called political workers.

(ii) (a) and (b). No general exemption from the disqualification imposed upon convicted persons by the rules is contemplated by Government, but each individual case is considered on its merits when exemption is applied for.

**Chaudhri Afzal Haq:** Will the Honourable Minister please say whether he is now prepared to make a list of the political workers?

**The Honourable Malik Firoz Khan, Noon:** No.

#### BAN ON THE RETURN TO INDIA OF CERTAIN PUNJABIS IN EUROPE.

**7\* Chaudhri Afzal Haq:** Will the Honourable Home Member be pleased to state—

- (a) the names of those Punjabis who have been in Europe during the great war, upon whom Government have imposed or intend to impose a ban on their return to their native land; and
- (b) whether any of them communicated their intention to peacefully settle in their homes and assured the Government of their peaceful behaviour on their return, provided the Government promised the removal of the ban?

**The Honourable Sir Geoffrey deMontmorency:** (a) The Punjab Government has not opposed the return to India of any such person.

(b) Does not arise.

#### CORRUPTION IN THE POLICE DEPARTMENT AND ZAILDARS AS TOOLS OF THE POLICE.

**8\* Chaudhri Afzal Haq:** Will the Honourable Home Member be pleased to state—

- (a) whether he has invited the attention of the District Magistrates and the Superintendents of Police to paragraphs 31 and 39 of the report of Provincial Police Committee, 1926; and
- (b) whether the District Magistrates and the Superintendents of Police have been asked to take steps to check the zaildars and lambar-dars from being easy tools in the hands of sub-inspectors?

**The Honourable Sir Geoffrey deMontmorency:** Government still has the recommendations of the Provincial Police Committee under consideration in connection with the opinions received after publication from the public and the criticisms which were invited from local officers. For this reason Government has not yet passed any orders on the points specially referred to by the Honourable Member or in regard to any of the recommendations contained in the report.

**Lala Bodh Raj:** Will the Honourable Member please state the time by which Government will pass orders?

**The Honourable Sir Geoffrey deMontmorency:** Government will pass orders on the report when they have considered it. It will probably be considered in the next two months.

ORDERLIES OF DEPUTY COMMISSIONERS AND SUPERINTENDENTS  
OF POLICE AND BAKHSISH.

**9\*. Chaudhri Afzal Haq:** (a) Will the Honourable Finance Member be pleased to state—

(a) whether the orderlies of Deputy Commissioner and Superintendents of Police in the Punjab get *bakhsish* from those who go to these officers for interview; and

(b) whether he is aware that disinterested people do not care to see these officers for this reason;

(c) Will the Honourable Finance Member please also state whether the Government have issued any circular to their officers on this subject, and, if so, will he be pleased to lay it on the table?

**The Honourable Sir Geoffrey deMontmorency:** The honourable member is referred to the answers given to Council questions Nos. 684<sup>1</sup> and 858<sup>2</sup> of July 1921 and August 1924, respectively, copies of which are laid on the table:—

*Answer to Question No. 684.*

**The Honourable Sir John Maynard:** (a) On several occasions the attention of Government has been directed to this objectionable practice and Government has issued orders to its officers to put a stop to it.

(b) Government have no information on the subject.

(c) The pay of orderlies and chaprasis was raised in April of this year. The attention of officers will be directed to the subject of eradicating this practice.

*Answer to Question No. 858.*

**Mr. H. D. Craik:** It is impossible to assert with confidence that the practice of tipping chaprasis and orderlies has ceased, or to expect that any orders will ever completely put an end to it. A copy of the orders issued in July 1921 is laid on the table.

Government does not propose to issue further orders.

No. 3026-S. (H—Genl.), dated the 25th July 1921.

From—The Officiating Chief Secretary to Government, Punjab.

To—All Heads of Departments, Commissioners and Deputy Commissioners and Settlement Officers and Private Secretary to His Excellency the Governor, Punjab.

A question put in the Legislative Council alleges that the practice still exists of extorting tips from visitors by orderlies and chaprasis of officers of Government, and on this account inconvenience is caused to those who visit officials.

<sup>1</sup> Vol. II, pages 156-57.

<sup>2</sup> Vol. VII, page 318.

[Mr. H. D. Craik.]

2. In this connection, I am directed to invite your attention to the orders contained in paragraph 4 of Mr. Kettlewell's letter No. 1108-S. (H.—Genl.), dated 25th June 1914, and to say that, in the opinion of the Governor in Council, the practice is highly objectionable from all points of view, and more particularly as it acts as a bar to freedom of access to officials by visitors.

3. The pay of chaprasis and orderlies has recently been raised so that there is absolutely no excuse, if one existed before, of extorting or accepting illegal gratifications on account of low wages.

4. The Governor in Council trusts, therefore, that officers will take steps to put an end to the practice.

#### OFFER OF NAZAR.

10\*. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that when the officers go on tour, lambardars and zaildars offer them one rupee as *nazar*, which is only touched by those officers ;
- (b) whether it is a fact that some officers deliberately encourage this system and discourage those who abstain from doing so ;
- (c) whether it is a fact that Government have issued instructions to the public servants not to accept *dalis* ; and
- (d) whether the Government will likewise issue a circular to all lambardars, zaildars and public servants not to offer or encourage the system of offering one rupee *nazar* ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Government is not aware that this is a fact.

(c) Yes.

(d) Government sees no reason to issue a circular discouraging this ancient custom, which is not, so far as Government is aware, abused in any way.

Chaudhri Afzal Haq : Are we to understand that Government likes this custom to continue ?

The Honourable Sir Geoffrey deMontmorency : Government neither likes the custom nor dislikes it. It considers it an ancient custom, and sees no reason to discontinue it.

Lala Bodh Raj : What are the reasons for continuing the custom ?

The Honourable Sir Geoffrey deMontmorency : I have said that it is not the wish of Government to discourage the custom because it is an ancient custom.

Lala Bodh Raj : What are the reasons for continuing the custom ?

The Honourable Sir Geoffrey deMontmorency : Because it is an old custom and it is not the wish of Government to discourage old customs.

**CORRUPTION IN THE PUNJAB.**

**11\*. Chaudhri Afzal Haq:** Will the Honourable Finance Member be pleased to state if any literature has been distributed amongst the people of the Punjab suggesting the means for putting down corruption and inviting their co-operation in this matter?

**The Honourable Sir Geoffrey de Montmorency:** Yes. A circular letter in English and Vernacular was issued in March 1917 to all officials and was also posted on Government buildings, in Serais, Patwarkhanas, village Chaupals and other places of public resort. This letter drew attention to cases of prosecution for bribery and exhorted all officials to make a determined attempt through the services and the public to check and eradicate corrupt practices. It was followed by a public proclamation, dated the 29th August 1921, to the same effect. The proclamation of 1921 was printed in English, Urdu, Hindi and Gurmukhi. It was issued to all newspapers and widely circulated in every district. The report of the Committee on corruption in the public services was issued subsequently with Punjab Government Resolution No 11262, dated the 31st March 1922. Both documents were published in the *Punjab Gazette* and copies supplied to all Heads of Departments, Commissioners, Deputy Commissioners and members of the Legislative Council.

**PUNJAB JAILS COMMITTEE AND CORRUPTION IN JAILS.**

**12\*. Lala Bodh Raj:** Will the Honourable Member for Finance please state if any report was made by the Punjab Jails Committee against individual officers of the Jail Department for their corrupt or dishonest practices? If so, what action has been taken by the Government against such officers or other corrupt members of the staff?

**The Honourable Sir Geoffrey de Montmorency:** The reply to the first part of the question is in the negative, consequently the second does not arise.

**PUNISHMENT OF DISHONEST OR CORRUPT OFFICIALS.**

**13\*. Lala Bodh Raj:** (a) Will the Honourable Member for Finance please state if, in view of the report of the Punjab Jails Committee, the Government intends to punish the dishonest or corrupt officials and promote or reward the honest ones?

(b) If so, will he please lay on the table the lists of such officers?

(c) Will he also please state how he intends to deal with such officials respectively?

**The Honourable Sir Geoffrey de Montmorency:** It is the intention of Government to retire compulsorily any officials of the Jail Department whose record and reputation on examination is found not to justify their continuance in Government service, as soon as they can be replaced by newly appointed officers. Those, on the other hand, considered fit for retention will be incorporated in the new cadre. It is not possible at present to publish the names of officers whose services will be dispensed with, as their past records are still under examination and the new substitutes are not yet available; nor can the latter be placed in permanent charge of their duties without a preliminary period of training.

**Lala Bodh Raj :** Will the Honourable Member please say if any officials of the Jails Department have been made to retire compulsorily by this time ?

**The Honourable Sir Geoffrey de Montmorency :** I should like notice to examine that question.

CONFIRMATION BY DEPUTY COMMISSIONER OF CERTAIN RESOLUTIONS  
PASSED BY THE MUNICIPAL COMMITTEE, MONTGOMERY

**14\*. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that the municipal committee, Montgomery, passed a condolence resolution on the death of Sriji Deshbandhu Chittaranjan Das, and that the resolution was not confirmed by the Deputy Commissioner ?

(b) Is it a fact that the same committee passed a similar resolution on the death of some European gentleman, and that resolution was confirmed by the Deputy Commissioner ?

(c) If the replies to parts (a) and (b) be in the affirmative, will the Government please state the reasons for such distinction ?

**The Honourable Malik Firoz Khan, Noon :** (a) Such a resolution was passed on 19th June 1925, and it was also resolved that municipal schools and offices should be closed on the following day, and that copies of the resolution should be sent to the Press. The resolution required no confirmation under law, but the Deputy Commissioner subsequently wrote to the committee and expressed the opinion that the passing of such resolutions was outside the function of the municipal committee which is essentially a body concerned with local affairs and local affairs only.

(b) Yes. A resolution was passed on 24th March 1925, but the Deputy Commissioner expressed no opinion about it. It was submitted to him in the ordinary course with the minutes of the committee's meeting.

(c) Government consider that municipal committees ought, as a rule, to confine their activities to local municipal affairs, and they should treat all cases alike.

**Lala Bodh Raj :** Will the Honourable Minister please state whether the schools and offices were closed on the following day in compliance with the resolution referred to in part (a) of the answer ?

**The Honourable Malik Firoz Khan, Noon :** I am afraid I shall require notice of the question.

**Shaikh Muhammad Sadiq :** Will the Honourable Minister please state whether the rule applies to all cases ?

**The Honourable Malik Firoz Khan, Noon :** I have stated that all cases should be treated alike.

**Lala Bodh Raj :** Will the Honourable Minister please state whether the resolution referred to in part (a) stands in the minute book ?

**The Honourable Malik Firoz Khan, Noon :** I am afraid I have no knowledge of it, and I should require notice of the question.

**COMPLAINTS AGAINST SHAIKH KARAM HUSAIN, TAHSILDAR, SAMUNDRI.**

**15\* Lala Bodh Raj:** (a) Will the Honourable Revenue Member please state if any complaints have been received by the Government against Shaikh Karam Husain, Tahsildar, Samundri, in Lyallpur District, for his ill-treatment towards the Hindus and Sikhs?

(b) Is it a fact that in those complaints there are serious allegations against the officer?

(c) Will the Honourable Member please state if any action has been taken by the Government thereon?

(d) Will the Honourable Member please state if the Government intends to transfer the said official and hold an open enquiry into the allegations?

(e) Has the attention of the Government been drawn to such allegations appearing in the press from time to time?

(f) Is it a fact that similar complaints had been received by the Government against the said official when he was at other stations also?

(g) Will the Honourable Member please state if specific instances of acts of high-handedness and of corruption of the said official have been brought to the notice of Government? If so, what action has been taken by the Government on the complaints?

**The Honourable Mian Sir Fazl-i-Husain:**

(a), (b) (e) and (f). Yes.

(c) No, because the allegations are reported by the local officers to be malicious and unfounded.

(d) First part. The Tahsildar has already been transferred from Samundri to Toba Tek Singh. Second part, No.

(g) No.

**Lala Bodh Raj:** Will the Honourable Member please state if any officer was deputed to enquire into the allegations?

**The Honourable Mian Sir Fazl-i-Husain:** If the honourable member kindly refers to my answer to part (e) of the question he will find that this has already been answered.

**Lala Bodh Raj:** Will the Honourable Member please state the name of the local officer deputed to enquire into the allegations?

**The Honourable Mian Sir Fazl-i-Husain:** It is impossible for me to remember the names of all the officers serving in different capacities in the twenty-nine districts of the Punjab.

**FACILITIES TO ZAMINDARS' CHILDREN TO PURSUE THEIR STUDIES.**

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

(a) whether Government is aware of the fact that zamindars who have small holdings cannot afford to send their children for high school and college education; and, if so,

(b) whether Government is considering the desirability of giving more facilities to the zamindars' children to pursue their studies?

**The Honourable Mr. Manohar Lal:** (a) All who are poorly circumstanced find it difficult to provide high school and collegiate education for their children.

(b) The needs of these people are being met by the provincialisation of schools in rural areas, by the increase in the number of such schools and by the creation of Intermediate Colleges.

**Chaudhri Afzal Haq:** Will the Honourable Minister please state whether in the schools and colleges referred to in the answer fees are charged or not?

**The Honourable Mr. Manohar Lal:** So far as I am aware fees are charged.

**Chaudhri Afzal Haq:** What, then, are the facilities afforded to these poorly circumstanced people?

**The Honourable Mr. Manohar Lal:** The facilities referred to in the answer to the question are that these schools and colleges are so placed as to make it convenient and cheap for these poor students to attend. Otherwise they would have to go to Lahore and other distant towns to obtain their education.

#### EXEMPTION OF ZAMINDARS WITH SMALL HOLDINGS FROM LAND REVENUE.

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

- (a) whether Government is aware of the fact that some of the zamindars in the Province have so small holdings that it is uneconomical for them to live on agriculture;
- (b) if it is a fact that every zamindar, however small his holdings may be, has to pay something to the Government as land-revenue; and
- (c) if so, whether Government is considering the advisability of exempting from land revenue those zamindars who have got uneconomical holdings.

**The Honourable Mian Sir Fazl-i-Husain:** (a) Yes.

(b) Yes.

(c) Since land revenue is assessed on land not on persons this would involve a complete readjustment of the whole basis of revenue assessment. The matter is one with which it is not possible to deal in an answer to a question, but is one of those which will be considered in connection with the report of the taxation committee.

#### CORRUPT PRACTICES OF DISTRICT AND TAHSIL STAFF.

**18.\* Chaudhri Afzal Haq:** (a) Will the Honourable Member for Finance be pleased to state—

- (a) if he is aware of the fact that district and tahsil staff called *ahalkars* openly indulge in corrupt practices; and
- (b) if he is aware of the fact that even the most honest Deputy Commissioners, Extra Assistant Commissioners, Sub-Judges and Tahsildars do not generally take notice of the corrupt subordinates under them;

(ii) If the answers to the above are in the affirmative, will the Honourable Member be pleased to state whether Government is considering the desirability of issuing instructions to every Deputy Commissioner, Extra Assistant Commissioner, Sub-Judge and Tahsildar and other responsible officer of all departments that, besides personal honesty, officers are responsible for the purification of their subordinate staff; and that bad reputation of the subordinate staff will be considered an act of negligence on the part of the officers?

**The Honourable Sir Geoffrey deMontmorency:** (a) Complaints reach the Government from time to time both from their own officers and from the public of the existence of corruption among subordinate officials at District Headquarters and Tahsils.

(b) No. On the contrary, Government is satisfied that the Deputy Commissioners and other gazetted officers mentioned are fully alive to their responsibilities for detecting the existence of this evil, checking all tendencies on the part of their subordinates to resort to such practices and for meting out severe punishment to those who can be proved to indulge in them.

**Chandhri Afzal Haq:** Will the honourable member please state whether the Government is prepared to issue instruction on this point or not to the effect that the tahsil staff is corrupt, and that the Deputy Commissioners should take care of that?

**The Honourable Sir Geoffrey deMontmorency:** From the latter part of my answer it will be seen that Government is satisfied that the Deputy Commissioners and other gazetted officers are fully alive to their responsibilities in regard to the checking of corruption in the tahsil staff.

#### ACQUISITION OF LAND NEAR ARIFWALA BY A EUROPEAN COMPANY.

**19\*. Chaudhri Afzal Haq:** (a) Will the Honourable Revenue Member be pleased to state whether any European company is in communication with the Government for acquiring land near Arifwala, district Montgomery?

(b) If so, will he be pleased to state —

(i) the purpose for which the land is being acquired;

(ii) how many acres of land they wish to acquire;

(iii) whether Government proposes to impose any conditions on them;

(iv) whether Indian capital is also being invited by the directors of the said company?

**The Honourable Mian Sir Fazl-i-Husain:** Many applications for grants of land in the Nili Bar on special conditions have been made to Government, and among the applicants are several European Companies and individuals. It may be useful if I give the general decision of Government on the subject of such grants. As a general principle Government is opposed to such grants, but has lately had under consideration the special case of grants for producing improved seeds. Provision already existed for 2,000 acres of land being placed at the disposal of the Agricultural Department, firstly, for experimental purposes, and, secondly, to supply good seed to the colony. On representations received that the supply of improved seed

[ Hon'ble Mian Sir Fazl-i-Husain. ]

is of the utmost importance to the colony, it has been decided to give on long lease of 25 years at favourable malikana rates 5,000 acres of land in two lots for the culture and supply of improved seed. Applications will be invited and selection of the most suitable lessees made. In doing so, applications of corporations will receive special consideration.

It would thus appear that no permanent grants are contemplated and the selection of lessees for long-term leases will be with reference to the object in view, i.e., supply of improved seed.

#### BAN ON DR. ABDUL HAFIZ, LALA HARDYAL AND OTHERS.

20\*. Chaudhri Afzal Haq: Will the Honourable Home Member be pleased to state whether the Government are, or have been, in communication with the Government of India on the subject of removing the ban on Dr. Abdul Hafiz, Lala Hardyal and others?

The Honourable Sir Geoffrey de Montmorency: The Punjab Government have not made any recommendation of the nature indicated as regards Dr. Abdul Hafiz, a resident of the Punjab. Lala Hardyal is not a resident of this Province. It is not indicated to what other persons the question refers.

#### UNSTARRED QUESTIONS AND ANSWERS.

##### DEFECTS IN THE SYSTEM OF EDUCATION.

1. Chaudhri Afzal Haq: (a) Has the attention of the Honourable Minister for Education been invited to paragraph 37 of the Punjab Provincial Police Committee's report at pages 27-28?

(b) If so, will he be pleased to state what steps he proposes to take to remove the present defect in the system of Education?

The Honourable Mr. Manohar Lal: The matter is still under consideration by the Punjab Government.

##### ARTILLERY PRACTICE IN ILAQA KANDI AND INCONVENIENCE TO ITS INHABITANTS.

2. Chaudhri Afzal Haq: (a) Will the Honourable the Home Member be pleased to say —

(a) if it is a fact that in November 1926 military units came to *ilaqa* Kandi, District Hoshiarpur, for artillery practice;

(b) if it is a fact that they locked up the inhabitants of several villages from 10 A. M. till evening;

(c) if it is a fact that artillery practice lasted for several days and the inhabitants were meted out the same treatment each day?

(d) If the answers to above are in the affirmative, will he be pleased to state what steps it is proposed to take in future to remove the inconvenience to the inhabitants of that *ilaqa* that may be caused by the military units going there for artillery practice?

**The Honourable Sir Geoffrey de Montmorency :**

- (a) Artillery practices were carried out during December 1926 in the triangle formed by the Hoshiarpur-Kangra Road, the Siwalik Range, and the Hoshiarpur-Una Road, in the Hoshiarpur district.
- (b) No. The movements of the inhabitants of several villages were restricted from 10 A.M. to 3-30 P.M. and sometimes a little later; the restrictions did not in all cases amount to confinement. The suggestion implied in the words "looked up" used in the honourable member's question is incorrect.
- (c) The Artillery practices lasted for several days, and the restrictions referred to lasted while the practices continued.
- (d) The Deputy Commissioner has already considered the matter and proposes that the Military Authorities be requested not to use this particular area for artillery practices for at least two years.

#### VILLAGE LIBRARIES IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

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

- (a) the names of those villages in the Hoshiarpur and Ludhiana Districts where village libraries have been opened; and
- (b) the number of persons who availed themselves of these libraries in the year 1926?

**The Honourable Mr. Manohar Lal :**

- (a) Grants are given for 20 libraries in the Ludhiana district and for 82 in the Hoshiarpur district.
- (b) The information is not available.

#### TRANSFER OF INSPECTORS OF SCHOOLS.

**4. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state, what steps Government have taken so far with reference to the resolution of Lala Mohan Lal which was discussed on the 22nd October 1926 with regard to the transfer of Inspectors of Schools after 5 years?

**The Honourable Mr. Manohar Lal :** Government sees no reason to depart from the view expressed by my predecessor in the course of the discussion referred to.

#### CO-OPERATIVE SOCIETIES IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

**5. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state the total sum of money which has been spent for benevolent purposes by the co-operative societies in the Hoshiarpur and Ludhiana districts in the year 1926, and whether any reading rooms have been started by any of the co-operative societies in the Hoshiarpur and Ludhiana districts?

**The Honourable Sardar Jogendra Singh:** No record of the total sum is maintained in any office of Government.

**PUNJAB PRISONERS CONFINED IN JAILS OF OTHER PROVINCES.**

**6. Chaudhri Afzal Haq:** (a) Will the Honourable Home Member be pleased to state—

(a) the names of those prisoners who were convicted in this province and who belong to this province but are undergoing their sentences in the jails of other provinces; and

(b) whether the Governments of those provinces where these prisoners have been transferred send any statements of the health and weight of the prisoners?

(c) If the answer to part (b) of the question is in the affirmative, will he be pleased to lay on the table the statements of their health, and if in the negative whether he is considering the desirability of getting a quarterly statement of their health from the jails of the other provinces?

**The Honourable Sir Geoffrey de Montmorency:** (i) (a) A nominal roll of such convicts is laid on the table.

(b) No, not periodically, though in the case of an individual prisoner report of illness has been received.

(c) Government does not propose to lay the latter correspondence on the table or to call for periodical reports regarding the health and weight of all prisoners.

**LIST OF PUNJAB POLITICAL PRISONERS CONFINED IN JAILS OF OTHER PROVINCES.**

Name of prisoner.	Father's name.
1. Kartar Singh	Sunder Singh.
2. Randhir Singh	Natha Singh.
3. Sawan Singh	Khusal Singh.
4. Nidhan Singh	Sunder Singh.
5. Jagat Ram	Ditta Mal.
6. Balwant Singh	Hamir Singh.
7. Jawala Singh	Kanhaya Singh.
8. Nand Singh	Ram Singh.
9. Sunder Singh	Rattan Singh.
10. Chuhan Singh	Bata Singh.
11. Kripa Singh	Jawahir Singh.
12. Pakhar Singh	Bhan Singh.
13. Sohan Singh	Kasam
14. Hari Singh	Amar Singh

*Name of prisoner.**Father's name.*

15. Harda Ram	...	...
16. Harnam Singh	...	...
17. Harnam Singh	...	Naram Singh.
18. Kesar Singh	...	Bapa.
19. Gujar Singh	...	Sham Singh.
20. Bishan Singh	...	...
21. Chanan Singh	...	...
22. Madan Singh	...	Mal Singh.
23. Hira Singh	...	Man Singh.
24. Rur Singh	...	Attar Singh.
25. Sher Singh	...	Kesar Singh.
26. Parma Nand	...	Giya Prasad.
27. Budha Singh	...	Ishar Singh.
28. Kusbal Singh	...	...
29. Arjan Singh	...	...
30. Harnam Singh	...	...
31. Kehr Singh	...	...
32. Karam Singh	...	...
33. Ram Saran Dass	...	...
34. Bhagal Singh	...	...
35. Mata Singh	...	Gopal Singh.

## REORGANISATION OF THE SENATE OF THE PUNJAB UNIVERSITY.

7. **Chandhri Afzal Haq :** With reference to my question No. 3584 put on the 22nd October 1926, and the answer given thereto, will the Honourable Minister for Education be pleased to state whether the Government have since received any reply from the Punjab University.

**The Honourable Mr. Manohar Lal :** No.

## VILLAGE LIBRARIES.

8. **Chandhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state the number of persons who availed themselves of the village libraries in the year 1926 ?

**The Honourable Mr. Manohar Lal :** The information is not available.

**CO-OPERATIVE SOCIETIES IN HOSHIAHPUR AND LUDHIANA DISTRICTS.**

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

- (a) the number of co-operative societies that went into liquidation in the year 1926 in the Hoshiahpur and Ludhiana districts; and
- (b) the number among these which went into liquidation because of the reason that the crops of their members were damaged by floods?

**The Honourable Sardar Jogendra Singh:** (a) Sixteen societies in the Hoshiahpur district and one in the Ludhiana district went into liquidation in the year 1926.

(b) "None?"

**NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.**

10. **Chaudhri Afzal Haq:** Will the Honourable Home Member be pleased to state—

- (a) the names of those newspapers which are on the black list of the Government and do not get Government advertisements, and
- (b) the names of those papers in whose case the conditions of tone and circulation have been relaxed and the reason for their special treatment?

**The Honourable Sir Geoffrey de Montmorency:** The attention of the honourable member is drawn to his question No. 1255 and the answer thereto, reported at page 34 of the Debates of this Council, Volume VIII. Government is not prepared to give the information.

**RELIEF TO INHABITANTS OF VILLAGE PHURA.**

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

- (a) if it is a fact that village Phura, Post Office Miani, tehsil Dasna, district Hoshiahpur, was flooded in the year 1924, and even buls and buffaloes could not be saved;
- (b) if it is a fact that since then the zamindars of that village have been in very bad plight and have no cultivable land;
- (c) if it is a fact that the co-operative society of that village has gone into liquidation; and
- (d) If the answers to the above are in the affirmative, what relief has been given to the people of that village?

**The Honourable Mian Sir Fazl-i-Husain:** It is regretted that a reply to this question is not yet ready. A reference has been made to the local authorities and their reply is awaited.

## CO-OPERATIVE SOCIETIES AND TEACHERS OF SCHOOLS IN JULLUNDUR.

12. Chaudhri Afzal Haq : (a) Will the Honourable Minister for Education be pleased to state (a) if it is a fact that the District Inspector of Schools, Jullundur, in his circular No. 4188, dated 21st October 1926, called upon all the teachers of schools under him to join co-operative societies ;

(b) if it is a fact that some of the teachers did not so join of their own free will ; and

(c) if it is a fact that some of them who did not join were threatened by the Inspector of Schools ?

The Honourable Mr. Manohar Lal : The information is being collected.

## DEATH OF GHULAM HASSAN IN THE CIVIL HOSPITAL AMRITSAR.

13. Chaudhri Afzal Haq : (i) With reference to my question No. 8838<sup>1</sup> put on the 1st July 1926 and the answer thereto will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether Ghulam Hassan, son of Muhammad Ibrahim, was examined before operation ; and

(b) whether the parents of the boy were warned as to the possible consequences of the operation ?

(ii) If the answer to part (a) of the question is in the affirmative, will he be pleased to lay on the table a copy of the report or remarks entered in the hospital register regarding the health of the boy before the operation ?

The Honourable Malik Firoz Khan Noon : (i) (a) Ghulam Hassan son of Muhammad Ibrahim, was examined before operation as regards the condition of his heart and lungs, and they were found to be free from disease.

(b) As there was no reason to apprehend any ill-consequences from the operation, no warning was given to the parents.

(ii) It is not usual to make any record on the hospital register if the result of the examination is negative.

## VILLAGE PANCHAYATS.

14. Chaudhri Afzal Haq : (a) With reference to my question No. 8492<sup>2</sup> put on the 21st October 1926 and the answer thereto, will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that a committee of officials and non-officials considered the question of popularising the panchayats ?

(b) If so, will he be pleased to state what measures the committee recommended to encourage the panchayats and when he proposes to act on those recommendations ?

<sup>1</sup> Volume IX, page 1202.

<sup>2</sup> Volume IX, page 1631.

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

(b) The committee recommended the appointment of special panchayat officers, and this recommendation has been accepted by Government. A copy of the orders that have been issued on the subject is laid upon the table.

No. 5016 (L. S.-G.), dated Lahore, the 16th February 1927.

From—J. G. BRAZIER, Esq., I.C.S., Secretary to Government, Punjab, Transferred Departments,

To—All Commissioners of Divisions in the Punjab.

**SUBJECT:—***Appointment of panchayat officers in selected districts.*

SIR,

The Punjab Government (Ministry of Local Self-Government) have for some time had under consideration the question of the measures that could be taken to popularize panchayats and to improve the working of existing panchayats. The Punjab Village Panchayat Act, 1921, has now been in force for nearly five years but so far in only a very small proportion of the villages of the province—about 300 in all—have panchayats been constituted, and where they have been constituted beyond disposing of a certain number of petty civil and criminal cases they have performed none of the duties imposed upon them and exercised none of the other functions assigned to them by the Act. To remedy the present state of affairs it is desirable on the one hand to create a much wider demand for the constitution of panchayats and on the other to attempt to interest panchayats already existing or to be constituted in future in the execution of the duties and the exercise of the functions assigned to them with a view to improving the sanitary conditions of villages and generally increasing the amenities of village life. To this end it has been decided to appoint a special panchayat officer in one district in each division, to work under the Deputy Commissioner. It will be his business to explain to villages where panchayats do not exist the advantages that can be derived from the panchayat system, removing any misunderstandings with regard to it which he may find to exist. While in existing panchayat villages he will impress upon the panches and the people how much can be done by means of the Act to improve their conditions of life. The district to be selected in each division should be the district in which the best start has already been made, and the persons to be appointed as panchayat officers should be retired Extra Assistant Commissioners or Tahsildars or officers deputed from the Co-operative Department or such other persons as may appear to be specially suited for the work.

2. I am accordingly to request that you will suggest which district in your division should be selected and will intimate the name of the person whom you would appoint as panchayat officer together with the terms in respect of pay, travelling allowance, etc., on which you consider he should be appointed. No actual appointment should, however, be made until the further orders of Government are received by you.

VILLAGE SANITATION AND PUBLIC MANAGEMENT ACT.

15. Chaudhri Afzal Haq: With reference to my question No. 3493<sup>1</sup> put on the 21st October 1926 and the answer thereto, will the Honourable

Minister for Local Self-Government be pleased to state whether the Government have now decided to frame a law on the lines of the Village Sanitation and Public Management Act in the Central Provinces?

**The Honourable Malik Firoz Khan, Noon :** Under the Punjab Village Panchayat Act, 1921, panchayats can be constituted with practically all the powers which can be exercised by panchayats constituted under the Central Provinces Village Sanitation and Public Management Act, 1920, and many others as well. The latter Act, however, differs from the Punjab Act in that it permits panchayats to be constituted at the will of Government even though the people affected may object, whereas in the Punjab no revenue estate can be included in a panchayat village if a majority of the revenue payers object. In these circumstances Government do not consider it desirable to substitute a less liberal and less democratic measure for the existing Punjab Act.

#### ALLOWANCES TO WIDOWS OF PATWARIS.

**16. Chaudhri Afzal Haq :** With reference to the reply of Mr. C. M. King to a question put by Pandit Nanak Chand in the course of the debate in the Council on the 22nd October 1926 on the resolution regarding making of the posts of patwaris and girdawars pensionable (*vide* Punjab Debates, Vol. IX-B., page 1726), will the Honourable the Revenue Member be pleased to state the number of such special cases in which widows of patwaris got an allowance in the year 1926?

**The Honourable Mian Sir Fazli-Hussain :** Government does not provide directly for the widows of its own officers, although it provides financial encouragement in certain cases in the shape of provident funds, etc. A scheme for such a provident fund for patwaris, even though they are not technically Government servants, has been submitted by the Punjab Government to the Government of India. That scheme is under consideration and the sanction of the Secretary of State is required.

A compassionate fund has been provided by Government for the relief of families of Government servants left in indigent circumstances through the premature death of the person upon whom they depended for support. Although technically not eligible, patwaris' widows have occasionally been admitted to the benefits of this fund. In the year 1926 two applications were received, in one of which a gratuity of Rs. 140 was granted to the widow and the other case is under consideration.

#### VISITS OF DELHI JAIL BY THE MEMBERS OF THE JAIL STANDING COMMITTEE.

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

- (a) if it is a fact that the Delhi Jail is under the administrative control of the Inspector-General of Prisons, Punjab;
- (b) if it is a fact that a large majority of the jail population in the Delhi Jail has always consisted of convicts transferred from the Punjab Jails;
- (c) if it is fact that the convicts of the Delhi Province are generally transferred to the Punjab Jails;
- (d) if the answers to the above are in the affirmative, whether the members of the Jail Standing Committee are allowed to visit the Delhi Jail?

**The Honourable Sir Geoffrey de Montmorency :** (a) Yes.

(b) Yes.

(c) Only habitual prisoners and those sentenced to terms of imprisonment over 7 years are transferred to the Punjab Jails.

(d) No. The Delhi Jail is under a separate administration, which appoints its own non-official visitors.

**REPORT OF THE DEPUTY COMMISSIONER, HOSHIARPUR, RE. PARTICULAR TROUBLE IN ILAQA BEIT.**

**18. Chaudhri Afzal Haq :** With reference to Lieutenant-Colonel Forster's remarks in the course of the debate on the improvement of rural sanitation on the 22nd October 1926 (*vide* Punjab Debates, Vol. IX-B, the first paragraph on page 1717), will the Honourable Minister for Local Self-Government be pleased to lay on the table the report of the Deputy Commissioner, Hoshiarpur (Mr. Jenkins), with respect to the particular troubles of *ilaqa* Beit, tahsil Dasuha, district Hoshiarpur?

**The Honourable Malik Firoz Khan, Noon :** No report was submitted by the Deputy Commissioner. Semi-official correspondence passed between him and the Director of Public Health, which Government are not prepared to lay on the table.

**SPECIAL PROVIDENT FUND FOR PATWARIS.**

**19. Chaudhri Afzal Haq :** With reference to the remarks of Mr. C. M. King on the 22nd October 1926 in the course of the debate on the resolution *re* making of the posts of patwaris and girdawars pensionable (*vide* Punjab Debates, Vol. IX-B, page 1722, paragraph 3) will the Honourable Revenue Member be pleased to state whether the Government have since decided the form of special provident fund for patwaris?

**The Honourable Mian Sir Fazl-i-Husain :** The scheme for the establishment of a provident fund for patwaris is still under the consideration of the Government of India who have been in correspondence with the Secretary of State on the matter.

**PAYMENT TO PATWARIS FOR PREPARATION OF ELECTORAL ROLLS.**

**20. Chaudhri Afzal Haq :** With reference to the following remarks of Mr. C. M. King in the course of the discussion on the resolution *re* making of the posts of patwaris pensionable,—(*vide* Council Debates, Vol. IX-B, page 1722, paragraph 4) : "Of course we may ask the patwari to do some miscellaneous work occasionally, such as the preparation of voters' lists, but he gets special rewards for that," will the Honourable Revenue Member be pleased to state whether the patwaris were paid any reward for the preparation of voters' lists in 1926?

**The Honourable Mian Sir Fazl-i-Husain :** A sum of Rs. 87,739-4-0 has been placed at the disposal of the Deputy Commissioners and will be paid to them before the end of the financial year.

## SMALL TOWNS AND OCTROI TAX.

21. Chaudhri Afzal Haq: With reference to the review of the Annual Administration Report on Small Towns for the year 1925-26, paragraph 2, will the Honourable Minister for Local Self-Government be pleased to state whether the Government, finding difficulties in the matter of collection of taxes, have finally resolved to instruct the small towns to impose octroi taxes instead of house or hsiyat taxes.

The Honourable Malik Firoz Khan, Noon: No.

## SMALL TOWN COMMITTEE, DASUHA AND OCTROI TAX.

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

- (a) if it is a fact that the Small Town Committee, Dasuha (district Hoshiarpur) unanimously resolved to impose octroi tax;
- (b) if it is a fact that before the Small Town Committee was constituted, Dasuha Municipal Committee had been successfully imposing the octroi tax;
- (c) if it is a fact that the unanimous resolution of the Small Town Committee in the matter of octroi tax was rejected by the Commissioner of the division;
- (d) if it is a fact that the Small Town Committee, Dasuha, unanimously resolved for a second time to impose octroi tax;
- (e) If the answers to the above are in the affirmative, whether the Government have now acceded to the wishes of the committee in the matter of the imposition of octroi tax?

The Honourable Malik Firoz Khan, Noon:

(a) Yes.

(b) Yes.

(c) Yes.

(d) Yes.

(e) The proposal has not yet been submitted to Government, as it was returned to the committee in order that the necessary statistics might be supplied.

## PROSTITUTES IN KHANNA.

23. Chaudhri Afzal Haq: (a) Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) if it is a fact that Khanna Small Town Committee ordered the removal of prostitutes from the bazaar to that area where poor people reside with their families;
- (b) if it is a fact that the inhabitants of that area where the prostitutes now reside made a representation to the Deputy Commissioner, Ludhiana, in the matter?

(ii) If the answers to the above be in the affirmative, will he be pleased to state whether he proposes to take any action in the matter?

**The Honourable Malik Firoz Khan, Noon :** (i) (a) The town committee of Khanna made a general order under clause (w) of section 35 of the Punjab Small Towns Act, 1921, permitting the residence of prostitutes only in a particular bazaar not including the residential lanes and *hukkas* adjoining the bazaar.

(b) Before the order was made, public notice was duly given as required by section 36 of the Act, but no objection was received within the period allowed by the law, and the general order was duly made by the town committee, confirmed by the Commissioner and published in the Gazette in September 1926. Subsequently in November 1926 a representation from the residents of the ward in which the bazaar in question is situated was received by the Deputy Commissioner, but was filed as the period for objections had long expired.

(ii) Government do not propose to take any action in the matter, but it is open to persons who now object to the general order to approach the town committee with a view to obtaining its modification or, if the town committee is not prepared to modify it, to request the Commissioner to cancel his sanction.

#### "RAM GAUS" AND DESTRUCTION OF CROPS IN JAGRAON.

**24. Chaudhri Afzal Haq :** (a) Will the Honourable Revenue Member be pleased to state—

(i) whether it is a fact that several hundred cows called "Ram Gaus" roam in tahsil Jagraon and devastate the crops of the zamindars;

(ii) whether it is a fact that the Hindu, Muhammadan and Sikh zamindars several times represented the matter to the Deputy Commissioner;

(iii) whether it is a fact that these "Ram Gaus" belong to Patiala State;

(iv) whether it is a fact that the zamindars of that *ilaga* neither kill nor molest these sacred animals through fear of prosecution?

(b) If the answers to the above are in the affirmative, what steps does Government propose to take to remedy the state of affairs?

**The Honourable Mian Sir Fazl-i-Husain :** It is regretted that a reply to this question is not yet ready. A reference has been made to the local authorities and their reply is awaited.

#### BAR ROOM IN GARHSHANKER.

**25. Chaudhri Afzal Haq :** With reference to question No. 3501<sup>1</sup> put on the 21st October 1926, and the answer thereto, will the Honourable Finance Member be pleased to state whether the Government has since decided to arrange for the building of a bar room in Garhshankar in the year 1927-28?

**The Honourable Sir Geoffrey deMontmorency :** A proposal for a bar room at Garhshankar is under consideration. If the Honourable Judges of the High Court approve of it, application will doubtless be made for funds.

**ASSISTANT SURGEON FOR GARHSHANKAR DISPENSARY.**

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

- (a) whether it is a fact that an Assistant Surgeon has been posted for the tahsil dispensaries of Una and Dasuba, district Hosbiarpur ;
- (b) whether it is a fact that tahsil Garhshankar is the biggest tahsil in the district ;
- (c) whether it is a fact that there is no Assistant Surgeon in tahsil Garhshankar ;
- (d) if the answers to the above are in the affirmative, when Government are going to post an Assistant Surgeon for Garhshankar Dispensary ?

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

(b) Garhshankar is the second biggest tahsil in the district.

(c) Yes.

(d) Under the scheme for the provincialization of tahsil hospitals, an Assistant Surgeon will eventually be posted to Garhshankar.

**UNEMPLOYMENT IN THE PROVINCE.**

**27. Chaudhri Afzal Haq :** (i) Will the Honourable Finance Member be pleased to state —

- (a) if it is a fact that Government proposed to appoint a committee of official and non-official members to go into the question of unemployment in the province ; and
- (b) if it is a fact that necessary funds were sanctioned by the Council for the purpose ?

(ii) If the answers are in the affirmative, will he be pleased to state, when Government are going to appoint that Committee ?

**The Honourable Sir Geoffrey deMontmorency :** The attention of the honourable member is invited to Punjab Government resolution No. 4920—Home—Genl., which was published in the official Gazette on 18th February 1927.

**REPORT OF THE BOARD OF ECONOMIC ENQUIRY.**

**28. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state whether the report of the Board of Economic Enquiry is available for public use ; and if so, whether copies of the same will be distributed to the members of the Council ?

**The Honourable Mian Sir Fazl-i-Husain :** Yes.<sup>1</sup>

## HIGH SCHOOL AT MUKERIAN.

29. **Chandhri Afzal Haq**: With reference to the answer to question No. 8571,<sup>1</sup> put on the 23rd October 1926, will the Honourable Minister for Local Self-Government be pleased to state whether the Government are considering the desirability of instructing the district board to maintain a high school at Mukerian?

**The Honourable Malik Firoz Khan, Noon**: No, Government have no power to dictate to local bodies where they shall open schools.

## ROYALTY FOR STONES TAKEN FROM KHADS AND NALAS ALONG THE KANGRA VALLEY CART ROAD.

30. **Chandhri Ram Singh**: Will the Honourable Revenue Member be pleased to state —

- (a) whether it is a fact that about 70 miles of the Kangra Valley Cart Road (from Pathankot to Baijnath) lie within the boundaries of the Kangra district;
- (b) whether it is a fact that the *khads* and *nalas* along the above mentioned road partly belong to *shamilats* and partly to private owners;
- (c) whether it is a fact that for metalling and repairing the above road and for constructing bridges over the same, stones are taken from these *khads* and *nalas*;
- (d) whether it is a fact that the Public Works Department charges six per cent. as royalty from the contractors and pays the same to the Forest Department; and if so, what was the amount so charged by the Public Works Department as royalty from the contractors and paid to the Forest Department during the last ten years;
- (e) whether the Forest Department has distributed the royalty so charged amongst the zamindar proprietors also; if so, when, and what is the amount so far paid to the zamindar proprietors of each *manza*;
- (f) if nothing has been paid to the zamindar proprietors during the last ten years, whether Government proposes to direct the Forest Department to pay immediately the amount so collected to the zamindar proprietors concerned;
- (g) whether they also propose to direct the Forest Department to pay the amount of royalty so charged to the zamindar proprietors concerned annually; and
- (h) whether they propose to direct the Forest Department to keep separate accounts for stones taken from the *khads* and *nalas* of each *manza* through which the road passes and for the royalty charged from the contractors?

**The Honourable Mian Sir Fazl-i-Husain**: Necessary information is being collected and will be supplied immediately on receipt.

## MOTION RE: WANT OF CONFIDENCE IN MINISTERS.

**Dr. Shaikh Muhammad Alam** [ West Punjab Towns (Muhammadan), Urban ]: Sir, I beg to ask leave for a motion notice of which I gave before the commencement of the sitting this morning. The motion runs as follows:—

"This Council expresses want of confidence in the three Ministers in charge of the transferred departments of the Punjab Government."

**Mr. President:** The motion is—

"This Council expresses want of confidence in the three Ministers in charge of the transferred departments of the Punjab Government."

Those members who are in favour of leave being granted are requested to stand in their places.

(Less than 30 members stood in their places.)

**Mr. President:** The honourable member is informed that he has not the leave of the Council to move the motion. (Cheers.)

## ANNOUNCEMENT FROM THE CHAIR.

### PANEL OF CHAIRMEN.

**Mr. President:** Under rule 3 of the Punjab Legislative Council Rules I nominate the following members to serve on the panel of chairmen for the current session of the Legislative Council:—

Khan Bahadur Maulvi Sir Bahim Bakhsh.

Mr. V. F. Gray.

Rai Bahadur Pandit Daulat Ram, Kalia.

Chaudhri Zafrullah Khan.

## PRESENTATION OF THE BUDGET.

**The Hon'ble Sir Geoffrey deMontmorency Finance Member:** My predecessor, Sir John Maynard, to whose prudent sagacity and watchful care the stability of the finances of the Province owe so great a debt, in introducing the budget for the current year dwelt at some length on the changes and vicissitudes of fortune attending upon the making of the long series of budget estimates prepared and presented to the Council by him. His experience was unique, for I believe it has not fallen to the lot of any other Finance Member of any Local Government to deal with all the annual budgets of a province from the time of the introduction of the Reforms up to and including the budget estimates of 1926-27. For this reason particular importance must be attached to the views he expressed at the time of the presentation of the last budget made by him, and it is on this account in particular that I refer to his observations. He enlarged on the dangers of a fair financial sky becoming unexpectedly overcast by clouds, and while describing himself at the moment of the introduction of the budget as basking in the sunshine

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of prosperity and surpluses he took his audience back in retrospect to years of disappointment and to periods of poverty and anxiety. He referred to times when both ends did not meet and when in spite of retrenchment and economy the revenue for the year was not sufficient to cover the ordinary revenue expenditure; and though, at the time, he observed that the era of poverty had appeared to have passed and that the opportunity had come for a more complete development in the process of nation-building and for the expeditious framing of concrete schemes to meet public demands for development, his earlier observations pointed to the fact that there was present in his mind the thought that it was not impossible that even on the fair horizon seen by him at that time, clouds might arise. His remarks are of particular interest at the present time, because, as I shall presently explain, although the sun has not ceased shining, there are some small clouds in the sky which require watching, and taken in conjunction with the disaster in which the cotton crop was involved in kharif 1926, his observations have become endowed with the halo of accurate prophecy.

2. Fortunately in the Council there are a number of honourable members who were in the previous Legislative Council and whose criticism and advice has helped to mould our schemes of finance in the past, and I, as Finance Member, welcome their return; but there are in the new Council also some members, who have not been in the Council before and who are not so familiar with our system of accounts and budget. I may be forgiven by the members of the previous Councils if I dwell for a moment on some matters well known to them which may help to explain to new honourable members the assistance which they can get in considering the budget proposals which I am about to present to the Council. In the first place no doubt they will have observed that in between the time of the presentation of the budget and the general discussion on the budget and the eight days allotted for the voting of grants there is an interval of time. The object of this interval is to enable the honourable members to have time to study the budget proposals after their introduction and before their discussion in principle or in detail.

Again, as regards the order in which the demands are presented to Council, originally the demands used to be presented in an order which followed the numerical order of the heads of expenditure, except that demands under capital heads were combined with the revenue heads of the department to which they belonged. The result of this was that certain heads of expenditure coming early in the period allotted owing to their prior position in the numerical order received rather a fuller consideration in the Council, while others which came late in the list were either excluded from the discussion by the operation of the guillotining rule or did not receive an equal share of attention. Sir John Maynard explained in presenting the budget for 1925-26 that it was proposed in future to reverse the order in alternate years, that is, taking the demands in their numerical order, in one year a beginning would be made from the beginning of the order, and in the following year a start would be made from the other end. This reversal would ensure that over the period of two years the demands, wherever they came in the order, would stand a practically equal chance of full examination and discussion. This is the reason for the order of the demands as presented this year.

May I also draw the attention of the honourable members, who were not in the Council before, to the memorandum explanatory of the budget which has been prepared with great care and admirable clarity by the Financial Secretary. This memorandum consists of two parts—Part A and Part B. Part B contains detailed memoranda explanatory of the estimates of revenue and demands for grants included in the detailed budget estimates. Part A gives a general description of the system of Government accounts and of their subdivision into the more important classes, and at the same time a full survey is given of what is contained in each account and of how the accounts stand in each of these classes, together with a comparison of the causes that have led to changes as compared with the accounts in each class in previous years. The Government of India judge of our financial position as a whole and examine where we stand as a province having regard to the balance in each of these different classes of accounts taken together; and while any prudent examination of our finances must obviously adjudicate upon them as a whole, for the purpose of discussing budget estimates in this Council the five main classes of accounts taken separately are perhaps of more direct interest to the honourable members of Council and enable a clearer appreciation of our financial position to be taken for practical purposes than the balances obtained by their combination as a whole. For this reason in presenting the budget I shall deal with each different class of account separately as was the custom of my predecessor, Sir John Maynard.

If, after reading the memorandum explanatory of the budget, any honourable member finds difficulty in regard to any of the figures presented in the detailed memoranda explanatory of the estimates of revenue and demands for grants contained in the detailed budget estimates, the Secretary, Finance Department, will be glad, prior to the voting of grants, to explain any figures to any honourable member in regard to which he may have difficulties or desires fuller information.

The Finance Department are anxious to assist in any way in making the intricate figures in the accounts and estimates clear, and any information, which they can supply towards their elucidation, is at the disposal of any honourable member who seeks it.

3. I may now turn to the ordinary revenue account. This is by far the most important portion of the Government accounts. The Ordinary Revenue Account. On the revenue side the account shows the ordinary revenue of the Province from which Government has to meet its permanent and recurring liabilities. The revenue obtained may be likened to the blood which flows in the veins of the Government and enables it to conduct the regular activities of its administrative life. This should ordinarily suffice to tone up the energies of Government to meet not only the common round and daily task of its life but also the normal demands for development and new activity which it is called upon to face. This revenue does not include extraordinary receipts which are made up of large non-recurring accretions to revenue due to abnormal circumstances or to the disposal of Government assets, and are of a quasi-capital nature. Some portion of the latter may occasionally have to be used as a temporary and exceptional measure in a crisis to assist in meeting ordinary expenditure owing to some unexpected decrease in ordinary revenue, just as in sickness or debility or in moments of special

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strain a tonic or a stimulant may with advantage be applied; but it would be manifestly unwise to use extraordinary revenue for financing ordinary and regular recurring revenue expenditure. The only result of such a course would be that the inevitable moment would come, when the source of extraordinary revenue would run dry and the administration would find itself faced with a mass of recurring liabilities which it was unable to meet, because they had been incurred without due consideration of the limits of its permanent income. This principle has been accepted by the Legislative Council in the past, and, I have no doubt, will commend itself also to the present Council. It is important therefore to keep activities involving recurring expenditure or progressive recurring expenditure within dimensions, which as far as we can foresee from the observation of the figures of past regular revenue receipts and exploration of the possibilities of expansion of income for the next five years ahead appear to be safe. This is the reason why all proposals for new expenditure involving future recurring commitments are so scrupulously examined by the Finance Department and by the Government, and are not included in the budget until the Standing Finance Committee have had an opportunity of discussing them and offering their advice.

On the expenditure side, it will be noted, the ordinary revenue account will not normally include any capital expenditure, that is expenditure on the acquisition or construction of new permanent assets of public utility, such as new irrigation works or the hydro-electric scheme or measures for the consolidation of debt. On special occasions and in special circumstances it may be found expedient to utilize surplus ordinary revenue to help capital expenditure, as for instance where there is a surplus which cannot be profitably used at the time for regular expenditure, because some schemes of development are not ready, but which can be used at once to help in the execution of a capital project. In such cases it may be wise in order to avoid borrowing and increasing interest charges to elect to spend money already in the till which is not earning interest and not required at the moment for other purposes; but such occasions will not be common.

If honourable members will kindly turn to the table at the end of paragraph 7 of the Financial Secretary's note they will find in the first five columns a complete statement of how the ordinary revenue account stands and the proposals in regard to it in the estimates for 1927-28. Several items in the account illustrate these vagaries of fortune to which I alluded in my opening remarks. Among the more remarkable features of the account is the calamity of the abnormally bad year, 1921-22, when the ordinary revenue receipts were only 8.64 lakhs of rupees. The immediate result of this calamity was an excess of expenditure over receipts of 2.05 lakhs, the conversion of an opening balance of 66 lakhs into a deficit balance of 1.89 lakhs, the necessity for taking a revenue loan to meet current liabilities and a continued depressing effect on balances, which in spite of annual surpluses in the years 1923-24, 1924-25 and 1925-26, prevented the progressive account from showing a credit balance until 1925-26.

No less remarkable, though in the contrary direction, were the revenue receipt figures of the year 1925-26. The Financial Secretary in his memorandum has dwelt on the unusual features of these receipts, as for example the

inflated Stamp revenue and the reactions of the peak of the cotton prices boom on cotton cultivation, which differentiate the conditions of this year and make them unlikely to recur. Receipts in that year totalled 1189 lakhs—a figure far in excess of the figure for any year of the series and markedly in excess even of our estimated receipts for 1927-28, in spite of the developments in normal revenue which have taken place in the interval. These figures mark a change in the curve of our financial position as regards ordinary revenue which should not be allowed to deflect our angle of view from the flatter and more uninteresting normal course of progress of our revenue. In this connection it will no doubt be observed—and the point is of considerable importance—that in 1926-27 and in our estimates for 1927-28 it is anticipated that the disbursements will exceed the receipts in each year, and though we shall still have a balance in the account on the credit side, that balance will have its roots in past prosperity; and the proportion of increase in normal receipts should approximate more nearly to the proportionate increase in disbursements before financial purists could find our position flawless. The anticipated revenue, however, from the expansion of canal irrigation in the Sutlej Valley and other projects can with a considerable degree of certainty be foreseen both as regards amount and time of accrual and is the main source upon which we can safely frame definite expectations of such increase. Other sources such as a further remission of provincial contributions lie in the lap of the gods and we cannot count on them until they are actually received; but without substantial help by further remission of provincial contributions, the Province, it may be readily conceived, will not be able to increase regular expenditure at as rapid a rate as 89 lakhs in 2 years in excess of the ordinary revenue income; it may be admitted that but for the cotton failure of kharif 1926 the figures would have been better; but nevertheless failing such remission a finger will have to be kept on the actual pulse of the pace of development—for no one I presume wants additional taxation—until a considerable expansion in irrigation, which must be gradual, has stabilized the prospects of permanent additional revenue. This is one of the small clouds on the horizon which need not alarm us, but which nevertheless we should watch. At the same time we can console ourselves with the thought that we have new permanent revenue within sight which will be derived from projects largely financed from extraordinary revenues and for which we have in consequence to pay only comparatively light interest charges.

I may now turn to the revised figures of ordinary revenue for 1926-27. The Financial Secretary's memorandum explains that the budget as presented this time last year had to be entirely recast owing to the remission of 28 lakhs of contribution by the Government of India, to the relief of taxation by reduction to the extent of 17 lakhs granted by Government and to the voting of supplementary grants at the June and October sessions. The real deviations requiring scrutiny are therefore deviations between the modified estimates arrived at as a result of these changes and the revised budget for 1926-27 now before you. On the receipt side by far the most important change is the loss of 48 lakhs in land revenue and irrigation receipts. This loss is due almost entirely to three causes, firstly, in a minor degree to the contraction of the area of the cotton crop owing to the fall in prices, secondly, in a major degree to the special remissions of land revenue and abiana given on account of the widespread failure of the cotton crop in kharif 1926, and thirdly,

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in some degree to the commencement of the operation of the reduction in taxation by the lowered rates on fodder crops. The loss in the first two items was mitigated by recourse to the revenue reserve fund from which 10 lakhs were transferred to eke out the shortage of land revenue. I may explain in parenthesis that unless there are some exceptionally sound data for expectation to the contrary, it is necessary in budgets to estimate for normal harvests; and when a crop fails over a considerable area, unless there is some form of insurance of the nature of the revenue reserve fund to give relief, the serious consequent fall in income will lead to a deficit unless the latter can be avoided by the ruthless and often uneconomic method of closing down expenditure in progress. The only other considerable difference is under Stamps where the income fell short of expectations by 10 lakhs. Part of this was due to the decrease deliberately made in the rate of court fees in pursuance of the steps for diminution in taxation and part emanates from the difficulty in calculating the exact time when the rush of suits due to limitation would cease. As regards the revised revenue expenditure, some of the minus items are due to formal and technical causes, some to desirable economies and some to inevitable underspending. I purposely say inevitable because development is inextricably linked up in some cases with the maturing of the projects of local bodies, over which Government has only an indirect control and in other cases with the securing for the execution of works technical and expert staff with the requisite experience and training, which cannot always be found and recruited to the extent and at the exact time desired. Hope springs eternal in the breast of the spending departments; and though the Finance Department make rigorous deductions to counteract this oversanguine disposition of temperament in their estimates, circumstances nevertheless often militate against the execution of even the most prudently thought out and amended programmes. It must not, however, be imagined that development has lagged behind. I have no doubt that in the course of the budget debates the Members and Ministers will be able fully to allay any misgivings which honourable members may have on this score. The admirable summary of the provincial position which His Excellency gave to the last Council on the eve of its dissolution is an eloquent testimony to a tale of rapid expansion and progress especially in the nation-building and beneficent departments to which I am confident that no other province can offer a parallel.

I will now turn to the estimates for the year 1927-28. The receipts are calculated at 11.18 lakhs; this is 86 lakhs less than the original estimates of 1926-27. The remission of taxation announced in the June session last year accounts for 17 lakhs of the decrease. An increase of 14½ lakhs in irrigation working charges and a deduct entry of 4½ lakhs under Excise account for the rest of the difference. The honourable members, even after giving due weight to these figures, may be puzzled to know why normal expansion of permanent revenue does not show some further increase. The reason is that we have to allow for a further fall in the cotton area and a consequent decrease in irrigation receipts. The contraction in area owing to the fall in prices began in kharif 1926; and with little prospect of improvement in prices, past experience points to a further contraction occurring in this coming year. The net loss is estimated at Rs. 9 lakhs. The lower price of cotton

will also affect the receipts in cash for the produce of our seed farms. A real decrease, apart from that caused by deduction for adjustment, is anticipated in Excise receipts. Stamps, excluding the decrease owing to the reduction in court fees which is included in the 17 lakhs previously mentioned are down by 8 lakhs. There are some other minor changes; but those I have quoted are the more important and serve largely to blot out the additional receipts which we anticipate receiving from the Sutlej Valley Project and some extensions of the open canals and from the reassessment of land revenue. The receipts for the rabi harvest, I may observe, are estimated at a normal figure according to the system previously explained of allowing in the budget for average harvests unless there are exceptionally reliable data pointing to the contrary. Clouds have come and clouds have gone, and we have remained balanced between hopes and fears as regards the rabi harvest. It is, however, not improbable that our expectations of rabi land revenue will fall short of estimates, as rain has not materialized in some of the *barani* tracts, and in some others it has been insufficient to bring the necessary degree of relief to withering crops. If the loss turns out to be serious, it may be necessary to give assistance to the diminished receipt head by a subvention from the revenue insurance fund.

The estimated revenue expenditure is naturally that portion of the budget estimates to which the critical faculties of the honourable members of Council are chiefly and rightly directed. After the changes of last June, the modified expenditure side of the current year's budget stood at 11.68 lakhs. The estimates for next year are 10 lakhs in excess of this. I may leave aside certain increases and decreases due to formal or technical alterations in classification which are carefully explained in the memorandum and turn to real differences. The figures in the estimates showing appreciable decreases are, direct demands on the revenue—7 lakhs, and civil contingencies—1 lakh. The first decrease is due to savings in Settlement and Survey and to reduced expenditure on Forests (2½ lakhs), the latter unfortunately finding its counterpart in a corresponding reduction in receipts. The reduction in the provision for the civil contingencies fund is based on economies shown to be desirable by past actuals. The chief increases are 5½ lakhs under Civil Administration, 7 lakhs in the beneficent departments and 12 lakhs under Buildings and Roads. Under the first head the bulk of the increase is in connection with jails (8 lakhs) and relates to making progress with those changes and improvements adopted by Government last year on the report of the Provincial Jail Committee, initial expenditure on which was passed by the last Council in the supplementary demands. General Administration (Reserved) absorbs a lakh connected with necessary additions to the Provincial Civil Service cadre, and Police 1½ lakhs, due partly to past under-estimates, partly to special excise measures and partly to the continuance of the special operations for the prevention of cattle theft for which the last Council voted funds. The 7 lakhs increase in the beneficent departments is divided over Education 3 lakhs, Agriculture 6 lakhs and Industries 1½ lakhs. There is an apparent but not real decrease in Medical which is more than counterbalanced by a large sum under Civil Works for the provincialization of hospitals and a saving of 2 lakhs under the provision for preventive measures against plague in the Public Health head. A serious epidemic, however, might necessitate a reconsideration of this economy. The increase of 12 lakhs

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under Civil Works includes a considerable carry-over to 1927-28 of unspent balances from the provision in the current year for new works. The Chief Engineer (Buildings and Roads) has for some time past been in need of additional staff to cope with the ever increasing burden of demands for works which the activities of the expanding departments of Government keep casting upon his department. Provision for this increase, which is really overdue, is included in the new demands for 1927-28. The beneficent departments, the jail department and communications absorb the major portion of the new Civil Works expenditure.

It may be observed that the estimates do not contain any provision in connection with the very important recommendations for improvement in the Police made in the Punjab Provincial Police Committee's report. This report is under the careful consideration of the Government together with the suggestions and criticisms received in connection with it from the public and local officers.

In the revenue expenditure on irrigation, the honourable members will find a number of items of expenditure destined to ameliorate or prevent water-logging in areas traversed by our great canals. While we enjoy the benefits of the wonderful changes the latter have made in the arid plains of the Punjab, we must leave no stone unturned to remedy defects in drainage or to prevent undue rise in the water table which may have adverse effects upon the productivity of the land or on public health. The areas affected are not large, but the work of reclamation and prevention required is considerable, and as the expenditure on this head is likely to recur in our estimates for some years, I think it right to draw attention to it.

Sir John Maynard in presenting the supplementary demands placed before the Council in its session held in June last drew attention of the House to the manner in which the accessions to our resources have been applied. He compared the expenditure on various departments in 1921-22, the first year of the Reforms, with the estimated expenditure of the current year. I propose to take as my basis of comparison the figures for the year 1923-24, the first year with which the late Council was concerned, and to compare them with the estimates of 1927-28. For several departments an exact comparison is not possible without making considerable adjustments arising out of changes in the classification of various items of expenditure. Where these changes materially affect the comparison, the necessary adjustments have been made. For instance, under Excise, allowance has been made for the addition in 1925-26 of the cost price of opium which was previously not shown on the expenditure side; under Industries, account has been taken of the transfer of the expenditure on the MacLagan Engineering School to 41—Civil Works; under 47—Miscellaneous (Reserved) an adjustment has been made on account of the debit to this head of the appropriation to the Revenue Reserve fund. The figures include for each head the expenditure on works, repairs and stationery as well as the expenditure debited under the major head. For the

main groups in which the service heads are classified in the abstract attached to the budget estimates, the relevant figures are as follows :—

	Actuals 1923-24.	Estimates 1927-28.	Increase or decrease since 1923-24.
	Lakhs.	Lakhs.	Lakhs.
Direct demands ..	79	78	-1 = -1.5%
Civil Administration ..	3.13	3.34	+21 = +6.6%
Beneficent departments ..	1.94	3.32	+1.38 = +71 %
Miscellaneous ..	54	66	+12 = +22 %

For the more important heads included in these groups the expenditure on Land Revenue has diminished by 1.5 per cent; on Excise it has increased by about 1 lakh; on General Administration (Reserved) the increase is 11 lakhs or 9 per cent., but a considerable part of this increase is due to the transfer to this head of expenditure on the reclamation of criminal tribes for which the provision tends steadily to increase; on Jails and Convict Settlements, the expenditure has increased by 14 lakhs or 45 per cent., while on the Police the expenditure is up by only 2 lakhs or less than 2 per cent. The beneficent departments all show large but unequal increases. The provision for Education (Transferred) has increased by 61 lakhs or 59 per cent.; Medical is up by 19 lakhs or 51 per cent., Public Health by 10 lakhs or 86 per cent., Agriculture by 43 lakhs or 149 per cent., but the expenditure in 1927-28 is particularly inflated under this head owing to a large carry-over from the current year; the increase in the provision for Industries is 4 lakhs or 67 per cent. in excess of the actual expenditure of 1923-24. The net additions to taxation since 1923-24, allowing for the remissions made in 1925-26 and during the current year, amount to 58 lakhs, while the net reductions of the provincial contributions amount to 84 lakhs. These two items represent the chief additions to the resources of Government, and together amount to 1.42 lakhs. Of this increase, the beneficent departments will claim 1.38 lakhs in 1927-28.

4. On the receipt side of the capital account are shown the amounts of loans for capital expenditure raised by the Provincial Government or taken from the Government of India and miscellaneous receipts on capital account. By the end of 1926-27 the revised estimates show that the receipts will have amounted to 3.54 lakhs while the disbursements will total 7.74, leaving the progressive minus balance of 4.20 lakhs. The deficit on the year will be 2.01 lakhs which is being met out of extraordinary receipts. In 1927-28 it is estimated that the capital expenditure will rise to 2.52 lakhs, the highest figure yet shown in any single year for capital expenditure; some portion of the increase in this item is due to less rapid progress than was expected in the present year. The hydro-electric project will next year be in a stage where it is possible to make substantial progress and spend money. Previous to this, apart from considerable difficulties in getting together technical staff, the nature of the work, as for example preparation of temporary quarters for the construction staff, collection of material and the very difficult and technical work of design and preparation of specifications for machinery have not necessitated very heavy

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expenditure ; but with the passing of the initial stages, the arrival of machinery and advance into the execution of the more serious portions of the construction programme, the aspect of the work in this regard will completely change. The Sutlej Valley Project is now fully staffed and practically at the peak of its activities. Here also it is contemplated that work will proceed on an extended scale and at high pressure in 1927-28.

Paragraph 23 of the memorandum explains the arrangements for financing capital expenditure in 1927-28. It will probably not be necessary to take the loan of 30 lakhs from the Government of India until towards the close of next year.

5. In dealing with their exclusion from the ordinary revenue account, I have already explained the nature of  
**Extraordinary Receipts.** extraordinary revenue receipts, which the Secretary of State has agreed should be shown separately in our accounts. By far the largest item under this head relates to the sale of Government lands. While we are not absolutely bound by the orders of the Secretary of State to use these funds on capital expenditure, both prudence, for reasons already explained, and propriety, for reasons I shall now explain, demand that they shall ordinarily be devoted to the reduction and avoidance of debt, that is to liquidating old debts or financing capital expenditure programmes. Generally speaking, where it is proposed to add a new permanent asset which will bring in benefit and revenue in future, it is not right that the present generation should pay for it and that future generations should reap only the benefits. For this reason in other provinces capital programmes are largely financed by loans, the interest charges and liquidation of which are spread over long periods and borne both by the present and future generations. In the Punjab, however we are fortunate in possessing solid assets in the form of land which, it must be remembered, are as much the assets of posterity as of the present generation. If I may use the metaphor, they are like family jewels which cannot be regarded as the exclusive property of the present head of the family. They are ancestral jewels, almost of the nature of heirlooms—improved by us to this considerable extent no doubt that we have reset them in gold by extending canal irrigation to them ; but we should not be justified in selling portions of this jewelry except in exceptional circumstances to save the credit of the family in a crisis or more generally in the alternative to make a lucrative permanent investment which would bring in income for all time to future generations and materially improve the future status and position of the family. By disposing of these lands for meeting capital expenditure, while we avoid incurring debt and benefit the present generation through avoidance of interest payments, we *pro tanto* also benefit posterity, though we do in fact dispose of assets, which it would be for them to dispose of if left untouched. The state of the account is that starting with a balance of 3,27 lakhs at the end of 1924-25 there are accretions in the following years of 1,28 lakhs in 1925-26, and 94 lakhs according to the revised estimates in 1926-27, and we estimate further receipts of 1,74 lakhs in 1927-28, bringing up the total at the end of that year to 7,23 lakhs. Up to the end of 1925-26 out of 4,55 lakhs in this account, 3,06 lakhs had been used to finance capital expenditure and the provincial loans account, leaving a balance of 1,49 lakhs. In 1926-27 it is estimated in the re-

vised estimates that 94 lakhs will be received which added to the balance of 1,49 lakhs will make 2,49 lakhs available. Out of this sum 2,09 lakhs will be used to finance capital expenditure and provincial loans, leaving a balance of 40 lakhs. In 1927-28 we estimate that we shall add 1,74 lakhs to the fund, bringing the funds available for expenditure to 2,14 lakhs, the whole of which, it is expected, will be required to finance capital expenditure, leaving no balance in the fund at the close of the year. The receipts to this fund are to a large extent in our control in that by deferring sales as land comes under development by irrigation and giving it out on temporary cultivation for some years, we can postpone for a time the realization of its capital value by auction sale. It is of course very necessary for the Finance Department to keep in close touch with the administrative department in regard to the annual programme of the sale of Government lands. It is eminently desirable not to put so much land on the market at one time that too low a price is realised, and at the same time it is expedient that the amount of income, which a well considered programme of sale is expected to bring in, should suffice substantially to aid the financing of the capital commitments of our projects and to avoid adding to the load of debt; and in this connection not only capital projects which have already started but those which may mature in future have to be kept in view. This is a feature which I can assure the Council will be very carefully watched and regulated. Incidentally I may observe that the revised estimate of extraordinary receipts for 1926-27 is 94 lakhs or 87 lakhs lower than the original estimate. The causes which have contributed to the decrease are explained in paragraph 17 of the Financial Secretary's memorandum; but after a careful consideration of those causes and an examination of what areas can prudently be put on the market next year, there appears at the moment no reason to be apprehensive that the estimated receipts of 1,74 lakhs in 1927-28 will prove difficult to realize or to consider that the programme will be wasteful in respect of the amount of land to be sold or too optimistic as regards the price which it will command. But anticipations of this nature are not infallible and are always liable to be falsified. It may well be that owing to continued low prices for cotton there may be a slump in land prices, and it may not be possible to realize the estimated figure without putting large quantities of land on the market at a very low price. We may in fact reach a stage where it may be more economical for the time being to borrow money to carry out capital programme rather than permanently to alienate our assets in land at a figure markedly below their real average market value.

6. The provincial loans account shows on the expenditure side the The Provincial Loans Account. loans advanced by the Local Government for various purposes, including loans to Co-operative Societies, loans under the Land Improvement Act and the Agriculturists' Loans Act and to local bodies. The receipt side shows the repayments on account of such loans which naturally do not keep pace with the outgoings. The progressive debits to the account at the end of 1927-28 will total 1,01 lakhs and the deficit of that year is expected to be 12 lakhs. The amount required for disbursement under the Agriculturists' Loans Act varies with the nature of the season, and the requirements of local bodies, though the rules require previous notice, are apt to vary in practice from expectations. The task therefore of making an accurate forecast of the requirements of the year owing to causes

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beyond our control habitually presents difficulty, and the estimate is specially subject to liability to error.

7. The balance in all the funds which I may class together as the insurance funds is estimated to be 41 lakhs at the close of the year 1927-28. The famine insurance fund is maintained under statutory rule, and it is estimated that its balance will stand at 16 lakhs of rupees at the end of 1927-28. The nature of the revenue reserve fund has been sufficiently indicated in the observations I have already made. We put 20 lakhs into it in 1926-27, of which we have utilized 10 lakhs to meet the loss of revenue owing to the cotton failure of kharif 1926. We propose to add 15 lakhs next year to the balance of 10 lakhs, bringing up the balance at the end of the year to Rs. 25 lakhs.

There remains only the sinking fund to be considered. Owing to the manner in which our loans are liquidated the sinking fund balances do not represent the extent to which we are providing for the extinction of debt. The Province is under an obligation to the Government of India to redeem the irrigation debt of 1922-28 within 50 years and the revenue loan of the same year within 25 years. The method of repayment is by equated payments, a system under which the principal repaid increases each year by the same amount as the interest charges decrease. The payment is made by credit of the appropriate amount each year to the Government of India, and it does not therefore appear in the sinking fund balances. During 1927-28 the repayment of principal will amount approximately to 1½ lakhs and the total repayments since the obligation was incurred in 1924-25 will amount to 5½ lakhs.

With regard to our two provincial loans the position is rather different. We are under an obligation to redeem the whole of the loans within 50 years of their issue, and pending a decision as to how this redemption was to be effected, the amounts set apart in 1925-26 and in 1926-27 were in the first place credited to a sinking fund. It is, however, clear that annual deposits based on a calculation of equated payments will not provide fully for redemption unless the interest earned on these deposits is equal to the interest payable on the loan to be redeemed, and that redemption in the case of loans to the public can most conveniently be secured by purchase each year of an amount of loan of which the face value represents the principal portion of the equated payment of that year. This method was adopted during the current year and the provision in the sinking fund made in the estimates of 1925-26 and 1926-27 was utilized in full, while further provision had to be made to cover the difference between the market and the par value of the bonds purchased. In the estimates of 1927-28 similar provision has been made for the redemption of an appropriate portion of our provincial loans. The total expenditure is estimated at about Rs. 1,16,000 which represents the approximate market value of bonds of the face value of Rs. 1,09,000. The purchase during 1927-28 will complete the reduction of 2½ lakhs in the amount of the two provincial debts since they were incurred. Thus, inclusive of the Government of India loans, we propose to reduce our debt in 1927-28 by more than 2½ lakhs which will bring the total reduction since 1924-25 to 8 lakhs.

8. It only remains to review how we shall stand taking all the accounts together in the coming year. At the end of 1926-27 we estimate that the following funds will have a plus balance, the ordinary revenue account—21 lakhs, and the insurance funds—41 lakhs, total 62 lakhs. We anticipate that the capital account will have a minus balance of 2.21 lakhs and the provincial loans account a minus balance of 12 lakhs, giving a total of 2.38 lakhs. On the balance of both these totals there is a minus figure of 1.71 lakhs, but in the extraordinary receipts account we start the year with a balance of 40 lakhs to which we hope to add 1.74 lakhs during the year, giving a total of 2.14 lakhs. Devoting 1.71 lakhs of this to capital expenditure the balance on the whole account amounts to 43 lakhs of which it must be remembered that 41 lakhs will belong to the insurance funds. The true revenue balance is therefore apparently exiguous; but it may be noted that 19 lakhs of capital expenditure are to be financed temporarily from the ordinary revenue account which is to be rehabilitated to this extent at the proper time. The balance of the ordinary revenue account is also insured against unexpected disaster by the nest egg of 25 lakhs in the revenue reserve fund, which, though not a part of the balance of that account, can come to its assistance, should some abnormal conditions operate seriously to deplete the normal flow of ordinary revenue into the receipt side of that account.

9. Now let me add a few words of retrospect and prospect as regards the general financial position. Looking back over the past I think the Province may derive satisfaction from the fact that it has already in sight, within a very few years, solid and permanent additions to its income from the Sutlej Valley Project and extensions of other canals. These assets have been secured by a very slight addition, in comparison to the income they bring in, to the annual charges falling on the Province. Taking our capital projects as a whole by the end of next year interest will have been avoided on 7.23 lakhs of the capital expenditure which has been financed from extraordinary receipts; and the loans taken out since 1921-22 will only have amounted to 3.38 lakhs of which the liquidation has begun and some 8 lakhs of principal will have been repaid by the close of the year. There have been recent remissions of taxation amounting to 37 lakhs. The general provincial balance and the balance of the ordinary revenue account are small but on the right side. Meanwhile in every direction the execution of development programmes is progressing—in education, in agriculture, in veterinary activity, in encouragement to the co-operative credit movement, in medical relief, in public health and in industry. New forces are being forged in the distant Himalayas to give the latter a rebirth. A net work of new communications is being pushed out which will unite the remotest areas of the Province with its busy centres. With the spread of canal irrigation the cultivated area of the Province increases year by year. Some greatly needed improvements have been inaugurated also in the reserved departments and others are on the anvil. The prospect as a whole is fair; but until the harvest of the expected additions to revenue actually matures, it would be foolhardy to anticipate that liberty of action and freedom which the income it brings will enable us to enjoy and in the intervening period prudence demands that the growth of spending activity shall not outrun the limits set by the rate at which resources may expand.

I present to the House the budget for 1927-28.

Mr. President : The business which had been fixed for the 1st and 3rd March has been put off to a subsequent date. Therefore there will be no meeting of the Council on these two days. The Council will next meet on the 5th March at 2 P. M.

The Council then adjourned, till 2 P. M. on Saturday, the 5th March 1927.

(Vide the answer to unstarred question No. 28 at page 41 ante.)

### PRESS COMMUNIQUE.

#### BOARD OF ECONOMIC INQUIRY, PUNJAB.

##### *Report for the year 1925-26.*

*Rural Section.*—The year under review has been one of steady progress for the Rural Section of the Board, and it is a source of satisfaction that the stage has now been reached where valuable results are forthcoming. During the period of acute financial stringency when the funds were such as to permit of little work in the way of actual investigation, the Board concentrated its attention on outlining schemes of economic inquiry, and particularly upon the preparation of a Questionnaire for village Economic Surveys. The preparation of this Questionnaire involved a large amount of time and labour, and it is now the intention of the Board to conduct a village survey in each of the districts of the Province.

In pursuance of this aim four investigators were appointed on the first of January 1925 and were posted to villages in the Amritsar, Multan, Rawalpindi and Rohtak districts, respectively. Messrs. C. M. King, H. W. Emerson, A. M. Stow and Brij Narain have acted as the Members-in-Charge of these inquiries. The actual field work has now been completed in all four cases, and the final reports should be ready for publication in a month or two. These promise to be of exceptional interest, and should add considerably to our knowledge of the internal economy of the village.

When it was seen that funds would permit, two further inquiries were instituted in April 1925 in the Jullundur and Lyallpur districts, respectively. Messrs. H. Calvert and W. Roberts agreed to act as the Members-in-Charge. The Jullundur investigation is making fair progress, and the report should be published during the coming year. The Lyallpur inquiry has been temporarily stopped through the death of the investigator, S. Jaimal Singh, in October last. This investigator was doing excellent work, and the Board records his death with much regret. Another investigator has now been selected to complete the inquiry, but as plague is raging in the village it has been decided not to commence work again until October next.

In anticipation of a further grant from Government, which as it happens did not materialise, three more village inquiries were instituted on the 15th June 1925 in the Hissar, Sialkot and Dera Gazi Khan districts. Messrs. H. K. Trevaskis, J. Coatman and W. R. Wilson, undertook to act as Members-in-Charge of these inquiries. The first two have made satisfactory progress, and their reports may fall for printing in the present year. The

Board found it necessary to stop the Dera Ghazi Khan inquiry. The village selected presented particular difficulties, the work of supervision in such a distant district proved difficult, and the investigator did not appear of the type who could rise above these difficulties.

Thus during the year under review the Board had in hand nine village inquiries on the lines of the Questionnaire which it had prepared, but one of these has been abandoned. According to the programme for the present year it is hoped that eight more investigations will be started. If work continues at this rate, and this is of course dependent on funds being forthcoming, the Board should complete its original programme of having a report on a village in every district of the Province in the course of the next two or three years. The aim of the Board is to obtain 'knowledge grounded on accuracy', and a series of volumes dealing with village conditions in different parts of the Province should prove of the greatest value to the economist, the sociologist, the official and the legislator.

The work is not without difficulties. One of the greatest is that of getting suitable investigators. Their work calls for a considerable amount of tact, a fair standard of education, and a certain familiarity with rural conditions. One applicant for a post recently admitted openly that he had never been inside a Panjab village. Further even the best investigator requires a considerable amount of supervision and assistance in the writing up of his report, and those most fitted to do this are most often those who are already overworked. The Board is under a deep debt to those who have already undertaken the duties of Member-in-Charge of the above and other inquiries, and takes this opportunity of thanking them for their kind assistance.

#### *Mortgage Inquiries.*

With the idea of securing reliable data on the amount of mortgage debt in different parts of the Province, a special Questionnaire has been prepared by the Board. On the lines of this Questionnaire an inquiry was conducted during the year in a Sikh tract in the Ferozepore district, and the results of this inquiry have now been published. Two similar inquiries were sanctioned during the year, one in the Rawalpindi and the other in a dissimilar tract in the Ferozepore district. The first of these is now drawing to a close, and the results will be published during the present year. The latter has had to be postponed principally because a suitable investigator was not forthcoming. It is hoped that during the present year one or two more such inquiries may be started.

#### *Agricultural Indebtedness Inquiry.*

At the request of Honourable Member, Finance, the investigators working in the villages were asked to collect additional information on the amount of agricultural indebtedness in their village, and particularly to supply information as to the amount of debt outstanding to agricultural and non-agricultural money-lenders, respectively. Each of the investigators devoted the month of June to this work. The figures so obtained were tabulated by Mr. C. F. Strickland, I.C.S., and forwarded to Government. The survey was, however, of much too limited a nature to admit of anything in the nature of general conclusions being drawn, but investigation along the same lines is now to form part of each village survey.

### *Kangra Inquiry.*

This is a very comprehensive survey of economic conditions in an area of the Kangra district. The inquiry was actually completed before the new Questionnaire was fully prepared, and Mr. Calvert has kindly undertaken to revise the report and bring it more into line with later work. It may be expected to be through the press during the present year.

*Miscellaneous Inquiries.*—Besides supervising the above inquiries, members of the Board have during the year done a certain amount of honorary work and presented their results to the Board. Mention may be made of an inquiry conducted by Mr. Calvert through district officers into cultivators' holdings in the Province. The results are now being tabulated, and will be published during the present year. Mr. H. R. Stewart, I.A.S., conducted an inquiry into the expenses of cultivation under the batai system in a village near Lyallpur, and presented his results to the Board. This report is now in the press, and for the purposes of comparison Mr. Stewart has been requested to have similar inquiries initiated in other parts of the Province.

*Prize Thesis.*—With a view to stimulating interest in rural economic problems the Board offered a prize of Rs. 750 for a thesis of sufficient merit on the lines of the Questionnaire for Village Economic Surveys. This does not seem to have attracted the attention which might have been expected; one thesis only has been received though a fortnight still remains in which others may be presented.

*Publications.*—As is natural in work of this nature when the foundations for future research were being laid and much spadework was being done, the list of publications has swelled but slowly. But the present year will show a much more abundant harvest of good work done. Up to date the majority of the publications of the Board have been of pamphlet size, but the results of the village surveys will be more substantial in material and form, and it may safely be predicted that they will take a high place among research work of this nature. A list of the publications of the Board which are obtainable from the Publishers, The Civil and Military Gazette Press, Lahore, is given below :—

	Rs.	A.	P.
1. An Economic Survey of Bairampur in the Hoshiarpur District, by R. L. Bhalla, M. A.	1	0	0 net
2. The Milk Supply of Lahore in 1921, by Pandit Shiva Datta, M. A.	2	0	0 "
3. Questionnaire for Economic Inquiries—			
Ordinary Edition	0	4	0 "
Interleaved Edition	0	6	0 "
4. The Size and Distribution of Agricultural Holdings in the Punjab, by H. Calvert, B. Sc., C.I.E., I.C.S.	0	4	0 "
5. An Inquiry into Mortgages of Agricultural Land in the Kot Kapura Utar Assessment Circle of the Ferozepore District of the Punjab, by S. Balwant Singh, B.A., edited by H. Calvert, I.C.S.	0	6	0 "

	Rs.	A.	P.
6. Rates of Food Consumption of Zamindars in the Tallagang Talsil of the Attock District, by <i>C. B. Barry, M.A., I.C.S.</i> ... ..	0	8	0 net.
7. Sixty Years of Punjab Food prices, 1861—1920, by <i>W. H. Myles, M.A.</i> ... ..	0	10	0 „
8. The Economic Value of Goats in the Punjab, by <i>H. R. Stewart, I.A.S.</i> ... ..	0	2	0 „
9. An Economic Survey in the Kangra District, by <i>Mul Raj M.A.</i> , edited by <i>H. Calvert, I.C.S.</i> (In Preparation.)			
10. Catalogue of Economic Literature in Lahore Libraries, by <i>Cyril P. K. Fazal, M.A.</i> (In Preparation.)			
11. Cultivators' Holdings in the Punjab, by <i>H. Calvert, B. Sc., C.I.E., I.C.S.</i> (In Preparation.)			
12. Some Aspects of Batai Cultivation in the Lyallpur District of the Punjab, by <i>H. R. Stewart, I.A.S.</i> ... ..	0	6	0 „

*Finance.*—For the first few years of its existence the work of the Board was greatly hampered by the lack of funds, and it was not until the year under review that the grant received from Government was sufficient to warrant the initiation of comprehensive schemes of investigation. It would now appear that the value of this work is being more clearly realized, and the future seems more hopeful. The Rural Section opened the year with a credit balance of Rs. 5,000 and received a grant from Government of Rs. 20,000. A further sum of Rs. 3,000 was later voted to cover the expenses incurred in connection with the Agricultural Indebtedness Inquiry. These grants have been adequate to enable the Board to undertake the inquiries outlined above, but would be totally inadequate in a year where provision had to be made for fresh investigation and the publication of the results of previous work.

It may here be pointed out that the financial policy which the Board has pursued in the past has been that of keeping overhead charges down to a minimum and devoting as much of the money as possible to actual investigation. All work done by members of the Board is honorary, and no payment other than travelling expenses is made to them for any services rendered. The work of organisation is in the hands of an Honorary Secretary. During the year under review while the Rural Section has spent some Rs. 16,152 on payment to investigators, Rs. 2,296 on printing, office salaries have amounted to only Rs. 661 and office expenses including stationery, stamps, money-order commissions, etc., to Rs. 656. It is doubtful if an institution of this nature has ever been built up on lower establishment charges, but the work of headquarters has now increased to such an extent that the question of making more adequate provision to cope with it will have to be dealt with at an early date.

*Personnel.*—Mr. C. M. King, C. S. I., C. I. E., I. C. S., has continued to act as Chairman of the Rural Section during the year, and Professor W. H. Myles, M. A., as Honorary Secretary. The thanks of the Board are due to Mr. A. M. Stow, O. B. E., I. C. S., who acted as Chairman while Mr. King was on leave, and to Mr. H. Calvert, C. I. E., I. C. S., who officiated as Honorary Secretary for four months in the absence of Professor Myles. The office work has been ably undertaken by Mr. C. P. K. Fazal, M. A.,

and the Board takes this opportunity of recording publicly its appreciation of his services.

*General.*—The Board now feels that it has established its place in the Punjab. Its work is attracting the attention of other provinces, and we have had many inquiries as to what we are doing and as to how it is done. Our publications have met with a most favourable reception, and reviewers are agreed that in work of this nature the Punjab leads the way. The Indian Economic Inquiry Committee recommends the establishment of Provincial Boards of Economic Inquiry throughout India, and the Minority Report takes as its model the existing Punjab Board.

The appointment of a Royal Commission will concentrate still more attention on the work, with which we are engaged, and our reports should be of much value to the members of that Commission. At a time when the importance of accurate data dealing with the problem of how the people live is being realized throughout India, the Board feels that it may confidently expect the sympathy, help and co-operation of the people as well as of Government.

W. H. MYLES,

Dated Lahore, 17th April 1926.

Honorary Secretary.

*Urban Section.*—The principal Inquiry undertaken by this section during the year was one into the cost of education in the Attock district. This Inquiry was under the supervision of Mr. C. C. Garbett, C.I.E., C.M.G., L.C.S., Deputy-Commissioner of the district. Forms were drawn up in English and Vernacular and the scope of the Inquiry was limited to school children. The data is now being tabulated by the member-in-charge. If results prove of interest it is hoped to make a survey covering a larger area.

An Inquiry, which was contemplated, into the Organisation of Railway Workers in the Punjab had to be postponed as the Railway authorities considered that the present time was not propitious for such an inquiry. Another Inquiry into the Earnings and Conditions of Employment of Artisans was held over as the Board was informed that this matter was receiving consideration in the Department of Industries.

The Board has now four inquiries in hand. The cost of education has been referred to above. The second one, an Inquiry into the Housing Conditions in the more crowded parts of Lahore City, will be started as soon as a suitable investigator is found. The third, an Inquiry into the Conditions prevailing in the Printing Trade in Lahore, will be set agoing next October under the supervision of Mr. W. H. Abel, Inspector of Factories, Punjab. The fourth, an Inquiry into the question of Unemployment amongst Graduates of the Province, will also be started next winter.

The following publication of the section is still obtainable from the Publishers, Messrs. "Civil & Military Gazette" Press, Lahore:—

The Family Budgets of Low-paid Clerks by *Mrs. Oaleb*, Rs. 1-8 net.

DALHOUSIE :

W. H. MYLES,

The 9th August 1926.

Honorary Secretary.

## **PUNJAB LEGISLATIVE COUNCIL.**

**1st SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.**

*Saturday, the 5th March 1927.*

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

### **OATH OF OFFICE.**

The following members were sworn in :—

Gopi Chand, Bhargava, Dr. [Lahore City, (Non-Muhammadan, Urban).]

Cowan, Mr. H. M. (Official, Nominated).

Rawlley, Dr. R. C. (Official, Nominated).

### **UNSTARRED QUESTIONS AND ANSWERS.**

#### **SUPPLY OF NEWSPAPERS TO PRISONERS.**

31. **Chaudhri Afzal Haq:** Will the Honourable Finance Member be pleased to state the names of those vernacular periodicals that are supplied to the prisoners and the names of newspapers, if any, which are supplied to the prisoners in the Punjab Jails?

**The Honourable Sir Geoffrey de Montmorency:** No newspapers of any kind are permitted in any of the Punjab jails.

#### **PANCHAYATS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.**

32. **Chaudhri Afzal Haq:** Will the Honourable Minister for Local Self Government be pleased to state the names of the panchayats in the Hoshiarpur and Ludhiana districts, and the number of civil and criminal cases disposed of by each of the panchayats in the year 1926?

**The Honourable Malik Firoz Khan Noon:** Figures are not available for the calendar year 1926; but for figures for the year ending 31st March 1926 the honourable member is referred to the statements attached to the Review of the Annual Reports on panchayats, a copy of which will be found in the Council library.

#### **RIGHTS OF ZAMINDARS IN ILAQA BEIT, LUDHIANA DISTRICT, IN CONNECTION WITH FISHERIES ACT.**

33. **Chaudhri Afzal Haq:** Will the Honourable Minister for Agriculture be pleased to lay on the table the answer to question No. 3568<sup>1</sup> put on the 23rd October 1926?

<sup>1</sup>Volume IX-B, page 1730.

**The Honourable Sardar Jogendra Singh :** The Zamindars of Ilaga-Beit, district Ludhiana, were consulted in 1919 when the Budh Nala was excluded from the operations of the Fisheries Act. No objections were received when it was notified in December 1922, that it was proposed to extend the Act to the tributaries of the Sutlej, including the Budh Nala, which were held to be public waters. The Act was, therefore, extended to these waters by notification No. 321-54-1045, dated 24th January 1923, and no protests have been received by Government since that date.

#### ESCAPES FROM JAILS.

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

- (a) the number of cases of escapes from jails that took place during the year 1926; and
- (b) the number of prisoners who have been awarded whipping punishment in each jail of the province and what was the cause of such punishment in each of the cases?

**The Honourable Sir Geoffrey deMontmorency :** The figures asked for are being collected and will be communicated when available. Government is not, however, prepared to extract from records and to state the reasons for each punishment of whipping, as this would necessitate enquiry into every case and involve an amount of labour for which there appears insufficient justification.

#### LIBRARIES IN THE LAHORE CENTRAL JAIL.

**35. Chandhri Afzal Haq :** (i) Will the Honourable Finance Member be pleased to state—

- (a) if he is aware of the fact that there are two libraries in the Lahore Central Jail, one English and the other Vernacular;
- (b) if he is further aware that the English Library is very well kept up, and that the Vernacular Library is not cared for; and
- (c) if he is aware that there is a complaint amongst the prisoners that Vernacular books are not issued regularly?

(ii) If the answers to the above are in the affirmative, will he be pleased to state whether Government is considering the desirability of issuing instructions to all the Superintendents of Jails where there are jail libraries to remove this complaint?

**The Honourable Sir Geoffrey deMontmorency :** The actual state of the jail library is being enquired into. On the completion of the enquiry it will be possible to reply to the honourable member's question.

RAILWAY BRANCH LINES IN HOSHIARPUR DISTRICT.

36. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state how many new railway branch lines or extension of old lines have recently been sanctioned for construction in the Hoshiarpur district or are under consideration?

The Honourable Mian Sir Fazl-i-Husain : No new lines of railway have recently been sanctioned by the Railway Board for construction in the Hoshiarpur District, nor has the Board any such under consideration.

ABZAI IN THE MONTGOMERY AND LYALLPUR DISTRICTS.

37. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state the figures for the last five years of income derived by *abzai* in the Montgomery and Lyallpur districts?

The Honourable Mian Sir Fazl-i-Husain : The Honourable member is informed that information is not available at present. Enquiries have been made from the local officers and the result is awaited.

VILLAGE TOURS OF DEPUTY COMMISSIONERS AND SUPERINTENDENTS OF POLICE.

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

(a) how much time each of the Deputy Commissioners and Superintendents of Police spent in village tours called *dikati dora* in the year 1926 ;

(b) whether they submitted any report to the Government as to complaints of the people in their charge ; and

(c) whether they asked the people to help them in bringing to book the corrupt officers?

The Honourable Sir Geoffrey de Montmorency : (a) The required information is not readily available and cannot be obtained without undue delay. Both Deputy Commissioners and Superintendents of Police have instructions to tour throughout their districts and there is no reason to doubt that these instructions are complied with.

(b) Yes.

(c) It has always been the policy of Government to enlist the co-operation of the public in checking corruption. All Deputy Commissioners and Superintendents of Police are well aware of this and there is no reason to doubt that they give effect to the policy of Government.

CO-OPERATIVE SOCIETIES.

39. Chaudhri Afzal Haq : Will the Honourable Minister for Agriculture be pleased to state the number of co-operative societies that were started afresh in 1926 in places where they already once failed?

The Honourable Sardar Jogendra Singh : Government has no record of such cases.

# FORFEITURE OF LAND GRANTED TO OFFICIALS IN THE LOWER BARI DOAB CANAL.

40. Lala Bodh Raj: (a) Will the Honourable Member for Revenue please state if it is a fact that the Government has issued instructions to forfeit the land granted in the Lower Bari Doab Canal area to such officials as were serving in the said area at the time of grant or to dispense with their services?

(b) If so, what are the reasons for such an action?

(c) Will the Honourable Member please lay on the table a copy of such instructions?

(d) Will the Honourable Member please state if the said instructions apply to those officers who were serving in the area of Montgomery and Multan not colonised at the time of grant or to those who were serving in a different colony at the time of the grant?

(e) Is it a fact that the Commissioner of Multan is taking action against officials who were not serving in the colony department or in the colony area at or about the time the grant was made quite against the spirit of the said instructions?

(f) If the reply to part (e) above be in the affirmative, does the Honourable Member propose to take action to stop the irregularity?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes.

(b) The grant of land to such officials or their near relatives is against the accepted policy of Government.

(c) No; it is not intended to publish the correspondence.

(d) The orders apply only to officials who were serving in the area of the Lower Bari Doab Canal Colony at or about the time of the grant.

(e) Government has no reason to suppose that the Commissioner of Multan is exceeding the instructions given to him.

(f) Does not arise.

## BANDI SYSTEM.

41. Lala Bodh Raj: (a) Will the Honourable Member for Revenue please state if any representation was made in the current year to the Canal authorities by the zamindars of Maunzas Kot Rah Nawaz Khan and Miani Beg in Multan fahsil against the *Bandi* system of their mogas?

(b) Will the Honourable Member please state if any action has been taken on the suggestions indicated therein?

(c) Is it a fact that the revenue rates were increased for the above manzas at the last settlement on the basis of average cultivation of crops for more than ten years? If so, will the Honourable Member please state if the Government intends to make any concession in the revenue charges because of the *Bandi* system?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that a reference has been made to local officers whose reply is awaited. Further information will follow.

**SIKH HEADMASTERS FOR GOVERNMENT SCHOOLS IN MULTAN  
DIVISION.**

**42. Lala Bodh Raj :** (a) Will the Honourable Minister for Education please state if it is a fact that there is not a single Sikh Headmaster in any of the Government Schools in the division of Multan?

(b) If so, will the Honourable Member please state if he intends to make suitable changes in the incumbents of such posts by the appointment of some Sikhs?

(c) Is it a fact that all the District Inspectors of Schools in the division are Muhammadans?

**The Honourable Mr. Manohar Lal :** (a) It is not a fact.

(b) Does not arise.

(c) Yes.

**ILLEGAL CHARGES ON MUNICIPAL FUNDS.**

**43. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if illegal charges on municipal funds have been anywhere defined by the rules or their definition is left to the arbitrary discretion of the auditors?

(b) Has it been brought to the notice of the Government that the very charges that have been held by one auditor in the case of one Committee as illegal has been held as legal in another committee?

**The Honourable Malik Firoz Khan, Noon :** (a) The charges, to the payment of which the municipal fund may or shall be applicable, are given in section 52 of the Punjab Municipal Act, 1911.

(b) No.

**SECRETARIES OF MUNICIPAL COMMITTEES.**

**44. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state how many secretaries of municipal committees in the division of Multan have been asked to refund their pay for lack of sanction of Commissioner to the revised increment, although the several committees had sanctioned their pay and grade and their appointments were also duly sanctioned by the Commissioner?

(b) Will he please state if it was necessary to take the Commissioner's sanction for grant of revised increments before the modifications of Act III of 1911 (Municipal Act) made in 1923 came into force?

(c) If the answer to part (b) be in the affirmative, will the Government please state why such a step is being taken against the spirit of the letter No. 1301-F. (Boards and Committees), dated 4th August 1911, from R. A. Mant, Esq., I.C.S., Financial Secretary, to the address of the Accountant-General?

[ Lala Bodh Raj. ]

(d) Is it a fact that the increments allowed to the secretaries by the various committees were duly passed in the annual audit? If so, will the Government please state if any action was taken against such auditors as passed the increments?

(e) Is it a fact that most of the committees concerned passed resolutions recommending to the Commissioner against the refund of the pay drawn by the secretaries in view of their good work and in appreciation of their service? If so, will the Government please state if any consideration was shown to their request?

The Honourable Malik Firoz Khan, Noon : (a) Two.

(b) Yes.

(c) The obligation to obtain the Commissioner's sanction is a statutory one imposed by sub-section (2) of section 38 of the Punjab Municipal Act, 1914, and is not affected by the letter referred to by the honourable member.

(d) The fact that the payment of the increments was not immediately objected to in audit does not imply that such payment was approved in audit. Many irregularities must inevitably escape detection in the test audits conducted by the staff of the Examiner, Local Fund Accounts.

(e) The committees concerned passed such resolutions and due consideration was paid to them by permitting the secretaries concerned to retain the increments to which they would have been entitled under the rules had sanction been obtained, though increments to which they were not so entitled were disallowed.

#### TAHSILDARS.

45. Lala Bodh Raj : (a) Will the Honourable Revenue Member please state if it is a fact that before the last revision of scales of pay of officials and other members of the staff in the several Departments of the Government the Tahsildars were ranked along with or above the munsiffs (now Sub-Judges), the Superintendents of Deputy Commissioners' offices, the 2nd clerks of Commissioners' offices, Extra Assistant Commissioners of Forests, Headmasters and District Inspectors of Schools, Assistant Surgeons, Deputy Collectors, Canals and Sub-divisional Officers, canals, etc.?

(b) Is it a fact that after the revision of the scales of pay the rank and status of the Tahsildars have been lowered? If so, what were the reasons for doing so?

(c) Is it a fact that the Tahsildars are gazetted officers, while some of the officials mentioned in part (a) above are not gazetted officers?

(d) Is it a fact that the Head Treasury clerks who start from Rs. 125 get Rs. 10 yearly increment, while the Tahsildars, who start from Rs. 180, get Rs. 7-8-0 as yearly increment? What are the reasons for such a distinction?

The Honourable Mian Sir Fazl-i-Husain : (a) It is a fact that before the revision of last scales of pay Tahsildars were ranked along with or above Munsiffs, Superintendents, Deputy Commissioners' offices, 2nd clerks of Commissioners' offices, Assistant Surgeons and Headmasters, but not in regard to the other officials mentioned in the question.

(b) The rank and status of Tahsildars was not lowered, but the rank of Munsiffs who became Sub-Judges was raised and their emoluments increased much more than those of the Tahsildars.

(c) Yes.

(d) First part—yes. Second part—Honourable member appears to think that the fact that the increments of Tahsildars are smaller than those of Head Treasury Clerks suggests some inferiority in the former. This is certainly not the case. The difference only means that Tahsildars whose initial pay is much higher than the final pay of Head Treasury Clerks have a more gradual rate of increase with more numerous increments than the latter.

#### HONORARY MAGISTRATES.

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

- (i) the number of Honorary Magistrates who have been suspended or dismissed since the year 1924 on account of irregularities ;
- (ii) the number of those from whom the power of magistracy was withheld since the year 1924 ;
- (iii) the number of those against whom notice was taken by Government on private complaints since the year 1924 ;
- (iv) the number of those Honorary Magistrates against whom complaints have been lodged in courts of law by private persons ; and
- (v) the number of those against whom Government intends to proceed in court ?

The Honourable Sir Geoffrey deMontmorency: (i) & (ii) Local enquiries are being made and will take some time, but the result will be communicated to the honourable member in due course.

(iii) All private complaints, which appear to have substance and are not anonymous or pseudonymous are enquired into, but as no separate register is kept of such complaints it is not possible to give their number.

(iv) Government has no information on this point.

(v) At the moment Government is not engaged in the prosecution of any Honorary Magistrates in the criminal courts.

#### GOVERNMENT HIGH SCHOOL, RAHON.

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

- (a) if it is a fact that Government High School, Rahon, District Jullundur, has been in existence there for the past 60 years ;
- (b) if it is a fact that this school is one of those eight schools that had been first opened in the Punjab ;
- (c) if it is a fact that students belonging to Ilqqa Beit, Hoshiarpur, Ludhiana and Jullundur are reading in this school ;
- (d) if it is a fact that there is no other high school in the adjoining ilqas of Beit, Hoshiarpur and Ludhiana ;
- (e) if it is a fact that Government intends to shift this school to Nawanshahr ; and if so, the reasons for doing so ?

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

(i) The old records have been consulted, but the necessary information is not available.

(c) Not a single student of the Ludhiana District attends at Bahon. A very small number of boys of some adjoining villages in the Garhsankar Tahsil (Hoshiarpur District) attends this school. The bulk of the students attending this school come from Nawanshahr Tahsil (Jullundur District) about 5 miles off. Bahon contributes only 29 boys to the high department, and 17 of these will leave next month.

(d) No. There are four high schools in the Beit Ilaga of Hoshiarpur and Ludhiana Districts. District Board High School, Samrala and Khalsa Jaspalon serve Ludhiana District, and Government High School, Garhsankar and D.A.-V High School, Kath Garh serve the Beit Ilaga of Hoshiarpur District.

(e) No decision has been arrived at.

#### HONORARY MAGISTRATES.

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

(a) the total number of honorary magistrates in the province at the end of the year 1926 ;

(b) the number among them possessing University qualifications ; and

(c) the number among those referred to in (a) who can write their judgments ?

**The Honourable Sir Geoffrey deMontmorency :** The question necessitates local enquiries which are being made and will take some time.

#### GAMBLING HOUSES IN GARHSHANKAR.

**49. Chaudhri Afzal Haq :** Will the Honourable Member for Finance be pleased to state how many gambling houses were raided by the Police in Police Station Garhsankar, district Hoshiarpur, in the year 1926 ?

**The Honourable Sir Geoffrey deMontmorency :** The police are unaware of the existence of any common gambling house in Garhsankar which could be raided under the Gambling Act and hence no raids were made in 1926. No complaints of gambling were brought to notice by the public or the three zaildars and eight lambardars who reside in Garhsankar proper.

#### APPLICATIONS OF AGRICULTURISTS TO SELL LAND TO NON-AGRICULTURISTS.

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

(a) how many applications of the agriculturists to sell land to non-agriculturists have been hitherto sanctioned by the present Deputy Commissioner of the Hoshiarpur district ; and

(b) how many such applications had been sanctioned by his predecessor ?

**The Honourable Mian Sir Fazl-i-Husain :** The subjoined statement gives the information asked for.

Year	KING VANDER SHAUGHEN DONAS AHEAD.						ST. M. M. JOURNAL.						LAWYER HAN PETERSON.		
	Rate	To county occupancy rights	GRK	Exchange	Gift of mortgage rights	Total	Rate	To county occupancy rights	GRK	Exchange	Gift of mortgage rights	Total	Rate	To county occupancy rights	Total
1922	34	15	1	1	1	52	10	10	1	1	1	23	10	10	10
1923	35	15	1	1	1	53	10	10	1	1	1	23	10	10	10
1924	31	13	1	1	1	47	10	10	1	1	1	23	10	10	10
1925	43	20	1	1	1	66	10	10	1	1	1	23	10	10	10
1926	43	20	1	1	1	65	10	10	1	1	1	23	10	10	10
1927	43	20	1	1	1	65	10	10	1	1	1	23	10	10	10
Total	202	88	5	4	5	298	68	68	5	5	5	100	68	68	68

## APPLICATIONS OF AGRICULTURISTS TO SELL LAND TO NON-AGRICULTURISTS.

51. **Chandhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

(a) how many applications of the agriculturists to sell land to the non-agriculturists are still pending with the Deputy Commissioner, Hoshiarpur, and

(b) how many of these applicants belong to Garhsankar Tahsil?

**The Honourable Mian Sir Fazl-i-Husain :** (a) The total number of applications of agriculturists to sell land to non-agriculturists pending in the district is 70.

(b) The total number of these applications belonging to the Garhsankar tahsil is 32.

**N. B.**—The figures for grant of occupancy rights and gifts which are not specifically asked for are as under—

	District.	Garhsankar tahsil.
Occupancy rights	8	Nil.
Gifts	8	1

## PUNITIVE POLICE POST FOR VILLAGE KOT PHATUHI.

52. **Chandhri Afzal Haq :** (a) Will the Honourable Member for Finance be pleased to state—

(a) if it is a fact that punitive police post was sanctioned for village Kot Phatuhi, Tahsil Garhsankar, District Hoshiarpur, in 1923-24; and

(b) if it is a fact that some lambardars were suspended in the year 1924?

(c) If the answer to (b) is in the affirmative, will the honourable member be pleased to state—

(a) who investigated the case of these lambardars;

(b) what was the charge against them; and

(c) on what grounds they were reinstated?

**The Honourable Sir Geoffrey de Montmersey :**

(a) Yes.

(b) The lambardars were suspended in 1925.

(c) (a) The Revenue Assistant.

(b) Excess recovery of the cost of the punitive police located in the village.

(c) The lambardars were reinstated because dishonesty on their part was not proved.

## CASES AGAINST NEWSPAPERS UNDER SECTION 153, INDIAN PENAL CODE.

**53. Chaudhri Afzal Haq :** (a) Will the Honourable Member for Finance be pleased to state—

- (i) the number of newspapers against whom cases under section 153, Indian Penal Code, were withdrawn in 1926 on the assurance given by them to Government of good behaviour in the future;
- (ii) if it is the invariable practice of Government to withdraw cases against those newspapers on their tendering an apology except in cases where they attack the religion or religious books, prophets or saints of any community;
- (b) If the answer to (ii) is in the negative, will the honourable member please state whether the Government is thinking of the desirability of acting upon the policy mentioned in part (ii) of the question?

**The Honourable Sir Geoffrey deMontmorency :** (a) (i) One.

(ii) No.

(b) No. Each case will continue to be decided on its merits.

## CASES AGAINST NEWSPAPERS UNDER SECTION 153, INDIAN PENAL CODE.

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

- (a) the names of those newspapers that have been prosecuted under section 153, Indian Penal Code, in the year 1926; and
- (b) the number of those newspapers which were prosecuted for publishing obscene advertisements in 1926?

**The Honourable Sir Geoffrey deMontmorency :** (a) Seven newspapers were prosecuted under Section 153-A, Indian Penal Code, in 1926. Government is not prepared to give their names.

(b) Four.

## FINES FOR DAMAGES TO SHAMILAT FORESTS IN THE KANGRA DISTRICT.

**55. Chaudhri Ram Singh :** Will the Honourable Revenue Member be pleased to state the amount of fine realised by the Forest Department during the last two years from the people of the Kangra district for causing damage to the Shamilat forests in the Kangra district and the amount of fine realised from each tahsil?

**The Honourable Mian Sir Fazl-i-Husain :** On the assumption that the expression "Shamilat Forests" and "fine" used in the honourable member's question mean "all the forests except Reserved Forests" and "Compensation realised under section 67 of the Indian Forest Act," respectively, a statement showing the amounts realised on account of fines in each tahsil of the Kangra District is laid on the table.

[Hon'ble Mian Sir Fazl-i-Husain.]

*Statement showing the amounts realised by the Forest Department on account of fines in the Kanara District, during 1924-25 and 1925-26.*

Tahsil.					1924-25.	1925-26.
					Rs.	Rs.
Kangra	...	...	...	...	1,412	932
Nurpur	...	...	...	...	698	1,707
Palampur	...	...	...	...	860	1,177
Dehra	...	...	...	...	185	428
Hamirpur	...	...	...	...	455	1,780
Total					3,604	6,019

#### CONDOLENCE ON THE DEATH OF RAI BAHADUR SIR GOPAL DAS BHANDARI.

Mr. President: Gentlemen, it is my painful duty to communicate to you to-day the sad news of the sudden death of Rai Bahadur Sir Gopal Das Bhandari, of Amritsar. He was in the midst of us only the other day and looked quite hale and hearty. In fact when I heard that he was no more I was so shocked that I could not realise the fact and hesitated to believe my informant. But, alas! the news is too true. A very popular member of the Council and a very amiable colleague has left us for ever. I hope all of you will join me in expressing regret and sorrow on the decease of our colleague. I hope you will further agree with me that an expression of condolence and sympathy may be communicated to the bereaved family of the deceased.

#### GENERAL DISCUSSION OF THE BUDGET.

Mr. President: Gentlemen, you must be aware that to-day and the day after to-morrow have been allotted by His Excellency the Governor for discussion of the budget as a whole and for discussion of the principles involved therein. So the Council will now start the discussion.

✓ Dr. Sir Muhammad Iqbal [Lahore City (Muhammadan) Urban]: Sir, I would pass a few general remarks on the budget that was presented to this Council on the 28th of February. No one who has read the speech made by the Honourable the Finance Member and the memorandum prepared by the Finance Secretary can remain unimpressed by the remarkable lucidity of these documents. I must say as a layman that I have learned a great deal from them (Hear, hear). In fact, the Finance Secretary has very candidly

suggested the criticism to which the general financial position of the province is open. He has told us that we spent 23 lakhs more than our income last year; and we are going to spend 60 lakhs more than our income this year: that is to say, in two years we shall have spent 83 lakhs more than our income. The question therefore arises whether we are justified in spending large sums of money on development. The general financial position however in view of the various considerations set forth in the review by the Finance Secretary is satisfactory; though he has told us that it is not permissible to reduce the taxes in the absence of permanent funds. Now, in so far as the reduction of taxes is concerned I will offer a few remarks presently. But in view of the fact that the general financial position of this province is satisfactory some provision ought to have been made in the budget at least for rural sanitation as well as for medical relief for women. In fact, medical relief for women is badly needed in this province (Hear, hear) and no provision seems to have been made for this in the budget. I would therefore draw your attention, Sir, and the attention of the honourable members of the Council to this very important consideration. As to the reduction of taxes, I suppose the Finance Secretary when he prepared his admirable review of the financial position of the province was not aware of the remission made by the Government of India. We now know that 86 lakhs have been remitted (*Mr. H. D. Craik: May be remitted*) of which 60 lakhs are recurring and 26 lakhs non-recurring. If this large amount is remitted, as I hope it will be remitted, my submission is that that money should be spent towards the reduction of taxes (Hear, hear), that is to say, towards the removal of the anomaly which exists in our system of taxation. The anomaly, I mean, is this: that we do not apply the principle of progression in the case of land revenue whereas we apply that principle to the case of income-tax (Hear, hear).

The reason why this principle is not applied to land revenue is sometimes found in the barbarous theory that all land belongs to the Crown. Neither in ancient India nor even in the days of the Moghuls the Sovereign ever claimed universal ownership. This is the historical aspect of the matter. The Taxation Enquiry Committee also has accepted this position, though half the members of that committee were of the opinion that land revenue could not be described as a tax, the other half being of the opinion that it is in the nature of a tax. But the fact remains that in this country the Sovereign never claimed any such rights. (Hear, hear). We are told that the Moghuls claimed such rights; but the people of the Panjab owned and possessed the land of this country long before the race of Babar entered into history—the unmistakable lesson of which is that Crowns come and go; the people alone are immortal. (Hear, hear). I submit, therefore, that in this 20th century such a theory, even if it existed in any country at any time, cannot hold good. In case this money is remitted we should apply it towards the reduction of taxes. We should apply the principle of progression to land revenue. At present all land is subject to land revenue. Whether a man holds 2 kanals or 200 kanals of land, he is liable to pay the revenue. In the case of income-tax the principle of ability or the principle of progression is applied—that is to say, there is a graduated scale and some people do not pay income-tax at all. My submission, therefore, is that the Council should consider the question of the reduction of taxes in the light of this principle. (Hear, hear).

**Sayad Muhammad Husain** [Montgomery (Muhammadan) Rural] : Sir, before proceeding with the general discussion of the budget I want to congratulate the Honourable the Finance Member for his lucid speech and the Honourable the Finance Secretary for the admirable memorandum which he has prepared for our guidance. In fact I have read six memoranda before and this is the 7th memorandum, and there is no denying the fact that this is a great improvement on the previous ones. But unfortunately I think this budget as it is presented to us does not show signs of prosperity of the province. One who would read this budget would find the province wealthy with accumulated resources, and he would at once come to the conclusion that Punjab is a very rich Province, and that the people are rolling in wealth; but, Sir, a man who knows the real condition of the masses, the real condition of the agricultural people, would say that it is all a mistake; it is not a real manifestation of facts. The agricultural population, in fact, the whole population of this province except a few, perhaps 1 per cent. or even less, are not at all prosperous. I would ask any one, even the Royal Commission on Agriculture which is now in Lahore, to go to the houses of these agriculturists and see if their condition is not miserable. Let them see the food that they eat; let them see with their own eyes the condition of these people; then I am sure they will come to the conclusion that what is incorporated in the budget is not the real state of affairs, but it is just the reverse of prosperity.

Now, Sir, the whole of this Province can be divided into two distinct areas, the irrigated area and the non irrigated area. The condition of the people who are living in the non-irrigated portion of the province is worse than that of animals in civilised countries. (Hear, hear). Dogs, horses, cows and other animals are much better fed and looked after in Europe and America than the human beings in India. The houses of these people in India are very poor and desolate; they are slums, and if any animal belonging to a civilised country is kept within such a house it will die within 24 hours. The people are merely struggling for their existence; nearly 15 or 20 people are put in one small house. Further they have no source of living. They are living on uneconomic holdings. Go into the districts of Sialkot or Jullundur, you will find that a single holding does not extend to more than 2 acres and some times it is sub-divided into *kannals*. Rightly did Mr. Calvert observe in his evidence which he gave before the Rural Economic Enquiry that agriculture in India does not pay because the holdings are uneconomical. Instead of devoting all this money on roads for the motoring public and such other things, it must in future be the bounden duty of the Government to spend some money to improve the condition of the poor people and to make their holdings economic. But what have the Government done? I will give an example. Take Sialkot, for instance. The Government have introduced a canal there, and on account of its introduction all the lands of the 54 villages have become water-logged. I draw your attention to the condition of these zamindars numbering 10 or 12 thousands. In these villages the holding of a family does not exceed 2 acres. Now on account of this water-logging these people have no source of income for the last 3 or 4 years so much so that the Government had to remit their land revenue. Government is responsible for making the whole area water-logged by their introduction of the canal. The land which was culturable before the introduction of the canal, that is, 3 or 4 years back is now very bad. For one acre which was culturable 3 years back they are now being given three-fourths of an acre in exchange. They are given no compensation for their

houses, no compensation for the wells which they sunk, no compensation for any improvement which their fathers and fore-fathers had made on the land. An officer has been appointed to take them away to the Nili Bar Colony. This amounts to a sort of indentured labour, like the Fiji indentured labour of which we have been complaining. They are being sent out to that colony to eke out their living as tenant of other landlords. In a way they are forced to go there and live there, leaving their houses, wells and everything else. Does it mean voluntary going or is it coercion? This is the way in which the Government is creating economic holding.

**Mr. President :** Under rule 28 the honourable member is entitled to discuss only the budget as a whole or any question of principle involved therein. No doubt a general discussion on the budget may wander as far as the statement of the Finance Member does; but as regards the discussion of principles, the honourable members are confined to the principles involved in the budget. I might take this opportunity to request the members of the House to confine their discussion to the budget as a whole or to the questions of principle involved therein. I read the rule itself: "On any day to be appointed by the Governor subsequent to the day on which the budget is presented and for such time as the Governor may allot for this purpose, the Council shall be at liberty to discuss the budget as a whole or any question of principle involved therein." I hope the members will please note carefully the language of the rule and not wander beyond its scope. Now may I ask the honourable speaker: What principle involved in the budget is he now discussing?

**Sayad Muhammad Husain :** What I wanted, Sir, was to criticise the policy of the Government, and say that instead of their creating uneconomic holdings they should set an example by creating economic holdings. At present the holdings of the people are uneconomic; they cannot get sufficient income to live on, sufficient to protect themselves from diseases; the result is that they are always subject to all sorts of epidemics. I have now given the example of one corner of the Province; I can give the example of another corner, Muzaffargarh, where the people are poverty stricken. I am thankful to the Government for having appointed a very sympathetic officer, Mr. Anderson, to report on the condition of the people there and how to relieve their poverty. I hope that by this time his report would have reached the Government. Even if the Government take one district like Muzaffargarh and spend all the accumulated reserve on it in giving the people education, in increasing their income and so on, the result would be admirable; it would benefit them much more than if they had laid out 20 railways. As regards the canal area I admit the condition of the people there is better and the holding more economical than in the other area. But there too the taxation is going on increasing year after year. There the *abiana* has been increased; but for what reasons? Not for economic reasons, but because there was deficit and these people could afford to pay it. I think that if the Government of India had remitted these contributions earlier the necessity for raising the *abiana* would never have existed.

Surely now that the Government of India is practically remitting three-fourths of the contribution, it is time for our Government to come forward and say that they are also going to reduce the *abiana* to its original amount. The cause for raising the *abiana* at that time was the considerable

[Sayad Muhammad Husain.]

rise in the price of cotton. Cotton is now assuming pre-war prices and time may come next year when it may come down to Rs. 5 or Rs. 8 per maund. Then, I submit, the zamindars will not be able to pay the *abiana* which is being asked of them. As regards wheat everybody knows that there was the closure of the Lower Bari Doab for about two months, and 50 per cent. of the crop has not had first watering. In such circumstances it is not fair to expect full *abiana* on wheat. We are very thankful to His Excellency the Governor that on his visit to the Montgomery District he very kindly remitted half the *abiana* on American cotton, but for that benevolent act of Government, the zamindars would not have been able to pay. It is now time for Government to fulfil their promise which they had made while raising the *abiana* that the *abiana* which was being raised on account of financial stringency would be reduced as soon as conditions improved. Now that the Government of India is remitting the provincial contribution, our Government should proportionately reduce the *abiana*.

As regards public health, I was very much annoyed to find that Government had omitted a grant of two lakhs under that head for precautionary measures against plague. Plague does not exist in the province at the present time, but we are told that an emergency might arise in the near future when it makes inroads and money can be then asked from Government. Everybody knows that precautionary measures must be taken far ahead of the appearance of plague, and we should start killing rats beforehand. We have had a bitter experience already. The Lahore municipality stopped killing rats with the result that in the following year plague appeared in a very serious form. That would be the case if we gave up killing rats. We should always be prepared for the worst, and should go on destroying rats throughout the year. The fewer the rats the lesser the chance of plague setting in. This omission of the two lakhs is, in my opinion, a very unwise step on the part of the Finance Department, and I would ask them to restore it.

Then, Sir, I want to draw the attention of the Honourable Minister for Education to the poverty of industrial classes. The weavers of the province are leading a very poor life. I have given notice of a question on the subject, and I want to bring it to the notice of the Honourable Minister that the weaving industry in Jalalpur Jattan is fast disappearing. The Kashmiri population, which has been carrying on the handloom industry there is giving it up because it does not pay. Is it not the duty of Government to spend some money to revive local industries of the province? Same is the condition with other industries. The sports industry of Sialkot is also going down. Sialkot had built up an industry which was considered foremost in the province, and if Government does not do anything to help that industry it will also disappear. Then the pottery industry is also waning. So also is the dyeing industry. There was a time when there were 84 markets which were doing that work, and they are all disappearing one by one. Government should open subsidiary schools in those localities. That would be much more profitable than the starting of institutions and asking people to come here and learn industries. Government should send their experts to those places rather than expect those who want to learn industry to come here. These are the ways in which the industrial development of the province should proceed. I do not minimise the efforts that Government has been making for opening roads and railways and for imparting education. A very great improvement

has been made in educating the masses, but education of the masses without any money to support them will be of no use in the end. Time has come when Government should devote at least the major portion of the income which they derive from the people to the interests of the people. Government may buy lands for them, give them land in the colony and realise the money from them. The land must not be auctioned, rather all the land should be sold in such a way that the holdings of the people in a congested area should be consolidated. I would quote the examples of Denmark and Germany. There the governments themselves manage to buy lands for the local population, and make their holdings as economical as possible, Government paying a part and the general public paying the rest in instalments. Government's attention should be devoted not so much to politics which are discussed here, but to the real good of the country.

Diwan Bahadur Raja Narendra Nath [Panjab Landholders (General)] : Sir, I must join my voice with the chorus of approval to which expression has been given with regard to the lucid statement read out by the Finance Member and a still more lucid memorandum explanatory of the budget prepared by the Finance Secretary. I am glad that improvements introduced within recent years in the system of accounts have been kept up. We have the famine insurance fund, the sinking fund and the revenue reserve fund still continuing. The revenue reserve fund has proved a source of great benefit and it has been fully utilised.

Coming now to the figures of the budget which are multifarious, I will quote only a few. I would draw the attention of the Council to the statement which gives the total income and the total expenditure of the year 1927-28. The budgetted income of 1927-28 falls short of the one for 1926-27 by 36 lakhs. The expenditure exceeds in comparison by 10 lakhs. The revenue account shows that the total deficit in the budget is of 80 lakhs, but still the year ends with a balance of 21 lakhs. The reason is that we are able to fall back upon the accumulated balances of previous years. The prudence shown in managing the finance in previous years has come to our aid and our deficit is not one which has not been made up by the surplus accumulated before. I have only a few remarks to offer with regard to the incomes shown on the receipt side. So far as the expenditure is concerned, I will have my share in the debate when the necessity arises. I am glad that the order of discussion in the Council will be different from that which has been pursued in previous Councils. The grants which were not scrutinised and criticised in previous Councils will come up for discussion this time. This is a very good system and will, I hope, be maintained. With regard to the receipt side, I have to point out only two figures and to offer a few remarks about them. One is with regard to the increase in income expected from extensions of open canals, canals which are now working. I wish to utter a few words of caution about it. The extension of the open canals should be introduced after full consideration of the rights of those who are at present taking water from the open canals. Theoretical calculations made by the Irrigation Department do not always come out to be correct. I need not quote instances, but the requirements of zamindars are to a certain extent under-estimated and great enthusiasm is shown in extending canal irrigation, whilst the zamindars want that full regard should be paid to the requirements of those who are already utilising water which is taken away for distant lands.

[D. B. Raja Narendra Nath]

The next item on the income side which has been budgetted is the sale-proceeds of crown lands. Lands are put to auction, and I am aware of the fact that the Government officer who conducts the auction has in his own mind an upset price which he keeps confidential. At some of the recent sales that have taken place, I find that the heat engendered by auction is so great and there is so much feeling excited in the course of bidding that the bid goes to altogether abnormal limits. The officers conducting the auction should bear in mind the desirability of putting an end to the bidding when the limit fixed in their own minds has been reached. I have heard of some instances in which disastrous results have followed an auction. A story was related to me—I cannot vouch for its correctness—and it is this, that one of the bidders went so far in bidding for the land that he had afterwards to commit suicide by drowning himself in the canal which was to irrigate his land.

Sayad Muhammad Husain : A calculating bidder, a *bania*.

Diwan Bahadur Raja Narendra Nath : Yes, it is the calculating bidder that exceeds the proper limits of auction. So I think that further bidding ought to be stopped when the proper limit has been reached, and I would accept with a pinch of salt the figures of estimates of prices to be realised by the sale of crown lands. (Hear, hear).

Since the budget was laid before the Council we have had an announcement that it is possible that we may get a remission of 86 lakhs of the provincial contribution. The imperial budget has not yet been passed and we have yet to wait and see if these figures become final. If these figures become final we will get 86 lakhs this year and we will have a recurring remission of 26 lakhs in succeeding years. It is a great windfall which ought to be utilised in the proper manner. With regard to the use of that windfall I should like to make a few suggestions. A greater part of it should be ear-marked for the beneficent departments. I believe the Ministers will do their best to get as much money out of this windfall as possible. The next thing is the remission of taxation. With regard to the remission of taxation certain remarks have been offered about which also I should like to venture an opinion myself. It has been suggested that land revenue should be made progressive, and that small holdings should be exempted from land revenue. The idea is a very good one, but there are some practical difficulties in the way of adoption of the suggestion. Many things will have to be considered, the nature of the land revenue will have to be altered, perhaps there will be some changes necessary in the Land Revenue Act and the whole scheme of revenue taxation will require examination and overhauling before that suggestion could be adopted. Without saying anything as to the merits of the suggestion I would say that these 86 lakhs should not be held up till plans for introducing the changes suggested by my honourable friend the member for Lahore can be adopted. There ought to be some immediate measures for the relief of taxation. The big schemes suggested by him may be considered and discussed at leisure, but they cannot be adopted within a year or two. I would, therefore, make two very modest suggestions. The one is with regard to the remission of taxation on motor cars. (Hear, hear). (A voice : you want to benefit your own class). I am coming to another class also presently. The other is with regard to the reduction of *aliana* (hear, hear) at least on cotton to its former level. I would not suggest any radical changes. It has been admitted in all the

official speeches that the price of cotton is falling down, and that it may come down still more than what we are able to realise this year. The area under cotton is gradually decreasing and the pest which attacked the cotton crop will continue to be a source of damage and disaster for years to come. There is some difficulty in obtaining good seeds unaffected and unadulterated by the damage done by the pest. Therefore, the comparative unproductiveness or unprofitableness of cotton crop will continue for some years, and there is no justification for keeping *abiana* rates at the figure to which they were raised when *abiana* was generally raised. I would advocate the reduction of all the *abiana* rates to their former level, but I hesitate to do so because whilst I am asking for remission of taxation I am also making a request that the beneficent departments should be provided with proper funds and that the development of the province should not be checked. Therefore, I do not press for the reduction of *abiana* all round; but I think that so far as cotton is concerned the case is very strong.

An idea has been thrown before the Council with regard to the improvement of rural sanitation. We all wish it. The advancement of the rural class is the advancement of the country. (Hear, hear). We all realise that the apparent conflict which exists only in the Council in the Punjab between the rural and urban classes does not exist anywhere else in the country. (Hear, hear). It does not exist in any other part of the country. In the Punjab the conflict is attributable to certain adventitious circumstances which can easily be got over. I am as strong an advocate of rural advancement and of rural sanitation as anybody else in the province. It is all very well to wish for rural sanitation. But I have not yet come across any definite plan of rural sanitation which can be introduced into the villages without making that plan or that scheme inquisitorial in character. (A voice : Destruction of rats). That is a very small matter. It is being done. So, the first thing to do in order to improve the health of the people, in order to improve the sanitation of villages is to teach them sanitary laws, that is, those laws according to which they can maintain their health. Education is the first thing which ought to demand our attention and with that education must be taught the principles of sanitation and principles of public health. Compulsory primary education should include compulsory teaching of the laws of health and sanitation. Unless people are able to realise in a better way the necessity for conforming to the laws of health, of conforming to the laws of sanitation, it is impossible to introduce any practical scheme of sanitation or any practical scheme by which their health can be improved. It is all very well to make suggestions, but it will take sometime before the best use can be made of the 26 lakhs if they are forthcoming. The first thing we ought to wish, a wish in which all of us can unite, is to see that the announcement made by the Finance Member in the Legislative Assembly is adhered to and the budget as presented before the Assembly is not so altered as to deprive us of the remission of contribution which has been promised. With these few words I resume my seat.

**Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] :** Sir, it is the usual custom to compliment the Honourable the Finance Member and the Finance Secretary for presenting the budget. Whenever I go through the budget I find that it is always *bania* like, that is, there is never any camouflage in the figures. For this we must give credit to the Honourable the Finance Member, that is, in spite of all the difficulties in

[Shaikh Muhammad Sadiq]

the preparation of the budget he always gives ready figures to us, so there is hardly any necessity to discuss about figures. Budget is the time when we have to discuss mostly of the policy and other things which are important and which are implied in the budget.

We find, Sir, that although we have been crying very often for certain reforms Government have been turning absolutely deaf ears to our cries. They hear our cries, but they keep dumb. This is my third budget, and I have been always crying that the Government has never taken a broad outlook of things. I have brought to the notice of the Honourable Members who deal with millions and millions of rupees, who like jugglers produce millions from one side and make them disappear another side, that they have not found enough money for charitable purposes. A few days back I was going through the budget in the hope of finding that the honourable the Finance Member and the Finance Secretary would have provided a good enough sum for charitable purposes this time. But I find Sir, that only a paltry sum of Rs. 6,000 has been provided for the whole province for the internment of paupers, and so on. In all civilised countries, they have got old age pensions, relief for paupers, insurance acts, provision of funds for orphans; but these gentlemen (referring to Government Members) who come from a country where they are doing the utmost for these purposes, none of them has lifted a single finger to do something for these causes in India. If it is good for France, England, Germany, etc., why is it not good for India? If such measures are good for the orphans in Germany, France and England, why are they not good for India or, for that matter, the Punjab? The Insurance Act was introduced in England in 1911 and in Germany before this in the 19th century, why has it not been introduced in India? The reason is that when the money comes it is squandered here and there without looking for the needs of the country. Is it fair, Sir, I ask, for this House to be asked to go on passing a budget of 14 crores and not help our own poor countrymen, except with a paltry sum of a few thousands? Under the Reforms Act we cannot increase the expenditure, we cannot increase taxation unless the Government comes forward with proposals for the same. I am sure that if it had been in our power we would certainly have allotted a bigger sum for these purposes. It is really pitiable that Government has not up to this time done anything for the relief of the poor.

The next point I wish to refer to is the question of the separation of judicial and executive functions. Sometime back, the Chief Secretary promised us that as soon as money became available there will be separation of judicial and executive sides. But, Sir, alas, the promises which are made are seldom kept by the Government as regards this important reform. A committee was appointed and the committee recommended the separation. A lot of valuable time has been wasted as the Government does not want to carry out this important reform. Government is now in a position to refuse it. Well, they always put it back for next

year. The present Chief Secretary was not present at the Simla session last June. I also reminded the then Chief Secretary that money should be set apart for the separation of the judicial and executive functions, but he laughed the matter out. Surely there will be no difficulty to put down a paltry sum of 2 lakhs or so for this purpose. This time we are having a windfall in the shape of remission of provincial contribution, and I hope the Government

will allot at least 2 lakhs or 3 lakhs. I hope they would bring forward a regular scheme before the House for the separation of the two functions. This question of separation of the two functions has been a cry for the past 20 or 30 years. Governors have come and gone; they have all promised us to separate the two functions, but no effect has been given to their promises up to this time. There has been plenty of money in the past. There is enough money for the construction of bungalows, roads, etc., but unfortunately a few lakhs is not spent in the separation of the two functions. This question will not require crores, but only a few lakhs. You find the Government is increasing the number of Extra Assistant Commissioners. From 65 or so, the number has increased by 45 or 50 more. Surely enough money could be found in this big budget to find some paltry sum for that.

Now I come to Education. I am really glad that Government is doing something for education. But, what about female education? How can this country progress in the right direction unless side by side with male education, female education also is attended to. You find hardly any school in the villages, and few schools in the cities, for female education. How can the country improve? How can the country keep pace with other countries unless female education is taken up in hand side by side with male education? The Government cannot blame the honourable members of this House. Up to this time not a single member of this House has raised any objection against the allotment of funds for female education.

The next subject that I wish to dwell upon is public health. Last year the Government gave a paltry sum for public health. Plague was raging all over the province claiming a heavy toll of mortality, but the Government was keeping absolutely quiet in the matter. At last when the honourable members of this House raised a hue and cry the Government complained they had not enough money. The Government finds large sums of money for building roads and bungalows, but they cannot look after the health of the country. It is really very sad that the Government should plead want of funds to protect the people of the country from epidemics. I find the Government has allotted paltry sum of 1½ lakhs for plague. What about malaria? What about cholera? These epidemics also take their own share of victims. It has been the misfortune of this province to be infested with some sort of epidemic or other, year in and year out. Surely there must be a sort of sinking fund or insurance fund—or whatever the Government may call it in technical parlance—to take preventive measures against the recurrence of these scourges upon humanity. In time of need this money can be utilised. Surely unless some such provision is made in advance, the Government cannot expect to tackle with the problem satisfactorily. My point is that the Government should not be coming to the House for money in order to combat the diseases after the mischief is done. They must create some sort of sinking fund and be spending out of it in case of necessity. I would suggest that the Government should make an immediate beginning and set apart every year some fund towards this purpose.

Look at sanitation in the villages. Sanitation is greatly neglected. The Government should do some propaganda and teach the people in the villages how to keep their villages in a sanitary condition. You find the lanes and even some roads in the villages are crooked and insanitary and they are constructed not on a scientific basis. All other governments in

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the world are teaching the people hygiene and such other subjects with a view to inculcate in them a spirit of sanitation. Whenever new villages spring up in Europe and other continents, the Government take special care to do propaganda for the laying out of model villages on the most scientific system. Apart from this the children are taught at schools and the mothers also teach their children at home the benefits of sanitation and hygiene. How can the Government in this country expect the mothers of this country to teach their children such subjects as are taught in other countries unless female education spreads throughout the province.

In France, after the war, when new houses were built in the devastated area the Government took the question in their hands and taught the people how to build proper houses. Similarly I think it is high time that the Government of the Punjab should move in this matter and do some propaganda so that the health of the people may improve.

Now, Sir, I come to the important subject of industries. Ever since the advent of the British rule, and more especially during the last sixty or seventy years, it has been the complaint of the people—and to a certain extent it is true—that the Government do not want to encourage the industries of the country. You find that England built up its industries under the steel ring of high protection and also by the giving of subsidies in the country itself. The same is the case with America. They have built up their industries by high tariffs, as much as 80, or 90, or 150 per cent. Look at the history of Germany. It built up its industries by protection. It raised a steel wall against the imports of commodities from other countries. No doubt India is a poor country. But I am sure there is enough wealth in this country to be invested in industries if only the Government could give a helping hand. If the Government would only guarantee a minimum interest, I am sure hundreds of factories would spring up in this province. I am glad that the Government have very wisely—I speak subject to correction. If I am wrong—guaranteed in the case of the Narowal and Shahdara railway a minimum interest. If the Government would guarantee minimum interest as regards industries also, the capital would not be shy. If the Government is anxious to increase the prosperity of this province, they can only do it by aiding the industries. The Government need not give subsidy to all the companies, but only such companies as are approved of. The Government have given subsidy to the Tata Company recently. If Government would guarantee minimum interest, I am sure several crores of rupees which are now locked up in jewelry would be forthcoming to be invested in industries.

Next, Sir, I come to the reform scheme under which we are now functioning. There we were told that the Ministries which will be formed will exist or go down by the vote of the House. What do we find in actual practice? It is absolutely an illusion. It was all intended to be kept only in paper. The makers of the law no doubt had good intentions while framing it, but in actual working their intentions had been set at naught. I do not know on whose behalf answers are given by Honourable Ministers in this Council. I do not know whether they give their answers on behalf of their head clerks, or their Secretaries or on behalf of this House. As far as I know the Ministers, according to law, represent some party in this House, but in fact the answers of Ministers to the questions put in this House are always

against the intentions of the House. They run counter to the whole sense of the House (hear, hear). It is all jealousies of the right and the left wings that encourage the Ministers to give such answers, answers which are contrary to the wishes of the entire House. Of course who is to blame? We are to blame (hear, hear) for the kind of answers given by the Honourable Ministers. For instance, the other day a question was asked as to the intention of Government in the matter of allowing political offenders to stand for election to local bodies. What do you think, Sir, a Minister responsible to the legislature would say in reply to that question? A Minister who is elected and who is dependent upon the votes of this House would say, "yes, we have removed the ban against political offenders". What do we find now? We find the Minister responsible to the House getting up and saying that Government does not intend to remove the ban. It is only in name, Sir, that the Ministers are administering the transferred departments. In fact, they are merely reserve departments so far as acceding to the wishes of the House is concerned. The Ministers are now confident that they can set at naught the will of the House by the solid block of official votes. Unfortunately mutual jealousy plays a prominent part among non-official members and the House knows and everybody outside the House knows what could be expected of a House divided against itself. Unfortunately it is too true that owing to our mutual petty rivalry and jealousy we are not able to bring the Ministers to discharge their duty in conformity with the wishes of the House. The remedy lies in our hands. The Government members should not vote on subjects in which they are not concerned. The Government members should not vote in every transferred subject that comes up for discussion. The Government members should come to rescue only in cases of extreme necessity. As a matter of fact, what do we find? The official members are paralysing the entire House and they are turning out all the plans of the House, any time they like. In fact, the whole ministerial responsibility has been brought to a standstill. As soon as the division bell rings, there run in official members, all perspiring, to save the Ministers by their solid votes.

A few days back there was the question of 'no-confidence motion.' In fairness to certain members of the House, I must discuss that question, with your permission, Sir.

**Mr. President:** May I ask the honourable member what principle, underlying the budget, is he discussing at this moment?

**Shaikh Muhammad Sadiq:** It is because a provision of Rs. 5,000 each per mensem has been made in the budget for each of the Ministers, I want to discuss this point (hear, hear). It is very easy to bring the Honourable Ministers under the whip of the House.

**Dr. Gokul Chand, Narang:** May I request my honourable friend to speak a little more in a low tone so that I may hear him properly? I do not wish to miss a single word of what my honourable friend says.

**Shaikh Muhammad Sadiq:** I am afraid my throat is at fault.

Well, Sir, in fairness to the honourable member who moved that no-confidence motion, I must assure the House that there was no vulgar jealousy which actuated him in making the motion. That was not the cause for the motion. We have nothing personal against the Minister for Education, or Agriculture or Local Self-Government. The only point at issue was whether the Ministers should merely be

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nominees of Government or should they obey the mandate of the House. If, according to the Reforms Scheme, they are the representatives of the House, they must abide by the verdict of the House. In actual practice it is the reverse. Knowing well the strong support that they would get from the benches behind their back, knowing well the petty jealousy that exists among the members of the House, the Ministers can well afford to set at naught the wishes of the House. The result is that although the Ministers are supposed to be administering transferred subjects, those subjects have become worse than reserved subjects. If the Government members should remain aloof without supporting the Ministers, then the House can make its will obeyed by the Ministers. I am sure, that if we leave out our petty jealousies and rivalries, a stable Ministry can be formed, the members of which would never swerve one inch from the mandate of the House. There must be mutual give and take among the members of the House so that the verdict of the House may not be set at naught by the Ministers.

Now, Sir, the answer was given by the Honourable Member, he is not here now, that Government was not prepared to remove the ban. The Minister administering the transferred subjects should represent our will. May I ask the Honourable Minister whether he consulted the other Ministers in this matter or whether he himself did it? After all Government is to be carried on; but at least we in this House must know what is the system under which the Government is working. I want to know whether it represents the will of the Government as a whole or of a single individual. Sir, time has come when we must again and again ask and again and again press that the Ministers should act according to our wishes. They must not read, if I may use the word, parrot-like something from the paper. Something written on a slip of paper is passed from behind them and they read it. I have read in English history about addled Parliament. I am sorry to say that the Council may be similar to that.

Mr. President: I am inclined to think that the honourable member has used an expression which he had better withdraw.

Shaikh Muhammad Sadiq: I never meant any insult to the House of which I am a member myself. By insulting the House I will be insulting myself and I have not the least intention of doing so. What I meant to say was that the authority of the officials is such that it will not allow the House to do much. I want and plead that that jealousy should be removed as soon as possible, and that the members on both sides should come forward and frankly discuss things. After all why are we fighting with each other in this Province? We are fighting only for jobs and representation. We should tackle this problem like men. We should not stop working as a party simply because one man has gone out and another has come in. The giving up of our principle for the sake of Ministership is bad. We should not support the Minister simply because he is a Minister. We should not be afraid of coming forward and putting our heads together in order to find out some practical solution. The whole difficulty in our country is that we are jealous and suspicious of each other. I appeal to every member of the House to come forward and do something to remove that jealousy and suspicion and settle the differences.

Now, Sir, the member for Montgomery said that we must give some relief to the agriculturist by not spending so much on roads. I agree we must not

spend too much money on roads; but agriculture will not progress unless we have good roads. The development of agriculture and the development of roads should go hand in hand. We cannot improve agriculture unless we improve our roads and unless there are facilities for traffic. Otherwise, how is the agriculturist to carry his wheat to the market? How is the commodity to be sold? I quite agree that expenditure on roads should not be out of all proportion, but there must be some sort of good roads. Those days are gone when we could depend on the *kuchha* roads. Facilities for roads should not be stopped, because agriculture has not much progressed. I quite agree that we should not have expensive tarred roads. It is enough if we have a cheap road, and not a first class motor road like the Mall road.

Now, Sir, with regard to this sum of 80 lakhs, one's mouth waters when one thinks of it; it is a large amount of money that is coming to us. I agree that the poor agriculturist must be helped; his burden must be lightened. If he has 3 or 4 bighas of land and has a large family with children to support and educate, it is really cruel to ask him to pay at the same rate as a man holding 10,000 or 14,000 bighas of land pays. Something should be done for the poor cultivator. But without money you cannot progress; you cannot have education and you cannot have so many other things without money. In order to progress we must allow to be taxed to some extent. Government is not going to bring money from England; they are too clever for it. To expect our taxation to be reduced and to go forward is a moonshine. All the same it is but right that we have got this windfall and we should see that we reduced the taxation on these poor people who are really in need of reduction of taxation. With these few remarks I resume my seat.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadian) Urban]: Sir, I also congratulate the Honourable the Finance Member on the excellent memorandum that he read before us the other day. I know that criticism of the various items of the budget with a view to reduce or add to or modify either heads of income or heads of expenditure is really vain, and so far as my experience for the last three years goes, we have seldom succeeded in making any appreciable change in the figures of the budget. I would, therefore, confine myself only to a few general remarks, and will not make any attempt to suggest that the budget may be modified in this manner or that manner.

The first thing to which I wish to draw the attention of those who are in power is the matter of education, and I am glad to find that next to civil works, education receives the biggest grant of all the departments. In fact, during the last three years, if I am not mistaken, there has been an increase of some 43 lakhs in the grant under education. But there are certain things which I would like to suggest to the Honourable the Minister for Education and his worthy co-adjutor, Sir George Anderson, the Director of Public Instruction. The first thing to which I wish to draw their attention is the complaint which the private schools that sometimes depend on grants-in-aid have against the department and it is this: up to this time the recognition of these schools and the recommendation for a grant-in-aid have depended mostly upon what I may describe, without meaning any offence to anybody, as the vagaries of the inspecting officers. There is no definite standard laid down either for the buildings or for the curricula or for the staff so far as the recognition rules are concerned. Cases have, therefore, occurred where a well-equipped school with a very efficient staff and with a very good building has been denied recognition, whereas other schools with much less

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commodious buildings, much less efficient staff and much worse equipment have been granted recognition and have also been favoured with grants-in-aid. I would, therefore, definitely suggest that specific rules should be framed so that the founders and managers of private institutions might know what they have to comply with before they can expect recognition and can also lay a claim to grants-in-aid. Definite plans of buildings required should be supplied to all who wish to start a school or who want recognition for an existing school. The number of teachers required, the qualification that each teacher should have should be laid down, so that they should know that they should employ this kind of staff. It should also be definitely indicated that if they want a science class they will be required to have such and such a thing in their laboratory and so on with respect to maps, desks, blackboards and everything that the department requires, so that there may be no room either for favouritism and for undue preference and there may be no room for any heart-burning or any grievance from any school. This is the first thing to which I would draw the attention of the authorities of the Education Department.

Then, Sir, I would just like to say a word with respect to the new item of expenditure which has been created during the last few years and that is for the Intermediate Colleges. I once indicated here that I am not in favour of the extension of colleges in this Province. Unfortunately the cry everywhere is : " We want an Intermediate College ; such and such a place has got it and why should we not have it " ? Without knowing that it is a doubtful blessing there is a cry for this ; I know that. But it is for the educational authorities to meet that cry in a judicious manner, so that it may not be like a child being given what it wants but what really is not good for the child. We know that the scholars that are turned out by our present colleges are hardly well-equipped for earning their livelihood. They swarm at the doors of the Ministers, at the doors of the Secretaries to the Government and at the doors of private establishments such as banks and factories, and there is a stereotyped reply almost everywhere that there is no vacancy. If you advertise a post of Rs. 40 or Rs. 50 a month, you get a number of applications which you can hardly read. This is really the output of our present colleges and I think it is conferring an extremely doubtful blessing upon this province by extending this system of purely literary colleges such as the Intermediate Colleges.

With respect to the existing institutions again, I have to submit one thing and that is this, that the character of instruction imparted in these institutions also must be modified. Students who come out of schools and colleges get into a frame of mind which makes them scorn all manual work and renders them absolutely unfit for earning their living by manual labour. In no other country perhaps is this curse so widespread as in this country where a little smattering of English or Urdu or Persian is considered inconsistent with the possessors of that knowledge entering on any enterprise which may require manual labour. This evil must be—it is no longer in the state of the bud and I was going to say it ought to be nipped in the bud—this evil ought to be checked and some sort of manual training ought to be introduced in every school and every college. I know that some private institutions have made a beginning in this respect and have set a very good example for Government to follow and I hope that Government would not be slow in following this good example and in fact improving upon it.

One more complaint I have against the Education Department and that is that adequate attention is not being paid to the physical culture of the students. This may look commonplace but sometimes commonplace things are among the most important things. We know and I have very often been pained to see the shattered health of our boys reading in schools and colleges with their sunken eyes covered with glasses which are bigger than their cheeks and cheeks which are sallow than autumn leaves and their statures are stunted and most of them are absolutely unfit for any kind of exertion. Of course there are honourable exceptions but such exceptions are few and far between. The reason is that there is not adequate provision for physical instruction in schools and colleges and I am going to make one suggestion which I had an opportunity to make to Sir George Anderson the other day. It is this, that just as in colleges, for instance, it is necessary under the rules that any boy who wants to sit in an examination must have attended 86 per cent. or some other percentage of the lectures delivered in the college on every subject in which he wants to take his examination, it ought to be made compulsory that he should have attended 86 per cent. or 60 per cent. or whatever the number may be of drill classes or physical culture classes or gymnastic classes or some sort of class which must be held for the physical development of the boys of that particular college. That would of course necessitate the introduction of classes for physical culture in the schools and colleges and it is high time that steps were taken to introduce classes for physical culture. We have already neglected the thing too much. Only day before yesterday I had occasion to be present at a prize distribution of one of the leading schools in this city. The learned Head Master of that school—I mean the Dayanand Anglo-Vedic High School—had prepared a report which I would commend to the attention of the Honourable Minister for Education. One thing that I found in that report was a reference to a measure that the educational authorities in the United States of America had taken and that was to the effect that physical instruction was now contemplated to be made compulsory even in that country where the physique of the people is far better than the physique of the people in this country. There they are going to make it compulsory that every student who wants to take an examination must have attended physical culture classes in the same way as he has attended classes in other subjects. We have a very useful institution called scouting which has also been introduced in this province and one thing that can be immediately introduced is this that scouting may be made compulsory in all schools. It may be said that compulsion is opposed to the spirit of scouting but I think the boys and their parents would have absolutely no objection if scouting were made compulsory in all schools. If that cannot be made compulsory then I would submit that military drill may be made compulsory for all boys and even in the colleges. So far as scouting is concerned, I would make one suggestion to the learned Director and it is intended to remove a sort of misapprehension which exists in certain quarters. There are two systems of scouting, one called the B. P. system and the other Seva Samiti system which is in vogue in the United Provinces and the Punjab. Objection has sometimes been taken to the Seva Samiti system in some schools. I would suggest that this apprehension should be entirely removed and it should be open to the Head Master of any school to adopt any system of scouting that he likes and that his scholars like, and there should be no prohibition against any system of scouting whatsoever.

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There is another suggestion which arises from this—although it may work hardship on some institutions to begin with—and that is that before a school is recognised in a big town it should be compulsory for it to show that it has got an adequate playground. To my mind it is far more necessary than the equipment of a science laboratory because it is better to possess a good physique, it is better to be a good football player or a good hockey player, than it is to know the elements of Chemistry. This is what I had to submit with respect to the Education Department of our province.

The other department with respect to which I want to make a few remarks is the Department of Industries and I am sure the Honourable Minister for Education who is now in charge of industries also will note what I am going to submit. We find that for many years the demand for industries has not exceeded eight lakhs or so. In fact this time, if anything, it is about Rs. 24,000 less than it was last year. That is really not a very encouraging state of affairs. That would hardly be 75 of the whole income of the province. To allot Rs. 8,77,000 for the development of industries of such a large province as the Punjab is not doing justice to the Department of Industries. I am sure the young and energetic Director of Industries, who has just been called to this Council but unfortunately has just gone out, will be encouraged in doing something for the expansion of industries in this province. We find that the colleges and schools that are now in existence are really not providing for unemployment and we can only look to the industries for the removal of unemployment in this province. I am sure Government will do more than it has been able to do up to this time for the industries of the province. One way of removing unemployment is the distribution of lands. We know that up to this time land has been given to people who have fought for their King and country, a very good thing if the thing is kept within limits. But sometimes those who have never handled a sword or shouldered a gun have got the major portion of land while those who shed their blood in the battlefields were never thought of. People who just pleased some recruiting officers and got chits from them have had squares and squares, while families which have been denuded of the flower of their youth owing to the Great War have really not been thought of by the Government when making these grants. Still I do not grudge the good luck of those who have got lands from Government for supplying recruits or for services which cannot bear public mention. What I wish to impress upon the Punjab Government is this, that there are scores and scores, nay, thousands of young men who are wandering about without any occupation whatsoever and they can all be provided with occupation if some land is given to them on certain conditions, for instance, the condition that they themselves put their hand to the plough and not let their lands to their poor and ignorant brethren and live upon the rents of those lands. If the condition is made that they will themselves till the land which is given to them, I think a square or half a square to a graduate or an under-graduate with a good physique, a man who is prepared to become an agriculturist, even if he does not belong to an agricultural tribe as understood generally in this Council and as given in the Land Alienation Act, even he may be given some land if he is prepared to adopt agriculture as a profession. I am sure, Sir, there will be thousands forthcoming who if they are given this encouragement will take to agriculture kindly and in course of time they will be able to pay in revenue to Government perhaps more than the ordinary agriculturists have been able to do up to this time. If any echo of the voice raised here reaches Lord Linlithgow who has the honour now to

preside over a Commission which will be known as "Gow Commission", if any echo of the voice raised here can reach him and his worthy colleagues; I hope they will make a recommendation to this effect and I am sure the educated agriculturists recruited from among the students or ex-students and graduates and under-graduates of our province will prove far better agriculturists than the ordinary agriculturist who does not know anything of the science of agriculture and is following only the primitive methods. At least it is an experiment worth trying and I hope all the members sitting here who adorn the Government benches, wherever this matter touches their departments will just give encouragement to the young men by adopting as far as possible the suggestion that I have made to-day.

Then again, Sir, I find on a cursory glance at the summary of the budget that public health has been very stingily dealt with this year again. I find that the grant for public health this year after all is 20 lakhs, that is, 11 lakhs less than what it was last year. (Hear, hear.) (A voice: *It is three lakhs more.*) No. I would be glad if it was more. I am speaking subject of course to correction. Here I find Rs. 20,82,000 provided for public health. I believe that figure is correct.

**Mr. H. W. Emerson:** Sir, I may be permitted to utter a word of explanation here. The apparent difference in the figures in the budget is due to the fact that the provision for rural sanitary board which last year appeared under the head public health has now been transferred to civil works. This time last year Rs. 17,56,000 were provided for public health but the actual provision for next year is Rs. 20,82,000, that is, an increase of 3 lakhs.

**Dr. Gokul Chand Narang:** I am much obliged to my honourable friend for the explanation that he has given, although we would very much have liked it if he had also made a statement as to what had been assigned to rural sanitation before and what has been assigned now, because I find that last year 31 lakhs were allotted to public health, but this time I find that 20 lakhs have been provided. I do not find even in the summary what has been allotted for rural sanitation. Of course I am prepared to give credit to what my honourable friend has said, and if it is an increase of 3 lakhs over the last budget that is some consolation, but I must still say that the provision made is not adequate. I entirely agree with my honourable friend, Sir Muhammad Iqbal, in what he said about the provision which ought to be made for the health of women in this province by providing for trained nurses and trained midwives in every place possible, because we know as a matter of fact that thousands of our women die at the time of child-birth because trained nurses and trained midwives cannot be had in outlying places and not adequately in big towns, so that this provision even if it is 3 lakhs more than last year, I would call inadequate.

Next, Sir, I come to a very important matter which concerns the application of the contribution that this province was making to the Central Government and which is now going to be remitted. You know, Sir, that when the court-fee was increased and the stamp duty was increased there was an outcry not only in this House but outside also throughout the province, but a large section of this House supported the amendment of the Stamp Act and the Court Fees Act on the ground which then existed, namely, their anxiety to have *absana* reduced. I am sure, I am not doing any injustice

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to those members who voted with the Government on those occasions. Their motive was perfectly intelligible and pardonable. They thought that if court-fee and stamp duty were not increased, then the needs of the Government would have to be supplied by an increase in the *adiana* or by maintaining the *adiana* at an enhanced rate. This is what they had in mind, but now *adiana* does not stand at its original figures and there is no apprehension at least this year, thanks to the Central Government. I would therefore submit that the grievance caused by the double increase in the court-fees and in the stamp duty in the towns should also be removed. (Hear, hear). I am sure every section of the House will appreciate the necessity of reduction in the court-fee. It has been reduced to its normal proportions in the United Provinces and there is no reason why it should continue at an enhanced rate in this province. Again, I speak subject to correction, and I hope Mr. Emerson will correct me if I am mistaken, the increase in the stamp duty has not helped the Government very much. The income from this head as estimated for the next year is only 1.08 lakhs while last year it was Rs. 1,20,00,000 while in the year before it was Rs. 1,11,00,000; so that with the enhanced court-fee and the enhanced stamp duty the revenue of the Government has gone down by 12 lakhs in comparison with the last year and by about 8 lakhs in comparison with the same revenue of the year preceding that; so that, no object has been served by enhancing this duty. People resort to various tricks and I think it will lead to complications and all sorts of troubles if the stamp duty is kept at the present rate. What people do is this: Instead of getting documents executed and registered they enter into bogus arbitrations and thereby get their property transferred from one to another. Government also suffers a loss in the Registration Department owing to this increased stamp duty. I hope, therefore, that the Government will take early steps to bring forward a Bill to amend the Court Fees Act and the Stamp Act once more, this time to reduce the duty as it was done last time to increase it.

Then, Sir, before I sit down I must say a few words with respect to one important matter which concerns the general administration of this province. This general administration, Sir, as you will see from the figures, absorbs under two or three heads largest slices, next to education, of the revenues of this province; general administration (reserved), Rs. 1,08,00,000 and general administration (transferred), a comparatively small amount, only about 2 lakhs, administration of justice more than 50 lakhs, and police 1,08,00,000. Now police is a great necessity. I would be the last person to say a word against the police as such. It is full of black sheep no doubt, but so are other departments. Police as such is indispensable to the maintenance of any civilised country. But what I want to submit at this stage, what I want to bring to the particular attention of the Honourable Finance Member who is in charge of this department, is that the police and the other machinery of Government move sometimes at too early a stage and sometimes too late, after the mischief has been done. The general impression is that whenever any subject of the Crown in this country says or writes anything against the Government, Government is very quick to move. Sometimes it even reads in the speeches and in the writings what is not there. It is too quick to move and sometimes sends people away from their homes even without any trial. That is what the Government very often, I should say too often, does when it is touched in its own person. But when some people make fools of themselves either on the pulpit or in the press and the result of their folly does not

affect the Government, then it is too slow to move and sometimes moves after the mischief has been done. (Hear, hear.) I have instances where fiery speeches have been delivered in various localities, where inflammatory placards have been posted, where inflammatory articles have been written in the press and the Government has not moved until it has been too late, until the mischief has been done and until many lives have been lost and property worth lakhs has been destroyed. It is only then that the Government machinery moves and even then moves in a tardy manner. This is what I would draw the attention of the Government particularly to. This communal tension in this province is a thing of which we Punjabis are ashamed, but the blame is not ours alone, and I must, with due deference to the authorities and to the gentlemen who represent Government, say, and boldly say, that the blame in the first instance lies with the Government. This is perhaps not the time to go at greater length into this matter, but since the introduction of the reform scheme, every one must recognise, communal feeling has been accentuated because the passport to this noble House has been the membership of a particular community, with the exception of two seats. It was therefore inevitable that the communal feeling should receive an impetus. Over and above that we find that this communal spirit has spread not only to the elections to this Council and other legislative bodies, but has insidiously crept into other departments of administration. We find that even in services this spirit is working and this principle has been openly adopted. Whenever appointments are to be made the first thing that Government sees is, "how many appointments are there, how many candidates are there?" Well so many Hindus, so many Musalmans, so many Sikhs and perhaps so many others have to be taken. Even in matters where the appointment does not affect particular

interests and is not likely to affect particular interests or any particular community this communal principle is to be kept in view. I do not mean to indulge in any lengthy censure on any policy followed by any particular individual. What I want to point out at the present stage is that we have seen enough of these fire-works and they have done enough of harm in this province that we should stop and see whether it is not high time that the mischief should be put an end to. We find that orders were issued for compiling statistics as to how many people, how many members of the Hindu community, how many members of the Muslim community and of the Sikh community were in this particular department or that particular department. Now what is the result of that? In the schools and colleges and other departments of life when young people, unsophisticated people with honest motives and innocent lives come in contact with such things as distinctions based upon communal grounds, what is the effect on their minds? Can it be expected that they would continue to regard themselves as citizens of any common country or members of a common nation? Will they not begin to look upon themselves as Hindus first and Indians afterwards, as Muhammadans first and Indians afterwards, and so on? That is the result of this poison which has been instilled into this country by means of this reforms scheme which I make bold to say has proved an extremely doubtful blessing to this country. But now that it has come, it rests with those who have to work it, to work it in such a manner as to cause the smallest possible amount of mischief. In another three years or so another Royal Commission would be coming and it will be the duty of that Commission to see whether this principle which has been

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adopted in the first reforms scheme deserves to be continued or not and it will be the duty of those who will be in a position to advise that Commission to point out that the introduction of this principle has—if they are honest they must point that out—spoiled the civic life and destroyed the social amenities of this country altogether and instead of enabling the Indians to walk on the path to self-government it has retarded their progress on constitutional lines. A nation that starts by divisions can never become united. I do not believe those who say these are only temporary things; these are only tentative measures. You cannot instil poison into the constitution and reasonably say that it will not have any effect over the nation long years after. For ten years or so this poison will have worked and by the time the next commission comes, unless it is stopped then and there, all hopes of the evolution of a united nation in this country must be abandoned. India will always remain scattered and divided into communities and groups of communities and will never become a nation. I particularly draw your attention, Sir, to the evil results to which this system has led in this country. When you begin to divide a nation into Hindus and Muhammadans and Sikhs and others, the natural corollary is that the Hindus will divide themselves further into Sanatanists, Aryas, Khatrias and Aroras and Jats and non-Jats. We have heard at these elections the cry: here is a Sanatanist, here is an Arya, here is a Jat, here is an Arain, the Sanatanist should go with a Sanatanist, the Rajput should go with the Rajput, the Arya should go with the Arya and so on. Why is it so? Is this the way of making a nation? It is the result of this poison which the reforms scheme has brought into this country and the sooner this poison is removed from the scheme, the better it will be for the political progress and constitutional evolution of this country.

I have referred to this at a little length because I find that even in the speech which we heard in this hall the other day a word was said which was likely to create a misunderstanding and I am sure I am not transgressing the bounds of my right when I make a reference to that speech. It was said that it was legitimate to form parties on religious grounds. Perhaps the thing is inevitable but it is not legitimate, it is not proper and it is not calculated to make the people into a nation. I submit with the utmost possible respect, and I cannot help making this submission that it is an utterance.....

**Mr. President:** Is the honourable member discussing the principles underlying the budget or a speech made in this hall the other day?

**Dr. Gokul Chand, Narang:** It was only a reference in passing. What I am discussing is pre-eminently relevant to the general discussion on the budget because we have to keep extra police, we have to keep extra judges, we have to employ extra clerks and so on because there is communal tension in this province. In the new expenditure of which a big volume has been placed in our hands we find so many new Sessions Judges, so many new Extra Assistant Commissioners and so many other extra officers. Why is it so? We are told that Sessions Judges are required because so many criminal appeals are pending. You are aware, Sir, that many of these criminal appeals which are pending in the courts of the various Sessions Judges in the province, have arisen out of the communal riots in this province and therefore this question of communal tension in this province is pre-eminently

relevant to the discussion which is now going on in this House. If the authorities were wide awake the cause of this expenditure which is now necessitated by these communal riots would be removed and we will not be under the necessity of employing more judges, more police, or building more court-houses or having more readers and clerks or process-servers and all that which has to be provided for in this budget. It was with this idea that I wanted to refer to this and it was in passing that I made a reference to that speech. I heartily agree with the expression which fell from the lips of His Excellency the Governor in that speech that of all the infernos which have been pictured by the imagination of men, like Dante or others, the most dreadful will be reserved for those whose only claim for consideration on the Day of Judgment would be that they harmed people belonging to other religions in order to gain merit in the eyes of God. I endorse every syllable of what was said and I only regret that any mention of the legitimacy or otherwise of the formation of parties on communal lines and on totally artificial things, such as rural and urban lines, in this province should have been made.

Before I sit down I must say a word with respect to the question of Ministry which has been adverted to by one of my predecessors. The present state of affairs is not of our making. My learned friend and his colleagues ought to understand that the present state of affairs is not of our making; it is the result of the policy inaugurated by the Government itself and so heartily supported by the predecessors in interest of my learned friends here. The tyranny of caste, the tyranny of a democratic majority is sometimes more tyrannous than the tyranny of the most tyrannical of tyrants not excluding even the tyrants of ancient Greece. That tyranny was bound to produce a reaction in this province and if sometimes the Government adopts a measure which is calculated to alleviate that tyranny to howsoever slight an extent my learned friends over there cannot grumble. My learned friend who discussed this matter was in the last Council. I wish he had also been in the Council which sat before the last Council and those who are now with him ought to understand that it is nobody's fault but that it is the inevitable result of the policy which has been pursued. In every civilised country the Ministry is undoubtedly in the hands of the legislature. There is not the slightest doubt about this and even here the Ministry is in the hands of the members of this Council; only the members should know how to use their power and should not be led away by one idea alone. If, for instance, my honourable friends were to move that dyarchy should be entirely done away with I would entirely agree with them. I would be prepared to lead the opposition to destroy the system of dyarchy root, branch and everything, but now that this evil of dyarchy is here, we will not permit that the matter should be discussed on any personal grounds, so far as we can help it. I entirely agree with the honourable member for Amritsar that no personal feelings ought to be imported into the thing. If the matter is made a party matter, if any question is put in a camouflage form then those who have eyes can see and must see and must stand up against any unjust onslaughts that may be made by one party against another. That is all that I would say at present with respect to what was said by the honourable member on the other side. I was glad he made that confession and in that confession I join that we are all up against one another, we are ourselves not united and we are influenced by narrow-minded jealousies, to use the word of my honourable friend from Amritsar (*A voice: There are exceptions*). I hope that with

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the help of one another we shall get over these petty jealousies, petty ideas, vindictive ideas, and bigotry which separate one community from another and I hope that the time would come when like other nations of the world, irrespective of the religion to which we belong, we shall form one nation and we shall escape this humiliating position in which we find ourselves to-day the laughing stock of the whole world. People must be more tolerant, people must appreciate the difficulties and troubles of others, and they must be prepared to give and take, and it is only in this way that the country can have a united nation and can advance on the path of self-government (Cheers).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, I too must begin by congratulating the Honourable the Finance Member and the Finance Secretary on the budget which they have presented. I would like to go even a step further and congratulate them on spending a little bit more than what they have got. They made a small deficit budget, obviously they did not know what was coming from the Central Government, but they made a very shrewd guess that they would have some remission of provincial contribution, as the Honourable Finance Member of the Central Government has made no secret for some time that before any reduction of taxation such as motor import tax and so on, he was committed to the remission of provincial contributions. However, now that we are going to get remission of provincial contribution, it has given us over and above the covering of the small deficit, some surplus. It is very hard to discuss the budget without hearing that in one's own mind and I shall discuss it in connection with the remissions. While speaking I too must bear in mind the closing speech of His Excellency the Governor in the last Council in which he foreshadowed something of this sort. He then said that it rested with us where there was excess of revenue over expenditure, whether we should spend the money wisely or in remitting taxation. Again at the opening of this session he told us that the expenditure curve for beneficent departments must continue to go up. This was followed by similar remarks by the Finance Member in his speech, as well as a warning against expecting such happy finance every year. Evidently during the present session we are to have no remission of taxation; that was only to be expected; but I hope now, should we get remission from the Central Government, this Council will consider in addition to beneficent expenditure the remission of taxation. The extra taxation that has already been mentioned in this Council to-day and has been mentioned many times before, that is regarding the subjects on which we were taxed for balancing our budget 3 or 4 years ago, viz., the stamp duty, the motor tax and court-fees. We hope to have sufficient balance now (and apparently a good deal extra also) to remit these taxes. The moment the motor tax is mentioned in this House everybody, immediately thinks it is a personal interest. Probably I am the only member in this House to whom it has absolutely no personal interest. As most of the members know, I live in Delhi, although all my business interest is in the Punjab. Therefore I can speak without any personal bias, as I do not pay the tax, nor have I any personal interest from a business point of view but I have the Punjab welfare at heart and I do feel that the opening of communications in the country is the most important matter that can possibly come before the Council. One talks about the want of education in rural districts, the lack of the wherewithal to fight epidemics and many such things; everything like that is so bound up with

road communication. Open up communications. It is a mistake, in my opinion, to tax motors. The revenue you get from it is very small; it is only Rs. 80,000 for pleasure cars and Rs. 49,000 for commercial cars. What I hope is that within a very few years every village in the Punjab will have its motor service running to and from the main artery roads and a tax of this sort is some check on that development. From the point of view of using up the roads there is no excuse for this tax because a motor does far less damage than the bullock cart. The bullock cart, as every engineer will tell you, does ten times the damage the motor does with its narrow steel tyres and the screwing motion which this works on the road. The excuse that most people can afford it, may be all right in certain cases but it is not encouraging a development that I should very much like to see. We are certainly the only province in India who have this tax; but I do not want to argue on that line, because we are perfectly entitled to have our own ideas of taxation and not follow other provinces. In fact when I was recently down in Cawnpore to attend the meeting of the all-India Conference of the Associated Chambers of Commerce of India and when talking about certain matters I was always faced with the reply 'you come from the Punjab; you have excellent roads; you have nothing to grumble about; you have a Road Board, you do this and you do that'. As probably you may know, some representatives of other provinces ask for this extra tax, coupled with a Road Board but they needed the tax merely because the roads were so bad and they wanted the Government to spend money on roads. But there is no reason why we should keep this tax on.

As regards stamp duty, I should suggest that the trend of things look to me as if stamps will very shortly be a Central Government affair and that the provinces will merely get a proportion given to them. If there is any truth in that, and I think it is being considered, would it be wise for us to have this taxation? Would it be wise to make the Punjabi pay a higher rate than anybody else in India? - But my chief reason for urging the abolition of these taxes is not so much the fact that they are bad taxes in themselves as the fact that this Council agreed to these taxes for one reason and one reason only and that was to balance the budget and we were then very clearly given to understand that when the position was such that we did not require these taxes, they would be rescinded. Now in presenting the budget the Finance Member warns us against a possible bad luck in the form of failure of rains in the Punjab which might reverse our position. I too would like to warn him in the same way. What will he do then if he is faced with lack of rains or something like that and a deficit again? He has got his little bit of reserve, but that will not go very far. Can he come to this Council and say, 'let us tackle this; you have got a deficit budget; I want to tax you'? Our reply would be, 'Last time we granted these taxes for that particular reason, but despite a series of surpluses you never rescind these special taxes'. It is the principle I do not like; having obtained our sanction to a certain taxation for a certain purpose and then hanging to it in spite of prosperity, when that purpose has been served. This is really all I have got to say beyond one or two remarks on one or two suggestions already made in speeches before me. One was land revenue on the lines of income-tax. I quite agree with the remarks made by the previous speaker that it will take a long time to do and I do think that the Government will be well advised to look into it. It seems to be a very fair idea that the

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smaller payers of revenue should pay in slightly smaller proportion than the larger payers and probably even the total abolition of the tax in the case of the smaller men might be considered. I quite realise that it will take far more than this year to do a thing like that, but I would like the possibilities investigated. I see the amount spent on education of this province is on a very satisfactory line and one can only hope that it will continue in the same way.

As regards Dr. Gokul Chand's suggestion about the giving of squares of land to educated graduates, it has been rather sprung on us and is a novel idea, but on first thoughts it certainly is rather attractive. What this country, and it is not only this country but almost every country in the world, is suffering from is the fact that we cannot get the educated man on to the land. Australia, South Africa and all other countries try to do it, these countries offered concessions of land to the ex-officers of the Indian Army and British Army just to get educated men on the land; it is certainly an attractive idea. With these remarks I will close.

**Rana Firoz-ud-Din Khan** [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I also congratulate the Honourable the Finance Member and the Financial Secretary on the clearness and the lucidity of the Budget presented to the Council. I cannot but admire the nice arrangement of the figures by which it has become so very easy for the members to understand such a tedious and complicated document as the Budget. But I am sorry to point out that the results as a whole are not satisfactory. During the last two years, i.e., 1925-26 and 1926-27, the Government received an extraordinary income of 84 lakhs of rupees as remission in the provincial contribution and 58 lakhs of rupees from the enhanced taxation, the total amounting to 1,42 lakhs of rupees. But in spite of that we find that the expenditure side in the Budget shows 60 lakhs of rupees in excess of the estimated income. If this excess expenditure had been incurred in providing sufficient funds to the beneficent departments, one might have said that there was some justification for that excess expenditure, although I, for one, even in that case, would have opposed such an arrangement as contrary to sound finance. But here in our case even that justification does not exist. Only a sum of 47 lakhs of rupees more than that budgetted in the year 1925-26 has been granted to the beneficent departments which means even less than one-third of the extraordinary income referred to above, whereas a larger portion of that income has been allotted for the general administration. I fail to see what special circumstances have since come into being which have made it necessary for the Government to provide so much more money for general administration.

In the second place I take objection to the provision made for capital expenditure. I admit that it is not only proper but, to a certain extent, necessary that in case we have surplus money at our disposal, the money should go to capital works from which large income is to accrue in future. But we have not got a surplus budget. If we have got money to spare it must first go to feed the transferred subjects, such as education, agriculture and industry. I do not mean for a moment that the department of Education or that of Industry have been altogether ignored, but I have no hesitation in saying that so far they have not got their due share. And the explanation is not far to seek. I take, for example, the department of

Education. There may be some differences of opinion as to the element of compulsion in primary education, but every one in this country and as a matter of that in the provinces is in favour of primary education being made general. If I do not mistake, the Honourable Mian Sir Fazl-i-Husain made an announcement some time ago when he was the Education Minister, that if increased grants were continued to be given to him for education for the next four or five years, he will see that primary education becomes general within the next decade. But that announcement has remained a dead letter so far, although a big sum of one lakh and thirty thousand rupees more than that of the last year has been provided for the Education Department. I must say again that no appreciable progress has been made in this direction. I am inclined further to say that with this progress we will not be able to attain the end for centuries. In this connection I have one thing more to say and that is that the four years course of study in the primary schools is not enough. I remember that once or twice before in this Council the attention of the Government was drawn to it, and it was pointed out, and rightly too, that within six months after the boys in the primary schools finish their course of study they forget everything they had been taught during that period, of course with the exception of those very few boys who continue their studies further. If it is desired that so much money spent on primary education should not be wasted, the course of study in the primary schools must be extended to six years. During these years the boys will have learnt sufficient to enable them to read and write, and besides they will not easily forget what they must have learnt in schools. Before I proceed further I would like to draw the attention of the Government to the increased demand of the rural population for anglo-vernacular schools. I may warn the members of this House that I do not emphasise this fact because it is a question between the rural and the urban population. I emphasise it simply because I sincerely think that no real progress can be made unless all classes are able to march in the same line. And all classes can come to the same level only if they are able to receive the same kind of education. If under the changed circumstances of the country it is necessary for the urban population to learn English language along with that of Urdu, it is equally necessary for the rural population to learn both these languages at the same time. It might be said that there are many anglo-vernacular schools located in all important towns in which the sons of the villagers can easily get admission. But the difficulty is that villagers will not send their boys to these schools for fear of their becoming loose in character. In view of that I would request the education authorities to instruct and encourage by grants-in-aid the local bodies to open anglo-vernacular middle schools, if it is not possible for them to open high schools at present, in central villages of the Punjab. I will be excused if I say that the Education Department has been discouraging the local bodies so far, although it ought to have given them every sort of encouragement. And this I say on the basis of personal experience. In the year 1925 the district board of Hoshiarpur prepared a scheme for the opening of anglo-vernacular schools in the villages and submitted the same to the Government for its approval, but so far the district board has received no reply, and it is not known when that reply would be forthcoming. Any way it does not behove the Education Department to stand in the way of the local bodies whenever the latter think of meeting the legitimate demands of the people whose representatives they are particularly when it has never dared to prevent any private organisation from embarking on such schemes.

[Bana Firoz-ud-Din Khan.]

I now come to what I would call a strange coincidence. There has been shown a deficit of 60 lakhs of rupees in the budget, or if you will not call it a deficit there is to be an expenditure of 60 lakhs of rupees in excess of the income. But exactly the same amount we expect from the Government of India as remission in provincial contribution. It is a strange coincidence no doubt, but when this money actually comes to us, as I think it is sure to come, I would propose that it should be utilised proportionately for the reduction of taxes and for the development of the province. I am not one of those who would suggest that this expected windfall should go towards the reduction of taxes. Nor would I like to see the whole of it spent on the development of the province. The burden of taxation imposed in the days of financial stringency must also be lighted. So far as the question of the reduction of taxation is concerned I think it is the court-fee that must be reduced first. Such a heavy tax on justice cannot be justified in any circumstances. The reduction in court-fee in regard to suits of the valuation of Rs. 500 and less recently made is not enough. The court-fee as regards declaratory suits has remained the same. Under these circumstances one is not surprised to learn that such and such a person has failed to realise his money because he was unable to pay the heavy court-fee and other accessory expenses. Then reduction in other taxes should be made proportionately. But I would like the Government to bear in mind that taxes on luxuries may not be so much reduced and if need be they might be increased, but taxes on necessities of life should be considerably decreased. In this connection I am reminded of the rule of progression in the case of land revenue advocated by Dr. Sir Iqbal. This rule, if adopted, will do a great good to the zamindars. I should have very much liked to have it incorporated in the Land Revenue Bill which I was expecting would be introduced in the present session of the Council.

The Honourable Mian Sir Fazl-i-Hussain: It is going to be done. (Hear, hear).

Bana Firoz ud-Din Khan (continued in Urdu): In this session? If that is so I would request the Honourable Member to see, if possible, that the rule of progression is incorporated in that Bill.

I will take this opportunity to draw the attention of the Government to another important matter. As the Honourable Member for Revenue must be aware, there is no other *ilaga* so vast as that of the Nili Bar which the Government might be contemplating to extend irrigation to. Therefore it is the last golden chance for the people to acquire land in the Nili Bar. I would, therefore, request the Honourable Member for Revenue to allow the agricultural classes in general and those persons in particular whose lands depend on rains for irrigation and who are, therefore, too poor to purchase lands in the Nili Bar on reasonable and fixed prices to be realised in easy instalments spread over a period of 30 or 40 years. The Government will not lose anything by this arrangement, and the buyers will be benefitted by it.

Before closing my remarks I would like to say a few words about that unpleasant topic to which Dr. Narang alluded in his speech. I know for certain that there is no one who loves his country who does not feel sorry to find his countrymen split into communities which are continually at war with each other. But I do not agree with Dr. Narang that the cause

of this communal tension is the Reforms. The cause lies somewhere else. The Reforms are more or less based on the Lucknow pact which was drawn in the year 1916. That pact proves to demonstration that this distrust of each other existed before the Reforms were introduced. The right course for us to remove this communal tension is not to condemn the Reforms, but to sit down calmly in order to consider what measures we should adopt to put an end to this tension once for all. With these words I resume my seat.

**Khan Bahadur Shaikh Abdul Qadir** (Nominated, non-official) : Sir, the Honourable the Finance Member and the Financial Secretary have received well-deserved tributes for presenting the budget and for their lucid explanation of that budget. I join those who have preceded me in expressing my thanks to them for the budget and the statements.

I agree with what has been said by those honourable members, who have spoken before me as to the possible use to be made of the surplus and the expected windfall, by way of remission of taxation, as far as possible, and by the extension of expenditure on the beneficent and nation-building departments. So far as concrete suggestions with regard to remission of taxation are concerned, I share the view expressed by my honourable friend, Raja Nafendra Nath, that there should be a remission of *abiana* at least on cotton crops, and, if possible, the remission may be extended to other crops also.

Coming to some items in the budget, I want first of all, to take this opportunity of congratulating the Government on adopting the main recommendations of the committee appointed by it some time ago to consider the question of reforms in the jail administration of the province. I notice that in the present budget an increased expenditure on those reforms is provided. I hope that those reforms will be introduced and effectively carried out not only in the letter but in the spirit. It is not enough that instead of the superintendents that we had before there are to be now superintendents from the civil service or the provincial service or that we are going to have paid warders instead of convict warders. What is necessary is that it may be insisted on that the real objects underlying these recommendations are achieved and a constant and careful supervision is exercised over the working of the changed conditions in the jails.

A remark was made in passing by one of the honourable members who spoke in the earlier part of the day as to expenditure on communications. I do not think the honourable member, in speaking in a somewhat disparaging manner of the expenditure on roads and communications, meant really to disparage that expenditure. I take it that he was speaking comparatively, that is, he was laying stress on some other form of improvement in the condition of the rural population and in order to lay stress on the object favoured by him he thought he might say that roads might be neglected. Another honourable member who followed him did express the view that it was very important that roads and communications should be improved, and that this would really advance the best interests of the agriculturists. I agree with this latter view. I think enough has not been done, so far, for the improvement of roads, though considerable progress has been made during the last three years. In the present Council I hope more interest will be taken in the improvement of communications, especially in agricultural areas (hear, hear).

[K. B. Shaikh Abdul Qadir.]

Coming to the department of Public Health, I find that an explanation is given in the memorandum on the budget regarding the proposal to have rural dispensaries. Though much has not been done in that direction, a hope is held out that during the year 1927-28 most of those rural dispensaries will be an accomplished fact. The words at page 39 of the memorandum are:—"So far however as rural dispensaries are concerned, it is expected that the full number, for which provision has been made by the Council during previous years, will be opened during the year 1927-28." I welcome that assurance, but beg to add that if this can be accomplished even earlier, it would be most welcome. These dispensaries are, I think, very much needed, and the sooner this form of medical relief is placed within the reach of the rural public concerned, the better. In this connection I may also draw attention to another passage at page 39 of that memorandum, where it is said as an explanation of some expenditure not having been incurred, that large savings are due to the abandonment of the scheme of research in indigenous drugs. I do not know why that scheme had been abandoned. Perhaps later on the head of the department concerned would tell us why the scheme has been abandoned. But I, for one, wish to emphasise the necessity of that research. I think the idea of research in indigenous drugs was a very useful one. We, in this country, while appreciating the western system of medicine and particularly surgery, have not lost our faith in the indigenous systems of medicine. We find that in many diseases and on many occasions those systems prove very helpful. In rural areas particularly indigenous medicines are ordinarily the only medicines that are available and bring some relief, especially in ordinary diseases. This is borne out by the general experience of the people of this country. Therefore, I think that any encouragement that can be given to the indigenous systems of medicine would be welcomed by people and would help them. In this connection I may draw the attention of the House to another fact which is very encouraging. Those practising as Vaidis or Unani physicians are now realising the necessity of raising the standard of education in Vaidic and Unani medicine and to include in it some training in the modern methods of medicine. There are movements on foot in this province, as well as elsewhere in India, which not only insist that people who want to practise the Indian systems of medicine should undergo a regular course of training in those systems under competent teachers, but also emphasise the fact that people acquiring such training should have in addition to that a working knowledge of modern medicine and some knowledge of surgery. If they thus supplement their ordinary teaching and bring their teaching up to date, I see no reason why their services should not be utilised particularly in rural areas and for the poorer classes of people. I would suggest to the Minister of Public Health and officers responsible for that department to look into this matter sympathetically and to take steps to encourage this kind of teaching and this kind of research.

I pass on now to another aspect of the same department and wish to say a word or two about the importance of sanitation, both rural and urban. This is a subject which requires no emphasis. Everybody in theory recognises to-day the need of better sanitation. But what is regrettable is that this recognition, so far as one can see, is not leading to very great practical results and you find the condition of our towns and villages is yet quite unsatisfactory in the matter of sanitation. I know that any reform in the direction of improving the existing conditions requires enormous expenditure,

but even if we decide to do things gradually we must make much more rapid progress and must take much greater strides than we have done in the past. I am aware that in many places health officers have been recently appointed and the appointment of such officers has given a considerable help to those areas where they have been posted, but the mere appointment of an officer in a local area is not really a sufficient remedy. It is necessary that there should be committees of public-spirited people formed in all local areas, to look after sanitation, and that there should be a constant bringing of the importance of sanitation home to all classes of people both in the rural as well as urban areas. Sufficient funds should be forthcoming to meet the requirements of these committees and of the health officers that may be appointed. I find that in the explanatory memorandum it is remarked in discussing the question of industrial progress that money has remained unspent because industrial schools have not been opened within the time specified for the opening of such schools. I regard this a regrettable instance of allowing valuable grant to lapse and a valuable reform to wait simply because there has been a hitch somewhere and either some subordinates have not been very active or wide awake in putting up proposals in time or the persons through whom those papers and suggestions had to pass before they get to the head of the departments or the Minister concerned were sleeping over them. Whatever may be the cause the result is unfortunate that instead of an urgently needed improvement we have the statement that so many schools that ought to have been opened were not opened. I hope during the current year that deficiency will be made up and industrial schools would be opened in large numbers. In this connection I may say something about vocational or manual training in our schools. This brings me to the subject of education in general, but I want to take a minute or two over this question of manual training. My honourable friend, Dr. Narang, has alluded to the necessity of manual training, and has also emphasised the fact that we should inculcate among our youths the spirit of not despising manual labour. I heartily endorse this suggestion. I was very glad to notice when I visited Ambala about a year ago that particular stress was being laid on manual training in the high schools in that division. I was delighted to notice a class of about 50 young men, Hindus, Muhammadans and Sikhs, learning carpentry in Ambala City. I put a question to the members of the class whether they thought it *infra dig* to work as carpenters while studying in high schools. I was agreeably surprised to find that there was not a single young man in that class who would raise his hand to say that he had any such feeling and was doing that work because he was compelled to do it. In fact, many boys got up and told me that they were pleased with their work, and they very much appreciated it and found it very useful. One young man confessed however that when he first took it up a couple of years ago he had some diffidence, but that he got over it later on. He added that he felt proud that he was not merely a quill driver, but a carpenter. That is the spirit which I want to see more common in the whole of this province, and that is the training which I want to see encouraged in all divisions of the Punjab. I know that in other divisions also this experiment is being tried, but I want to see it made more extensive in every division. Other branches of manual training may also be introduced. I think it is high time that there should be some sort of manual training in high schools side by side with literary training, so that boys who pass out of the schools may not be obliged simply to knock at the doors of Government or private offices and get discouraging

[ K. B. Shaikh Abdul Qadir. ]

replies, but that they may be able to earn an honest living by the work of their own right hand.

Reference has been made to female education and I want to support the suggestion made by my honourable friend, the member for the Muslim urban constituency, Amritsar, that female education deserves to get much more help from the department than it is so far getting. I do not want to minimise the importance of what has been done in recent years. The department has done much towards the progress of female education. There was an Intermediate College for girls in Lahore, which has recently been raised to the degree standard. There is a very good high school for girls outside the town. There is another middle school for girls inside the town in Lahore, which I hope will soon be raised to the high school standard, as there is a great demand for that in the city; but all these improvements in Lahore and elsewhere, are not enough, considering the present day needs. I think that much more money should be set apart for encouraging this branch of education than has been done before. I would make a similar suggestion regarding adult education. While the department might well be congratulated on what some of its officers and some of its honorary workers have done during the past few years in the direction of adult education, much more requires to be done and this work requires further extension. Considerable amount of money should be set apart for this work. Hitherto in some places teachers get a small allowance for this work. In other places some public-spirited teachers do the work after school hours, in the night schools, without any remuneration. While we may take advantage of the public spirit of such people who are willing to work *gratis* in this noble cause, yet I think we would be pushing forward the cause much further if we are prepared to spend money on it, just as we spend money on the education of youth. In connection with the subject of education, I think it will not be out of place if I congratulate the Punjab on the establishment of a new college at Lahore for the teaching of commerce. Some of us were present yesterday at the opening ceremony of the new College of Commerce, which has been made possible by the generosity of our well known and popular citizen, Rai Bahadur Sir Ganga Ram (hear, hear). I think it is a very promising institution. A new degree, B. Com., has been created by the University. We wish this scheme every success.

Before I conclude, I may be permitted, Sir, to say something on a subject to which reference has been made by my honourable friend, Dr. Narang, i.e., the introduction of the communal principle in the reservation of seats on public bodies and with regard to the various services. He tried to make out that the Reform Scheme was mainly responsible for the prevalence of the communal spirit. I do not agree with the speaker, as I am of opinion that we cannot lay the blame for the prevalence of this spirit on the Reform Scheme. I am prepared to concede that certain things in the Reform Scheme may have accentuated this spirit, but there is no doubt that the spirit has already been there, and it is mainly the people themselves who are to blame for it. It is really not fair to blame the Government for it. It would be injurious to our interests if we fall ourselves into sleep over the real causes of that question and throw the blame on the Government. We should seek for the root causes and should try to remedy those causes. I recognise that it is extremely desirable in the interests of the country that people should rise above this spirit and should work towards the goal of true nationalism. But I, for one,

am convinced that as long as that goal is not reached an honest recognition of this principle is necessary as a practical means of keeping up amicable relations, of working the present constitution and for enabling the different communities to get on with one another. A simple denunciation of it or preaching of theoretical homilies in this Council will not help us to reach that goal at all. I make bold to say that an honest recognition of this principle is better than the present state of things in which what we find in many quarters is a lip denunciation of the principle coupled with acting upon it in practice, under the disguise of a pretended regard for efficiency. We have to be frank if we discuss a topic of this kind at all. We have to be honest to ourselves and fair to others. Let every one feel his heart. Every one will then realise the difficulties of the situation on account of the treatment that many receive on communal grounds. They will also recognise that this principle serves as a remedy for the time being. It is no use condemning it or simply attributing its existence to the Reform Scheme. There are ways of getting over the present difficulties; there are ways of arriving at mutual understandings and these ways should be explored in the interests of our arriving at the goal which we all like to reach.

**Khan Bahadur Mian Muhammad Hayat, Qureshi** [Shahpur West (Muhammadian) Rural] (Urdu): Sir, before I address myself to the subject under discussion I should also join in congratulating the Honourable the Finance Member and his able co-adjutor the Financial Secretary, on the presentation of such a clear and lucid budget which was a very difficult and complicated task.

Sir, being a zamindar and having the honour of representing zamindars in this House I feel called upon to lay before you the poor plight of zamindars in this Province. I think, it is admitted on all hands that prosperity of Government generally depends upon the prosperity of zamindars of the province. They constitute 99 per cent. of the population. Their wealth and prosperity reflect upon the wealth and prosperity of the Government. But it is a matter of regret that Government has not so far taken upon itself to improve the lot of poor zamindars to an appreciable degree. I am prepared to concede that Government does take interest in the well-being of zamindars, but at the same time I would like to remark that no remarkable progress has been made as yet. The reason is not far to seek. In the first place zamindars are being crushed under heavy debts and cannot save their lives from the clutches of money-lenders. Secondly, the customs and usages, which are prevalent among zamindars are such which debar them from any social progress. These are the main causes which require a full and close consideration on the part of Government. I know that Government has also taken steps in this direction and has established a number of co-operative societies in the villages, but in spite of this the poor and simple zamindars do not take advantage of these institutions. I would request that some special and more effectual remedies may be applied to save these ignorant people from this corrosive evil of debt. I understand that some definite proposals are going to be adopted in the district of Muzaffargarh for saving the zamindars of that place from increasing indebtedness. I think the same proposals should also be applied to other places where people have not got the advantage of canal-irrigation and generally live on *barani* lands. The lands, which are irrigated by perennial canals, afford to some extent prosperity and happiness to their owners, while other tracts of land are a permanent source of trouble for the zamindars who own them. Especially

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the zamindars who have land on the banks of rivers are in a very distressing condition. Their lands are always subjected to the action of the rivers. It is a pity that other landholders should get the benefit of the canal water which is derived from the rivers, but the zamindars who reside and own land on the banks of these rivers should be left deprived of water. I think it is the duty of the State to look after the requirements of these helpless men. Government should in any case grant them land in new colonies. I hear that Government will grant some land, but that will not improve the lot of zamindars. In making grants Government should be more liberal and generous.

Coming to the indebtedness of zamindars I would request that arrangements should be made to advance money on a lower rate of interest because it is the high and extortionate rate of interest that crushes the poor agriculturist. I have been told that in the district of Muzaffargarh it is proposed to advance loans to zamindars on a comparatively low rate of interest. This measure should also be adopted in other affected areas in the Panjab. Besides this there is an evil of extravagance which is practised by zamindars on the occasions of marriages and funerals. I am very glad to note that Government has also done something for eradicating this evil by making better-living societies. These institutions are very useful, but they can be made much more useful by employing religious preachers to preach the gospels of thrift and economy. Every religion denounces extravagance and enjoins its votaries to live within the means provided for, and I think religious preachers may be employed for this purpose just as Government has arranged in the jails for the reclamation of prisoners. This expenditure will be just and proper, and no one will object to it.

As regards public health I would like to say that hitherto enough has not been done by Government in saving the rural population from the cruel hands of death. Rural women are in a hopeless condition. Several of them die for want of proper care and maternity help. There ought to be maternity hospitals in villages. Government should ask the Health Department to arrange for it and give grants to local bodies for doing the useful in these matters. There is another much more dangerous disease which plays havoc among the rural population, I mean the disease of tuberculosis. Formerly this malady was only known in cities, but now it has found its way into the innermost villages of the provinces. This fatal enemy of the mankind should be dealt with at an early date, otherwise the loss will be irretrievable.

In respect of education I should like to make only one remark and that refers to the rural education. I want more A.V. middle schools to be opened in villages and special attention to be paid to the physical condition of boys. I am sorry to say that the health of our boys is not satisfactory. They do not keep good health. In this connection I shall refer to the medical examination of the boys of the Bhera Government High School. You would be surprised to know that nearly all the boys were found suffering from one disease or another. This is simply deplorable. Although Government is doing a lot in this direction, yet there remains much to be done.

Before I conclude I should like to make reference to another important matter. It is said that 86 lakhs will be obtained through remission of Provincial contribution. Then there is a desire for reduction in taxes. Sir,

when the taxation was imposed it was held out that when things improved, the taxation would be remitted. I think that that promise should be fulfilled, otherwise people will be led to believe that Government is in the habit of deviating from its own undertakings. In my humble opinion Government must remit a substantial portion of taxation. In this amount of 86 lakhs, I think 60 lakhs is recurring, and this sum should be remitted. In this connection I beg to say that only those taxes may be remitted which were enhanced at the time of taxation, i. e., *abiana*, stamp-duty and registration, and that the same ratio be kept in view which was observed at the time of enhancement. In the end I should only make a remark as to the industrial development of the province. I think Government would be well-advised to launch schemes of weaving industry in villages. These will produce a two-fold advantage. The poor weavers will get work and villagers will come to know how the cotton crops can be utilised in this country. Besides this the general condition will improve. With these few remarks, Sir, I resume my seat.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, Rural] (Urdu): Sir, last year I had an occasion of making a remark to the effect that the expenditure incurred by Government would only be justified when there was peace and prosperity in the province otherwise the money spent would prove useless. Even now, I beg to draw the attention of the Government and its responsible officers towards the enormous increase of crimes in the Punjab. If we care to compare the present conditions with those of 12 years hence, we can see an increase of 10,000 cases. This is simply amazing, especially when we observe that since 1914 the police expenditure has become double and the number of crimes has been swelling up day by day. It is a matter of great regret that dacoities frequently occur in the province. We all know that dacoity is much more dangerous than theft or robbery. On a previous occasion when I made a remark that dacoities had increased owing to the free use of fire-arms by dacoits the then Finance Member challenged that statement. Now, Sir, I beg to invite the attention of the Honourable the Finance Member to the recent report on the police administration wherein the Inspector-General of Police says that in most of the dacoities committed in the province lethal weapons were used by dacoits. You can raise the police expenditure as much as you like, but you cannot improve the situation, because each and every dacoit knows that people do not possess any arms, and it is very easy to attack unarmed men. Sir, I can say on the basis of my police experience and other information collected by me that if arms are distributed in villages, these dangerous crimes will decrease automatically. But unfortunately Government thinks that distribution of arms among villagers will prove dangerous. In my opinion Government does not desire to get hold of the real cause of the trouble. In 1925 I repeatedly made requests through Council questions that if Government did not rely upon my statement it should gather information from and through its own officers as to the correctness of my statement. I am positively sure that if Government cares to act upon my advice, it will come to know that the very possession of fire-arms is likely to embolden dacoits in the commission of crimes, and when dacoits will come to know that villagers have also got some arms they will naturally think twice before committing dacoities. You can very well testify further by making enquiries from the convict-dacoits in jails. These should first be taken into confidence and then asked to give their honest opinion as to the way in which these serious crimes are committed. I am sure that all the convicts will corroborate my state-

[ Chaudhri Afzal Haq. ]

ment and will explain how easy and harmless it is to attack unarmed persons. You cannot improve this state of affairs by strengthening the magistracy. The history tickets of prisoners in jails can show that during the last ten years the number of serious crimes has enormously increased. The situation has become grave, but Government will not admit it. It has adopted an adamant attitude regarding these matters. But we should not lose our heart but should try to put these matters repeatedly before Government. Time will come when our services will be recognized and historians will write in their books that Government had not the grace of recognizing the grievances of its people.

It has been said that Government of India has made remission in the Provincial contribution. In view of this, Sir, everybody in the House has emphasised that taxation should be reduced. Formerly I was also in favour of these reductions and remissions, but now I do not think it proper to lay stress on these things when there is a much more important and urgent matter which requires our immediate and closest consideration. The condition of serious crimes in the province is very serious and the more serious is the fact that Government does not want to improve the situation. I do not cast any reflection on any Government officer when I say that Government has not been properly advised in the matter of exemption of swords and other arms from the provisions of the Arms Act. I cannot understand why our friends are urging upon Government the necessity of remitting taxation. In my opinion they should try to lay stress on matters which may help us in the general uplift of mankind. Government should be asked to arrange for imparting higher education to the public, so that the spirit of patriotism and fellow-feeling may be inculcated. For all these things education is a necessary and important factor. For the last five years the Education Department has been showing us that the rate of progress was appreciable, but I am sorry to say that that is not the case. I am ready to concede that in 1922 there were 313,608 boys in the first lower primary class, but in the fourth primary class there were only 67,000 boys. Now this number has decreased and fallen to 57,000. This means that there has been a decrease of 10,000 in 3 years, which is very regrettable. Now let us estimate on the assumption that in the course of three years ten thousand boys have picked up a rudimentary knowledge of elementary education at an expense of 80 lakhs a year, what will be the time during which even this education can be imparted to 2½ crores of boys? I think it will take the age of Noah, i.e., 900 years. It is said that Noah lived 900 years? Now is it not shameful that we cannot manage to get our boys educated even in 900 years? Once I sent in a resolution regarding free and compulsory education, but Government put this matter off to another occasion in very mild and polite terms. My desire was that the primary education be made compulsory and universal in the province. But a recent report says that it cannot be helped because the education which boys receive in four years generally fades away from their memories when they go back to their homes. This means that even in 900 years we will remain as ignorant as any everything. My submission is that this state of affairs requires our earnest and closest consideration.

Sir, whenever we urge upon Government that panchayats be formed and co-operative societies be constituted Government says that there is lack of spirit. I challenge this statement, but if it is so, my submission is that Government should provide us means for producing this

spirit if it desires. It should make education compulsory, and if any money is required for this purpose, I can safely assure the Government that any kind of tax, whatsoever it may be, will be paid ungrudgingly. One of India's greatest politicians, Mr. Gokhale, put forward this scheme of compulsory education and urged upon Government to introduce it, but Government replied that the country was not prepared for it. It is a pity that even after 25 years the same cry is flung at us that the country is not yet ready. Sir, I cannot help mentioning that under the régime of the much-maligned Bolshevik Government 99 per cent. of the population becomes educated in a period of seven years. Our Government is splendid and its administration is beyond reproach. We are bound to praise our Government, but with a heavy heart. Facts and figures do not warrant such praises. In fact, Government does not want to uplift the mankind. It has had before itself the report of 1925, yet no provision has been made in the budget of 1927-28.

One word more and I have done. We have received 80 lakhs through remission of provincial contributions. Do not be pleased at it. This budget is a curious kind of jugglery. This money has already been invested in civil works. This work could have been very well started by borrowing money in the market. This sum should not be used in productive schemes. The Honourable the Finance Member has shown a deficit of 60 lakhs on the one hand and on the other there is a remission of 80 lakhs. This means that in coming years when one would remind us as to this deficiency the Finance Member would rise up to say, like Sir John Maynard, that in fact there was nothing like a deficit. I can say, subject to correction, that nearly one crore of rupees have been invested in the productive schemes. These could have been carried on by raising loans. You can easily pay the interest out of the profit of the schemes. If this sum is spared, then we will be able to utilise one crore and 80 lakhs in nation-building departments. I am not anxious for other departments. I only emphasise that the province stands in dire need of education. There is no use of providing us with cinemas, theatres and other luxuries. The present budget is not a deficit budget. Please take that money which you have invested in productive schemes and spend upon the education of poor and uneducated people. With these few remarks I resume my seat.

The Council then adjourned till 2 P.M. on Monday, the 7th March, 1927.

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## PUN AB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Monday, the 7th March, 1927.*

THE Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

### GENERAL DISCUSSION OF THE BUDGET.

Mr. President: The Council will now resume the general discussion of the budget.

Sardar Habib Ullah [Lahore (Muhammadan) Rural]: Sir, I highly appreciate the labour and efforts of the Honourable the Finance Member and his able Secretary in presenting the budget in such a lucid and clear out way that even a new member like myself had absolutely no difficulty in following the whole thing. The budget should be judged from the happiness that it gives to the largest number of people concerned and not from the point of view of the happiness that it gives to just a few. I am sorely disappointed to find in the budget presented by the Honourable the Finance Member that such happiness as I expected has not been afforded to the backward classes, I mean the rural classes. It may have been the cause of happiness for just a few and those few, if I may be allowed to say so, include the three newly appointed Ministers, and just a few newly appointed extra assistant commissioners or sub-judges. However whatever the budget is we must take it in a businesslike way. It is an alarming factor that we are told that there would be a deficit of 60 lakhs. But I am not at all alarmed by this figure. As has been the practice here and of course everywhere as far as the Finance Member is concerned, the revenue side is always underestimated and so is the expenditure side always over-estimated. Therefore, I hope this same thing has occurred in the present budget. Our past experience justifies us in drawing this conclusion. If we look up the figures of the budget of 1924-25, we find that a deficit of 30 lakhs was shown in that year, but at the end of the year we found a surplus of one crore and sixteen lakhs. So was the case in 1925-26. The Government estimated a deficit of 5 lakhs, but closed the year with a surplus of 76 lakhs. Taking these figures into consideration, I am sure that the same thing would occur again and instead of having a deficit of 60 lakhs, we will get a surplus.

With your permission, Sir, I should like to say a few words about a few departments which are mainly revenue giving departments, I mean land revenue, excise, stamps, etc. It is surprising to note that there has been a general fall in the revenue of these departments for the last four or five years. For a layman like myself it is really surprising that in spite of the fact that we are selling crown lands every day, and in spite of the extension in the net work of irrigation canals throughout the province—and besides there are every now and then new settlements—our income is showing a decrease in land revenue, instead of an increase. What I find in this budget is that the

[Sardar Habib Ullah.]

total receipts under these two or three heads have decreased to 23 lakhs from 1925-1926, to 1927-28. Sir, with the new development that we have in hand of big schemes of roads throughout the province, I think that our finances should have shown an increase. The Honourable the Finance Member should have shown an increase in revenue. Otherwise I am afraid that the liabilities that we are incurring in having big schemes of roads which will entail lakhs and perhaps even crores of rupees for repair and upkeep are seriously to be taken into consideration.....

I should also like to say a few words as regards the question touched the other day by the honourable member Dr. Narang, namely, the question of industries. I am one with him when he says that the funds provided for industries are not enough. I should like to see something more in the way of industries and the paltry sum of 8 lakhs provided for now is not enough. But I would like to bring to the notice of the House that the money spent on industries in this province is not at all how the province or the people would have liked it to be spent. I would just mention one or two things for the consideration of the Honourable the Minister for Industries. Although he is new to the office, I hope he will thoroughly go into the matter and see where the wrongs are. The first thing I would like to mention is the tannery that we were so jubilant about when it was started two or three years ago. The initial cost of this tannery was about 4 lakhs that we spent on the buildings and the machinery. We also gave about 2 lakhs for working expenses. What do we find after two years? We find they have lost Rs. 1,52,000 and they are left only with about Rs. 50,000 as working capital. This is a most deplorable thing that has occurred in this department. When this tannery was started, we were given an assurance that it would be run on business lines and it would at least fetch Rs. 25,000 a year net profit to the province. But instead of that we find that in two years' time practically the whole capital that we gave as working capital is exhausted. Again, the chief object in starting the tannery was that we would be able to train different classes of people for different purposes, and that they would be able to help us in the tanning department and for the tanning industry. What do we find? The general public who are concerned with this industry are absolutely dissatisfied. They were told in the beginning that the output would be sold only in foreign markets. At any rate that was what the experts gave out. The inefficient expert, I should like to call him so, because I know something of this tanning business and I am prepared to say that the fellow we engaged is absolutely useless and inefficient. He was given Rs. 15,000 to go and have a trip to Europe and find out markets for our goods. I do not think that we have ever exported a single piece of leather outside. What happens is that we are selling much cheaper than Madras and Calcutta. Surely we do not produce cheaply, but we sell cheap simply on account of competition here. I hope that the Honourable Minister will go thoroughly into the matter and lay his hand firmly where it is necessary.

The other point in the same department is the dyeing factory at Shahdara. We are spending on it Rs. 1,81,000. What are we getting in return? I do not think any member of the House could tell us what these boys who are trained there do when they go out. I am afraid that not a single boy trained there has proved any success anywhere. We are spending a considerable sum of money which I would call a sheer waste.

Another point on which I should like to draw the attention of the Minister of Public Health is that the money allotted for public health in this budget is not at all adequate. Now that we are going to get remission of provincial contribution, I hope a considerably larger amount would be budgeted for under public health. If the Honourable Minister would go into the rural areas and see with his own eyes, the degradation and misery prevailing therein for want of proper sanitary arrangements, for want of hospitals and dispensaries, I am afraid he would himself consider it a great blot on the administration of this province. The other day I heard also the remarks of my honourable friend, Dr. Narang, in connection with the police force. I am absolutely one with him in requiring the police force to be very active and vigilant wherever it is necessary, but at the same time I would rather not agree with him on the point that it is excessive. It is not excessive at all. If we go to the villages we find that in some places the thana is about 20 miles off and it is very difficult to get any sort of police help when required. I should like the authorities to give us more safety and more security in the villages.

Something must also be done as far as cattle-lifting is concerned. It is a general demand all over the province and those of my zamindar brethren who are here will fully bear me out how difficult this problem is getting throughout the province. I think that the administration must do something in that respect.

Sir, I should say a word or two about the provincial contribution. Every honourable member here seems to be jubilant over the fact that we have got this remission of the contribution; but I think we should not take it in that light. It is not a gift, but it is money belonging to the poor agriculturist and I think every pie of it should be spent for the welfare and uplift of the agriculturist class. With these remarks I resume my seat.

**Raizada Hans Raj** [Jullundur-cum-Ludhiana (Non-Muhammadan) (Rural)] (Urdu) : Sir, I also join with the honourable members of this House in appreciating the budget memoranda which have been so ably presented to the House by the Honourable the Finance Member. I do not thank him for the fact that he has made it possible for us to peep into the mysteries of budget or that the accounts are accurate or that no other fresh taxation has been levied, but I offer my hearty thanks for the simple reason that the Honourable the Finance Member has spared some amount of money for education, public health and industry. If these items were held back one could not help, and we have therefore to ascribe to the generosity of Government what little has been allotted for the beneficent departments. It is a matter of common knowledge that Government always acts upon its own whims and does not care to follow the wishes of the people. We have repeatedly put forward our demands, but Government does not care to accede to our wishes. We belong to a subject race. We cannot force Government to grant our demands. We can only hope that what our Ministers have got will be rightly spent on urgent matters of public importance. One of our demands refers to the dire necessity of educating the ignorant masses. Our venerable leader Mr. Gokhale frequently emphasised that free and compulsory education should be introduced everywhere in India; and we have been asking the Government for years and years for this, but nothing has been done so far in this direction. Now, Sir, I think, it is a matter of good fortune that we have got an enlightened Minister for Education in our province and there is every reason to hope that he will rectify the mistakes.

[Raizada Hans Raj.]

I do hope he and the heads of his departments will look into our educational needs from the view point of true Indian. I think, Sir, it was the day before yesterday that Sir Geoffrey gave a reply to a question of Chaudhri Afzal Haq about the *nazars* that lambarbars and zaildars have to present to officers. He told us that it was an old custom peculiar to India and that Government wanted to maintain it. Similarly, we also want that while students may be imparted all sorts of modern knowledge in our schools and institutions the system of imparting such education should be adopted from the real Indian system of olden times. We do not want big buildings, spacious rooms and huge paraphernalia of furniture for our schools. This is all superfluous. What is the use of sitting on chairs and benches when we cannot afford to have them in our own houses? Besides if this huge and superfluous paraphernalia is removed from the schools there will be greater room in the schools for a greater number of boys, as much more room will be left which is now occupied by unnecessary furniture. We should not waste money on buildings. Our boys can be taught in the open air. The money thus saved from unnecessary buildings and furniture can be utilized in imparting substantial education to the masses by adding to the number of teachers and schools. Our forefathers used to sit under the shade of trees and we can very well follow that example. Mahatma Buddh found his light under a *bark* tree at Gaya which is still held in great esteem by his followers. Other religious reformers and social leaders also received their education from their masters in open fields. The present system of education does not produce good citizens. It should be put an end to. Here, Sir, I would like to mention that Mahatma Gandhi and Sir Malcolm Hailey are at one in this respect. Both of them have differed in other matters, but as to the civic requirements of the country judging from what he said at the Punjab University Convocation, Sir Malcolm Hailey agrees with the Mahatma that the system of education which is now in vogue in our institutions, is not in any way proving helpful for our improvement. My submission is that some new ways and means be devised and the present day system be relinquished for ever. Some will say that I am building castles in the air, but I will assure them that these ideas are not based on dreams. Our ancestors and forefathers had translated them into practice and they were much more happy and prosperous than we are to-day. Sir, I want to urge upon the Government that public money should be spent in the best possible way for the uplift of the masses. There is no need of these huge buildings for imparting education to our boys. In the Gurukul, Kanya Maha Vidyalaya, students receive education in open air under shady trees. And all these institutions have obtained high praise at the hands of eminent educationists, the last mentioned having been only recently highly spoken of by our own Minister. It may be said that much trouble will be caused during the rainy season. I would say that this can be safeguarded by putting up a thatch or erecting a small structure to save boys from the inclemency of weather. That can be easily done.

Then, Sir, my honourable friend Doctor Gokul Chand, Narang, has pointed out that some arrangements for providing manual training was essential. I also beg to support that idea. There is an immediate and pressing need for special training for numerous occupations which have been so far neglected. We should not scorn manual labour. In my opinion, Sir, the best thing is that *charkha* should be introduced in schools. By this we will get home-spun fabrics and home made cloth and our boys will get accustomed

to manual labour. With the funds at his disposal, and with the system above suggested, our Minister can very easily introduce *charkha* in all the schools of the province. Sir, I have already remarked that we do not require big halls and magnificent mansions for our educational institutions. We only wish that education be given to our boys on a more beneficial and cheaper scale. Why should we not use our fields and gardens for this purpose when even in Afghanistan they are using shady trees and beautiful gardens as the place of education.

Before I pass on to another subject I would like to invite the attention of the Honourable Minister for Education to an important matter. I mean, the recognition of private schools. Sir, it is a pity that when people collect money to maintain a school and apply for its recognition they are told that their management is not up to the mark. Under the rules, one has to apply for the recognition of schools to the Inspector of Schools of the division, who sends it on to the Deputy Commissioner, who in turn generally passes a stereotyped order on the application and refers the matter to the police for report. Now, Sir, if there is anybody in the managing committee of the school who wears *Khadar*, the police official, to provide against possible future displeasure of the head of the district, makes the usual report to the effect that the management is bad and that some members of the committee are suspects. Here the application is buried. There are numerous examples in which recognition has been refused. I am sorry I can not enumerate the instances in which applications were rejected simply on the reports of the police officials. This state of things is simply deplorable.

I would like to urge that some specific rules be prescribed to safeguard the rights of people so that the police should not stand in the way of these recognitions. In my opinion some rules might be made to the effect that whenever recognition is refused to a school, it should be possible for the managing committee to fight for recognition in a law court by proving their compliance with the requirements of the education departments.

As to the remission in the provincial contribution I would like to mention an old anecdote which is quite appropriate in this case. There was a certain dog that had been starving for several days. In this condition of distress he chanced to meet a kind-hearted person who took pity on the famishing creature and in the effulgence of that benevolence caught hold of the tail of the dog turned it and put it into the mouth of the animal and prided that he had helped a dying creature. (*Laughter*). Similar, Sir, is the case with us. This money is ours and yet we are expected to be thankful to Government for the treatment meted out to us. I do not suggest, like other honourable members, that this remission be applied to reduction in *abiana*, stamp-duty and motor-tax, but I would emphasise with the greatest stress at my command that this saving should be used for prohibiting the sale of liquor. Pray do not grant licences for the sale of liquor, and make up the deficiency under that head out of this remission. Let us be abstemious. Kindly remove these temptations, which are forbidden by all religions. I shall most respectfully ask the Government to do something towards the prohibition policy.

Before I conclude, I think I must refer to the motion of no-confidence which was moved in this House by an honourable member the other day. Some of my honourable friends stood up to support the motion while a good many of them kept sitting. I was one of those who did not deem it fit to lend their

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support. In this connection, Sir, I would submit that these Ministers have not been appointed with the consultation of the members of this House. They have been merely selected by His Excellency the Governor and we. . .

Mr. President : Order, order. No reflections may be made upon His Excellency the Governor. The members might discuss the acceptance of offices by the Ministers, but a discussion of their appointment by the Governor may not be possible without reflecting upon His Excellency the Governor and is not, therefore, allowed.

Raizada Hans Raj (continued in Urdu) : I beg your pardon, Sir. What I beg to submit is that I am opposed to dyarchy, but so long as it is there I would see that it is not made dependent on personal considerations. If my honourable friends are prepared to move censure in each and every case I am ready to support them whole-heartedly to kill dyarchy. Otherwise I am afraid I cannot serve as a tool in the hands of my friends to further their own personal ends.

There remains one more item in the budget on which I wish to say something. I refer to the salaries of the Ministers. I believe the Honourable Finance Member has not consulted the Ministers themselves in this matter; otherwise I have no doubt that they would have agreed to accept smaller amounts. I still hope that before the matter comes up to the vote of the House the Ministers will announce their decision to take less.

Mr. President : Order, order. The honourable member has already spoken for about twenty minutes and as many other honourable members wish to take part in the discussion, I hope he will bring his speech to a close.

Raizada Hans Raj : May I have two minutes more, Sir?

Mr. President : Yes.

Raizada Hans Raj (continued in Urdu) : Sir, I was submitting that our Ministers should declare their willingness for getting smaller amounts for their salary, like the Ministers of other provinces. As far as I collect, the late Sir Surendranath Banerji worked as a Minister on Rs. 4,000 per mensem and some others on still less. It is argued that the Executive Councillors will go on charging higher salaries. We cannot help it. Their salaries are non-voted. But even here I trust that Mian Sir Fazl-i-Husain, at least will follow the example of the Ministers. Some honourable members may say that the Ministers by accepting lower salaries would not be able to command proper respect from their secretaries who may be getting more. I would reply that prestige and dignity does not depend upon higher salaries. Our President gets only Rs. 3,000, yet he is respected by all these whose posts carry higher salaries.

In conclusion I would again urge upon Government that people are steeped in ignorance, and free and compulsory primary education should be introduced to remove this ignorance everywhere. With these few words I beg to resume my seat.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Mubammadan), Rural] : Sir, I also congratulate the Honourable the Finance Member and the Honourable Finance Secretary for the lucidity of the memorandum which they have placed before us. It has helped many of us in studying the

budget and but for it many of us would have remained in the dark. But, Sir, the fact remains that the memorandum is not the budget, and much less is it a criterion for judging the budget. The budget has to be judged on its own merits and I think that the best way of judging the merits of the budget is to see to what extent it provides for the needs of backward classes and backward districts. It is from this point of view that I have studied the budget and judging by this criterion I think there is little in the budget which can entitle the Finance Member to my congratulations.

Sir, I have the honour to represent in this Council a district which has become proverbial for backwardness and poverty and as a matter of fact for everything bad, I mean the district of Dera Ghazi Khan. That district has absolutely nothing in common with the rest of the Punjab, except the fact that it is perhaps under the same Government. Sir, I deliberately use the word 'perhaps' because the existence of *batai* system and the continuance of the Frontier Crimes Regulation makes me doubt whether it is under the Punjab Government. Sir, Mr. Darling describes the condition of the people of that district in the following words :

"Nowhere in the Punjab is the standard of living so low as in Muzaffargarh and Dera Ghazi Khan. It is the standard of 50 years ago, when everyone, as a matter of course, wore the plain homespun khaddar, or country cloth, and gold ornaments were rare, and there was little to vary the daily diet of millet or wheat. Pulse is still a luxury, and turnip and onion the only vegetables that are common. For four months of the year people live mainly upon dates, and so poor are some that in years of scarcity the very date stones are ground into flour. Clothing is as simple and scanty as the food, and rarely has a man or a woman a change of clothes. In a recent epidemic of fever the inhabitants of the infected villages were strongly advised to wear clean clothes. 'But' they replied, 'we have only the clothes we have on our back'; and this was said by the village headman as well as by the ordinary peasant."

This description is clear enough. May I now ask the Honourable Finance Member to say what he has provided for alleviating these conditions? It may be said, Sir, as Mr. Darling has said, that these conditions are due to want of enterprise and thrift and reckless ways of the cultivators themselves. But, Sir, I claim to know the district more than Mr. Darling, and I can assure you that the people of Dera Ghazi Khan are not wanting in enterprise, nor are they thriftless and much less reckless. As a matter of fact, so far as thriftlessness is concerned from the description that I have just read out it is clear that they have not much to spend.

Now, Sir, we have to see what the real causes of poverty in that district are. In this connection, Sir, the honourable members on the opposite benches will excuse me if I indulge in a little blasphemy against the Government by saying that the real cause of the poverty of the people of Dera Ghazi Khan is the indifference and the ignorance of Government to their needs. Sir, I shall illustrate this indifference by enumerating the needs of the people of Dera Ghazi Khan and then asking the Honourable the Finance Member to refer me to the pages of the budget where he has provided for their needs. Their needs are simple and are as follows :—The improvement of irrigation, the reduction of land revenue tax, the abolition of the *batai* system, the improvement of communications, sanitation, and education. I shall, Sir, take each of these separately so as to give this Council an idea of exactly what I mean. It will be admitted that the

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welfare and prosperity of an agricultural people depends mainly on the system of irrigation they enjoy. Now, Sir, the Punjab may be very proud of a very extensive and elaborate system of perennial irrigation, but Dera Ghazi Khan is an exception in that respect also. There, Sir, the chief sources of irrigation besides the persian wheel are the inundation canals and the hill torrents, and both these sources are as thoroughly mismanaged as anything could be. So far as the inundation canals are concerned, the chief grievance of the zamindars is that their heads are so located that no water flows into them at the time of sowing and ceases to flow when crop is about to ripen and water is badly needed. This shortage of water is not due to want of water in the river Indus which contains more water than all the five rivers put together, but is entirely due to the mislocation of the heads of those canals. This fact is known to local officers and has frequently been brought to the notice of higher authorities, but nothing has been provided for this purpose in the budget.

Then again, Sir, in the Dera Ghazi Khan District there is at least one canal which can be converted into a perennial canal by hydro-electric pumping. The case has been before Government for nearly fifteen years now and the scheme has been approved by the experts as financially sound and feasible. And yet, Sir, I find nothing in the budget on this account either.

Now, Sir, I take up the other source of irrigation which I may be permitted to state is a sort of mixed blessing, I mean the hill torrents. These torrents flow from the hills to the plains and only a small portion of the water so providentially provided is diverted by the zamindars into their fields. The rest flows down into the river causing considerable damage on the way to the fields rendering them unculturable. During the last ten years 23,000 acres of land have been thus rendered unculturable in a single tahsil, I mean the Sangur Tahsil of the Dera Ghazi Khan District. From this it should not be understood that these onslaughts of hill torrents are impossible or even difficult to check. They can be checked and this water which flows down the river can be very profitably used. Suggestions have from time to time been made to Government to control this water by placing strong dams across some of the bigger torrents near their heads. If this is done, the district will have a modest system of perennial irrigation; but no money was ever provided for this work in previous years and no money appears to have been provided in the next year's budget.

Next, Sir, I pass on to land revenue. There is a difference of opinion as to whether this is a tax or a rent, and I am inclined to agree with Dr. Sir Muhammad Iqbal that there is no historical justification whatsoever for regarding it as a rent. It is a tax and as such, my submission is that it should be subject to the same limitations and restrictions as the corresponding taxes on income are. Apart from this, however, in the Dera Ghazi Khan District, the rate of assessment is rather high. At the time of assessment of land revenue on canal irrigated land during the last settlement it was assumed, and the Settlement Officer, Mr. Wilson, gave it out to the zamindars, that these canals irrigated 60 per cent. of the commanded area. But, as a matter of fact these canals are not irrigating more than 30 per cent. I ask the Council, and the Honourable Revenue Member through you, Sir, is there any reason why there should not be a proportionate reduction in the fixed part of the land revenue charged on this ground?

Next, Sir, I take up the question of *Jinsi batai*. The abolition of *Jinsi batai* would involve some expenditure in the shape of compensatory allowance to tumandars who have been enjoying the benefits of this immemorial system, but nothing appears to have been provided for this in the budget. From this I am led to conclude that the *batai* system is not going to be abolished this year. It is true that the five years within which the Government promised to abolish it are not yet over. But, things have gone from bad to worse. Since the announcement that the *batai* system would be abolished, the tumandars have become more grabby and it appears that it is their intention to make up during these five years the losses of centuries. If, under these circumstances, the Government intends to adhere to the wording of its promise, then I would respectfully submit that it would be as good as not abolishing the *batai* at all for by that time the *batai* zamindars would be extinct and then they might say to the Government in the words of Ghalib :—

کئی میرے قتل کے بعد اُس نے جفا سے توبہ  
 تھائے اُس زود پشیمان کا پشیمان ہونا

Politically too, Sir, the abolition of the *batai* system is necessary; if the Government thinks that these tumandars are a useful institution, then the sooner the *batai* is abolished the better. The zamindar is becoming restless and desperate and if early steps are not taken in this direction, untoward events would happen. As a matter of fact in certain tumans things have happened which would not have happened if the *batai* system had been abolished in time.

Next, Sir, I pass on to communications and sanitation. So far as communications and sanitation are concerned, I am very sorry to say that the two boards about which we hear so often are concentrating their attention on the central districts and somehow or other they do not like to go particularly to the Dera Ghazi Khan district. The members of the board do not go to Dera Ghazi Khan probably because there is a mighty river which they have got to cross and perhaps they have the same scruples which the Hindus of old had. Sir, Dera Ghazi Khan is nearly 300 miles long and 30 to 40 miles wide and in the whole of that district there is not an inch of railway line. This circumstance entitles that district to the special attention of the communication board. I would request Government to make a special provision for improving communications of that district.

Again in the Dera Ghazi Khan district there are certain places where drinking water cannot be had, and I would suggest that the sanitary board should pay special attention to that District.

Passing, Sir, to education, I assure Sir George Anderson that it is not my intention to minimise the work his department has already done for my district. As a matter of fact we are grateful to him for the keen interest that he takes in our progress. But, Sir, our poverty stands in our way of taking the full advantage of the facilities offered. I would therefore request him to favourably consider the question of exempting from payment of tuition fees all the agriculturists of all communities in the districts of Muzaffargarh and Dera Ghazi Khan.

Sir, while discussing the budget, some members took the opportunity of appealing to Government for grant of land for the people of their districts in the new colony area. I also follow suit and implore Government to

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specially consider the case of the people of the Dera Ghazi Khan district who are rather poor and whose lands have been rendered unculturable by the river Indus and by the hill torrents.

There is one thing more which I wish to submit before I sit down. Day before yesterday in the course of the discussion of the budget some of the members considered and discussed the principles and policy of communal representation. I really wonder how it can be relevant to the budget, but since it was allowed to be discussed, I also take this opportunity of saying a few words on that policy. Sir, some of the members thought that it was an evil and that it was responsible for communal tension and that therefore it should be done away with. Others thought that it was an evil but it was a necessary evil. Sir, I am sorry that I do not subscribe to either view. My own view on the subject is, and I think there would be a great many members who would agree with me, that it is neither an evil nor even a necessary evil. It is an economic necessity. It would be admitted, Sir, that the two chief communities in this province are economically unequal, the one is rich and the other poor. That is not all. One is under the thumb of the other and hence it would be unwise, unsafe and undiplomatic to do away with communal representation. Those who desire that communal representation should be done away with should, instead of discussing it in the budget session of the Council, come forward and help to raise the status of the backward classes. Let them be brought to the same level with other communities and when all the communities are in the same level, then it will be time to do away with that policy. With these few words, Sir, I resume my seat.

Lieutenant-Colonel W. H. C. Forster (Director of Public Health) : Sir, as so much has been said on the subject of public health with special reference to rural sanitation and rural interests generally, I feel that it will be proper for me to join in this discussion for the purpose of clarifying certain issues. In recent years the debates in this Council have shown a rapidly growing solicitude for rural interests, a solicitude which threatens to reach, if it has not already reached, the stage of disclosing an actual conflict between rural and urban interests. In the matter of public health members of the Council have frequently pressed the claims of the rural areas to a larger share of Government grants for public health purposes; on occasions they have expressed dissatisfaction with the progress made in this respect; and in expressing that dissatisfaction have at times made clear that they would welcome such progress even at the expense of the urban interests. Put briefly and colloquially the dissatisfied member says: "You give practically all your money to the towns and little or nothing for the rural areas. We think the rural areas should get a larger share of your grants and if you cannot arrange that in any other way, then you should do so at the expense of towns." That, Sir, is the attitude of certain members who voice the opinion of a large section of this House, possibly the majority, and possibly even the whole House. The dissatisfied member generally speaks rather from conviction than from deep and carefully reasoned knowledge, but on the other hand a skilled debater with full knowledge of the facts would have little difficulty in supporting the claim for preferential treatment of the rural areas with almost incontrovertible arguments. That is the attitude of certain non-official members.

Now, let us look for a moment at the attitude of the official members. I will begin with myself, because I have never hesitated to define my position in this Council. I am a keen advocate of the rural interests on the score both of knowledge and sentiment. I know that ninety per cent. of our population is rural; I know that we unfortunately have the highest provincial death rate in India, and that the mass of sickness and suffering represented by that death rate falls mainly on the rural classes; I know, as every one else who has studied facts must know, that if we are to improve our death rate, to alleviate the sickness and suffering, so great and so widespread in this province, we can only do so by concentrating our efforts to rural areas.

I am also rural in sympathy for sentimental reasons. A countryman by birth and upbringing, there is a natural bond of sympathy and understanding between myself and the man who tills the soil and I have always felt that the simple-minded, simple-living and industrious peasant of the Punjab who provides India with the backbone and much of the substance of her army, who provides the very revenues we are here to disburse, is the man who has first claim on such ability and energy as I may be able to bring to bear on public health problems. I do not wish, however, to be misunderstood. As a philo-

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sophical exponent of preventive medicine I am fully alive to urban interests and as a conscientious administrator, I trust I always give those interests due weight. But, to borrow phraseology from a question recently asked in this House, I would say that my mentality does not stand in need of being ruralised. By environment, conviction and knowledge it is ruralised to the limits of its capacity. But, Sir, I will go further than that. From the Leader of the House onwards, every Minister I have had pleasure of serving has disclosed a mentality no less ruralised than my own. Every Minister at the outset has impressed upon me his determination to give rural interests the service and attention they merit, and has given me instructions to work to that policy. In effect, then, official and non-official, we are all rural and in previous debates no voice has ever been raised against rural claims. Indeed as Raja Narindranath pointed out there is no reason why we should not be unanimous on this point. But, Sir, I can almost hear dissatisfied members say: "That is all very well: you claim to be one of us, to have the ruralised mentality, to be eager and anxious to do what we want, but judging by the test of budget provision you do not do what we want. Do you not realise that your deeds as compared with your words lay you open to a charge of breach of faith?" I have raised that argument because I wish to answer it, not only for the purpose of clearing myself and others of a hypothetical charge of breach of faith, but for the purpose of helping our critics. Constructive criticism is essential to progress and the criticism which I have heard in this House so far has been of such a helpful and constructive nature that I want to give our critics an even better understanding of the position than they at present have and in doing so help them to assist Government in materialising what I claimed to be our common objective. In this matter of rural *versus* urban interests the basis of criticism is always the Urban Sanitary Board grants. Now, this is quite natural. The urban sanitary board grants are expended on constructive works, such as the water-supply, drainage, paving and the like, works which constitute visible monuments in brick, stone and machinery, etc., which can be seen and judged by all men. Moreover they are financial entities inasmuch as every project costs a definite sum and so any one can say, for so many lakhs, that is what you get for your money. Therefore they are easy to think about. Further they are a type of work which is always impressing itself

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upon our consciousness. For example, when a rural member comes to Lahore, turns on a tap, and does not get any water through it, he realises that water-supply is a very important question. On the other hand the member who is lucky enough to open a tap on some of those infrequent occasions when water does come through it, feels that water-supply projects are extremely beneficial. Both of them, from different points of view, are impressed with the importance of water-supply projects. The dissatisfied member when he hears that some town has been given, say 8 lakhs for water-supply, feels that at least the same amount ought to have been given to some different district, to his own of course, for a somewhat similar work. He feels that he ought to be able to go into his district and point to a corresponding monument in brick, stone, etc., and say, "we got that amount of money", or, "we got this work in place of it". He then asks questions, discovers that a very small proportion of the sanitary board grant is expended on rural projects, becomes dissatisfied, and feels that we are not playing fairly with rural areas. He argues "if you can give three lakhs to a town for water-supply, then you ought to give at least that amount to one district for water-supply". That is the argument, a very simple argument, but one vitiated by two important fallacies. The first fallacy lies in the assumption that constructive works of major importance for the rural areas are necessarily of the same type and can be dealt with by the same technical and administrative agencies as the corresponding works for the urban areas. Now, Sir, speaking with the authority and responsibility of the officer whose business it is to know these things, I say that water-supply projects are not the constructive works which are of prime importance for the rural areas. There are districts, and I could instance the Hoshiarpur, Hissar and Gurgaon districts, where the water-supply problem is acute, very acute indeed. But taking the province as a whole water-supply is not the prime and urgent need of the rural areas. Drainage works are the prime need of the rural areas and I will explain that point. If provision be not made for the rapid run-off of storm water, or for lowering the water table where it has become unduly high, then flooding and waterlogging result. Flooding and waterlogging are associated with that great pest of the east, malaria, which is responsible for chronic ill-health, stunted development and general lowering of mental and physical vitality. Now, it so happens that the natural drainages of this province are blocked and therefore it is the primary need of the rural areas that this state of affairs should be dealt with in order to deal with this great pest of malaria whose existence is reflected only too well in our vital statistics. Drainage problems of this kind are drainage problems on a grand scale because they vary roughly from river training against a discharge of 15,000 cusecs as is the case of the Degh nalla to constructing drains 150 miles long as in the case of the Rohtak drains. These particular projects require a totally different technical and administrative agency to that which is able to function in the case of towns. Accordingly Government has evolved from the old drainage board the technical and the administrative agency necessary to deal with the problem which it is now known as the Rural Sanitary Board. Now, I will give you, Sir, some of the details in regard to the board. It deals primarily, or almost exclusively I should say, with this great public health problem presented by the blocked drainages of the province. It has its own technical staff which prepare the necessary surveys of projects and finally execute them and it has its own technical sanctioning committee composed of the Chief Engineer, Irrigation, the Chief

Engineer, Roads and Buildings, and the Director of Public Health. It is not limited to a fixed annual grant. Projects are prepared, put up, and, if approved by the Board are sent on to Government for financial acceptance; and never yet have we sent on a project which Government has refused to finance. If honourable members will look at the budget for the closing financial year they will find an entry on account of this board, for works in progress and new works, of the sum of Rs. 12,80,000, or approximately 13 lakhs. If they look into the budget for the coming year, they will see an entry of a sum of 15½ lakhs for the same purpose. Now those amounts are absolutely a free gift to rural areas by Government. Not one anna of contribution is exacted from the district boards on account either of preliminary surveys or preparation of projects or execution of projects. In fact, district boards have nothing to worry about. Skilled agencies determine the areas where the waterlogging problem requires attention and the Rural Sanitary Board does the rest. Let us compare that position with the position of the Urban Sanitary Board. The Urban Sanitary Board, which deals primarily with urban interests, is limited to a recurring grant of six lakhs which in times of prosperity, such as the present, is raised to eight lakhs by an additional non-recurring grant. But the municipal committees have to pay for their surveys and the grant-in-aid is limited to 50 per cent, unless the circumstances are very exceptional: so that when the dissatisfied member reads of a municipal committee being given 8 lakhs for water supply he must realise that in the first instance the committee had to pay for the preparation of that project, and in the second instance had to find from its own resources another three lakhs in order to carry it out. In addition I might point out that the Urban Sanitary Board deals also with village sites and almost every village scheme which comes up to us is sent on to Government with our recommendation that grant-in-aid to the total cost be given; and so far no such requests have ever been refused.

Therefore, Sir, on this question of constructive works I would submit that we have cleared ourselves of any charge of breach of faith. Rural areas have been presented with an organisation which deals with the most pressing problem in regard to constructive works, an organisation which will eventually bring incalculable benefit to all dwellers in the rural areas, and in addition from the Urban Sanitary Board grant we finance to the full all schemes affecting village sites.

Before leaving this subject I think it is necessary to say a word for the towns. The word which I can say is this: that the Government grant has proved quite sufficient for all the requirements of the towns. We have never yet been obliged in the last two financial years to reject an urban scheme on the ground that there was not sufficient budget provision. That, Sir, is the first fallacy in the argument of the hypothetically dissatisfied member.

I will now deal with the second. The second fallacy lies in the assumption that constructive works are necessarily the basis of public health work. That is a very grave error because the basis of public health work is organisation. It is absolutely essential even before we can consider constructive works that we must have agencies capable of firstly, finding out what is wrong, secondly, devising and executing the remedy, and thirdly, an agency for general control and supervision. Without such agencies all public health work would be chaotic and infructuous. On this point of organisation I will consider the question of village sites in re the Urban Sanitary Board grant and I will take in illustration the town of Lahore and the district of Ferozepore. The town of Lahore has a square area of 24 miles, whereas the district of

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Ferozepore has a square area of 5,000 miles. Over its area, Lahore has the following agency capable of finding out what is wrong, namely, a full time Medical Officer of Health and an assistant together with four qualified sanitary inspectors. The district of Ferozepore, on the other hand, has only half share in a Medical Officer of Health who has to serve both the district of Ferozepore and the district of Ludhiana. It is obvious that a district like Ferozepore cannot possibly compete with an organisation like that of Lahore in the matter of grants from the Urban Sanitary Board. There is no agency to find out what is wrong, and this criticism applies to the rural areas generally. We have the agency to devise and execute the remedy, but we cannot do that until we know what is wrong. In this connection and for the purpose of remedying this defect Government has steadily pursued a policy having for its object the provision of a Medical Officer of Health for every district. Great progress has been made in this direction. We have already sanctioned a Medical Officer of Health for every district, Government in all cases paying the salary and the travelling allowances of the officer, and those who consult the budget will see that we are making proposals to extend this work by providing for the necessary leave and other emergencies.

Lastly we come to the organisation in regard to the epidemic disease. Now in this connection I will give the Council a concrete example which, I think, will be of considerable interest to all. As every one knows, during the past year the province has been visited by an extremely severe epidemic plague. Consequently in March when it became clear that we were threatened by a catastrophe, steps were taken to avert it. What is known in budget terminology as the special Ambala plague scheme was prepared, sanctioned by Government and the Council at a cost of 2½ lakhs, and put into operation. Now I wish the Council clearly to understand what was the basis of that scheme. The basis of that scheme was an organisation pure and simple. Every district of the Ambala Division is provided with a full-time medical officer and this scheme in addition provided for every tahsil a medical officer, a qualified sanitary inspector, and a suitable plague staff. In the first instance this organisation was used for the purpose of suppressing the epidemic in progress and the result was very satisfactory. The plague mortality which had been rising at the rate of a thousand deaths a week was immediately checked and the total mortality as compared with the mortality for 1924 was less by a lakh and a half. But the chief object of this organisation was not to deal with the epidemic in progress. It was to take preventive measures, so that these epidemics may not recur. Accordingly when the epidemic subsided preventive measures were taken in hand. They took the form of an intensive campaign of rat destruction. For our purpose we listed all villages infected after the 15th of April or in which the epidemic had not subsided at the beginning of the hot weather. We took these villages and listed them for the purpose of our rat destruction campaign. Our object was to have every one of these villages de-ratted at least three times before the end of October and as we were not successful in this, the operations were continued till the end of December. I will now give you the results: In the Ambala Division 918 villages were listed for de-ratting. On the 31st October the position was as follows.

Mr. President: The honourable member has already spoken for about 25 minutes. As many more members wish to participate in today's discussion, may I ask him to curtail his speech.

**Lieut.-Colonel W. H. C. Forster :** I will simply say that the general result was a reduction of 22 per cent. in the recrudescence rate. I will conclude by saying that when people criticise public health work, they must take into consideration the fact that organisation is the basis of such work. (Applause).

**Rai Bahadur Lala Sewak Ram** [Multan Division, (Non-Muham-madan), Rural] : Sir, I offer my heartiest congratulations to the Honourable the Finance Member and the Finance Secretary on the budget they have presented before the House, specially to the Honourable the Finance Member as he belongs to my district of Lyallpur where he served for a very long time and I hope he will do some special good to my district. Sir, I am glad that the years of deficit have now gone and once more our finances are prosperous. I submit that in our taxation a good deal of reduction should be made. This taxation has been imposed by us, by our own vote, in this Council and it was imposed at a time when Government was in need of money. Now as the Government has got surpluses in hand, I submit this taxation should be reduced, because when we go out to our constituency our people ask us, 'what have you done by going to the Council? You have increased our taxation and you have never tried to get it reduced at all.' Sir, in making this request for the reduction of taxation I would refer to the speeches of Sir John Maynard in three successive years. On the 24th November 1924, he promised to go into the question of reduction of taxation. Again in the following year, in 1925, he made a similar promise and in the next year again he said : "I have to announce to the House that it is the intention of the Government in a meeting which will be held in June next to reconsider again the whole subject of taxation". After these promises a little reduction in *abiana* was made, but that reduction was very little. The increase in *abiana* was very much and the reduction was very little. In a district like Lyallpur, the Honourable the Finance Member knows that in the early days when he came to that district as an Assistant Colonization Officer, the land revenue was only an nas 8 per acre and it had now risen to Rs. 8-8-0 per acre. While on the one hand land revenue is being increased on the other *abiana* is also being increased. So it is a double burden on the tax-payer. What I say is, if you want to charge us for the water, by all means do so, but do not go on increasing the land revenue; if you want to increase the land revenue, do not increase the *abiana*. But both the taxes have been increased and are being increased every day. That is a matter which I particularly want to bring to the notice of the Revenue Member.

Now the Honourable the Finance Member is rather sorry that he has lost 48 lakhs of rupees in the remission of revenue on cotton crop; but I think this remission is very little. In my district of Lyallpur no remission has been granted at all and even where it was granted the profit to the zamindar has been very little. Even in spite of this remission many of the zamindars have absolutely become bankrupt on account of the failure of the cotton crop. I submit that more reduction might be permanently granted in respect of the rate of *abiana* on cotton.

Now I come to stamps. The Honourable the Finance Member has told us that the income on stamps has fallen by 10 lakhs. This is due to the loss of rush of suits, as he calls it. But I submit that in urban areas the rate for conveyances and mortgages is Rs. 3 per cent. This is too much and it should be brought down to Rs. 1-8-0 which was the original rate. In

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the beginning it was only Re. 1 and then it was raised to Rs. 1-8-0. I submit that Rs. 1-8-0 is the proper rate. As regards court-fees my friend from Hoshiarpur (Muslim) said that Re. 1 for each application is too much. Even for ordinary applications it is Re. 1 and it is really too much; it may be reduced to annas 8.

Now I come to another subject, motor tax, in which a reduction might be made. Some of my friends may not agree with me on this point. In this case also it has been promised that the tax would be reduced as soon as possible; but so far nothing has been done. Now the contribution from the Government of India amounts to 86 lakhs of rupees. I should like to know from the Finance Member how this money is going to be spent. I voice the feeling of my friends from Dera Ghazi Khan and of other districts like Muzaffargarh that a good deal of it might be given to those districts which are really very poor districts and whatever remains might go to the improvement of roads and communications because in the budget I see very little is allotted to roads and communications. As regards the construction of these roads a great burden is thrown on the district boards and the district boards in order to meet that burden are also taxing the people, even the poor shop-keeper, whom they charge *kasiyat* tax. I think it is not wise to have this tax, because the poor people are not able to pay it. At the same time the district boards are also charging the assessment at the highest rate which they are authorised to charge. In spite of these taxes the district boards have not got sufficient money to spend on repairs of roads and the construction of new roads. I, therefore, submit that this money in the hands of the Government may be allotted for the construction of roads.

Now I will say a few words as regards education. Under that head my request has always been that sufficient money is not given as grants-in-aid to schools, especially in my division of Multan. It might or might not have been given also in other divisions, but I am now talking of the Multan division. It has already been suggested by my friend, Dr. Narang, that some rules might be framed as regards the giving of grants-in-aid. For I find that with the vast powers which the Inspectors have in the divisions, especially in my division, some of the schools of which I have a list with me have been very unlucky in never getting any grant-in-aid, although every attempt to get it is being made for the last 6 or 7 years. It is simply because the Inspectors of Schools are not pleased to give them the grants.

I submit that the question of grant-in-aid to schools is such as requires the special attention and consideration and kindness of Government. As regards the ways in which some of these private schools meet their death is this. When an Inspector of Schools does not want to recognise or encourage or give aid to a particular school, he just moves the district board to start a school of its own. That primary school is soon turned into a middle school and then into a high school and then it is provincialised. The result is that although the district board school has come into existence after the private school, it begins to flourish and the private school having no grant-in-aid cannot pull on and has to close down. I think this should not be done. Wherever there is a private school, that school should be encouraged. I give an instance of such a school which is at Taunsa in the Dera Ghazi Khan district. This school already existed there before the

district board school was opened and that school will now have to close its doors for want of grant-in-aid. This is not how private enterprise should be treated. A member here the other day said—I think it was Chaudhri Afzal Haq—that private enterprise should be encouraged by giving grants to such schools . . . .

**Chaudhri Afzal Haq:** No. I did not say so.

**Rai Bahadur Lala Sewak Ram:** It must have been some other honourable member then who said so. This is the particular point as regards education that I wanted to put before the House.

As regards industries, of course something has been said as regards those institutions which now exist at Shabdara and the weaving school at Ludhiana. These institutions may be useful, but I think that instead of opening such institutions it would be better if Government encouraged private industries by giving them State aid. I submit that some provision should be made in the budget and State aid should be given to private industries.

As regards the Department of Agriculture, I have only one little complaint to make. As much as Rs. 1,38,000 is spent on the Agricultural College. I understand that all the students who apply for admission are not admitted into the College. This should not be. In an agricultural college no distinction should be made between agricultural classes and non-agricultural classes. The agricultural classes are supposed to know agriculture already, so it is the non-agricultural classes who ought to be taught agriculture. Therefore such distinction should not be made when admissions are made. At present there is a kind of distinction made which prevents a certain community from getting admission into such colleges. That should be put a stop to.

As regards expenditure under reserved subjects, I find that as much as 1,08 lakhs on the general administration and 1,08 lakhs on police are spent, while for beneficent departments only 2,37 lakhs are given. I submit that attempts may be made to allot more money to the beneficent departments. Expenditure on general administration is increasing every year and the top heavy expenditure on the Secretariat about which we have a complaint may be reduced.

Sir, we have many a time brought for discussion in the Council the question of the reduction of the office of Commissioners. I think this office must be reduced as soon as possible. If we look at the budget, the office and the staff of the five Commissioners in the Punjab absorb a considerable amount of money under the head 'General administration.' The question of reduction of Commissioners has been argued in this Chamber more than once. Sometime ago we rejected the grant for the office staff of 2 Commissioners which is a votable item. When this point came up before for discussion, Government promised that they will go into the question and see whether Commissioners are necessary or not. In Madras, I submitted, there was no office of Commissioner, why in the Punjab we could not do without Commissioners, I cannot understand.

Sir, I want to place one more suggestion before the Finance Member. It is this. We have various standing committees in this Council. Before the budget is brought up before the House, standing committees are never

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consulted. So far as the standing committees of which I am a member are concerned the budget has never been discussed there; neither in the Agricultural Standing Committee, nor Land Revenue Standing Committee, nor in the Canals Standing Committee has the budget ever been discussed. I submit that if the budget passes through the committees concerned, it will be much better discussed in this House, because then the members of the standing committees will only spend their time in studying their own subjects properly instead of trying to speak on every subject. In future the budget should pass through the standing committees.

I again congratulate the Finance Member for what he has done.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan), Urban]: Sir, I have had the privilege of listening to some eminent speakers in this House of all shades of opinion on the budget discussion, and I think I must express my thankfulness to them if ever I can derive any benefit from their speeches in any way whatsoever. My own views, Sir, as regards the budget, I submit, remain unaffected and unmodified by these speeches. I think, Sir, that in a politically servile country where we have innumerable legitimate and serious grievances against the whole system of the Government, the people's representatives should consider the budget for its rejection and not for its acceptance nor even for constructive criticism. In a country or a province, Sir, where freedom of speech and press is lost in restrictive laws except to find license for the purpose of exchanging abusive and filthy language among the different communities, where men can be gagged and made into mute animals, where thousands of people can be sent to jail for the mere expression of their political or religious views, where people are prevented from protecting their person and property and live at the mercy of dacoits on account of the restrictive laws of the Arms Act, where a peasant has to starve himself and his children for payment of a rupee or two for the *abiana*, where an honest labourer has not the *locus standi* of citizenship and cannot even claim to be counted amongst the population of the province, where hundreds of inoffensive Akalis against all popular demands and protests are still rotting in jail, where we have one thousand and one other serious complaints, serious and legitimate grievances against the Government, I think it is futile—it is my firm belief, conviction and faith that it is altogether futile—to discuss receipts and expenditure of Government budget which is put in our hands. If I had sufficient strength and power at my back I would have recommended this House to reject the budget in all details. This would have removed the farce and cleared the atmosphere, at least, and we could have said:—

انشاے راز عشق میں گو ذلکین سپین  
لیکن اے جتا تو دیا جان تو میا

But I realise my weakness and I know that I cannot succeed in this object. However, if we cannot throw out the budget in detail to redress our grievances, we can insist upon having only such Ministers in charge of the transferred departments who are prepared to resign or remain in office in accordance with our wishes. This is a question of principle, Sir, and I hope it will weigh most heavily in these budget discussions. We have to pass

their salaries. Their appointment does not lie in our hands, but their removal by refusal of the grant of their salaries does lie with us and consequently their appointment also in a way lies with us. In the sanction of their salaries to ensure their responsibility to us lies the only power by which we can mould their policy to our wishes and we can never afford, Sir, to deprive ourselves of this right. No personal consideration, friendship, regard, no consideration whatsoever except of public interest can claim from ourselves a sacrifice of this right. We have to be regardful of our rights as of our liabilities, and unless we are regardful of the former we cannot discharge the latter. A Minister may seek his appointment somewhere else, but if he accepts office without consultation of his party, in case he happens to belong to one, or if he does not belong to any party at all, I submit, this is a sufficient index to prove that he has no regard for our wishes and will work in accordance with, and will submit only to, the will and policy of the Government. Let us be determined not to give status, position, power and a high salary of Rs. 5,000 a month to such Ministers who do not care for our wishes, who do not care to consult us and who do not care to carry out a policy which we dictate to them in this House. It is a pity that we are left only to make suggestions to this Honourable Minister or that, which meet with no better treatment than the memorials which we have been used to sending to the Government in years past. I submit, Sir, that no good can be expected from such Ministers, and it would be better to allow the Government to run the administration without them, so far as we are concerned. We have to weigh the present Ministers in these scales and then decide whether we can give them any salary, much less a salary of Rs. 5,000. I think before we decide the question of their salaries, we have also to take into consideration the economic conditions of the province where both a labourer and a peasant are dying of starvation, while these people get princely salaries of Rs. 5,000 a month each. I submit, Sir, that before we decide the amount of their salaries this would be a very proper consideration for the members of the House, but I do not intend to go into detail at the present moment, only I venture to submit something in answer to what an honourable member on the other side of the House whose privilege it was once to occupy a prominent seat on this bench said in the last meeting that he could have given his support for the motion of no confidence if it were meant for the removal of dyarchy.

I submit, Sir, that compelling Ministers to feel responsible to us is the initial and first step for the removal of dyarchy and that meek submission to the will of the Government will perpetuate dyarchy. So, I think the members who want to remove dyarchy should first try to make the Ministers responsible to us. Let the Ministers feel that they will have to remain or go out at our will. Let them understand, Sir, that they are responsible to us, and that we are determined to bend them to our view and if necessary to end them in the last resort (Hear, hear).

Before I sit down, Sir, I would like to make a few observations as regards the different suggestions made for utilising the money which is expected to be received by the remission by the Government of India of the provincial contribution. Of all these, Sir, I may briefly state that Chaudhri Afzal Haq's suggestion seems to my humble self the soundest one. We can tolerate one hundred sufferings for one hundred years more, but we are no longer prepared to tolerate that our children should remain without education (Hear, hear). So, the suggestion of the enforcement of compulsory and free primary

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education weighs most with me and it should weigh heaviest with other members of the House too, because of its usefulness and its beneficial effects. I commend it again because it is common to rural and urban classes of the people. We would always give preference to those beneficial uses of the money from which the advantages that are derived are not restricted or limited to one community or class. So, the enforcement of compulsory and free primary education, because it would benefit all classes and because we are not prepared to keep our children in the present state of ignorance, weighs most with me, and I would therefore commend it to the House that a major portion of the remission or perhaps even the whole of it, if required, should in the first instance be spent upon the enforcement of free and compulsory primary education. (Hear, hear).

In the second place in the order of merit and preference it seems to me comes the suggestion which was made by my honourable friend Dr. Gokul Chand, Narang—the reduction of court-fees and stamp duty. Justice in this country is sold, Sir, and I may submit that it is sold at a very high price. This benefit, again, Sir, would be common to all classes and all communities, and therefore I submit that it comes next in the order of preference.

The third suggestion that appeals to me is that of Dr. Muhammad Iqbal advocating the principle of progressive decrease in the taxation on land. I think that is a fairly sound proposal, and I cannot understand the objection of my honourable friend Raja Narendra Nath. I do not know, unless he can give me any instance, what difficulty he finds about it in the Land Revenue Act. I was surprised to hear from him the suggestion that this money should be utilised for the remission of taxes on motor cars. I think in the first instance that it is beyond our power. Taxation on motor cars is levied by the Government of India. (Voices : No, no. It is levied by the provincial Government also). Very well, even granting that the provincial Government levies a tax on motor cars, I for myself would rather welcome an Act abandoning the use of cars in this province altogether than to prolong the suffering even for one day of the ordinary peasant or labourer who is starving. I think we have too many cars and too much of luxury. Let us give something to the poor people. I would therefore support Dr. Iqbal's suggestion, and, remembering this province to be an agricultural province, I would put his suggestion as third in the order of preference. I hope when the remission of provincial contribution actually comes to pass the Government will keep in mind the suggestions in the order of preference which I have indicated. I have taken sufficiently long time and I will therefore resume my seat.

**The Honourable Mr. Manohar Lal (Minister for Education) :** Sir, I beg the indulgence of the House for a few minutes. Appreciative and generous references have been made to the expansion of education and the activities of the education department by members from all parts of the House. It must be very heartening indeed to Sir George Anderson and his devoted band of workers in their noble effort to combat this evil of illiteracy. I am able to refer to it the more readily because I am testifying to the work done by others rather than referring to anything which I have done myself. There has been a real and rapid increase in literacy. There has been added to it a large increase in the training of teachers in this province, particularly in the training of teachers able to grapple with the work of vernacular

education. There has been in addition to that a real bringing of secondary and collegiate education within the reach of the people of the villages, a thing that was particularly emphasised by my friend Rana Firoz-ud-Din who I am sorry is not present here to-day. There has been a further strenuous effort made to enlarge the work of female education; and over and above this, Sir, there has been an advance in two directions. There has been an introduction of vernacular education in the higher spheres of collegiate and University work. And at the top of all, it is a matter of sincere congratulation, that there has been a genuine development and real achievement on the University side, particularly in our science departments by actual research. This, Sir, is no mean record. With your permission, Sir, I will refer to some of the matters to which attention was called particularly by our friends Rana Firoz-ud-Din, Chaudhri Afzal Haq and Dr. Gokul Chand Narang.

**Mr. President:** Order, order. When the honourable members of this House have to refer to their fellow members, according to the parliamentary practice they should refer to them so far as possible, by their constituencies, by the offices they hold, or by some other designation rather than by their names. Some of the new members of the House have yet to learn perhaps such things, but the old and experienced members, like the Honourable Minister for Education who was the Deputy President of the first Council may be expected to be aware of the practice.

**The Honourable Mr. Manohar Lal:** Sir, it was said on the other side of the House, by some members opposite that there is a serious gap in the work of extension of primary education when we look at the figures of the first class and the fourth class. If the honourable members would take the trouble to refer to the recent report on the progress of education in the Punjab and turn to page 8 they will find immediately . . . . . (A voice: for what year?) For the year 1925-26.

**Chaudhri Afzal Haq:** That has not been supplied to us.

**The Honourable Mr. Manohar Lal:** I am drawing attention to a report which is a published document. Honourable members will find that there has been not only an expansion, but an expansion of the most gratifying character, and that is this, that during the last two or three years the expansion of primary education has been accelerated, and particularly so during the last year, that is, the year under review, 1925-26. It is indeed true that a very large number of these new entrants on their scholarly career are still far from the fourth class which is naturally limited because the older numbers were not large. But in another two or three or four years these scholars will move upward to higher classes and the difference would then appear not so large unless the rate of progress becomes greater still which indeed would be a matter for further congratulation. Reference was, however, made that if this rate of increase among primary school scholars was to be what it is to-day, it might take a very inordinate, in fact the absurd, period of 900 years before anything like universal literacy was established in this province. Well, Sir, two corrections would offer themselves to any one who thought over this matter for even half a minute. One is this. When one starts out to establish universal literacy one has to approach the problem mainly from the point of view of boys and partly and only to a certain degree from the point of view of the adults. Now, Sir, it is well-known that only a certain percentage of the total population of the province which is mentioned

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as 2½ crores, are able to go to school, and this has been repeatedly pointed out in all educational reports as 15 per cent. so far as this province is concerned. This immediately reduces the period to one-seventh of the fanciful 900 years of my honourable friend opposite. That is approximately to 100 years, a period many of us are anxious to live up to. Further it is not often that all boys of school-going age can be expected even in the very best of conditions to reach school. It has been said on a high authority, and that is a matter on which there is no serious difference of opinion, that we cannot expect more than 75 to 80 per cent. of our boys possibly to go to school. That correction, if made, combined with the fact that only boys of a certain age can possibly go to school, representing only a fraction of the total population, and also the further fact that a fair percentage of boys already is in schools, I think the period when something like universal literacy can be approached so far as the school boys are concerned is not so very long as is imagined. It has been calculated, Sir, at page 8 of this report which forms very interesting reading indeed, that at the present time something like 8·44 per cent. of this population is receiving education in the schools out of possibly the total of 15 per cent. and the increase is at the present moment taking place at the rate of 75 per cent. every year. Now a small calculation will tell us that if every one of the boys that are of the school-going age is to be absorbed in the literate class it would take not more than 9 or 10 years to bring them into school, and if we were to make that further correction which I submit all authorities are clear about making that not more than 75 to 80 per cent. of the boys can go to school, I think the period of fairly general education among our school-going boys is not so very distant.

It might be a matter of 7 or 8 years only. Therefore, Sir, we ought

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not to be startled by this idea that we shall have to live the age of Methusaleh and wait for 800 or 900 years before anything like general education can, because of present slow increase, prevail in this province. Reference was made to compulsory education, and it was mentioned that the increase in compulsory education is not at a rate sufficiently gratifying, and that education should be made immediately universal and compulsory. So far as I can gather from the reported policy of the Government in this matter there are no two opinions on the question whatsoever. Government is perfectly conscious of the necessity of introducing the principle of compulsion in order to realise effectively the ideal of universal education; not only that, but the Government is even more anxious in seeing there is no waste of compulsion, no wastage in respect of boys who only read in the 1st and 2nd classes and then drop out. The effectiveness of the principle of compulsion in getting the boys up to the 4th or 5th standard in the school is greater and the interest of the Government is still more keen and great because the principle of compulsion enables the Government to achieve the object in view with greater economy. Now to these principles the Government has no hesitation in expressing its fullest approval. Sir, compulsion has also been growing at a fair pace. Hardly a day passes when we do not record sanction to the introduction of the principle of compulsion in half a dozen areas. I have called for figures this morning and I find that during the last 8 or 9 months the number of rural areas, in which compulsion has been introduced has been practically doubled the number of rural areas in which compulsion existed on the 31st March

1926 was 451. On the 28th of February this year the figure stood at 808. This is a principle to which we fully subscribe. But for greater advance a certain measure of help on the part of the local authorities is necessary, as also a certain development of local opinion in its favour. It is a matter in which honourable members of this Council should guide and control the local opinion and render the utmost assistance to the Government. The opinion, and I subscribe myself wholly to it, of those who have been responsible for the introduction of compulsion in this Province, is that compulsion, to use a favourite formula that I find in the reports, should be voluntary in itself. It must not be enforced by a number of stringent rules which would lead to trouble in the villages. Because once you resort to these methods people might go back to their old apathetic frame of mind and then whatever method of compulsion you might introduce the real progress that you desire will not be achieved. Sir, there has been general advance as I have stated; the number of our scholars has been very large; it stands well about a million today. During the last year more than a lakh of students were added. Much of that is due to the principle of compulsion. We ourselves fully subscribe to the principle of compulsion and we look forward to aid and assistance in the form of local opinion in carrying out this policy. With that aid and assistance there is no doubt that the rate at which education can advance will be greater than that which has been possible hitherto.

Reference was made during the course of the debate to the necessity of improving the physical training in our schools and colleges. That, Sir, again is a matter to which we all most readily subscribe and as a matter of fact, honourable members would see evidence in this budget of the Government's keen desire to advance the work of physical training in the schools. A certain number of physical supervisors are being provided and the Training College is also providing special courses of instruction for this end with these facilities existing and also because the scout movement is past advancing there is no reason at present to think that this part of the desire of the Council is likely to be ignored in any respect whatsoever.

Sir, one honourable member opposite referred in particular to the desirability of increasing or rather converting our four-year primary schools into six-year schools. I would, with your permission, like to intimate to the House that that has been adopted definitely as the policy which the Government is going to pursue with the fullest possible rigour. We view the likely lapse into illiteracy on the part of those scholars who read up to 2nd or 3rd classes with much concern, and this is a policy that is being pursued with the greatest possible rigour. I would also refer to the efforts that are being made for the advancement of female education. Finest statements with reference to that are made in this report to which I have already drawn the attention of the House. I would only add this, that it is a matter of no small gratification that at the end of the year 1925-26 the number of girl scholars on the list stood at the figure of nearly 110,000. Not only that but a very serious effort has been made during the year to produce a large number of trained lady teachers without whom it is obvious that no great advancement in this direction can be rapidly made. Sir, this, combined with the advance of vernacular education in colleges and the research work that is being done in our most important colleges, is no mean record; and *Vires acquirit eundo*; but such a plan

[ Honourable Mr. Manohar Lal. ]

is obviously full of natural difficulties. The machinery of expansion is not easily constructed, and there is always the danger that in mere expansion without at the same time forging the necessary weapons for the work of consolidation there might be considerable wastage; to this end now our efforts are in a large measure directed. Personally I am entering on an inheritance of great effort, and I like to take this opportunity of saying that I fully and cheerfully accept the broad lines of policy which are marked out for our progress by my predecessors and particularly by Sir George Anderson who is so keenly interested in the advance of education in the rural areas, for, I believe, that no national advance is possible without educational progress amongst our rural brethren, and it will be my ambition and special endeavour to help forward this particular part of our national programme, and I would welcome concrete and well-considered plans on the part of honourable members of this House to enable me to enlarge upon our efforts in this particular direction. (Hear, hear).

Sir, references were again made to the other department which I have the privilege to hold in charge, and that is the Department of Industries.

Mr. President: Order, order. I may state for the information of the House, especially the Treasury benches, that the object of Rule 28, as I understand it, is not that the Government members may reply to the criticism in detail in support their policies. The wording of the rule is quite clear: "The Council shall be at liberty to discuss the budget *as a whole* or any question of principle involved *therein*." Now a mere support of the budget, as a well-prepared budget, is not a discussion of the budget, nor is the mere declaration of a policy the discussion of the principles involved in the budget. At this stage the debate must follow the lines traversed by the Finance Member's budget statement, and no details should be introduced or discussed. The right of reply is expressly given by the rule only to the Honourable the Finance Member. The other members of Government are not, in my opinion, entitled to exercise a right of reply like the Finance Member. They will have ample opportunity to have their says hereafter when the demands are taken up. I think the power of general discussion does not sanction discussion in detail upon special subjects, which must be reserved until the particular grants are before the House. If every Government member were to support the budget of his department, no time will be left for other members to discuss it. Therefore, I would request the Government members to confine their remarks only to a general discussion of the budget or to any questions of principle underlying it.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): I take it, Sir, that your ruling amounts to this, that in making their observations Members of Government should not dilate on the points which have been raised in discussion and you, Sir, do really desire Government Members to say nothing about the points that non-official members think are of considerable importance and should be noticed by Government.

Mr. President: I think my ruling is perfectly clear. As I understand the rule it means that the budget has to be discussed generally *as a whole*; it has not to be supported in its details. Again, the principles involved in the budget have to be discussed; policies have not to be declared or stated. A mere statement or declaration of policy is not, according to my lights, the same thing as a discussion of a matter of principle.

Again, [a mere statement or expression in support of the budget is not the same thing as a general discussion of the budget *as a whole*. Ingenious speakers may speak so skillfully that their speeches may not be open to an exception under the rule; but the discussion which has been offered to-day by some occupants of Government benches is not so unexceptionable. I think, they have gone beyond the limits laid down by the rule.

**Pandit Nanak Chand :** May I enquire whether discussion means only giving arguments on one side ?

**Mr. President :** No. Discussion means arguments both for and against. But here we are concerned with a discussion of the budget *as a whole* or with a discussion of the *principles* involved therein. We are not concerned with a discussion of details.

**Mr. Labh Singh :** If members other than those occupying Government benches support the budget, will they be discussing it within the interpretation of the rule of the Chair ?

**Mr. President :** Supporting the budget may or may not amount to its discussion.

**Mr. Labh Singh :** Will giving of reasons in support of the budget be discussion of the budget ?

**Mr. President :** Reasons for and against may and often will amount to a discussion of the budget but if such reasons contain details the discussion cannot properly be called a discussion of the budget *as a whole*, nor can a discussion of details be held to be a discussion of *principles*.

**The Honourable Mr. Manohar Lal :** Sir, certain honourable members referred to the very exiguous limits imposed by the budget within which the industries of the province had to work and drew my pointed attention to the condition of the weaver, and the tannery and the dyeing institute at Shahdara. Within the strict ambit of your ruling, Sir, all I can say is that I have been able to note the wishes of the honourable members in this regard, and I wish to proceed, Sir, no further.

Sir, much reflection was made in this debate on the reforms. A great deal of enthusiasm was displayed in analysing the equilibrium of opposing constitutional forces and in canvassing the position of the ministry. I have no desire whatsoever to embark upon these fascinating themes. All that I wish now to say, is this, and that is quite enough guide and political theory for me, that for me, and I may say for my colleagues, in the ministry the position is perfectly simple. We are here to serve the province conscientiously and to the best of our ability and we are anxious to carry out, and carry out cheerfully the wishes, the considered wishes of this House (Hear, hear).

**The Honourable Malik Firoz Khan Noon (Minister for Local Self-Government) :** Sir, your ruling on the subject of the discussion of the budget has made my task very much lighter, and I welcome that ruling because it only permits me to say a few necessary things and that is all. I have been watching the course of the discussion with great interest and care, and I was glad to notice that the criticism levelled against some

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of the departments in my charge were criticisms that I should probably have made myself if I had been there on those benches. That I am saying only to give the House an assurance that the mentality that I possessed on the non-official benches is still possessed by me while I am in the Government benches. (Hear, hear) (A voice : how long ?) and I shall do my best to utilise that mentality in the service of the country and the public in accordance with the wishes of the members of this House. (Hear, hear). I have myself always felt that in this province we do not do enough by way of medical relief for women. That is a subject which has been brought to the notice of the House by several honourable members during the course of this debate. I can give the House an assurance that it will receive my immediate attention, and I shall try to do all that I can in this line.

Another matter that was brought under discussion was the question of nurses. That again, is a matter which I feel must be attended to by Government, and even on that subject I shall try to do my best. There is already a scheme for provincialising public health schools here in Lahore. Of course these public health schools are training *dais*, nurses and lady health visitors. We may be able to do something more, but I shall require time to consider this matter carefully.

Again the question of unani medicine has been brought to the forefront. I have always felt myself that that is a very cheap kind of medicine which is liked by the people in the villages. The question of expanding that kind of medical relief is a difficult one, and it will have to be considered carefully. We do not want to do it in any way which will make the unani medicine as expensive as the European medicine. That, again, is a matter which I hope to look into fairly soon.

There was another matter to which my honourable friend from Amritsar made a reference. I think he was under a misapprehension. Otherwise he would not have said what he did. What he said was this : in answer to a question asked by the honourable member for Hoshiarpur-cum-Ludhiana Rural about the removal of disqualification for election to municipal committees and district boards of persons convicted of offences and sentenced to more than three months of imprisonment or more, the Honourable Minister refused to remove the ban. The honourable member for Amritsar gave it to the House that I replied to the question to the effect that Government did not intend to remove the ban. I am glad to have this opportunity of correcting the error committed by my honourable friend. Either my honourable friend did not understand my answer or else he did not probably care to read it. I said nothing of the sort. What I said was this. That so far as this disqualification is concerned there is a rule to the effect :

“No person shall be eligible to stand for election, who has within five years preceding the date of election been sentenced or subjected by a court to imprisonment for a period exceeding three months or ordered by the court to execute a bond for his good behaviour for a period preceding three months.”

That is a rule which exists against all persons convicted of all offences. It does not relate to persons convicted of political offences. When the honourable questioner spoke on the subject I gave the assurance that during the short time that I had been in office, I have had several cases of Sikh

gentlemen convicted of political offences during the Akali agitation and in all those cases I had been able to set aside that disqualification and permitted them to contest seats in the elections. If there are any cases in which people convicted for political offences are desirous of contesting for elections to district boards or municipal committees, I shall be delighted to consider their cases very favourably. It is very difficult for me to act under this rule because this rule does not provide for political prisoners as such. That is a rule made for persons convicted of all offences. I hope that will remove any misgiving that my honourable friend may have on that score.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural]: Sir, I congratulate the Honourable the Finance Member on the quickness with which he has mastered the tricks of his trade. Everybody is aware that it is a disagreeable business which a Finance Member has to perform, that is, he has to present the budget in a shape that will dull the critical faculty of the House to which it is presented.

*(At this stage Malik Nisab Major Talib Mehdi Khan crossed between the Chair and the speaker).*

**Mr. President:** As some of the honourable members are new to the Council, I may state for their information that it is not proper to cross the line between the member who is speaking and the Chair.

**Rai Sahib Chaudhri Chhotu Ram:** I was about to say, Sir, before I was interrupted that it is the anxious care of the Finance Member to over-estimate expenditure and to under-estimate income and conceal a large amount of surplus if he can do so in any manner. The budget that has been presented to us reflects the operation of all these devices. I will just examine a few figures that occur in the budget and will try to show that the gloomy forecast that has been given by the Honourable the Finance Member is not really a correct forecast. He has suggested that during the current financial year we shall have to face a deficit of 23 lakhs, and that in the next year, that is, in 1927-28, we shall be faced with another deficit of 60 lakhs. Sir, I am not ready to believe this forecast. Apart from the general distrust and suspicion with which the pessimistic conclusion of Finance Members are viewed everywhere, I have cogent grounds to refuse to give credence to this forecast. I will just make a reference to the figures of the past few years which will give a clear indication that the forecast is incorrect. I will just read over the figures of revenue receipts from 1922-23 onwards:

Our actuals of receipts in 1922-23 were 9,75 lakhs, exclusive of 60 lakhs of a revenue loan.

The actuals for 1923-24 were 10,22 lakhs.

The actuals for 1924-25 were 10,86 lakhs.

The actuals for 1925-26 were 11,59 lakhs. These are the figures for the receipts.

Now take the figures for expenditure. In 1922-23, the actuals of expenditure were 10,61 lakhs. For 1923-24, the actuals were 9,79 lakhs. For 1924-25, the actuals were 9,71 lakhs and for 1925-26, the actuals were 10,26 lakhs.

Now, if we add up the figures of receipts for the four years we shall find that our total receipts have been 42,20 lakhs and our total expenditure

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has been 40.37 lakhs. If we just subtract the amount of expenditure from the amount of total receipts we are left with a comfortable balance of 1.33 lakhs during these four years. Another thing which the honourable members of the House must have noticed is that our income has shown a steady and substantial increase from year to year. In 1921-22 our income was only 8.64 lakhs. The next year it rose to 9.73. As I have already read out these figures I will not read them over again, but I contend that the figures for each year show that receipts for one particular year have always exceeded the receipts for the previous year, and from this it is apparent that unless there are very exceptional reasons or valid grounds that can be quoted for forecasting a deficit for the present year or a deficit for the next year 1927-28, we shall not be justified in believing the gloomy forecast that has been given by the Finance Member.

Besides the figures of income and expenditure to which I have drawn the attention of the House, I will also draw their attention to another very inveterate habit of the Finance Department. They invariably over-estimate expenditure and under-estimate income, and from the figures of 1925-26 and 1926-27 I will convince the House that it has been done during these two years also, and a similar practice must have been resorted to with reference to the figures of 1927-28. Now the figures for revised income for 1925-26 are 11.16 lakhs. The actuals for receipts were 11.39 lakhs. Now everybody is aware that the budgetted estimate of income must have been lower than the revised figure (11.16). But even taking the revised figure to be identical with the budgetted figure, it is apparent that the actuals of receipt for one single year exceeded the revised estimate by 23 lakhs. Now take the expenditure side. The revised figure for expenditure in 1925-26 was 10.40 lakhs. The actuals of expenditure for the same year were 10.26 lakhs. This means that even in the revised figure the expenditure was over-estimated by as much as 14 lakhs. That is, in a single year the miscalculation of the Finance Department was 37 lakhs to the detriment of the taxpayer. I will just quote one more instance of this miscalculation. In the budget speech of 1924-25 the Finance Member said that there was to be a recurring deficit of 125 lakhs for an indefinite number of years. I think the old members of the House will remember that that was the calculation made by Sir John Maynard, and on the basis of that calculation the province was saddled with a huge extra burden of taxation. His calculation was that there would be a recurring deficit of 125 lakhs. That was the forecast made in 1924-25. What was the actuality? The actuality was that there was not only no deficit in that year, but there was an actual surplus of 1.15 lakhs. That means a miscalculation of 2.40 lakhs for a single year. Of course, I must admit that this excess of 2.40 lakhs also included the proceeds from the fresh taxation that was imposed on the province, that is, the enhanced *abtana*, the motor vehicles tax and the enhanced duty on stamps. But even if you give credit to the proceeds from these sources of 70 lakhs, there was a clear miscalculation of 1.70 lakhs. With these two instances of miscalculation, should we easily believe the gloomy forecast that has been made for the coming year?

Now take the figures of the year 1926-27. The income was budgetted at 11.49 lakhs. The revised figure for receipts is 11.01 lakhs, that is, the Finance Department expects a deficit of 48 lakhs for the current financial

year on the receipt side, and it expects that there will be a more or less similar fall next year in our receipts. The data for arriving at this conclusion that have been mentioned in the memorandum by the Financial Secretary are a failure of cotton crop this year, a shrinkage of area under cotton crop owing to slump in cotton price and a possible failure of the *rabi*.

Mr. H. W. Emerson : No.

Rai Sahib Chaudhri Chhotu Ram : The reasons given in the memorandum for the drop this year are the failure of cotton crop, the remission of water rates and the shrinkage of area under cotton crop on account of a slump in prices of cotton. For the next year the Finance Department expects that the effect of lower cotton price might continue, the next *rabi* crop may possibly fail in some parts of the province and on account of lower prices for cotton the area under cotton may shrink again.

I beg to submit that there are no grounds to suppose that cotton prices will continue necessarily at the low level at which they stand at present. I hope the Finance Member knows that there has been a very substantial recovery in cotton prices within the last few weeks, and there is no reason to believe that this recovery will not be maintained. Further, let us hope and pray that the threatened failure of *rabi* crop in some parts of the province will not materialise, but even if it did what grounds are there to suppose that the effect of the partial failure of *rabi* crop in a small portion of the province will be so great that it will wipe out the added revenues from an extension of irrigation into the Nili Bar and from an increased area under cotton which may be the result of the present recovery in cotton prices?

Then, again, Sir, I would draw the attention of the House to one very serious factor which does not seem to have been clearly recognised by some members of the House. The expected drop in receipts of 1926-27 is 48 lakhs, but there is also an expected drop in expenditure of 49 lakhs, that is, our expenditure is expected to drop by a larger figure than our revenue receipts. Under such circumstances there is absolutely no reason why our receipts for 1927-28 should be placed at such a low figure as 11,01, while the expenditure has been pushed forward by a very large amount. The expenditure for 1927-28 has been calculated at 11,73 lakhs which means an advance of 49 lakhs over the revised figure of expenditure for 1926-27, while the advance that has been shown under receipts for 1927-28, as compared with the present year 1926-27, well there is no advance, there is a drop again as compared with the budget of 1926-27. Over the revised figure of 1926-27 there is an advance of only 12 lakhs. I beg to submit, Sir, that in framing the budget, as has been explained in the memorandum prepared by the Finance Secretary, the practice is to take for your figures for the coming year the basis of a normal year. The year 1926-27 has been abnormal in the way of estimating the receipts. If this year has been abnormal there was no reason why he should not have adopted the figures for 1925-26 as normal, and I will submit once more that if the year 1926-27 has been abnormal in the way of receipts—revenue receipts—it has also been a year of abnormal expenditure. The expenditure has been very great in 1926-27. Therefore we ought to have expected our receipts for 1927-28 to show a decided normal growth over the receipts of 1926-27 and also over the receipts of 1925-26. Another factor which does not seem to have been taken into account is the large amount of carry-overs. From

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year to year the budgets have shown that the departments are not able to spend all the money which is placed at their disposal. There are huge amounts which are carried over from one year to another year, and that would suggest that expenditure is very, very much over-estimated. If the departments have not been able to spend the money that was placed at their disposal in 1926-27 or in the year 1925-26, there is no reason why there should have been a budget proposal for an expenditure of 11.73 lakhs for the year 1927-28. I beg to submit, Sir, that taking all these factors into consideration and making a substantial allowance for the habit of the Finance Department of under-estimating income and over-estimating expenditure we may predict that there will be no deficit this year, but there will be a decided surplus of between 10 and 20 lakhs and even in the next year there will be no deficit. I am absolutely sure that our receipts will exceed the estimated receipts for 1927-28, and our expenditure will be much lower than the expenditure estimated in the budget for 1927-28.

Now, having dealt with the figures which relate to income and expenditure under ordinary revenue heads, there is just one more matter which calls for some attention. The figures of capital expenditure charged to revenue show an alarming growth. I may or may not have been able to understand the significance of these figures, probably the Finance Member will be able to throw some light on it, but the ordinary practice is not to charge capital expenditure to revenue, and unless there are very exceptional circumstances which will justify a departure from the ordinary practice this growth in capital expenditure charged to revenue should be regarded as a very serious thing. I will just quote the figures for the various years. Capital expenditure charged to revenue in 1923-24 and 1924-25 was only Rs. 2,000, that is, Rs. 1,000 for each year. Capital expenditure charged to revenue in 1925-26 rose to 92 lakhs; in 1926-27 it rose to a still higher figure of 1.54 lakhs. In 1927-28 capital expenditure charged to revenue stands at 1.64 lakhs. Of course there may be some legitimate grounds on which this capital expenditure has to be charged to revenue, but there is no explanation in the memorandum which would justify this huge amount of growth under this head.

Now, I come to the windfall that we are expecting. Most probably the windfall will materialise and then the question will be, what are we to do with this windfall? Many suggestions have been made and most of the suggestions have centred round the proposal of allocating a very large proportion of this windfall for the use of the beneficent departments. Everybody would be in sympathy with the object of spending this money for the benefit of the beneficent departments. But I will draw the attention of the House to one fact. If the honourable members scrutinise the various heads under the beneficent departments, they will find that the beneficent departments have not been able to spend the money that has been placed at their disposal, and I am sure that our ordinary revenue is sufficient to meet all the expenditure that can be incurred on well-considered and matured schemes which the beneficent departments have at present at their disposal. That being so, there is absolutely no reason why this money should be handed over to any department whether beneficent or non-beneficent to be frittered away on ill-conceived and ill-considered schemes. If the beneficent departments require fresh funds, there is no reason why the House should refuse fresh proposals of taxation, if necessary. But with our growing revenue and

with the prospects of large added resources from the extension of irrigation in the Nili Bar, there is no reason to suppose that our ordinary revenues will not be sufficient to meet the growing demands of the beneficent departments. Therefore I would suggest that the whole of the amount of this wind-fall should be ear-marked for remission of taxation. The remission should take a form which would go to the benefit of the poorest section of the Punjab population. I would suggest that the remission should take the form of the abolition of *chahi* rates in the very first instance. (Hear, hear). Most of the zamindar members are aware of the fact that Government charges *chahi* rates from land which is irrigated by wells, and the ground or the pretext on which these rates are levied is extra productiveness of land irrigated by wells. I beg to ask respectfully what justification Government has to charge any rates for extra productiveness which is not the result of any effort made by Government but of the efforts of the zamindar himself, of his own labour and of his own capital? (Hear, hear). Where does the State come in at all? Is there any justification for Government to levy any rates in respect of productiveness which is the result of the hard labour of the ryot and his family and his own capital? As a matter of fact, if the House will give its careful consideration to this proposal I think it will agree with me that *chahi* rates should be the first to go. (Hear, hear).

Then the next proposal that I will make in respect of remission is the introduction of the element of progression in the land revenue tax as was suggested by Dr. Alam in the first instance. The small holder is particularly hard hit. No matter what the amount of land may be and what the amount of income therefrom may be, he has to pay something to the State every six months. He may not be able to provide the barest necessities of life to his children, but he must pay something to the State. Such a system of taxation is iniquitous (Hear, hear) and every effort should be made to relieve the poor ryot of this burden to the extent that is rendered possible by any remission of the provincial contribution or any accession to our ordinary resources. If there is anything left over after having given remission of *chahi* rates, that should go to the poor ryot in the way of the introduction of the principle of graduation in the system of land revenue. My own expectations are that *chahi* rates will not exceed 50 lakhs in any case, probably they would be somewhere between 30 and 40 lakhs, and the rest of the money should be given for the benefit of the man who holds very small amount of land.

The question of rural sanitation has been dealt with by so many members that I want to say nothing on that subject. Colonel Forster has given a sort of assurance to the House that it will be the earnest effort of his department to devote as much money as is possible for the promotion of rural sanitation. But there is one point to which I will draw the serious attention of the Minister for Local Self-Government. Colonel Forster complained that there was no organisation, there was no agency in existence which would either advise or execute schemes of rural sanitation. That is perfectly true. I admit there is a lack of organisation or agency in rural areas which will give effect to any schemes of rural improvement. But, who is to bring into existence this organisation or agency? I hope Government will not expect the ordinary peasant to suggest schemes or bring into existence an organisation or agency which will prepare schemes for execution. It is for the Government to devise schemes and to bring some sort of organisation into existence, to create some agency which will prepare schemes of rural

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sanitation and then execute them. (Hear, hear). The only possible organisation that can be brought into existence in rural areas is the panchayat. The Panchayat Act was passed probably four or five years ago, but that Act has remained, I should say, more or less a dead letter. No attention has been paid to the provisions of the Act, and I must say regretfully that the blame, though generally laid at the door of the rural population, really rests on the officials. (Hear, hear). My apprehension is that the district officer—perhaps he is too busy—does not give attention to the organisation of panchayats in his district. As a matter of fact, most of the district officers are either indifferent or hostile. I know the case of a district where the people passed resolution after resolution that panchayats should be organised in their villages. The district officer was reluctant to make any recommendation in respect of those villages, and he took an inordinately long time to make some recommendation in respect of some of the villages. I think most of the members of the House will agree with me that the ordinary district officer, perhaps he has not sufficient time or patience to listen to the complaints of the villagers, but it is unfortunately true that anything which shows any sort of organisation in rural areas is disfavoured by most of the officers, and it will be a hard task for the Minister in charge of Local Self-Government to bring these panchayats into existence in sufficiently large numbers. I am glad he is appointing five officers who will be in special charge of this. . . .

The Honourable Malik Firoz Khan Noon : They have not yet been appointed, but may be appointed.

Rai Sahib Chaudhri Chhotu Ram : There is a proposal to appoint five officers, and I am absolutely sure that this House will have no objection to grant the money that is asked for these officers. (Hear, hear).

Mr. President : Order, order. May I request the honourable member to curtail his remarks and bring his speech to a close as many other members wish to take part in the debate ?

Rai Sahib Chaudhri Chhotu Ram : I will not take more than five minutes, Sir. Another thing to which I should like to draw the attention of this House is the question of a money-lenders' bill. There has been considerable delay in bringing forward a new measure on the lines of the old Money-lenders' Bill. I hope Government will do its utmost to complete the draft and to produce a suitable bill before this House in a shape which will be acceptable to those for whose benefit this legislation is intended.

There is another very important subject, that of the distribution of grants of land. Various proposals have been made and one of the proposals was to give a good slice out of these lands to undergraduates and graduates who are out of employment. Just as one of my friends said that he would not grudge the giving of land to sepoys or to those who worked for the cause of recruiting, I would not grudge the giving of land to undergraduates or graduates who are out of employment. (Hear, hear). But I would give the first preference to those whose business it is really to cultivate. Unless these undergraduates and graduates are drawn from the right class they will be an entire misfit in agriculture. The real remedy for the removal of unemployment is industrial expansion. Let extensive industrial development take place, and I hope large numbers of these undergraduates and graduates who are not agriculturists will be absorbed by new concerns which will come into existence.

There is just one point to which I should like to make a reference. A worthy friend of mine, for whom I have a good deal of respect and who represents the North-West of the Urban Punjab, made a reference to the rule or tyranny of the majority. It was a bitter reference. He pictured to himself a very bad sort of tyranny on the part of the majority. I am afraid the picture did not represent true facts. I have not seen a rule of the majority in any part of the country or in any part of the province. Nor am I conscious of any tyranny of the majority. I should remind that friend that after all if it comes to tyranny, the tyranny of the majority will probably be less deplorable than the tyranny of the minority. The same friend made another reference to the multiplication of Intermediate colleges. He seems to be against the multiplication of Intermediate colleges. Now, the object of these Intermediate colleges is to provide equal opportunities for the inhabitants of the urban and the rural areas for education. If that object is to be fulfilled the number of Intermediate colleges will have to be multiplied. Of course I have absolutely no objection to the character of the instruction that is given in the colleges being altered. If the instruction is made more practical and more useful everybody would welcome it.

Lastly, I would draw the attention of the Honourable the Revenue Member to the necessity of paying some serious attention to the extension of irrigation in the south-eastern Punjab. In 1919 Sir Michael O'Dwyer said to the people that the deserts of Rohtak and Hissar districts would be turned into a happy valley. Those deserts still continue as deserts. Eight or nine years have passed and nothing serious seems to have been done. I hope the Honourable the Revenue Member will pay careful attention to this subject and will expedite the Bakhra Dam Scheme.

Mr. H. W. Emerson (Finance Secretary): Sir, I rise to explain one or two points that have been raised by my honourable friend the last speaker. The implication was that the Finance Department had under-estimated the receipts and had over-estimated the expenditure with the object of showing a large deficit and thereby strengthening their case against the remission of taxation. Now, if there had been any temptation for the Finance Department to juggle with the figures, that temptation would all have been on the other side. We should have over-estimated our receipts and we should have under-estimated our expenditure in order to avoid a budget which showed a large deficit. I certainly am not foolish enough to claim that these estimates will be any more accurate than the estimates that have been prepared in the past and I am not going to claim for them that the receipts will not prove an under-estimate or that the expenditure will not prove to be less than we have put the figures at; but we have done our best to make honest and correct estimates (Hear, hear) and so far as we can judge they are the best estimates on the material available. The speaker appeared to be surprised that our receipts for 1926-27 were not put as high as the receipts for 1925-26. He surely cannot be ignorant of the fact that Government has actually remitted something between 30 and 35 lakhs on account of the failure of the cotton crop. He must also be aware that during the June session there were remissions of taxation which for this year are estimated to involve a loss in revenue of nine lakhs, which in a full year will amount to 17 lakhs. Those two items alone account for about 44 lakhs less receipts. In addition in 1925-26, our receipts from Stamps were entirely abnormal and unduly swollen owing to the fact that a new Act had come into operation which reduced the period of limitation for debt suits. The immediate result of that Act was a panic among creditors. An

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extraordinary large number of suits were filed and the result was that the stamp revenue rose to a level far above anything which had ever been reached before or is likely to be reached again for very many years. These are the main causes for estimating our receipts during 1926-27 at well below the original estimates. So far as expenditure is concerned, the tendency of every department is to ask for more money than it can possibly spend and the tendency of the Finance Department is continually and consistently to cut down their demands. The estimates of expenditure which have been finally adopted in the budget are not the estimates of the departments. If we had adopted their figures we should have placed our estimates very much higher than we have placed them. I still suspect that possibly we have not cut them down as much as we ought to have done and if the final figures are wrong it will be, I think, because the departments have not spent even as much as we allowed them after the drastic cuts which we made under some heads. With regard to 1927-28, also the receipts are estimated at below the receipts of 1925-26. The main causes are, firstly, the reduction in taxation amounting to 17 lakhs, secondly, that we have had to take into consideration a most important economic fact, namely, the slump in the price of cotton. The honourable member asked what reason had we to suppose that the area under cotton would decline. We all hope that it will not decline. Nobody will be more pleased than myself if the area remains the same. But our figures show that when the price of cotton rose, the area under it doubled within a few years, and that when the price dropped slightly the area declined by ten per cent. The area this year is ten per cent. less than the area in 1925-26. Surely it is only prudent that in the estimates of receipts allowance should be made for a further fall in the area. We have allowed 25 per cent. not on this year's area, but on the area of 1925-26, which was the peak of the cotton prosperity. My only fear is that we have not allowed enough.

The third cause for the apparently low receipts in 1927-28 as compared with 1926-27 is that we have had to make large deduct entries, for, expenditure shown as a deduct entry on the receipt side, firstly, on account of working expenses on canals, and, secondly, because we have to pay other administrations large sums on account of compensation under the head Excise. Warned by the experience of the past we have made larger cuts on the expenditure side than we have previously made. Last year, for instance, under major head 41—Civil Works, a cut of 12 lakhs was made. This year, we have increased that cut to 16 lakhs. Similarly, under other heads we have increased the deductions that have been made in the past. Experience only will show whether our cuts have been sufficient. We have also to take into account the fact that various departments have now got their programme started. The Public Works Department has now got the establishment which is necessary to carry out the various works for which provision is made and in the normal course we may expect that they will be able to carry out a greater portion of their programme in future than they have been able to do in the past.

There is just one other point to which I should like to refer. The honourable member referred to the large increase in the capital expenditure that is being met out of revenue. If it were a fact that we were meeting this enormous sum out of the ordinary revenue of the province, it would be a matter of very great concern and a matter to which every member of the

Council could reasonably object. I think the reason why the honourable member has come to an incorrect conclusion on this point is because of the fact that although our extraordinary receipts are admittedly of a capital nature they are still credited to the revenue section of the account, and therefore count as revenue. When therefore we finance capital works out of extraordinary receipts we have got to show those works as financed out of revenue. The whole sum of 1,64 lakhs which is shown as being financed out of revenue is in fact being financed out of extraordinary receipts. It is true that we propose in 1927-28 to utilise 19 lakhs of ordinary revenue on capital expenditure with the obligation to repay it when the revenue account wants that money. The alternative would be to hoard the 19 lakhs and to borrow 19 lakhs more from the Government of India. I do not think any honourable member would like us to pay interest on money borrowed from the Government of India when we had money of our own in the till. There is an obligation to repay the amount to the revenue account as soon as revenue expenditure requires it. That, Sir, is all that I have to say on the particular point raised by the honourable member.

**Sardar Ujjal Singh (Sikh, Urban):** Sir, I most heartily associate myself with the chorus of high tribute paid to the Honourable the Finance Member on the budget that he has presented to us with such a clear and a lucid statement. In spite of the money-lenders bill—and I mean no disrespect when I say that—we have still got a *bania*. The Finance Secretary is also entitled to the congratulations of this House for the preparation of the budget and for his very admirable memorandum that has made us possible to peep into the mysteries of budget figures. I shall deal rapidly with the budget figures in the categorical manner in which it has been presented by the Finance Member.

To begin with, the anticipated surplus of 10 lakhs in 1925-26 has gone up to 1,13 lakhs. This may be explained in the unusual feature of the receipts under stamp duty, but this unusual feature is not confined to the year 1925-26 only. In 1923-24, the excess of actuals from the budget figure on the receipt side was 18 lakhs, while the decrease of expenditure from the actuals in the same year was 87 lakhs. In 1924-25, the increase on the receipt side was 57 lakhs and the decrease in expenditure was to the extent of 97 lakhs. In 1925-26, the increase in receipt side was 36 lakhs and the decrease was 77 lakhs in expenditure. In spite of the explanation of the Finance Secretary I still hold the opinion that the policy of under-estimating revenue and over-budgetting the expenditure has been consistently followed. I believe the Honourable the Finance Member would realise that these defects in budget inflict an injury on the tax-payer, for he cannot get relief at a time when he is fully entitled to it.

Coming to the year 1926-27, a deficit of 23 lakhs was anticipated, but if the past is any guide to the future, we will find this deficit converted into a fairly good surplus. In 1927-28, the income has been shown as 11,13 lakhs, as compared with the revised of 1926-27 of 11,49 lakhs and with the actuals of 1925-26 of 11,13 lakhs and the actuals of 1924-25 of 10,85 lakhs. With regard to expenditure for 1927-28, a sum of 11,73 lakhs has been shown in the budget, as compared with 11,24 lakhs in 1926-27 revised and 10,95 lakhs with the actuals of 1925-26, and 9,70 lakhs with the actuals of 1924-25. It is evident that while income has remained stationary the expenditure has increased to the extent of two crores since 1924-25. Under excise the expenditure has increased considerably. If we look

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at the figure of 1923-24, the expenditure was Rs. 3,98,000 and in 1924-25, it was Rs. 4,56,000. In 1927-28, the budget figure is Rs. 15,05,000, and if we deduct from that Rs. 9,36,000, the cost of opium, the net expenditure amounts to Rs. 5,69,000. The percentage which the expenditure bears to income under this head amounts to 15.7 in 1925-26, 12.5 in 1926-27 and 13.7 in 1927-28. In 1923-24 and in 1924-25, this percentage does not amount to more than 4.

Under forests, though the ratio that expenditure bears to income is maintained at 7:10 yet expenditure in actuals of 1925-26 is Rs. 1,35,000 less than the expenditure budgetted for 1927-28, while the income has only increased to the extent of Rs. 40,000.

Then, I want to draw the attention of the Honourable the Revenue Member to the development of forest industries. Very valuable areas in canal colonies are being afforested and this afforestation of valuable areas can only be justified if special attention is paid to the development and establishment of forest industries, such as resin, turpentine, match-making and paper pulp, etc. If the object is only to produce fuel wood, then I think a very vast area of inferior land lying waste in the Lower Bari Doab colony and other colonies could well be utilised for forests. I submit that *kikar* and *shisham* can be planted with equal success on these areas and Government and the State can very well benefit by it. With regard to expenditure on civil works, there is an increase of seven lakhs from the revised figure of 1926-27. We do not grudge this figure as we want the canals to be run in a proper order. But here, too, I want to draw the attention of the Honourable the Revenue Member to the great difficulties and troubles to which the people at the tail of canals and distributaries and the minors are being subjected to. Especially in the Lower Bari Doab, some of the minors are so badly designed that it is impossible to ensure an adequate supply of water. I believe the Chief Engineer would look to the grievances of the people at the tail.

Then, there is the long closure of canals. Everybody knows that the Lower Bari Doab Canal was closed at the time of the year when people were very badly in need of water. The canals should be closed only at the time when crops suffer the least for lack of water supply. The closure should not be for more than three weeks at the most.

The sum allotted for the purchase of tools for 1926-27 shows a very high figure, as much as Rs. 6,90,000. This sum is shown for the purchase of excavators and mole drainers. I should like to know the extent to which excavators have proved useful on the Sutlej Valley Canal. There is great unemployment in the country and our development works ought to be able to employ the starving labour. I submit that unnecessary expenses should not be incurred on costly machinery without full consideration of this view.

Now, I come to the subject of police. The expenditure under this head is ever on the ascendant. The Khilafat movement, the non-co-operation, the Babbar Akali, and the Akali movements have all come and gone, but the police force once increased is not likely to be disbanded. I quite realise the value and the importance of police in the preservation of law and order. But I would certainly submit that the quality of the police force requires improvement (Hear, hear).

I am glad to notice the liberal amount allotted to the beneficent departments. Education (transferred) gets 1.49 lakhs. Although the department is expanding very rapidly under the able guidance of Sir George Anderson, I would say that it is high time for the department to take stock of its policy. The report of the Director of Public Instruction for 1925-26 reveals interesting figures. The number of pupils in the first class was 409,844. In the fourth class, it was reduced to 78,720, and 8,36,000 lapsed into illiteracy. It is high time that the Government should set itself in right earnest in the task of introducing compulsory primary education. We cannot drive out squalor and poverty from the country if the masses remain steeped in ignorance and darkness.

In the arts colleges, the policy of manufacturing *babu* classes ought to be stopped. Of course the *babus* are the product of the present system of education. Our masses are too poor to allow their children to be brought up in an atmosphere of training which leads them to hate manual labour and manual work and to hunt for jobs which they cannot get. We are creating unemployment and having created it we stand in need of an unemployment committee. I submit that this policy of starting arts colleges should be stopped and instead of arts colleges we should have technical, industrial and agricultural schools. We should teach our children the dignity of labour (Hear, hear.)

Next I come to medical relief. My time is very short and I should pass on making just a few remarks. I want to lay particular emphasis on medical schools for women. The Honourable the Minister has been kind enough to assure us that this problem will receive his attention and I need not dilate at length upon it. We have already contributed about 4 lakhs to the medical school in Ludhiana and with about six or seven lakhs we can have a Government medical school for women in our province.

Our financial experts while framing the budget anticipated a deficit of 60 lakhs and have provided no relief to the poor tax-payer. The God-sent help has come not too soon from the Government of India in the shape of remission of provincial contribution which I hope will ultimately mature in spite of the ratio controversy. Now that we have money we ought to distribute our surplus in the best possible manner so as to give the greatest good to the greatest number (Hear, hear).

Hoarding is a bad habit and it leads to money-lending and we know in this province that money-lending leads to a money-lenders' bill. The money ought to be returned to the tax-payer or spent on the nation-building departments, that is for making people healthier, more efficient and happier.

With regard to the remission of taxation I submit that *abiana* should take precedence over other remissions. Sir, the *abiana* policy is not sound. Government sells land by open auction and the purchaser pays a price calculated on profits that might accrue to him on the existing rate of *abiana*. His profits are based on that calculation and now, Sir, when the lands are sold at a very high price Government comes forward and increases the rate of *abiana*. That amounts to a breach of faith and I submit that *abiana* should represent nothing more than a reasonable rate of interest on the capital expenditure of our irrigation system.

Next to that, Sir, I think that court-fees ought to be decreased. Our justice should be cheap and if our lawyer friends try to cope with it we can make it fairly cheap.

**Mr. President :** Will the honourable member now close his speech ?

**Sardar Ujjal Singh :** May I have two minutes more ?

**Mr. President :** Yes.

**Sardar Ujjal Singh :** The first thing on which this remission ought to be spent is compulsory primary education and certainly money spent on any other department at the expense of compulsory primary education would amount to putting the cart before the horse.

The next and last point I would pass on to is a problem and it is a problem which concerns me and the Sikh community deeply, that is the release of Gurdwara prisoners. Sir, I draw the attention of Government to this point not with a view to harass it or with the object of lowering its prestige but with the sincerest desire of restoring the friendly relations of the Sikhs with Government. If there is any question on which the community feels and speaks with one voice from peasant to prince, it is the question of the release of Gurdwara prisoners. Sir, how can you expect the Sikh community to work the Gurdwara Act in the true spirit when the President of the Gurdwara Committee, Sardar Kharak Singh, and others continue rotting in jail ? Government might well say that it is open to them to declare that they are prepared to work the Gurdwara Act and get their release, but I say that when there is a conscientious objection, why should Government coerce them and humiliate them to subjection ? Sir, I learnt in my school days that example was better than precept and I think it still holds good. But the action of Government demanding verbal declarations puts me in doubt about the truth of that maxim. Is not the whole Sikh community working the Gurdwara Act and are not the leaders who have come out of jail without verbal declaration working the Act with a vengeance ? Does their release not justify the release of others ? I submit that the hand of fellowship that was extended by Sir Malcolm Hailey should not be withdrawn when the community is in a mood to grasp it. No false notions of prestige should stand in the way of Government releasing the Gurdwara prisoners and I say honestly and I sincerely believe that by this single stroke of statesmanship Sir Malcolm Hailey can earn the good will and the lasting gratitude of the whole Sikh community. With these few words I close my remarks.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** I have got up just to say a few words. First of all I want to congratulate the Council on the high level of debate maintained in the general discussion of the budget. We have listened to very many points of view on important questions underlying the general policy of Government and yet those views have been expressed in such dignified speeches as to make one realise how rapidly this Council is learning the parliamentary way of discussing the affairs of a nation.

Secondly, I have got up to assure the honourable members dealing with my departments, that I am not oblivious of their wishes in connection with those departments. Sometimes, Sir, the non-official members are inclined to think that when they have said a great deal about various subjects and Government members have kept silent, that this Government takes no notice of them, that it shows scant courtesy on their part towards the various points raised by the non-official members. That is the reason why it is necessary for Government members at times to get up and assure the House that the points raised have been carefully noticed and that such of them as

deserve further scrutiny will receive the careful consideration of the Members concerned. In this connection so far as the Revenue Department is concerned, I have been really delighted to see that a certain action taken by the executive Government, an important action, Sir, has met with the approval of this Council though it was taken without consulting them. It was an important action, I say, because it involved dealing with no less than 30 or 40 lakhs of public money which would have accrued to the Punjab finances if *abiana* and revenue on the last cotton crop were charged as they ordinarily would have been charged. Government took upon itself to remit a large amount and I was not quite sure whether that action of Government would be appreciated by the Council or adversely criticised by it.

Another point that afforded me some satisfaction was that the members of this House are addressing themselves seriously to the difficult question of taxation. They are already realising that all is not well with things as they are and their minds are trying to work out systems of taxation which would be fair to all and certainly fair to the poorest of the Punjab. I have noticed that there is a desire to remit *chahi* rates, that there is a desire to graduate land revenue. I believe the *barani* proprietors are even more deserving of help than the *chahi* proprietors. Some doubts were entertained by an honourable member that perhaps the land revenue bill has been locked up by me in my confidential chest and will not be brought back to the Council. That is not so and as a matter of fact I hope to be able to introduce the bill on the 19th of this month. Whether it will make much progress or not depends upon the view that the members of the House take. The Taxation Enquiry Committee's report needs careful consideration, and whether such consideration has been given or not will partly indicate whether the bill will be able to make rapid or slow progress, but it is bound to be brought before the House as was last promised.

It is too late for me to introduce other points about *batai* or forest making in the colony, or colonization of Nili Bar, but I assure the House that the colonization of Nili Bar is proceeding on the principles more or less that have been from time to time enunciated by the honourable members during the course of the last two days. I cannot naturally say that everyone's wish is likely to be met but this much is correct that keeping in mind the best interests of the colonisation of Nili Bar the claims of the water-logged, the washed-away, the indigent and the congested area men will be duly considered, and there is no reason why the claims of the graduate or the under-graduate, as long as he puts aside the title of being a graduate or an under-graduate should not be considered along with his fellow human beings who are either water-logged or water-washed or otherwise unemployed. The last speaker, complaining of the Irrigation Department, said that the man at the tail always suffers and gets short supplies. That, Sir, is my feeling this afternoon.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : Sir, I greatly appreciate the numerous valuable suggestions and criticisms which have been made by a number of honourable members during the last two days in regard to the budget. I appreciate them all the more because they have been so temperately stated and because they have indicated what a very close study many honourable members have made of the memorandum on the budget that was placed before them.

As regards the principles of the budget, perhaps the two most serious criticisms made about the budget are as follows. The honourable member for Rohtak said that the budget, had been put together with all

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the tricks known to Finance Members in such a way as not to attract criticism, that it contained concealed surpluses, under-estimated income and over-estimated expenditure. On the other hand, a number of gentlemen day before yesterday and to-day, but more particularly day before yesterday, laid stress on the fact that expenditure shows an excess over income and that excess over income is at a rate which is somewhat alarming. One honourable member, who represents a commercial body, also coupled that criticism with some observations about the exiguous nature of our reserve. Now, Sir, I find myself in a quandary which of these two classes of criticisms on the general principles of the budget I should set myself to meet in the very brief time at my disposal. I have decided to meet the second one for this reason. The first has been met to a large extent already by the figures which have been given by the Financial Secretary and I feel no qualms of conscience about it. The second one, however, I feel bound to meet because as indicated in my speech presenting the budget to this House I myself felt some sense of disquietude about the rate at which expenditure showed an excess over income in 1926-27 and 1927-28. I brought out this point very clearly in my speech. I did not attempt to conceal it in any way. I pointed out that without further remissions of provincial contribution the province will not be able to increase the regular expenditure at as rapid a rate as 83 lakhs of rupees in two years in excess of the ordinary revenue income. The large figure of 83 lakhs no doubt impressed those honourable members, who commented on this portion of the budget speech, unfavourably. But I said that while the situation required watching I did not think that it need alarm us, and I had good reason for making this statement: and that is still my opinion. If you come to analyse the figure of 83 lakhs expenditure, please remember that 25 lakhs of this will be in the revenue insurance fund. That is, even though it is shown in our ordinary revenue expenditure it is still with us in another account of an insurance nature and is preserved and not actually spent. In the remaining figure of 58 lakhs there is some abnormality. For, had not the cotton failure of 1926 depleted the revenue to the extent of 31 or more lakhs of rupees this figure would not nearly have been so large. This was a distinctly abnormal feature, and, if we allow for this the real amount of excess of normal figures of expenditure over income in the two years is about 27 lakhs of rupees.

Now, Sir, we have got to keep in view the balances of ordinary revenue account of 1925-26 and 1926-27. We have got to keep in view also the receipts from the Sutlej Valley Project and from other extensions of the canal which are in sight. Bearing these balances in mind and bearing the future increase of revenues in mind, it seems to me that if we had acted rightly we should not check down development in expenditure and that we should have taken the very course that has been taken, that is, the course of continuing development at a prudent rate even though it may show for the moment a rather rapid increase of expenditure over income. I can assure the honourable members however that a very careful watch will be kept on the situation and the Finance Department will be alert to prevent the growth of spending activity outrunning the rate at which our resources may normally expand.

One honourable member with true business acumen—and this is the kind of criticism which a Finance Member specially values—drew special attention to the question of our reserves, having regard to the expansion of expenditure to which I have just alluded and the exiguous balance at the end of the year 1927-28 as estimated in the budget. His observations tended to

sound the warning that if any great disaster happened unexpectedly to our revenue we might find ourselves in rather serious difficulties. But, Sir, I think we are really on fairly safe grounds. We shall have 25 lakhs of rupees in the revenue insurance fund to meet any unprecedented disaster of this character. Also, fortunately for us, a large amount of our revenue is received in the early parts of the year, whereas a larger portion of our expenditure falls in the second half of the year. Should the receipts of revenue which are very carefully watched by the Finance Department show so marked a decrease as to amount to a danger signal, it would still be within our power to revise our whole financial outlook and to shut down expenditure and adjust ourselves to changed conditions. Ahead of us, as I have already remarked, we have in sight fresh revenue coming in from the anticipated extensions of the canals. I do not think that on either of the grounds I have stated, though the situation requires watching, there is any real ground for alarm.

Perhaps, Sir, the subject of the greatest interest, next to these two main principles in the budget which have been discussed, is the remission of the provincial contribution. Before I discuss the probabilities, let me say that I feel sure that the Council will welcome the very clear expression of the policy of the Government of India made in Sir Basil Blackett's speech by putting the remissions of provincial contributions in the forefront of the Government of India's financial policy. Though the subject of remission has often been mentioned before, I think in no speech of any finance member in recent years have I seen this principle so clearly stated as being the normal purpose to which a surplus should first be applied. I think Sir Basil Blackett deserves great credit for the courage and skill with which he has reached a position when he actually proposed at one sweep to remit out of the surplus of the present year and of the next years over six crores of provincial contribution. (Hear, hear.) But, Sir, these things are not always so simple or easy as they seem. While some members have realised the provisional nature of this situation at the present moment other honourable members seem to have thought that these remissions are practically in our pockets. I should like, therefore, to dwell just for one moment on what Sir Basil Blackett has actually promised he will do and in what circumstances it will not be possible for him to carry out those promises. Out of the actual surplus in the present year of about 8.10 crores of rupees Sir Basil Blackett proposes to give a non-recurring remission to the Punjab of 26 lakhs of rupees. He makes it very clear that this is a non-recurring remission. I should like to read his words :

"I desire to emphasize clearly the fact that the non-recurrent remission of the provincial contributions must be regarded as definitely temporary, so that if a recurring surplus is not available a year hence sufficient to enable us to make this remission permanent it will be necessary either to restore the temporarily remitted contributions in whole or in part or else propose fresh taxation."

Sir, the second proposal is that out of the anticipated surplus of next year the Government of India will remit permanently  $8\frac{1}{2}$  crores of provincial contributions of India and Burma and as far as the Punjab is concerned a sum of 60 lakhs of rupees. Now, Sir, this sum unfortunately is subject to a further big "IF". If we turn to an earlier part of Sir Basil Blackett's speech it will be found that while he dwells on the anticipated surplus for 1927-28 he also informs the House that if there is a reduction to the rate 1s. 4d. in the

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exchange as a result of the debate on the Currency Bill, there will be a worsening of his position by 5.26 crores and instead of having a surplus he will have a deficit of 1.56 crores. I do not wish to say anything about the ratio controversy although the machine-guns of that debate now probably are still sounding in the Legislative Assembly Chamber at Delhi at the present moment. Sir Basil Blackett ends his observations by saying "when the controversy has been decided it will be time enough to consider in detail the reactions of the decision on our budget". Sir, I have merely quoted these words to show that we cannot count our chickens before they are hatched. Should we get these remissions, we shall have to very carefully consider what we will do with them. A non-recurring remission, though it is always welcome, is very difficult indeed to deal with. As regards recurring remission of 60 lakhs, if we get it, there is one point I should like to make clear beyond all doubt and to emphasize with all the emphasis in my power. It is going to be an extremely important remission. It is going to be important for this reason that if it comes it will be the last really big recurring windfall that this province will ever get from the Government of India as far as we can foresee. If we receive it, it does not affect our budget this year or next year only, but it will affect our budget over a series of years. If we commit some imprudence in allocating it, those imprudences will not only cloud the situation temporarily but will cloud it for a longer period. Therefore it will be necessary for this Government, if this remission is coming, to sit down and think out very carefully how it should be used and allocated. Honourable Members and Ministers in the Government will have to think out possibilities for the next five or six years and all possible claims which may eventuate and have to be met. This is no easy task. Sixty lakhs sounds a very large sum and made the mouth of the honourable member from Amritsar water. Nevertheless it is not a large sum if you think over the fact that in four years the beneficent departments have had 1.92 lakhs of new money and that new demands are constantly being made and have been made here in the last couple of days' debate on the budget for extensive schemes of fresh development in every direction. I am very glad to see that honourable members have made concrete suggestions as to how to allocate this windfall if we receive it. This is courageous on their part, for it is far easier to criticise any proposals Government may put before them than to make concrete and original proposals as to how this remission should be used. Any views expressed by honourable members of this House will always in any case be very carefully considered and examined by Government. But I think a special reason for examining them carefully on this occasion is that the honourable members have courageously tried to frame concrete proposals as to the manner in which these hoped for accretions to revenue can and should be used.

Generally speaking, everybody wants two things. They want remission of taxation and development. Only one member has said that he does not want development and he thinks that can be provided out of ordinary revenue; he only wants remission of taxation. Other honourable members however have not been able to solve the problem as to how much should go to remission of taxation and how much should go to development. They are, I presume, in the position of a *shikarry* who flashes a partridge and the hare at the same time. If he lets his dog go at the hare he misses the chance of getting the partridge. He desires to secure them both, but if he steps forward too eagerly in one direction after one quarry he is likely to lose the other for ever. Unfortunately there

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are great difficulties in the problem and I think they are generally recognised by honourable members of this House. As regards the suggestions for spending the money made in the debates of to-day and Saturday last we have, I think, as far as I have been able to note down, had suggestions regarding 86 different ways of spending the money. I do not think I need enumerate them all: but among some of them are the following: making small holdings economical, removing the agricultural debt of a district, village sanitation, expansion of female education, physical culture, vocational and manual instruction, compulsory education, old age pensions, poor houses, industries, both small and great, separation of executive and judicial functions, roads, completion of jail reform, indigenous medicine, water-logging, relief in riverain areas, special relief to Dera Ghazi Khan people and many others.

**Raizada Hans Raj:** Introducing *charkhā*? (Laughter).

**The Honourable Sir Geoffrey deMontmorency:** Yes, thank you for reminding me. It is obvious that all these objectives will make a large hole even in 80 lakhs of recurring revenue. The concrete suggestions as regards remission of taxation are also numerous and include reductions of *abiana* generally and the reduction of *abiana* on cotton, introduction of the principle of progression and graduation in land revenue so as to give relief to small holdings and poor people, reduction of stamp duty, reduction of court-fees, abolition of motor-tax, abolition of *chāhi* rates. Government generally sympathises with the desire that if at any time it is possible to remit taxation that remission should benefit the poor rather than the rich. It should benefit the distant and the backward portions of the province rather than the more favourably situated centres. I do not wish to discuss any of these proposals in detail. They will be carefully considered if the remissions materialise. I only wish to observe that some of the proposals offer rather greater difficulties than may appear on the surface. Take for example the *abiana*. Honourable members may think that to reduce *abiana* generally is quite an easy thing and will not lead to much loss but their minds go back probably to the time when my predecessor made an estimate of what the enhancement of *abiana* would bring in; but I would ask honourable members to remember that since then the area of irrigation has kept on stretching and expanding and that reduction to the old rates would be a return to the old rates over a much larger area and would involve a much larger recurring loss of revenue than the increase the enhancement originally involved. The same proposal sounds very plausible as regards cotton. The prices of cotton have temporarily come down and the proposal in consequence is that the *abiana* on it should be reduced; but here too the areas have greatly gone up. The number of harvests during which the price has been low is small whereas there has been a long period of prosperity in the past as far as prices are concerned. The matter would require careful enquiry. Honourable members may not realise the effect. To restore the old cotton rates on irrigated land, as far as I have been able roughly to work out, would involve a loss of 45 lakhs of rupees on the present cotton area. The honourable members who discussed the question of progressive or graduated land revenue on Saturday last all admitted that this would take a considerable time to work out. It was described and rightly described as a reversal of the whole of our land revenue system. One honourable member to-day cast some doubt on that system; but it is nevertheless true that our present assessments are by assessment circles and estates and not upon individuals or upon holdings, although it is true that after assessment the demand is distributed over holdings. I shall not at present discuss

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how far our land revenue system has in it some share of the idea of graduation and progression, but I only wish to assure honourable members that while this suggestion of theirs will be considered if the occasion arises, it is not a suggestion capable of easy solution and it is a proposal that would require a lengthy and extensive investigation throughout the province as a whole. As regards motor taxation, we do not find the honourable members so uniform in supporting the proposal that motor taxation should be reduced. It is provincial taxation. In the Government of India budget, I have no doubt honourable members have observed, that Sir Basil Blackett proposes that the import duty on motor cars should be reduced by 10 per cent. and import duty on tyres by 15 per cent. He went on to add, after putting forward these suggestions, the following words "neither the Government of India nor I think this House (that is, the Legislative Assembly) would feel perturbed if the provincial Governments seize the opportunity of this reduction of the import duty to impose provincial taxation on the users of motor cars for the improvement and development of their systems of road communications." We have this taxation already; other provinces have not. We also have a large scheme of road improvements which costs us a great deal of money and in regard to the maintenance of which some members expressed apprehensions to-day. There is a good deal, therefore, to be said and considered on both sides before we blindly rush into any proposals to abolish our taxation on motors. I do not propose, having kept the honourable members over the time allotted for this debate to go into any further into details. I think I have dealt with three most important and interesting matters relating to general principles in the budget. I can only assure them that if provincial contributions are remitted and particularly if they are remitted in a recurring form, a very careful consideration will be made of the valuable suggestions of different kinds which they have put forward during the debates on the budget. (Applause.)

The Council then adjourned till 2 p.m. on Tuesday, the 6th March, 1927.

## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, the 8th March, 1927.*

THE Council met at the Council Chamber at two of the clock. Mr. President in the chair.

### STARRED QUESTIONS AND ANSWERS.

#### DRAINS IN TAHSIL DASUHA.

\*21. Chaudhri Ram Singh :— (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that drains are being constructed in tahsil Dasuha, District Hoshiarpur, for draining off water from the abovementioned tahsil ?

(b) Is it also a fact that these drains are draining off a number of streams used either for purposes of irrigation or for working water-mills ?

(c) If the answer to the above be in the affirmative, will Government be pleased to state whether they are prepared to issue instructions to the Drainage Board so to construct the drains that they do not affect the streams mentioned in (b) ?

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

(b) The work of the Rural Sanitary Board is now confined to improving natural drainage lines that form the boundaries between areas irrigated from the inundation canals, and these operations do not interfere with, but rather assist irrigation from those channels.

So far there has been no interference with the working of flour mills, but in some instances it may be necessary to remove these. Where such instances occur each individual case will be carefully considered.

(c) Does not arise.

(Shaikh Faiz Muhammad in whose name Question No. 22 stood did not rise to put the question.)

Mr. President : If a member when called upon to ask a question does not rise in his place, a Government Member may rise and, if allowed by the chair, make such statement upon the question as the public interest demands.

(Shaikh Faiz Muhammad then put the question.)

#### THE RASUL ENGINEERING SCHOOL.

\*22. Shaikh Faiz Muhammad : Will the Honourable Minister for Agriculture be pleased to lay on the table a statement giving the following information regarding the Engineering Institution at Rasul :—

(a) the number of students admitted to the school during each of the last six years ;

[Shaikh Faiz Muhammad.]

- (b) the number of Hindus, Sikhs and Musalmans among them ;  
 (c) the number of candidates of each community who came out successful in the school during the same period ; and  
 (d) the number of successful candidates of each community recommended by the school authorities for guaranteed posts ?

The Honourable Mr. Manohar Lal. On behalf of the Honourable Minister for Agriculture : The information has been laid on the table in the form of a statement.

*Statement showing the number of Punjab students at the Government School of Engineering, Rasul.*

Year.	NUMBER OF STUDENTS ADMITTED.				NUMBER OF SUCCESSFUL STUDENTS.				NUMBER OF SUCCESSFUL STUDENTS RECOMMENDED FOR GUARANTEED POSTS.				REMARKS.
	Hindu.	Sikh.	Muhammadian.	Total.	Hindu.	Sikh.	Muhammadian.	Total.	Hindu.	Sikh.	Muhammadian.	Total.	
1922	...	...	...	...	17	13	17	47	2	2	3	7	No admissions were made in 1922 owing to the change in the date of the session.
1923	25	9	21	55	22	8	12	42	5	4	6	15	
1924	23	13	20	56	...	...	...	...	...	...	...	...	
1925	26	10	20	56	25	9	21	55	8	5	8	21	No examination was held in 1924 owing to the change in the date of the session.
1926	35	13	10	58	24	12	19	55	14	4	6	24	
1927	34	18	14	66	22	9	13	49	7	6	12	25	
Total	142	63	85	290	110	51	87	248	36	21	35	92	

Diwan Bahadur Raja Narendra Nath : The number of Muhammadan students admitted is 85 and the number of successful Muhammadan students is 87, according to the statement. There seems to be some mistake.

The Honourable Mr. Manohar Lal : It is obviously so ; I will make enquiries in the matter.

#### DAMAGES TO LAND CAUSED BY HILL STREAMS IN TAHSIL GUJRAT.

\*23. Sayad Muhammad Husain : (a) Will the Honourable Member for Revenue please state if it is a fact that hill streams running in the

tahsil of Gujrat have laid waste the lands of the following villages by spreading sand on the surface or by erosion :—

Kadirabad, Ghuman, Hajrai, Chak Manju, Hardaspur, Bharaj, Hafiz Hayat, Chander, Mararpur, Furba, Jamalpur, Balar, Lalwari, Bola, Moinuddinpur, Gogan, Bathowal Ghansia, Kalla Bath?

(b) If the answer to part (a) is in the affirmative, what measures does the Government contemplate taking to check the vagaries of the streams and relieve the distress of the villages mentioned in part (a)?

The Honourable Mian Sir Fazl-i-Husain : (a) A perusal of the statement below will show the damage done by hill streams in the Gujrat Tahsil in the villages mentioned in the question :—

Name of village.	AREA ACCORDING TO SETTLEMENT RECORD 1910-14.		PRESENT AREA OF THE YEAR 1925-26.		
	Total area.	Culturable area.	Total area.	Culturable area.	Decrease.
	Acres.	Acres.	Acres.	Acres.	
1. Kadirabad	309	260	308	257	3
2. Ghuman	530	493	529	473	20
3. Hajrai	821	642	820	682	10
4. Chak Manju	670	613	678	791	22
5. Hardaspur	259	233	259	229	9
6. Bharaj	938	679	939	673	6
7. Hafiz Hayat	187	163	187	168	...
8. Chander	Dakhil village Ghuman No. 2 above.				
9. Mararpur	481	520	479	278	42
10. Furba	281	230	235	241	...
11. Jamalpur	571	387	571	370	...
12. Balar	172	153	173	158	...
13. Lalwari	141	181	140	181	...
14. Bola	273	205	273	222	...
15. Moinuddinpur	966	877	969	879	...
16. Gogan	277	281	280	244	17
17. Bathowal	637	443	525	456	...
18. Ghansia	633	563	633	536	2
19. Kalla Bath	There is no such village in the District.				

[Hon'ble Mian Sir Fazl-i-Husain.]

(b) Government has every sympathy with those who lose land through diluvion caused by the vagaries of rivers and streams, but is not in law responsible for compensating such people as the loss is due entirely to natural causes. Certain measures to prevent further diluvion have been taken, but the problem is a large one. The Rural Sanitary Board is being asked to make an investigation and to suggest further measures.

#### HANDBLOOM INDUSTRY IN JALALPUR JATTAN.

\*24. Sayad Muhammad Husain: (a) Is the Honourable Minister for Education aware of the fact that Jalalpur Jattan, district Gujrat, was a great centre of handloom industry in the province and the mainstay of a population of six thousand kashmeeries?

(b) Is it also a fact that since the last four or five years this industry has decayed with consequent loss and misery to the main population of the town?

(c) If the answers to parts (a) and (b) are in the affirmative, what immediate measures does the Government contemplate adopting to revive the indigenous industry and relieve the people now in embarrassment on account of its failure?

The Honourable Mr. Manohar Lal: (a) The answer to the first part of the question is in the affirmative. As regards the second part no exact figures are available.

(b) The decline has been going on since 1900, although during the war, the industry seems to have temporarily revived.

(c) Government started a weaving institute at Jalalpur Jattan in September 1920, but as it failed to achieve popularity, it was removed to Gujrat in December 1923. Government are taking measures to improve the conditions of the weaving industry of the Punjab, and it is expected that the weavers of Jalalpur Jattan will receive their share of the benefits likely to accrue therefrom.

#### FUNDS OF MUNICIPAL COMMITTEE, MULTAN.

\*25. Lala Bodh Raj: Will the Honourable Minister for Local Self-Government please state if he is aware of the fact that the Municipal Committee, Multan, has not got sufficient funds to meet the current expenditure for the months of February and March 1927 and that the Municipal Committee has spent or intends to spend money earmarked for other purposes?

If so, what measures does he intend to take in this connection?

The Honourable Malik Firoz Khan, Noon: The Committee is reported to have sufficient funds to meet ordinary current expenditure up to the end of the month but is apparently not in a position to make the payment due to Government on account of principal and interest of a loan taken from Government. The measures to be taken by Government will be considered if and when the Committee actually defaults.

**Lala Bodh Raj:** Is it a fact that there is deficit of Rs. 70,000 in the budget of the current year in respect of these two months?

**The Honourable Malik Firoz Khan, Noon:** I should like to have notice of the question.

**ENQUIRY INTO THE ALLEGED CORRUPTION OF THAKAR BHANI SINGH.**

**\*26. Lala Bodh Raj:** Will the Honourable Minister for Local Self-Government please state—

(a) If Mr. Kirpalani, the officer holding an enquiry, had an interview with the ex-Minister for Education on the subject before the latter gave his findings; and

(b) if it is a fact that papers re. enquiry into the corruption of Thakar Bhani Singh, President, Municipal Committee, Bhiwani, were filed on the ground that the enquiry was instituted at the instance of Congressmen or other non-co-operators?

**The Honourable Malik Firoz Khan, Noon:** (a) Government have no information on the subject and are not prepared to make any enquiry.

(b) Government are of opinion that the evidence produced in support of the allegations made against the President of the Committee was unsatisfactory and insufficient to substantiate the charges. The question whether the persons who instigated the bringing of these charges were Congressmen or non-co-operators was not considered.

**Lala Bodh Raj:** Is it a fact that the persons who brought those charges were really Congressmen and non-co-operators?

**The Honourable Malik Firoz Khan, Noon:** It may be; I do not know.

**Lala Bodh Raj:** Will the honourable member please enquire into the matter?

**Mr. President:** It is not a supplementary question. Supplementary questions should be asked for further elucidating any matter of fact regarding which an answer has been given.

**ELECTION OF THAKAR BHANI SINGH AS PRESIDENT, MUNICIPAL COMMITTEE, BHIWANI.**

**\*27. Lala Bodh Raj:** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that in January 1926 the election of Thakar Bhani Singh as President, Municipal Committee, Bhiwani, was not approved of by the Commissioner and that the Commissioner gave his approval to the election of Babu Daya Kishen?

(b) Will the Honourable Minister please state the reasons why the name of Thakar Bhani Singh was subsequently gazetted in October 1926 as President of the Committee?

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

(b) As a result of enquiries made, Government were of opinion that the charges of corruption made against Thakar Bhawani Singh, in consequence of which the Commissioner refused to approve his election as President of the Bhiwani Municipal Committee, had not been substantiated. They, therefore, set aside the order of the Commissioner and directed that Thakar Bhawani Singh's election as President should be notified.

Diwan Bahadur Raja Narendra Nath : Are Thakar Bhani Singh and Thakar Bhawani Singh one and the same person ?

The Honourable Malik Firoz Khan, Noon : I think both these names relate to the same gentleman.

ALLEGED ASSAULT OF THE CITIZENS OF BHIWANI BY THAKAR BHANI SINGH AND HIS MEN.

\*28. Lala Bodh Raj : Will the Chief Secretary please state—

- (a) if it is a fact that on or about the 11th October 1926 the citizens of Bhiwani observed a *kartal* and led a procession with a black flag as a mark of protest against the notification of Thakar Bhani Singh as President of the Committee ;
- (b) if the Government is aware of the fact that the Bhiwani police assaulted, insulted and beat with butt end of guns the citizens who were holding the protest meeting against the notification of Thakar Bhani Singh and that the Tahsildar and the Thanedar were themselves present at the meeting ;
- (c) if it is a fact that in the presence of Tahsildar and Thanedar at the meeting Thakar Bhani Singh and his party assaulted several men with lathis and that the said officials did not take any action against them ;
- (d) if it is a fact that all the above facts were brought to the notice of the Deputy Commissioner ? If so, what action has been taken against the persons and officials at fault ; and
- (e) if the attention of the Government has been drawn to the statement issued publicly by Lala Gokal Chand and others regarding the incidents of the said protest meeting ?

Mr. H. D. Craik : (a) Yes.

(b) A breach of the peace occurred at the meeting which had to be dispersed by the police. There is no reliable evidence to show that more force than was necessary was used.

(c) No.

(d) The Deputy Commissioner visited Bhiwani immediately after the incident and enquired into the facts. He did not find that any officials were at fault.

(e) No.

**LALA SANT LAL, MEMBER OF BHIWANI MUNICIPAL COMMITTEE.**

**\*29. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that Lala Sant Lal, a member of Bhiwani Municipal Committee, does not possess the necessary qualification of literacy as required by the rules for membership of the Municipal Committee ?

(b) If the answer to (a) is in the negative, will he please state what literary qualifications he has got ?

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

(b) He can read and write Hindi.

**Lala Bodh Raj :** I want to know whether he knows Nagari Hindi or Marwari Hindi ?

**The Honourable Malik Firoz Khan, Noon :** I do not know ; but he knows some sort of Hindi.

**Lala Bodh Raj :** Is it Hindi under the rules or some other Hindi ?

**The Honourable Malik Firoz Khan, Noon :** That I am afraid I cannot answer straight off.

**COPIES OF STATEMENTS IN THE BHAN SINGH CORRUPTION ENQUIRY.**

**\*30. Lala Bodh Raj :** Will the Chief Secretary please state whether the Deputy Commissioner refused to give the certified copies of all the statements taken before a Magistrate in the Bhan Singh corruption enquiry in spite of the fact that he had first agreed to give the copies ? If so, what were the reasons ?

**Mr. H. D. Craik :** Copies were refused as the enquiry was an executive matter and not a judicial enquiry. No promise was ever given to supply copies.

**MEHTA WASSU RAM.**

**\*31. Lala Bodh Raj :** Will the Honourable Home Member be pleased to state if it is a fact that Mehta Wassu Ram, father of Lala Sham Ram of Amirpur Sudat, Thana Kahrar Pacca of Tahsil Lodhran, District Multan, was murdered in or about the month of November 1926 ?

(b) Is it a fact that no trace has been found of the culprits so far ?

(c) Is it a fact that the local authorities were approached to depute some member of the Criminal Investigation Department to trace the offender ? If so, what has been done in that connection ?

(d) Will the Honourable Home Member please state the number of murders committed in the zail of Mian Pir Baksh, Kanjun, in the Tahsil of Lodhran, during his time as a zaildar and the number of murders that have not been traced ?

**The Honourable Sir Geoffrey de Montmorency :** Enquiries are being made and the result will be communicated to the honourable member in due course.

## SHEIKH SALEH MUHAMMAD, POLICE SUB-INSPECTOR.

\*32. Lala Bodh Raj : Will the Honourable Home Member please state if it is a fact that Sheikh Saleh Mohammad, Police Sub-Inspector, has been in the district of Gurdasur for about 17 years or so ?

(b) Will the Honourable Home Member please state the reasons why he is not being transferred from the district ?

(c) Will he please lay on the table the list of Sub-Inspectors of Police who have been posted in one district for 10 years or more ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, it is a fact.

(b) The officer is a resident of another district and no reason or necessity for transferring him has arisen.

(c) The preparation of such a list would involve great labour and much correspondence and, as it is not possible to make constant transfers of Sub-Inspectors, the value of the information would not repay the labour.

## BEHAVIOUR OF THE POLICE TOWARDS THE PEOPLE.

\*33. Chaudhri Afzal Haq : (a) Has the attention of the Honourable the Finance Member been invited to a circular letter of the Commissioner of Police, London, published on the 1st page of the *Tribune*, dated the 2nd February 1927 ?

(b) Will he be pleased to state—

(i) whether any circular letter has been issued to the police force in this province on the lines of the circular of the Commissioner of Police, London, calling upon the police force to behave respectfully to the citizen with whom they come in contact ;

(ii) whether he is aware of the complaint that the Punjab police very roughly handle the people on all public functions and occasions ; and if so, what steps he has taken to insure the proper behaviour of the police towards the citizens ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) (i) No such circular letter has issued, but the subject matter forms part of the instruction in District Police Schools and in the Provincial Training School. The honourable member is also invited to peruse vernacular Police Gazette No. 51, dated the 22nd December 1926.

(ii) Government do not admit the accuracy of this charge and are satisfied with the measures taken to prevent occasion for complaint arising.

## LIVING WAGE FOR AGRICULTURAL LABOURERS.

\*34. Chaudhri Afzal Haq : (a) Has the attention of the Honourable Revenue Member been invited to the debate that took place in the Legislative Assembly on the 2nd February 1927 wherein the Honourable Sir Charles Innes stated that agricultural labourer in some cases lived on even less than Rs. 9 a month and no one challenged the statement ?

(b) Will the Honourable Member be pleased to state what steps Government is taking to procure for agricultural labour at least a living wage ?

**The Honourable Mian Sir Fazl-i-Husain :** (i) Yes.

(b) If the honourable member refers to the same debate he will find that it was considered a living wage therein.

As a matter of fact Government does not possess any definite and reliable information as to the condition of agricultural labour and the debate on which the honourable member has referred to can hardly be said to afford the data on which to base a scheme.

**Chaudhri Afzal Haq :** I ask whether the honourable member has done anything to alleviate the status of the agriculturist ?

**Mr. President :** Such discussion can not be allowed.

INTRODUCTION OF SCHEMES SUCH AS " REFRESHMENT FOR ALL ",  
" MUSIC FOR ALL ", ETC., IN THE SCHOOLS  
OF THE PROVINCE.

**\*35. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (i) whether it is a fact that several movements such as " Refreshment for all ", " Music for all ", etc., have been started in the schools of the province ; and if so,
- (ii) the number of those schools where such movements have been started ;
- (iii) the names of those schools where parents of the students have taken objections to the movements ;
- (iv) the nature of the objection taken by the parents referred to in (iii) ; and
- (v) what steps are taken by Government to have those objections removed ?

**The Honourable Mr. Manohar Lal :** (i) Efforts are being made in several schools to make arrangements for the provision of refreshment in the middle of the day in place of the promiscuous purchase of unsuitable food by the pupils ; and also to encourage music among school boys.

(ii), (iii) & (iv) The information is not available.

(v) Government is always prepared to remove legitimate causes of complaint.

THE COURSES OF SCHOOL BOYS.

**\*36. Chaudhri Afzal Haq :** (a) Will the Honourable Minister for Education be pleased to state—

- (i) If it is a fact that the education department changes the courses of school boys every year ; and
- (ii) if he is aware of the complaint of the parents that such change of educational courses is responsible for unnecessary expense on education because lower class children cannot use the books of their elder brothers and relatives ?

(b) If the answers to the above are in the affirmative, will he be pleased to state whether the educational department has considered this objection ?

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

(ii) No.

(b) Does not arise.

#### HASIAT TAX AND SCHOOL MASTERS.

\*37. Chaudhri Afzal Haq: Will the Honourable Minister for Local Self-Government be pleased to state—

- (i) whether it is a fact that some district boards have levied hasiat tax and have exempted the school masters of board schools from payment of that tax;
- (ii) whether the teachers of private schools have not been similarly exempted from payment of the tax; and
- (iii) if it is a fact that teachers of private schools in Jullundur unanimously passed a resolution praying the Government to instruct the district boards of the province to exempt the teachers of private schools from payment of hasiat tax?

The Honourable Malik Firoz Khan, Noon: (i) and (ii) The district boards which levy hasiat tax, have not exempted teachers of board schools or any other schools from payment of the tax.

(iii) Government has just received one resolution on the subject.

Chaudhri Afzal Haq: Is Government giving any consideration to it?

The Honourable Malik Firoz Khan, Noon: It has just been received and it will certainly be considered.

#### LICENCES FOR MOTOR VEHICLES IN THE HOSHIARPUR DISTRICT.

\*38. Chaudhri Afzal Haq: Will the Honourable Revenue Member be pleased to state—

- (i) the total number of licenses issued to motor vehicles to ply for hire between Garhsbankar and Hoshiarpur;
- (ii) the total number of licenses issued to motor vehicles to ply for hire between Hoshiarpur and Jullundur;
- (iii) if it has been brought to his notice that several of the lorries and motor vehicles that have got licenses are unfit for plying and do not safely reach the destination; and
- (iv) if it is a fact that no license has been withdrawn so far by the Superintendent of Police, Hoshiarpur, on the ground of motor vehicles being unfit for plying for hire?

The Honourable Mian Sir Fazl-i-Husain: Attention of the local officers is being drawn to the subject raised by the honourable member in his question.

USE OF THE INDIAN ARMY IN CHINA.

\*39. Chaudhri Afzal Haq: (a) Will the Honourable Finance Member be pleased to state—

- (i) whether the Government are or have been in correspondence with the Central Government as to the situation created in this province by using the Indian Army in China;
- (ii) whether the attention of Government has been drawn to the resolution of the Punjab Provincial Congress Committee protesting against the employment of Indian Army abroad;
- (iii) whether the Government has conveyed to the Central Government protests of the Congress Committee;
- (b) If the answer to part (a) (i) is in the affirmative, will he be pleased to lay the whole correspondence on the table?

The Honourable Sir Geoffrey de Montmorency: (a) (i) No.

(ii) No.

(iii) No.

(b) Does not arise.

RECRUITMENT FOR THE ARMY.

\*40. Chaudhri Afzal Haq: Will the Honourable Finance Member be pleased to state—

- (a) whether the military authorities are in correspondence with Government as to the further recruitment for the army in this province; and
- (b) whether in the event of emergency Government intends to employ Extra Assistant Commissioners and Tahsildars, etc., on recruiting work?

The Honourable Sir Geoffrey de Montmorency: (a) No.

(b) It has always been the policy of Government to place at the disposal of the military authorities as many suitable officials including Extra Assistant Commissioners and Tahsildars, and non-officials, as can conveniently be spared for recruiting work in times of special emergency, and this policy will be followed in future.

DEATHS CAUSED BY MOTOR VEHICLES.

\*41. Chaudhri Afzal Haq: Will the Honourable Finance Member be pleased to state—

- (i) the number of deaths that were caused by motor vehicles plying for hire on the roads between Garh-hankar and Hoshiarpur and between Hoshiarpur and Jullundur within the jurisdiction of the Hoshiarpur police during the past 4 months; and
- (ii) whether the police of Hoshiarpur assured themselves that the motor drivers who were the cause of accidents had got licenses to ply for hire?

The Honourable Mian Sir Fazl-i-Husain : (i) Two deaths have been caused during the last four months by motor vehicles plying for hire upon the Hoshiarpur-Gaishankar Road. Within the same period no death has been caused by a motor vehicle plying for hire upon that portion of the Hoshiarpur-Jullundur Road which lies within the jurisdiction of the Hoshiarpur police.

(ii) In one case the driver had a license; in the other he had not. Both drivers have been sent up for trial.

#### TRAFFIC IN WOMEN.

\*42. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state if the answer to Question No. 3494<sup>1</sup> put on the 21st October 1926 is ready? If so, will he please lay it on the table?

The Honourable Sir Geoffrey deMontmorency : The answer is laid on the table.

(Answer to Question No. 3494.)

The Honourable Sir Geoffrey deMontmorency : (a) Not recently.

- (b) } Government have no information.  
(c) }  
(d) Does not arise.

#### IMPORT OF WOMEN FROM THE UNITED PROVINCES.

\*43. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state if the answer to Question No. 3495<sup>2</sup> put on the 21st October 1926 is ready? If so, will he please lay it on the table?

The Honourable Sir Geoffrey deMontmorency : The answer is laid on the table.

(Answer to Question No. 3495.)

The Honourable Sir Geoffrey deMontmorency : (a) It is believed that women are imported into this province for the purpose of marriage.

- (b) No.  
(c) Does not arise.

(a) (i) } No.  
(ii) }

#### BURDA FAROSHI.

\*44. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state if the answer to Question No. 3496<sup>3</sup> put on the 21st October 1926 is ready? If so, will he please lay it on the table?

<sup>1</sup> Vol. IX-B, page 1631.

<sup>2</sup> Vol. IX-B, page 1632.

<sup>3</sup> Vol. IX-B, page 1633.

The Honourable Sir Geoffrey de Montmorency : The answer is laid on the table.

(Answer to Question No. 3496.)

The Honourable Sir Geoffrey de Montmorency : (i) Not recently.

(ii) Yes ; but Government did not approve the recommendation.

(iii) No.

CONFISCATION OF IMMOVABLE PROPERTY FOR POLITICAL OFFENCES.

\*45. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state if the answer to Question No. 349<sup>1</sup> put on the 21st October 1926 is ready ? If so, will he please lay it on the table ?

The Honourable Sir Geoffrey de Montmorency : Information is still awaited from one district. When the information is complete it will be communicated to the honourable member.

S. B. BISHAN SINGH, INSPECTOR OF SCHOOLS, JULLUNDUR DIVISION.

\*46. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state if the answer to Question No. 3510<sup>2</sup> put on the 22nd October 1926 is ready ? If so, will he please lay it on the table ?

The Honourable Mr. Manohar Lal : Yes. The reply is laid on the table.

(Answer to Question No. 3540.)

(a) Yes.

(b) Yes.

(c) The matter was carefully investigated by the then Director of Public Instruction and Inspector of Schools before the entry in the service-book, on which that in the history of services is based, was made.

GRANTS FOR THE UPGRADE OF SHRINES.

\*47. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state if the answer to Question No. 3120<sup>3</sup> put on the 20th October 1926 is ready ? If so, will he please lay it on the table ?

The Honourable Mian Sir Fazl-i-Husain : A copy of the reply given is laid on the table.

Answer to Question No. 3120.

The Honourable Mian Sir Fazl-i-Husain : The required information is given in the enclosed statement.

<sup>1</sup> Vol. IX-B, page 1632.

<sup>2</sup> Vol. IX-B, page 1690.

<sup>3</sup> Vol. IX-B, page 1659.

[ Hon'ble Mian Sir Fazl-i-Hussain. ]

Statement showing the amount of Land Revenue assigned and paid to the shrines in the Punjab.

District.	NUMBER.			AMOUNT OF LAND REVENUE ASSIGNED.						AMOUNT PAID ANNUALLY.		
	Muhammads.		Hindus.	Sikhs.	Muhammads.		Hindus.	Sikhs.	Muhammads.		Hindus.	Sikhs.
	1	2	3	4	5	6	7	8	9	10		
					Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Hissar ...	...	9	8	1	749 0 0	85 0 0	26 0 0	749 0 0	85 0 0	26 0 0	26 0 0	...
Rohtak ...	...	21	43	...	876 0 0	1,176 0 0	...	876 0 0	1,176 0 0	...	...	...
Gurgaon ...	...	39	124	...	797 0 0	4,127 0 0	...	796 0 0	4,127 0 0	...	...	...
Karnal ...	...	112	141	40	6,835 0 0	7,937 0 0	1,612 0 0	6,958 0 0	7,937 0 0	1,612 0 0	1,569 0 0	...
Ambala ...	...	288	235	64	2,995 0 0	8,843 0 0	2,031 0 0	2,927 0 0	8,846 0 0	2,031 0 0	2,039 0 0	...
Simla ...	...	...	19	...	...	313 0 0	...	...	232 0 0	...	...	...
Kangra ...	...	5	507	2	85 0 0	29,204 2 6	386 0 0	80 0 0	29,204 2 6	386 0 0	386 0 0	...
Hoshiarpur ...	...	148	221	16	1,949 0 0	11,123 0 0	7,023 0 0	1,949 0 0	11,123 0 0	7,023 0 0	1,535 8 9	...
Jullundur ...	...	110	127	41	925 0 0	3,003 0 0	1,246 0 0	925 0 0	3,008 0 0	1,245 0 0	1,245 0 0	...
Ludhiana ...	...	135	213	10	4,267 0 0	7,798 0 0	164 0 0	4,267 0 0	7,798 0 0	164 0 0	164 0 0	...
Ferozepore ...	...	110	81	53	1,189 0 0	991 0 0	14,817 0 0	1,189 0 0	991 0 0	991 0 0	9,644 0 0	...
Lahore ...	...	120	78	83	1,465 0 0	10,863 0 0	8,499 4 0	1,465 0 0	10,863 0 0	8,499 4 0	8,499 4 0	...
Amritsar ...	...	282	105	136	2,244 10 0	23,075 4 0	27,394 6 9	2,244 0 0	23,075 4 0	27,394 6 9	29,045 12 0	...

STARRED QUESTIONS AND ANSWERS.

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	402	157	69	3,857 0 0	13,173 0 0	16,009 0 0	3,857 0 0	12,173 0 0	13,909 0 0
Gurdaspur	...	...	...	...	...	...	...	...	...
Fialkot	...	...	...	...	...	...	...	...	...
Gujranwala	...	...	...	...	...	...	...	...	...
Sheikhpura	...	...	...	...	...	...	...	...	...
Gujrat	...	...	...	...	...	...	...	...	...
Shahpur	...	...	...	...	...	...	...	...	...
Jhelum	...	...	...	...	...	...	...	...	...
Bawalpindi	...	...	...	...	...	...	...	...	...
Attock	...	...	...	...	...	...	...	...	...
Mianwali	...	...	...	...	...	...	...	...	...
Montgomery	...	...	...	...	...	...	...	...	...
Lyallpur	...	...	...	...	...	...	...	...	...
Jhang	...	...	...	...	...	...	...	...	...
Multan	...	...	...	...	...	...	...	...	...
Munafgarh	...	...	...	...	...	...	...	...	...
Dera Ghazi Khan	...	...	...	...	...	...	...	...	...
Total	3,544	3,530	725	62,994 15 3	1,54,337 13 6	1,24,953 7 9	82,773 4 3	1,51,793 3 9	1,10,726 1 3
GRAND TOTAL	...	6,780	...	8,44,315 3 6	...	...	3,35,233 9 3	...	...

Note.—The total differences between the amount paid annually (columns 8—10) and the amount assigned (columns 6—7) is Rs. 17,000. Out of this Rs. 14,000 is accounted for by the Sikh shirces, where the amounts assigned are held in deposit only; to disputes in connection with the Akali movement.

## MANAGERS OF COURTS OF WARDS.

\*48. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state if the answer to Question No. 3654<sup>1</sup> put on the 23rd October 1926 is ready? If so, will he please lay it on the table?

The Honourable Mian Sir Fazl-i-Husain : The dissolution of the late Council prevented the answer reaching the honourable member. The answer to question No. 3658 is laid on the table.

(Answer to Question 3658.)

(a) There are 26 agriculturist, 12 non-agriculturist managers of the Court of Wards in the province.

(b) Four have got agricultural training.

## SMALL TOWNS COMMITTEES.

\*49. Chaudhri Afzal Haq : With reference to the opening paragraph of the review of administration reports on Small Towns for the year 1925-26 published in the *Government Gazette* of 14th January 1927, will the Honourable Minister for Local Self-Government be pleased to state—

(a) the names of the small towns committees which were abolished in the year 1925-26.

(b) whether the circumstances in which the members of these small towns committees refused to work were communal or otherwise; and

(c) the strength of the Hindu and Muhammadan members in the small towns committees?

The Honourable Malik Firoz Khan, Noon : (a) Bhaun and Sarai Sidhu.

(b) In both cases it was dislike of an organisation which involved local taxation which prevented the committees from functioning.

(c) No members were ever elected at Sarai Sidhu, as no candidates were forthcoming. At Bhaun there were four Muslims, one Hindu and one Sikh.

## APPLICANTS FOR THE FOREST DEPARTMENT.

\*50. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to lay on the table the answer to Question No. 3570<sup>2</sup> put on the 28th October 1926?

The Honourable Mian Sir Fazl-i-Husain : The answer to question No. 3570 is placed on the table.

[Answer to Question No. 3570.]

The Honourable Mian Sir Fazl-i-Husain : (a) A statement showing the applicants by communities is placed on the table.

(b) If such an impression exists, it is altogether unfounded.

<sup>1</sup> Vol. IX-B, page 1768.

<sup>2</sup> Vol. IX-B, page 1780.

Statement showing the number of applicants by communities (who were eligible) who applied for appointments in the Forest Department in the years 1920 to 1926.

Year.	Hindus.	Muhammadians.	Sikhs.	Christians.
<i>Imperial Forest Service.</i>				
1920	4	2	2	1
1921	15	4	5	1
1922	15	3	5	1
1923	6	4	2	1
1924	9	3	7	2
1925	11	1	11	1
1926	4	2	2	1

<i>Provincial Forest Service.</i>				
1920	2	...	4	} No record.
1921	4	3	2	
1922	10	7	14	
1923	...	...	1	

1924 } No appointments were made in these years.  
1925 }  
1926 }

<i>Rangers.</i>				
1920	32	15	21	} No record.
1921	41	11	12	
1922	20	16	16	

1923 No appointment was made in this year.

1924	22	19	2	} No record.
1925	...	...	...	

1926 } No appointments were made in these years.

## UNSTARRED QUESTIONS AND ANSWERS.

### REMISSION OF ADVANCE ON COTTON.

50. **Sardar Bata Singh :** Will the Honourable Revenue Member be pleased to state—

(a) if it is a fact that cotton crops have this year failed in Sheikhopura, Montgomery, Multan, Jhang, Lyallpur and other colony districts ;

[Sardar Buta Singh.]

- (b) if it is a fact that Government has remitted half the *Abiana* to the cultivators growing American cotton in certain parts of the above mentioned districts; and
- (c) if the answers to the above questions be in the affirmative, whether Government proposes to remit half the *Abiana* to each and every cultivator and cotton grower in the districts mentioned above and also half the land revenue as well?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes, but partially and in varying degrees.

(b) Special remission has been granted as shown in resolution No. 3111 of the 20th December 1926, a copy of which is placed on the table.

(c) No further action is contemplated.

## REVENUE DEPARTMENT.

### REVENUE.

The 20th December 1926.

#### RESOLUTION.

No. 3111.—In consequence of reports of damage caused to the cotton crop in large areas of the province a conference was convened at Lahore on December 1st at which representatives of the departments concerned were present as well as the Deputy Commissioners of the districts principally affected. The situation was fully discussed, and after considering the recommendations of the conference the Governor in Council has directed that remissions of land revenue and occupiers' rates be given in the following areas on the scale as shown against each:—

Shahpur	...	} 50 per cent. of occupiers' rates on all American cotton irrigated by perennial canals.
Montgomery	...	
Multan	...	
Gujrat	...	} 50 per cent. of occupiers' rates and 50 per cent. of fluctuating land revenue on all American cotton irrigated by perennial canals.
Gujranwala	...	
Sialkot	...	
Sheikhpura (excluding the	...	
Gugera Branch Colony Circle).	...	
Lyallpur and the Gugera Branch Circle of the Sheikhpura district.	} Remission for failure of cotton will be dealt with under the existing rules.	
Lahore	} Remissions of occupiers' rates and land revenue (fixed or fluctuating) on the cotton crop is left to local officers subject to the condition that the minimum unit for which remission is granted be one village and the minimum remission granted be 50 per cent. of the occupiers' rates.	

Wherever the local officers think it necessary the collection of fluctuating land revenue and occupiers' rates in an affected area can be postponed for one month.

C. M. KING,

Financial Commissioner and  
Secretary to Government, Punjab,  
(Revenue Department).

#### NON-OFFICIAL PRESIDENTS FOR MUNICIPAL COMMITTEES.

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

- (a) whether it has been the practice of Government to encourage non-official presidents for municipalities;
- (b) whether it is a fact that the municipal committee of Gohana, District Rohtak, passed a resolution in favour of having a non-official president with only one member dissenting;
- (c) whether Government intends to authorise the said committee to elect a non-official president; and
- (d) whether there are three other municipal committees in the district which have been allowed to exercise the right of having a non-official president?

The Honourable Malik Firoz Khan, Noon:

(a), (b) and (d) Yes.

(c) The matter is under consideration.

#### TIBBIA COLLEGES AND HOSPITALS.

58. Dr. Shaikh Muhammad Alam: (a) Is the Honourable Minister for Local Self-Government aware that the Punjab Tibbia Conference passed several resolutions requesting the Government to establish Tibbia Colleges and Hospitals, to subsidise existing institutions of the kind and to appoint Inspectors, etc., to supervise their works?

(b) If the answer to (a) is in the affirmative, will he please say what steps, if any, have been taken in this connection?

(c) If nothing has been done so far, does he propose to take any action in this matter? If so, what?

The Honourable Malik Firoz Khan, Noon:

(a) Yes.

(b) None.

(c) The matter is under consideration.

## RELIEF OF MUZAFFARGARH DISTRICT.

59. Sayad Muhammad Husain : (a) Will the Honourable Revenue Member kindly state whether he has received the report of Mr. Anderson about the relief of Muzaffargarh district ?

(b) If the answer to part (a) is in the affirmative will he kindly lay it on the table ?

The Honourable Mian Sir Fazl-i-Husain : The report has only just been received. It has not been examined by Government but it is intended eventually to make it available to the public.

## GRANT OF PROPRIETARY RIGHTS IN THE LANDS OCCUPIED BY SHOPKEEPERS IN LYALLPUR.

60. Lala Bodh Raj : (a) Will the Honourable Member for Revenue please state if any memorial was submitted to the Financial Commissioner, Lahore, through the Deputy Commissioner, Lyallpur, on behalf of the village shopkeepers committee, district Lyallpur, regarding the grant of proprietary rights in the lands occupied by its members at the rates charged to the zamindars of the district ?

(b) If so, what action has been taken on that memorial ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A copy was sent to the Commissioner, Multan, for a report by the local officers. The Commissioner's reply has only just been received and is under the consideration of Government.

## JINSI BATAI.

61. Lala Bodh Raj : With reference to the undertaking given by the then Honourable Member for Revenue on the 2nd March 1925 in the Council during the discussion on the resolution regarding the abolition of the system of *Jinsi Batai* existing in parts of Dera Ghazi Khan district, will the Honourable Member for Revenue please state what steps have been taken so far in this connection, or what steps does Government intend to take in the near future ?

The Honourable Mian Sir Fazl-i-Husain : Attention of the honourable member is invited to the answer given on 30th June 1926 to question No. 3267<sup>1</sup>. The matter is under reference to the local officers.

## EXEMPTION OF THE SWORD FROM THE OPERATION OF THE ARMS ACT.

62. Lala Bodh Raj : (a) With reference to the resolution passed in the last Punjab Legislative Council regarding the exemption of the sword from the operation in the Punjab of the Arms Act, will the Honourable Revenue Member please state if any correspondence has passed between the local Government and the Government of India ? If so, with what result ?

(b) In case the reply to first part of (a) be in the negative, will the Honourable Revenue Member please state if it has recommended or intends to make such recommendation to exempt sword from the operation of the Arms Act in this province ? If not, what are the reasons ?

The Honourable Mian Sir Fazl-i-Husain : Government has been in correspondence with the Government of India on the subject of the resolution to which the honourable member refers, but the matter has not yet arrived at a stage at which any useful communication can be made.

**REPRESENTATION OF INHABITANTS OF VILLAGE QASBA AGAINST CERTAIN CLASS OF ZAMINDARS.**

63. Lala Bodh Raj : Will the Honourable Finance Member please state if the inhabitants of village Qasba, Tahsil Multan, have made a representation to the local authorities against some zamindars, Mashal by caste, and approached them for the protection of their lives, property and honour ? If so, what action has been taken by the authorities in that connection ?

The Honourable Sir Geoffrey deMontmorency : Enquires are being made, and the result will be communicated to the honourable member in due course.

**TERMINAL TAX IN MULTAN.**

64. Lala Bodh Raj : (a) Will the Honourable Minister for Local Self-Government please state if there is any prospect of the octroi duty being replaced by the terminal tax within the municipal limits of Multan ? If so, by what date ?

(b) Will the Honourable Minister please state the reasons for the delay in sanctioning the terminal tax for the Multan Municipality ?

The Honourable Malik Firoz Khan, Noon : (a) and (b) Proposals for the substitution of terminal tax for octroi were received in March 1926, but were returned for reconsideration, as they were unsuitable in certain respects. The proposals have not been resubmitted, and Government have no information as to when, if ever, they are likely to be resubmitted.

**REGISTRARS.**

65. Lala Bodh Raj : (a) Will the Honourable Minister for Local Self-Government please state if any duty hours have been fixed for the paid Registrars appointed under the Indian Registration Act ? If so, will the Government please state if the Registrar at Multan attends the office during those hours ?

(b) Is it a fact that the present Registrar is a member of the Legislative Assembly and that the Government has to make other makeshift arrangements when he leaves the station to attend the sessions of the Assembly with the result that the public is put to great inconvenience every now and then by such arrangements ?

The Honourable Malik Firoz Khan, Noon : (a) The office hours of Registrars are the same as those of Government officers, and it is reported that the honorary Registrar in Multan generally attends his office during these hours.

(b) The Honorary Registrar is a member of the Legislative Assembly, and during his absence to attend meetings of the Assembly the registration work is done by the official Registrars and Sub-Registrars at Multan. Government have no reason to believe that the public is put to any appreciable inconvenience in consequence.

## LOCATION OF A SUB-DIVISION OFFICE AT GOJRA.

66. Lala Bodh Raj: Is it a fact that the people of Sanundri have submitted a memorial to the Government to locate a sub-divisional officer at Gojra instead of at Toba Tek Singh for reasons mentioned therein? If so, what action has the Government taken on the said memorial or what does the Government intend to do now?

The Honourable Mian Sir Fazli Husain: The answer to the first part of the question is in the affirmative, as to the second part the Government is considering the question of the creation of a new sub-division in consequence of the Burala extension. It has not been finally decided where the headquarters of the new sub-division if formed will be located.

## PROSECUTIONS UNDER THE MOTOR VEHICLES ACT.

67. Lala Bodh Raj: Will the Honourable Revenue Member please state the total number of prosecutions under the Motor Vehicles Act at Rohiak and the fines exacted during the official year 1925-26 and up to the end of December 1926?

The Honourable Mian Sir Fazli-i-Husain: A statement showing the number, and the result, of the prosecutions instituted in the Rohiak district under the Indian Motor Vehicles Act, 1908 and the rules thereunder during the periods mentioned by the honourable member is laid on the table:—

		1st April 1925 to 31st March 1926.	1st April 1926 to 31st December 1926.
1	Number of prosecutions	35	82
2	Acquittals or discharges	28	22
3	Convictions	12	60
4	Amount of fines imposed	Rs. 340	Rs. 992

## GAZETTED OFFICERS AT HISSAR.

68. Lala Bodh Raj: (a) Will the Chief Secretary please state the names of all gazetted officers who have been posted at Hissar for a period of over five years with reasons for the same?

(b) How long has Chandhri Din Muhammad been in the district of Hissar?

Mr. H. D. Craik : (a) Government is not prepared to furnish names.

(b) Since 19th December 1921. He was retained there for special reasons.

#### HIGH SCHOOL AT BHIWANI.

69. Lala Bodh Raj : Will the Honourable Minister for Education please state when the work of building the new high school at Bhiwani will be taken in hand ?

The Honourable Mr. Manohar Lal : This and many other similar proposals are under consideration.

#### CATTLE SLAUGHTER AT TUHANA.

70. Lala Bodh Raj : (a) Will the Honourable Minister for Agriculture please state whether he is aware of the high percentage of cattle slaughter at Tuhana ?

(b) Is it a fact that some private company contemplates putting up a power plant for the slaughter of animals at Tuhana ? If so, will he please state if it is intended to prohibit it or not ?

The Honourable Sardar Jogendra Singh : Enquiries are being made, and the results will be communicated to the honourable member when the facts are ascertained.

#### CATTLE-LIFTING IN THE HISSAR DISTRICT.

71. Lala Bodh Raj : Will the Honourable Finance Member please state--

(a) whether he is aware of the increase in the cases of cattle-lifting in the Hissar district, and

(b) what measures the Government intends to take to check this evil and the activities of professional cattle-lifters of Balliali, Migana and Adampur ?

The Honourable Sir Geoffrey de Montmorency : (a) Government is aware of the extent of cattle theft in the Hissar District.

(b) The attention of the Superintendent of Police will be drawn to the particular cattle-lifters mentioned. Government has already sanctioned a special staff to deal with cattle thefts generally.

#### POLICE POSTS CALLED LAMBI AND USMAN KHERA.

72. Rai Bahadur Pandit Daulat Ram, Kalia : Will the Honourable Finance Member be pleased to answer the following questions :—

(a) Is it a fact that there are two police posts called Lambi and Usman Khera within the jurisdiction of police stations Malout and Abohar in the district of Ferozepore situated at a distance of about 16 miles from the thanas ?

[R. B. Pandit Daulat Ram, Kalia.]

- (b) Is it also a fact that these police posts are in charge of a head constable each who investigates all crimes committed in about 30 villages which comprise the jurisdiction of their posts?
- (c) Is it also a fact that these posts command the area on the border of Bikaner State and much of the smuggling of fire-arms and opium takes place within their jurisdiction, and that in this part of the Ferozepore district crimes of a more serious nature are usually committed?
- (d) If the answers to the above questions are in the affirmative will the Government be pleased to state whether it is intended to convert these police posts into thanas by a reshuffling of the villages now lying within the jurisdiction of Abohar, Malout and the other neighbouring thanas?

The Honourable Sir Geoffrey de Montmorency: Enquiries are being made, but the material for a reply is not yet available. The results of these enquiries will be communicated in due course.

#### GURDWARA CHAK MANJIAN, NANERA.

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

- (a) whether it is a fact that a notification No. 1537, dated the 19th June 1926, was published in the *Punjab Government Gazette Extraordinary* of 5th July 1926 relating to Gurdwara Chak Manjian, Nanera (Chak Karbala), Ambala, under section 7, sub-section 8, of Gurdwaras Act, 1925;
- (b) whether it is a fact that no petition was received by the local Government under section 8 of the same Act;
- (c) if no petition was received within the time and manner prescribed by law will the Government please state why the said Gurdwara was not declared a Sikh Gurdwara under section 9 of the same Act;
- (d) whether it is a fact that a suit for possession of the lands attached to the said Gurdwara was filed in the court of the Senior Sub-Judge, Ambala, by the Secretary of State for India in Council;
- (e) whether it is a fact that the execution proceedings were started by the Secretary of State in the said court;
- (f) whether it is a fact that Honourable Mr. Justice Jai Lal ordered the execution proceedings to be stayed under sub-section 2 of the Gurdwaras Act as a notification under section 7, sub-section 8, was published by the Government;
- (g) whether it is a fact that the Government has now withdrawn its notification of 19th June 1926 with respect to the same Gurdwara (Nanera);
- (h) if the answers to parts (a) and (g) are in the affirmative, will the Government be pleased to state under what provision of the Sikh Gurdwaras Act, the Government has withdrawn the notification (No. 1537 of 19th June 1926)?

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

(b) No. Two petitions have been received.

(c) Does not arise.

(d), (e), (f) and (g). Yes.

(h) The notification was cancelled as it had been issued under a mistake of fact.

#### IMPROVEMENT OF UNANI AND VEDIC SYSTEMS OF MEDICINE.

**74. Mian Ahmad Yar Khan, Daultana :** (a) Will the Honourable Minister for Local Self-Government be pleased to state if the Public Health Standing Committee decided anything about the improvement of the unani and the vedic systems of treatment in the meeting held on the 28th June 1926?

(b) If so, will he kindly state what the decision of the Committee was on the subject and what action is taken or is proposed to be taken thereon by him?

**The Honourable Malik Firoz Khan, Noon :** (a) and (b) The honourable member is referred to the proceedings of the meeting of the Standing Committee of the Council for Public Health, which were published in notification No. 38, dated the 13th July 1926, in Part V of the *Government Gazette* of the 16th July 1926. The action to be taken on the recommendation of the Committee is under consideration.

#### PROMOTION OF EXCISE INSPECTORS TO THE POSTS OF EXTRA ASSISTANT COMMISSIONERS.

**75. Sardar Ujjal Singh :** (a) Will the Chief Secretary be pleased to lay on the table the number of Excise Inspectors, Muhammadan, Hindu, Christian and Sikhs, respectively, promoted to the post of Extra Assistant Commissioner since the year 1915?

(b) Has the attention of the Government been ever drawn to the fact that while Excise Inspectors belonging to other communities have got their due share, not a single Sikh Inspector has got promotion to the post of the Extra Assistant Commissioner since 1915?

(c) Is it the intention of Government to take steps to make up the deficiency this year by accepting a deserving Sikh Inspector as candidate for the post of Extra Assistant Commissioner?

**Mr. H. D. Craik :** (a) Since 1915 nine Excise Inspectors have been promoted to the post of Extra Assistant Commissioner; of these 3 were Hindus and 6 Muslims.

(b) No, though it is correct that no Sikh Excise Inspector has received promotion since 1915.

(c) In making selections for promotion to the Punjab Civil Service the claims of all communities receive consideration.

## SALE OF RAKH KHOKAR WALI IN TAHSIL LEIAH.

76. Khan Muhammad Abdullah Khan : (a) Will the Honourable Member for Revenue please state whether it is a fact—

- (a) that Rakh Khokhar Wali in Tahsil Leiah, Muzaffargarh district, comprising 26 squares of land and belonging to the Government was sold by auction?
- (b) that before the auction of the said land took place, the Deputy Commissioner, Muzaffargarh, and the Sub-Divisional Officer, Leiah, declared that the auction money would be taken in one payment;
- (c) that after the announcement of this condition the members of the agri ulturist tribe and particularly the Muslims failed to make any bids;
- (d) that the said land was sold by auction to one Rai Bahadur Tilok Chand for Rs. 46,000;
- (e) that the said purchaser did not pay Rs. 46,000 at once and instalments for ten years were sanctioned in his favour?

(ii) If the answers to the above questions be in the affirmative, will the Honourable Member for Revenue kindly state the reasons for which the condition of one payment was ignored and instalments for ten years were sanctioned in favour of the said purchaser?

(iii) Will the honourable member kindly state the name of the officer on whose recommendation the condition of one payment was set aside and instalments for ten years were sanctioned?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No. Before the auction took place it was declared that 1/5th of the bid will have to be paid at once and the remaining sum within 6 weeks of the auction in accordance with orders contained in the Punjab Consolidated Circulars.

(c) No.

(d) The land was sold in 8 plots of which 5 were bought by Rai Bahadur Lala Tilok Chand for Rs. 33, 14.

(e) Rai Bahadur Lala Tilok Chand was, under special orders, permitted to pay Rs. 13,114 at once and the remaining Rs. 20,000 in instalments spread over 5 years with interest at 5 per cent. on the unpaid balance with each annual instalment.

(ii) The land was originally auctioned for Rs. 30,000, but as this sum was too small the auction was not confirmed. Owing to certain technical considerations and on account of Rai Bahadur Lala Tilok Chand's services to Government having merited special consideration it was deemed advisable to grant the concession of instalments referred to above.

(iii) Deputy Commissioner, Muzaffargarh, made the recommendation in question which was supported by the Commissioner of Multan.

## BRIDGE OVER A NALA ON THE ROAD FROM KOT SULTAN TO TAUNSA.

SHARIF.

77. Khan Muhammad Abdullah Khan: (a) Is the Honourable Member for Revenue aware that thousands of people go from the Railway Station Kot Sultan in the Leiah Tahsil of Muzaffargarh district to Taunsa Sharif of the Dera Ghazi Khan district to visit the holy shrine of their Pir, and that a big Nala the water of which is very deep is on the way where those people suffer a good deal for want of a bridge?

(b) Will he kindly draw the attention of the Canal Department concerned to this fact?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that the information is not available in the Secretariat records. A reference has had to be made to the local officers, and a reply is awaited. Further information will follow.

## CRIMINAL TRIBE BHED KUT.

78. Khan Muhammad Abdullah Khan: (a) Is the Honourable Member for Revenue aware of the fact that in the middle of January 1927 three girls of the Primary Girls School, Multan, while coming out of the school were carried away by the Criminal Tribe Bhed Kut?

(b) If the answer be in the affirmative, will he please state what steps were taken by the Multan Committee or the police and with what result?

(c) Does the Government know that the members of the Bhed Kut tribe are hiding themselves in the jungles of the Bahawalpur State, and that they every now and then come out of the State and cause great harm to the neighbouring districts?

(d) If the answers be in the affirmative will the Honourable Member for Revenue please state whether any steps are being taken to get this criminal tribe confined to a fixed place in order to save people from future danger?

The Honourable Mian Sir Fazl-i-Husain: (a) and (b) The Deputy Commissioner of Multan has been requested to furnish Government with a report as to the facts regarding this incident.

(c) and (d). It is understood that the Bhed Kuts referred to are resident in Bahawalpur State, and if this should prove to be the case the Punjab Government will consider the question of addressing the State authorities on the subject.

## RAISED THARRA ON THE SOUTHERN SIDE OF THE BUILDING OF TAHSIL MAILSI.

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

(a) if it is a fact that on the southern side of the building of tahsil Mailsi a plot of land belonging to the Government has been transformed into a raised tharra attached to a mosque and thereby the public thoroughfare is blocked;

[Lala Bodh Raj.]

- (b) if it is a fact that the said plot of land was held to be Government property by the Civil Court of Senior Sub-Judge, Multan, on the 21st November 1921 in case regarding Secretary of State for India in Council *versus* Sobha Singh and Bahadur Khan;
- (c) if it is a fact that the Small Town Committee, Mailsi, passed a resolution to demolish the *tharra*, and that the Deputy Commissioner of the district after seeing the spot also ordered the demolition;
- (d) if it is a fact that the matter of demolition is being delayed to the inconvenience of the public; if so, what are the reasons?

The Honourable Malik Firoz Khan, Noon: (a) A mosque has been reconstructed and the earth from the old building was thrown on a portion of a thoroughfare in Mailsi town. The thoroughfare is not blocked.

(b) Yes.

(c) Yes.

(d) The public have not been inconvenienced. The earth is being removed.

#### WORKING HOURS FOR THE COURT INSPECTORS, ETC., MULTAN.

80. Lala Bodh Raj: Will the Honourable Member for Finance please state if the Court Inspectors and other members of the Police Department working in the office of the Superintendent, Police Multan, are required to work for fixed number of hours a day or for any number of hours without any limitation? If the hours are fixed, are they fixed regularly or arbitrarily by the officer concerned?

The Honourable Sir Geoffrey deMontmorency: In Multan, as in other offices of Superintendents of Police, the office staff has to cope with the quantity of work brought forward for disposal, and as crime is a variable quantity and reports about serious crime necessitating immediate action are liable to come in at different times, it is impossible to fix the number of hours in each day during which the men must work.

#### AUDITORS OF LOCAL FUND ACCOUNTS.

81. Lala Bodh Raj: (a) Will the Honourable Minister for Local Self-Government please state the number of auditors maintained for auditing the Local Fund Accounts?

(b) Is it a fact that at the stations where such auditors are posted, one examiner and one assistant examiner also are maintained for the purpose?

(c) Is it a fact that such auditors in their tours get all their necessities and commodities from or through the municipal employees without paying for them and not through the Government contractors?

(d) Will the Government consider the desirability of appointing permanently one auditor in each district to avoid their unnecessary travelling expenses under the present arrangements?

**The Honourable Malik Firoz Khan, Noon :** (a) 14.

(b) The examiner and his assistant are stationed at Lahore.

(c) Government have received no allegations of this nature.

(d) The work is not so heavy as to justify the appointment of one auditor in each district and the consequent increase in expenditure.

82—85.—*Cancelled.*

**Mr. V. F. Gray :** Sir, might I ask your ruling? I think you ruled the other day that starred questions must be answered. It seems to me that in asking questions one does not know what the reply is going to be, and, therefore, you cannot ask a supplementary question to one that is not starred. That forces us to star every question. Many of the honourable members would like merely to have the reply laid on the table.

**Mr. President :** If an honourable questioner stars a question, it should be answered orally. But if the answer is a long one it may be laid on the table or circulated with the official report of proceedings instead of being given orally. If the questioner after having starred a question does not care to have it answered orally, it would be taken that he does not wish to ask the question.

#### GOVERNMENT'S DEMANDS FOR GRANTS.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** The various demands placed on the agenda are put forward on the recommendation of His Excellency the Governor.

#### GRANT FOR EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move—

"That a sum not exceeding Rs. 14,700 be granted to the Governor in Council and the Ministry of Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Expenditure in England under the Control of the Secretary of State."

The motion was carried.

#### GRANT FOR EXPENDITURE IN ENGLAND (OTHER THAN STORES) UNDER THE CONTROL OF THE HIGH COMMISSIONER FOR INDIA.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move—

"That a sum not exceeding Rs. 6,67,500 be granted to the Governor in Council and the Ministries of Agriculture, Education and Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Expenditure in England (other than Stores) under the Control of the High Commissioner for India."

The motion was carried.

## REFUNDS (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) :  
Sir, I beg to move—

"That a sum not exceeding Rs. 16,44,100 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government, to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Refunds (Transferred)."

The motion was carried.

## REFUNDS (RESERVED) GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :  
Sir, I beg to move—

"That a sum not exceeding Rs. 3,54,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Refunds (Reserved)."

The motion was carried.

## LOANS BY PROVINCIAL GOVERNMENT (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) :  
Sir, I beg to move—

"That a sum not exceeding Rs. 18,95,000 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Loans by Provincial Government (Transferred)."

The motion was carried.

## LOANS BY PROVINCIAL GOVERNMENT (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir,  
I beg to move—

"That a sum not exceeding Rs. 17,04,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Loans by Provincial Government (Reserved)."

The motion was carried.

## CIVIL CONTINGENCIES FUND GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :  
Sir, I beg to move—

"That a sum not exceeding Rs. 30,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Contingencies Fund."

The motion was carried.

## STATIONERY AND PRINTING (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I beg to move —

"That a sum not exceeding Rs. 97,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Stationery and Printing (Transferred)."

The motion was carried.

## STATIONERY AND PRINTING (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move —

"That a sum not exceeding Rs. 8,64,200 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Stationery and Printing (Reserved)."

The motion was carried.

## SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move —

"That a sum not exceeding Rs. 27,88,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Superannuation Allowances and Pensions."

The motion was carried.

## FAMINE RELIEF AND INSURANCE GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move —

"That a sum not exceeding Rs. 1,81,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Famine Relief and Insurance."

The motion was carried.

## CIVIL WORKS (TRANSFERRED) (REVENUE AND CAPITAL) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I beg to move —

"That a sum not exceeding Rs. 2,68,16,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Works (Transferred) (Revenue and Capital)."

The motion was carried.

## CIVIL WORKS (RESERVED) GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :  
Sir, I beg to move —

"That a sum not exceeding Rs. 1,49,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Works (Reserved)."

The motion was carried.

## MISCELLANEOUS DEPARTMENTS (RESERVED) GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :  
Sir, I beg to move —

"That a sum not exceeding Rs. 22,51,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Miscellaneous Departments (Reserved)."

Mr. President : The question is—

"That a sum not exceeding Rs. 22,51,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Miscellaneous Departments (Reserved)."

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, Rural] (Urdu) :  
Sir, I beg to move that —

"The grant be reduced by Rs. 1 with respect to the item of Rs. 6,000—Total donations for charitable purposes."

Sir, It might be within the recollection of the honourable members of this House that last year in this very chamber I reminded the Government of its duty towards the beggars in this province and requested to allot sufficient funds for charitable purposes. In the budget presented to us this year we find that a sum of Rs. 6,000 has been provided for charitable purposes and we note this fact with satisfaction because it shows that, so far as the principle of giving charity from public money is concerned, the Government appears to have come round and recognised it. Beyond that it deserves no commendation from us. And the reason is simple. We see that while the Government is prepared to spend an amount of Rs. 6,000 for the comforts of one or two or even four European vagrants, it is not inclined to remove the misery from amongst the people whose money it is that the Government is spending this way and that way. We would perhaps have not looked with wonder on this lack of sympathy towards the miserable class of beggars in the province if only the foreigners had been at the helm of affairs. But we are simply shocked to find that inspite of our own representatives on the Executive Council who are perfectly aware of the extent of this misery amongst their countrymen, no provision is made for opening charitable institutions and work-houses. This is a problem which equally concerns all. If there are Muhammadan beggars there are Hindu and Sikh beggars too. Let us, therefore, all unite in demanding from the Government sufficient money to put an end to this long-standing evil. Last time when the question was raised by me by means of a resolution, it was unfortunately opposed by some of the members and the Government shelved it by saying that the Municipal Act contains a section which gives local

bodies discretion to open poor or work-houses. Upon that I requested the Honourable Minister then in charge of the local bodies to issue instructions to the latter to the effect that they should make a move in the matter. But the usual and curt reply was that there was no need of issuing such instructions. This is the manner in which our demands are treated, however urgent and important they may be. But I say that even if such instructions had been issued and the local bodies had, accordingly, opened work-houses as well as poor-houses in their respective jurisdictions, do you think that the problem had been completely solved? Certainly not. The beggars in the municipal areas would have shifted to the villages to become a heavy burden on the poor villagers. Therefore I urge the Government to take up the matter itself.

I sometime wonder why the officers of Government, most of whom belong to a country where no one can dare beg in the street, should show so much aversion and apathy to this legitimate demand of the people particularly when they profess to have the welfare of this country at heart. The only explanation of this can be that either their professions are lip professions or they, perhaps, believe that what is good for England is not good for India. In England the system of work-houses is as complete as can be, but when the question of adopting that wholesome system in this country is raised, a propaganda is set on foot to make the unsophisticated people, as we are, to believe that that system has proved a failure in England, and that therefore it is no use making that experiment in this country. This is not the only case in which we have listened to this sort of argument. I remember to have heard a similar argument once before when sometime back we wanted the Government to adopt the policy of total prohibition just as the Government of the United States of America had done. But as usual we are asked to believe that the adoption of that policy in America has done them harm rather than good. I may inform the Government that we have become tired of listening to such arguments and we are now prepared to give them no credit. There is no law of human making; there is no organisation or movement ever started by man which can be said to have attained the ideal. There are bound to be flaws in every scheme prepared by man. So if there are supposed to be some defects in the starting of poor or even work-houses, we should not give up the idea when we know that such houses will prove a blessing in the long run.

This question was once raised in the Assembly too. But there also it met with the same fate. The Home Member acknowledged, perhaps because the occasion demanded it, that sturdy beggar was a problem, but clever as he was he evaded the question by saying that it was pre-eminently the concern of the local Governments to tackle with this problem. But when one month after that a resolution was moved in this Council asking for the establishment of poor-houses for the crippled and work-houses for the sturdy beggars, it was rejected not because there were any objections against it, but because the Government could persuade the majority of the members to vote with it. I do not know when this adamant and inexplicable attitude of the Government will change for the better or otherwise when we will be able to bend the Government to our views. I can say without fear of contradiction that it is, perhaps, India alone on the face of this earth where so many people die of starvation every day. As a matter of fact there is no road or street in any town or village where one does not come across a beggar appealing to the mercy of the passers-by. I might also inform the Government that the number of these beggars is on the increase. The persons who cannot find employment take to begging as the last resort. It is, therefore,

[Chaudhri Afzal Haq.]

high time that the Government should take up this problem seriously. If it is prepared to spend money in providing even free passages to the European vagrants, why should it sleep over the question when the Indians are concerned.

Before closing my remarks I would like to make two definite proposals in this connection for the consideration of the Government. One of them is that so far as the sturdy leggers are concerned work-houses should be opened for them. The other is that poor-houses should be opened for those who may be mentally or physically unfit to earn their livelihood. Both of these are, after all, human beings like ourselves, and therefore it should be our first duty to look after their needs. So far we have been guilty of negligence towards them. If we now begin to care for them who knows we may be instrumental in producing many a gem lying unfathomed so far in the deep. Therefore I again request the Government to look into the matter as soon as possible.

3 P.M.

**Mr. President:** Demand under consideration, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 6,000—Total donations for charitable purposes."

The question is that that motion be adopted.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan) Urban]: Sir, ever since I have come to this Council I have carefully gone through the pages of the budget. I have seen all the index, from A to Z. I have tried to find out whether anything such as is called charity ever existed in this budget. I came across the word charity with the hope that I would find a considerable sum of money. But when I opened the book, to my utter dismay I found that not more than Rs. 8,000 or Rs. 4,000 was allotted for charity. For Government dealing with millions of rupees and spending millions of rupees, to reserve a sum of Rs. 6,000 in this 20th century when all countries have gone far ahead in the matter of helping paupers and orphans, is a very bad thing. In olden days the Indian Ruler used to be charitable. He might be doing all crooked things in the world, but he was doing at least some charity; though he himself was very poor yet he reserved some money for the poor and orphans. But now in this province ruled by so many people coming from far off places where there are many charitable institutions, passing through so many countries all having charitable institutions and coming to this country which has always been the home of charity, they present a budget which does not adequately provide for paupers and orphans. Lack of provision for charity is a thing which must at once strike every new-comer to this Council. I ask whether the Government do not know that there are orphans in this province? Do they not know that there are paupers in this province? Do they not know that there are old persons in this province unable to work? They have been hearing their cries and should they not reserve some money for those people? I have been hearing the pathetic cries of the people and they have moved me, and I have been making speeches in this Council for the last 3 or 4 years; this is not the first time. I remember once when I was passing by the Amritsar hospital during winter I saw a man lying on the ground in the rainy weather. I enquired who he was and he told me that he was just turned out from the hospital. I was struck with it, and I at once went and asked the officers there and they told me that he was suffering from some incurable disease. They said we cannot keep our hospitals for people suffering

from incurable diseases; but where is such a person to go? He has paid his share of his tax, and my honourable friends on the other side take their share of pay from him. When they do not feel ashamed to take a share of pay from his tiny income, is it not right to pay him back in his old age and misery. I would be the last man to force the members of the Government or anybody to pay any money in charity out of their pay; but we have a right to demand that something should be paid out of our pockets. Our pockets may not be very full, but they are always full enough for charitable purposes. I have been giving this warning for the last 3 years, but nobody seems to take heed of it and there seems to be nobody in charge of this department. If the Government thinks that because there is no agitation they can do anything, then so long as I am here I will never keep quiet, but I will go on pressing the question. It is for the people outside the House to take up the cry. The Government seems not to go forward unless coerced. Government seems to think that unless there are *jathas* and organised deputations nothing should be done. You must do something for the orphans. They cannot come all the way to Lahore paying the railway fare and beg the Honourable Members and Ministers to give them something. They have no representation. They have no votes. Muhammadans, Hindus and Sikhs are represented here but no orphans are represented. But we the members though we do not get their votes, we are their representatives. Since orphans have no voice, our burden to defend them is all the heavier. Even among the Europeans where there are a few orphans they are well looked after. I ask why it is so. I am not saying this on account of jealousy or anything else. Their orphans are well looked after. What is sauce for the gander is sauce for the goose. I do not mean to say that the European orphans should not be paid anything. There is no colour or creed distinction among orphans. They may be black or blue; it is all the same; it makes no difference. They may be Anglo-Indians or any other class; they may be Chinese or even Bolsheviks. I make no distinction between the orphans of the different classes, and I want the Government also not to make any distinction between the orphans. They should all be treated in the same way. Time after time the Honourable Member in charge of the Irrigation Department rises and says that he is going to distribute thousands of acres to big syndicates; but let him give something to syndicates for charitable purposes. We do not want it for cotton; we do not want it for wheat; we want this for our poor creatures first. The Salvation Army is there; the Hindu societies are there; Moslem Anjumans are there. Let the Government promise them land and have a full control over their working. I am not going to mince matters; I say if any society mismanages the thing then let the Government step in. When the honourable member, the Director of Public Instruction is able to manage so many thousands of schools in this province surely he will be willing to manage a few orphanages also. He may smile at me, but I am sure he will do it. In Europe they give some thing, 8 or 10 shillings per week to the old people above 60 or 70. I am sorry I have not brought the book where this information is given. But what about this country? Are there no old people in this country. In England if they give the money at 60 years of age, in this country let them give for people above 60; let them give to people of 70. I have seen men aged 80 or 90, who have to work for their living. They were paying taxes when they were able to work. Now they have a right to demand money from us. It is no question of charity; they do not want charity from us; they have a right to take something of what they gave. We do not want to demoralise those people by giving them

[Shaikh Muhammad Sadiq.]

charity. I have seen people of 80 or 90 thrown on the streets. In this matter I will say to my European friends that people coming from other cold countries are seen wearing over-coats and other things; but our people in the Punjab have not got even a khadar cloth to wear. (Shame.) I do not say that all money should be spent on charitable purposes; but some money should be spent. We know England cannot do without charities. Relief system has come to stay. But it is not really a charity. It is the duty of the Government to return to the old people what they had taken from them before; it is the right of these people that they should be protected. We know so many orphans die out of hunger; there is an appalling mortality. So long as the old men and young children die of hunger there is no use simply spending money to decrease mortality by disease unless you are going to tackle the real cause of mortality. I entirely agree with the remarks made by my other friends. I do not want that fat people, *sadhus* and others should be given charity. We do not want to give protection for such kind of people. We must protect those men who are really in need of food, who are in need of cloth and who are in need of money. Let the Government open their purse. I am sure the Government members are charitable in their hearts. They are paying for charity every year; it might not be in this country, but it might be somewhere else; it might not be to any individual, but it might be to some society. The Government think that by giving money for charitable purposes they are leaping in the dark. They think if you start with one institution to-day they will have to do the same thing with other institutions to-morrow. If this is not done now, I am sure that after 3 or 4 years the hands of the Government members under the new conditions will be forced to open these institutions. It is for the Government to start the suggestion which has been put forward by me in many of my speeches. Open an institution for those people who cannot work; open some kind of refuge for the orphans, for poor people who are above a certain limit of age. There is no kind of party spirit or communalism here. I have come forward to appeal to all members, Hindu, Muslim and Sikh. I ask all of them to support me in this matter, to open charitable institutions and to request the Honourable Member to help these poor people and to reserve some thousands of acres for charitable purposes out of the millions of acres he has. A beginning must be made. Similarly I hope that the Education Minister will start some orphanages. Let him take a lead in this matter and come forward for a grant in this Council. Let him start some orphanages where education might be given to the orphans and also food and clothing might be given just as in England and France. With these few words I appeal to my honourable friends to accept this request and show that they have really a mind to help us.

Mr. Owen Roberts (Nominated, Non-official): Sir, I am at a considerable disadvantage in not having been able to follow the honourable mover of this amendment. But I understand he has objected to the grant on principle, and I also understand that reference has been made to European vagrants. I wish to say that in so far as reference to the Europeans vagrants is concerned, I heartily support him. I support the honourable member on the grounds that I believe that the care of our poor is a proper charge on ourselves, and it would only be necessary for me to bring the facts to the notice of my friends to ensure that the money will be forthcoming amongst ourselves. It is not so far as I am aware a new item in the budget. If the Government Member who replies will enlighten me on the point, I should be grateful, but

I do wish to assure the Council that this item has never before come to my personal notice.

I should like to express my thanks to the honourable member who has just spoken. The charitable views that he has expressed do him credit and would do anybody credit, but it does not alter the fact that we ought ourselves to bear the charges for our own poor.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadian), Urban]: Sir, I just want to say a few words as to this amendment. I heartily sympathise with the sentiments which have been expressed by the mover of this amendment and his supporters. We know that there is a great deal of misery in this province as there is in every province of the country. Having sympathised with the sentiments which have prompted this amendment, I want to point out respectfully to the honourable mover of the amendment and his supporters that it is far more important to prevent poverty and begging than to make provisions for those who have actually become beggars, just as with respect to the bodies of men it is better to prevent the attack of a disease than to cure it so with respect to a society and its economic condition. The true solution of this difficulty is, as I have always taken the opportunity to point out whenever one has offered itself to me, lies in the expansion of industries. Work for everybody, not workhouse for everybody; not a poorhouse for the poor but an opportunity for every poor man to earn his livelihood. When I say this I do not mean that there are not genuine cases of real misery that deserve commiseration and care. There must be provision for such people who are absolutely unable to earn their own living. I do not like this pest of beggars from which everyone suffers who has ever had any occasion to pass through any street in any principal town in this province. You just stop to have a drink of lemonade at Kesaris and you are at once surrounded by beggars, men, women and children and they worry the life out of you by their importunate demands and entreaties, and that is a sight which is really revolting and has been done away with in most civilised countries. It will perhaps be in our present stage of evolution a very harsh rule if some law were enacted against begging. That may affect some people whose profession is begging. For instance, darveshes, pirs, fakirs, some sanyasis and sadhus and a lot of other people who consider beggary a sacred profession might be affected by this legislation. It is therefore impossible to formulate any law at this stage, but certainly it is absolutely necessary to do something to do away with the scenes that we come across in the principal streets of every town in our country. In England there is begging but that is not so importunate as it is in this country. There people beg under some sort of pretence because under the law direct begging has been made an offence. They must sell shoe-laces and matches or something of that kind or sit quietly with a plate round their neck "please help the blind" and so on. It is really a much more decent way of begging than the way which is pursued in this country, but surely even England has to learn a lot in this direction. I had the good fortune of travelling in Switzerland and Germany, and I tell you with great pleasure that during the six months that I was in those countries I came across a beggar only once. I saw only one beggar during my six months' stay in those countries from Berne to Berlin. That is a great advancement in civilisation, and in that respect England has also much to learn from those countries. We are far more backward than our instructors and guides,

[Dr. Gokul Chand, Narang.]

philosophers and friends of England, and therefore the consummation however devoutly to be wished for is really very far yet to achieve. My sympathies are with the mover of the amendment, and I hope Government will do something to alleviate the misery of those who are really unable to earn their living and will do something which will not drive them into the streets if not for their sake at least for the sake of those who go out for shopping or for pleasure. With these remarks I commend this motion to the acceptance of this House. The learned mover has done a service to this House and to this Government by drawing pointed attention of this House and Government to this sad state of affairs.

**Baizada Hans Raj** [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu) : Sir, I rise to support the motion of my friend Chaudhri Afzal Haq, and I would like to point out that our benign Government already spends quite a large amount in charity. In all religions it is ordained that alms and charity should be given secretly, and our Government acts upon this doctrine. It so giveth with the right hand that the left does not know of it. In ancient times there were kings and monarchs like Bikramjit and Harun-ul-Rashid who went incognito all over their kingdom to collect information about the needs and requirements of their subjects. But here we have got our Viceroy and provincial Governors and other high executive officers of the State. They cannot act like our ancient kings, but they have their district officers whose bungalows are always crowded with beggars of various sorts, and their relative claims for official charity are placed before the district officers by the Criminal Investigation Department, and it is through this latter agency that the alms are distributed to the destitute. My point is that Government is already benevolent, and it distributes a good deal of money among the poor.

**Sardar Hira Singh** [Lahore (Sikh), Rural] (Urdu) : Sir, I am also glad to lend my support to the motion under discussion, and in doing so I shall urge that the money which is being spent for foreign vagrants should in all circumstances be applied to ameliorating the hopeless condition of the poor and destitute in India. This fund together with all charitable funds should be utilised for improving the lot of Indians. In my humble opinion Government should make a legislation for restricting the movements of these vagrants and wanderers who are a permanent source of trouble. These people, having no work, commit serious crimes such as theft and burglary. If you go to a village you will find these men sitting idle, and there is a maxim that "Idle man's brain is devil's workshop." My point is that some law must be devised to protect innocent people. Able-bodied beggars should be put to work and decrepits admitted into the poor-houses which might be provided for the purpose. There are some other clever men who profess mendicancy simply to earn their living. These are more dangerous inasmuch as they get money under the garb of religion. In the end, Sir, I once more urge that some suitable legislation must be made so that our poor country might be saved from the clutches of this pestilential breed of vagrants and wanderers.

**The Honourable Sir Geoffrey de Montmorency** (Finance Member) : Sir, though I feel considerable sympathy with some of the remarks that have been made, I do not think the problem is quite as easy as some of the speakers have imagined. Everybody is in full sympathy with the decrepit

and infirm beggar who is unable to earn his own living. Many persons must also feel that the sturdy beggar is a considerable burden on the country and that it would be a good thing if it were possible to devise some law by which the sturdy beggar could be made to work and kept from troubling people for committing crime. Now, as regards the problem of the decrepit and infirm beggar with which I gather such sympathy as exists, is concerned. There are three ways of dealing with the care of persons of this kind. The three different ways of dealing with it are, firstly, that Government will deal with it directly itself and pay the whole cost. The second way is for local bodies to deal with it and bear the whole of the cost. And the third way is for both these authorities to deal with it and share the cost.

As regards the first alternative, there seem to be two objections. One is that there has not been a sufficiently clear indication of public opinion all over the country that it desires the Government to undertake what would be a very onerous and a very invidious sort of task and also one which would cost a vast sum of money. In fact, if Government undertook the task it would be necessary to divert money from other sources in order to find the expenditure for poor houses in which these persons could be lodged at Government expense. It is perhaps not realised that although an enormous expenditure is borne by local bodies in Great Britain on poor relief the expenditure by the British Government on poor relief amounts to over 150 million pounds.

Another objection to Government taking a direct part in this work is that in the Acts which have been passed by our legislature, provision already exists for initiative by local bodies in this matter. The Municipal Act which has already been referred to by some members, besides absolutely making it a duty for the municipal bodies to pay the expense of pauper lunatics in asylums enacts that municipal funds may be directed for grant-in-aid to poor-houses, asylums and other charitable institutions. The Panchayat Act enables the panchayats to carry out functions and duties for the relief of the poor and the sick. The District Boards Act besides laying down responsibilities for the Boards in connection with pauper lunatics permits district boards to occupy themselves in local works and measures likely to promote the health, comfort, convenience and interests of the public. Now, Sir, all these bodies are representative bodies. Hitherto none of these bodies as far as I know has evinced an enthusiasm to take initiative in this matter or to begin to spend money on it. Surely, Sir, it would be wrong for Government in these days of self-government to force upon these representative bodies measures which they do not seem inclined to initiate themselves. This also seems to be a reason against Government making any definite step to start poor relief and share the expenditure with the local bodies. If the local bodies had had pressure from the citizens whom they represent to take steps in the matter, I presume they would have long before this passed resolutions suggesting to Government that they should receive some grants-in-aid for this purpose and making some suggestions as to the amounts they would be prepared to pay from their own funds. For this reason, Sir, I think that until there is a more clear indication of public opinion as to what it desires Government to do in the matter, or a clear indication that local bodies feel a need for doing something for this class and spending money on it, the problem of this class must wait until matters of greater

[Hon'ble Sir Geoffrey deMontmorency.]

urgency which require expenditure have been brought to completion. In the absence of such an indication of public opinion, Sir, I oppose the recommendation which has been made.

**Chandhri Afzal Haq :** [Hoshiarpur-cum-Ludhiana, Rural] (Urdu) : Sir, I must confess that when I heard the preliminary remarks of the Honourable the Finance Member I thought that he sympathised with my proposal, and that he would dilate upon the causes of this state of affairs which is so prevalent in the country. But I regret I have to say that that sympathy turned out to be lip sympathy, and towards the end of his speech I gathered that Government was opposed to my suggestion. This reminds me of a well-known couplet which runs thus :

بہت شور مچا کر تھے پہلو میں دل کا

جر چیرا تو ایک نظر اُٹھ نہ سکا

Sir, I have frequently remarked and I wish to impress it again that unless all the local bodies in the province open poor-houses simultaneously at all places the present trouble will not cease. The reason is not far to seek. If you open poor-houses in cities all the beggars and vagrants will resort to countrysides, and thus molest even unfrequented areas. Government ought to have approached this matter with a sympathetic mind, and appointed some sort of a committee to investigate this problem. I am at a loss to understand why Government thinks that a scheme of poor-houses will entail a very large expenditure. I do not agree because if the Government were sympathetic and wanted to do something in this direction it would have appointed a committee to estimate the expenses. In 1923 one of my honourable friends also put a proposal to this effect but Government did not care to look into the matter. Had there been a grain of sympathy the Finance Member would have declared that Government was prepared to consider whether the appointment of such a committee was feasible or not. Besides that, if Government had shown by facts and figures that a very large expenditure was to be incurred, in that case I would have been the first person to admit that Government was above suspicion, and that it was due to financial stringency that such like proposals are not taken in hand. I also know that Government sympathises with the proposal of opening poor-houses, but at the same time it does not agree to take practical steps. Sir, you must be aware that in the Legislative Assembly when this matter was brought forward the central Government took a favourable view and the Honourable the Finance Member there remarked that it was a provincial subject and that provincial Government should look into it. Now, Sir, the central Government says that it is a provincial subject, but the provincial Government in its turn says that this matter lies within the province of local bodies. In the circumstances I am afraid that local bodies will also come forward to say that such schemes could not be carried into effect for want of funds. From the facts I have stated before the House it is obviously clear that Government is not prepared to listen to our demands, and now it remains for me to request my honourable friends to register their protest against this attitude of Government by giving vote in my favour.

**Mr. President :** Does the honourable member wish to press his motion to vote?

**Chaudhri Afzal Haq :** Yes, Sir.

**Mr. President :** The question is . . . .

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** Sir, may I say one word in regard to this matter? As has been pointed out the subject has been discussed at length and the views of a number of honourable members have been freely expressed and cheerfully noted by Government. The unfortunate point about this debate is that it has been raised . . .

**Chaudhri Afzal Haq :** I rise to a point of order, Sir. Has the Honourable Revenue Member right of reply?

**The Honourable Mian Sir Fazl-i-Husain :** I rose simply to try to compose matters.

**Mr. President :** Order, order. The Government member has a right of reply.

**Chaudhri Afzal Haq :** Has the Government right of reply even after you have begun to put the question?

**Mr. President :** On the point raised by the honourable member I wish to state for the information of the House that a debate continues until the question is fully put, that is, the voices both of the 'ayes' and 'noes' have been taken. Therefore, with the permission of the Chair a member may speak after the voices of the 'ayes' and before the voices of the 'noes' have been taken. But a member cannot speak after the voices are fully taken.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** Sir, I really did not want to proceed with the debate. If I wanted to, I could have taken part earlier perhaps with some effect. That was not really what I intended. What I wanted to suggest to the House was that the demand under discussion has not much to do with the particular subject raised by the honourable member. It is an important subject. A vote of this House on this demand has not the same effectiveness as it would have had, had it been on a transferred subject. If I read aright, the real subject the honourable member has in mind is more of a transferred nature than of a reserved nature. From the non-official point of view it would be much wiser if either this subject is thrashed on the basis of a resolution or on a more appropriate demand than the one which has been chosen. That was really my advice to the non-official part of the House. I have given this advice not with the object of shirking a division or doing anything else in the matter. As has been stated the object of the debate has been served and it seems hardly worth while to proceed any further.

**Chaudhri Afzal Haq :** May I ask, Sir, whether it is a point of order or a speech?

**Mr. President :** According to the ruling I have just given the Honourable Revenue Member has a right to speak.

Demand under consideration, motion moved :—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 6,000—Total donations for charitable purposes."

The question is that that motion be adopted.

The motion was carried.

**Mr. President :** The question is :

"That a sum not exceeding Rs. 22,50,999 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Miscellaneous Departments (Reserved)."

The motion was carried.

#### INDUSTRIES (REVENUE AND CAPITAL) GRANT.

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

"That a sum not exceeding Rs. 10,03,100 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Industries (Revenue and Capital)."

**Mr. President :** The question is :—

"That a sum not exceeding Rs. 10,03,100 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Industries (Revenue and Capital)."

**Chaudhri Afzal Haq** (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, I beg to move :—

"That the total grant be reduced by Rs. 1."

Sir, the motion which I have just moved relates to the Department of Fisheries. This department is, I think, very fortunate because for the last six years no criticism has been levelled against it. Sir, I come from a place where people are being oppressed by this department and I have frequently invited the attention of Government towards the miserable state of the inhabitants who reside in the *ilaga* of Beit. Our sympathetic Director of Public Health has inspected this afflicted area and he can bear me out that the state of affairs in *ilaga* Beit is simply deplorable. Even the Government reports are eloquent on this subject. Sir, it is a matter of common knowledge that during the rainy season a great deal of water accumulates in *janhars* and *nalas* which produce malaria. The prevalence of malaria in this district is known to all and I can safely say, of course subject to correction, that nearly 70 per cent. of the population fall a victim to this pest which in most cases develops into phthisis or consumption. Now, Sir, Nature benevolently provides for the needs of people. It has provided fish for the inhabitants of this *ilaga* of Beit to combat the disease. But my honourable friends will be surprised to know that what Nature provides for the poor and needy this Department of Fisheries snatches away from them. The people of the *ilaga* live

on the banks of this nullah which is called Budha Nulla from time immemorial. Their forefathers enjoyed the right of fishing out of these waters. Now, Sir, what I beg to say is that these rights have been usurped by the Government. That is quite unfair and unjust. In this connection I may point out that when Government wanted to enforce the provisions of the Fisheries Act in this *ilaga* the inhabitants gathered together and strongly opposed the enforcement of the Act. At that time the Government abandoned its intention of enforcing Fisheries Act in the *ilaga*, but in 1922 it issued a notification in the *Punjab Gazette* as to the enforcement of the Act and invited opinions and objections thereto. Sir, it is a pity that such an important matter is referred to only in the pages of the Government Gazette which is not accessible to all and which is not generally read by all who come across it. I must confess that sometimes I myself, who has always tried to know the real state of things, do not look into its pages. Sir, you can very well imagine that in this *ilaga* where there was not a single middle school three years back, a notification was issued by Government for the general information of the public. But my submission is that the inhabitants remained ignorant and the Act was enforced, and they only knew when another notification was issued for license, etc. I respectfully ask the Government was it fair to keep the villagers ignorant and get the Act enforced against their will? Moreover, Sir, the bed of the Budha Nullah belongs to the zamindars of the locality and they also pay a certain amount of land revenue for it, but in spite of it the Government has denied them the right of fishing. Is it justifiable for Government to ignore the rights of people in this way? Government has deprived people of the provision which is offered by Nature to cope with the doings of that horrible disease which is known as phthisis and consumption. A very large population is suffering from bad health and it is a matter of regret that Government instead of opening a dispensary or sending medical aid has robbed the inhabitants of the curative food which was supplied by Nature. This reminds me of a story which is worth narrating. Once a beggar went round to a rich man's door for alms. When he knocked at the door the rich man let loose his dogs upon him and when he tried to get something to hit the dogs he found that he could not lay his hands on anything. Coming to such a fix the beggar exclaimed "what a strange fellow was the rich man who let loose his dogs and did not provide for stones or bricks!" Similarly our benign Government has deprived people of the gift of Nature which could have lessened the troubles of the inhabitants of the *ilaga*. I wish I could show by figures the real state of affairs in this *ilaga*. People in Ludhiana generally get license on a payment of Rs. 6 per mensem and go to Budha Nullah for fishing. It may be argued that zamindars can also obtain licenses. In this connection I should say that zamindars are very poor and their poverty is recognised even by the Honourable the Finance Member of the Government of India who declared some time back that the average income of a zamindar is Rs. 9 per mensem. Now, Sir, it can be imagined how a zamindar with an income of Rs. 9 a month can afford to secure these licenses.

**The Honourable Malik Firoz Khan, Noon:** May I know, Sir, where this Budha Nullah is?

**Chaudhri Afzal Haq:** It is in the Ludhiana district.

**The Honourable Malik Firoz Khan, Noon:** Sir, it will probably shorten the discussion if the honourable member will permit me to suggest that I have already a scheme in hand about this.

**Mr. President:** A member who is in possession of the House should not be interrupted in his speech.

**Chaudhri Afzal Haq** (continued in Urdu): Sir, I am grateful to the Government members who have bestowed their attention upon this doomed area. I am aware of the fact that Government has sanctioned a sum of Rs. 10,000 for improving the Budha Nullah but my submission is that that would not help us. Of course this scheme is likely to put a stop to the overflowing of water, but will not improve the lowlands. The Director of Public Health has seen the locality and I think he will bear me out that the lands adjoining the Budha Nullah are very low and steepy. Moreover the proposed scheme will take years to mature.

4 P. M.

**Mr. President:** I might further add to my ruling which I have just now given that up till now the motion is not before the House and is not proposed by the Chair, therefore no inference in any form is permissible.

**Chaudhri Afzal Haq** (continued in Urdu): Before I sit down I want to draw the pointed attention of the House and especially of the members on the other side to the remarks which are printed in the Fisheries Report of 1923-24. The report says that zamindars have now ceased complaining because they are tired of litigation and they want to evade it as far as possible. This is quite true. The reason is that people do not wish to relinquish the rights which were enjoyed by their ancestors. They go to courts and fight for them although in most of the cases they receive punishment of fine or penalty. But they are persistent in their demands that the right of fishing in the Budha Nullah should not be denied to them. It was day before yesterday that I put a question to elicit information about the complaints in regard to the operations of the Fisheries Act in the *ilaga* of Beit. Sir, I was simply wonderstruck to hear the reply which Government was pleased to give. Government told to me that it had received no complaints about the Fisheries Act. This situation can very well be explained. Sir, zamindars generally tender their applications to the Deputy Commissioner of the district who does not care to forward them to the higher authorities. I can assure the honourable members of the Government that the inhabitants of the Ludhiana district have repeatedly made requests and submitted petitions that the Budha Nullah be exempted from the operations of the Fisheries Act. Zamindars do not know officers higher than the Deputy Commissioner. He is considered to be the embodiment of Government. Sir, I do not want to take any more time of the House and in conclusion I shall request the authorities to take steps to exempt this small Nullah from the operations of the Fisheries Act just as the Nullah of Miani and another Nullah in Rabun have been exempted. I do not press the claims of my own district, i. e., Hoshiarpur, but I strongly urge that the most malarial part of the *ilaga* wherein this Budha Nullah runs should be exempted from the operations of the Fisheries Act.

**Mr. President:** Demand under consideration, motion moved:—

“That the total grant be reduced by Rs. 1.”

The question is that that motion be adopted.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, though the grant has been moved by my honourable friend the Minister for Education, fisheries fall under my portfolio and if I may, I should like to assure the honourable mover of this cut that I have been seriously considering how to improve the fisheries of the province. The protection that is afforded is not to protect the fish, but to supply greater amount of fish for the people to be used as food. I have the same object as the honourable mover of the motion has in view. In fact we are working on the same lines, to make more fish available for the people of his district. I visited Hoshiarpur recently and no complaint came to me.

**Chandhri Afzal Haq** : Ludhiana ?

**The Honourable Sardar Jogendra Singh** : I was in Ludhiana also, but I heard nothing about this complaint. But I can assure him that when I again go to Ludhiana I shall be very glad to enquire into this matter.

There is a point which my honourable friend in charge of the Rural Sanitary Board could have cleared. But as I was administering that department previously, I can assure the honourable member that we have a drainage scheme regarding the Budha Nullah which will remove the insanitary condition and there will be no fish then to fish. We are both working in the same direction, to provide greater amount of fish and to give greater facilities in the matter of fishing.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government) : Sir, I am very glad to have an opportunity of saying a few words with regard to the insanitary conditions of the Ludhiana town that have been created by the Budha Nullah referred to by the honourable member from Hoshiarpur. I had seen something about this Budha Nullah in some file and I was so much struck by the necessity of drying up the Budha Nullah for the sake of the people of Ludhiana that I felt it my duty to see this myself. For that very reason I went to Ludhiana and I motored out in the morning to see the Budha Nullah. A scheme has been prepared by the Rural Sanitary Board and it has been recommended by them to the Government for being executed.

That scheme is to stop the Budha Nullah at a distance of about 3 miles above Ludhiana and divert it across the pucca road and then join it again to the Budha Nullah about 4 miles below Ludhiana and it is estimated to cost a much larger sum than Rs. 10,000 which is provided in this year's budget. We hope to be able to take that work in hand soon and as soon as we are ready we are going to divert the Budha Nullah between these two places and the whole place will be dried up with the result that we shall in a way be helping the honourable member to get rid of the fish so far as the surroundings of the Ludhiana town are concerned. With that assurance put before him, I hope he will be able to see his way in not pressing this motion.

**Chandhri Afzal Haq** [Hoshiarpur *cum* Ludhiana (Muhammadan), Rural] (Urdu) : Sir, I am obliged to the Honourable the Minister for Agriculture and the Honourable Minister for Local Self-Government for their kind and sympathetic words, but the thing is that we . . .

**Mr. President** : A suggestion has been thrown from the Government benches to the honourable mover of the motion that in view of the statements made by Government he might withdraw the motion. May I ask if he is prepared to withdraw it ?

**Chandhri Afzal Haq :** I beg leave to withdraw the motion.

The motion was by leave withdrawn.

**Mr. President :** The motion for reduction has been disposed of, but the original demand is yet before the House and may be discussed if the honourable members wish to discuss it.

**Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] :** Sir, the honourable members are very glad that there has been no cut and so they think that they can get the whole thing; but they are mistaken in that. The object of my speaking now is not so much to speak and that our voices should go outside this hall, to the press and elsewhere. My object is really and sincerely to bring forward before the House certain important facts. After all we are not here simply to sit, but to help our people in industries and in every other direction we can. Punjab is really an agricultural country, but to say that because a country is an agricultural country so it should not go forward industrially is false logic. There is no doubt about it. Punjab is one of the premier agricultural provinces and I must heartily thank those gentlemen on the official benches who have done their best for irrigation. We have got excellent irrigation works. Really irrigation has always been a paying subject and that is why the Government has had no compunction in pushing the schemes forward, because they bring a lot of revenue to the State and also employ a lot of people. But, unfortunately Sir, as regards industries, I am afraid neither half of the Government has ever cared much for them. I quite agree that for the last eighteen months we had a Minister who was really a great industrialist and he told us that he was going to do something, but it is an irony of fate that just when we were expecting that he would push forward some scheme of his that he had inaugurated he was snatched away from the department. I do not mean that the Minister who has come in his place will be slack in pushing forward the scheme which his predecessor inaugurated and I am sure he will inaugurate more of such schemes. Industries are of the greatest importance for the welfare of the people of the Punjab. Just like England and other European countries, we find that thousands of our countrymen are workless. We have young men, thousands of them, the product of the funny system of our education. Some of them are Matriculates, some F. A. plucked, some B.A. plucked. They go on hunting after jobs ever since they leave school or college. If you advertise for a job, there are so many applications that it is very difficult to decide which application to accept and which to reject. But, surely, Sir, if we were to advance in industries, I am sure enough work could be found for these young men. You find, Sir, that there are now, if I remember aright, 15,000 motor cars in the Punjab. If we were to start—I am not joking but am speaking very seriously—if we were to start a motor industry in the Punjab, we would be able to produce cheaper motor cars in our own province and at the same time provide work for thousands of our young men. The same is the case with the cutlery industry, and the same is true of cloth manufacture. In Amritsar cloth is sold to the extent of three crores. We produce cotton. Surely when we produce cotton, why should we not utilise it in producing cloth? My friend opposite is laughing. Perhaps he does not take it seriously because it is not his department, but I do say, Sir, that irrigation is not the only necessary thing in the Punjab; besides irrigation we need industries also and I want Government to push forward some industrial schemes.

I must say that the Government of this province has a reputation for keeping good accounts, because their system is as perfect as a human system can be. The result is that the public has confidence in Government as regards monetary matters. If Government associates its name with any scheme, money will be forthcoming to finance that scheme without any trouble. We find that at this time we cannot get money at less than 18 or 14 per cent. interest, but Government can get money subscribed during a week or so even to the extent of two crores at a very low rate of interest of 5½ per cent. What is the use of this high credit, if Government does not take loans and use them for the benefit of industries? What I want to suggest to the Government is that they should float a loan at an interest of 5½ or 6 per cent. and then lend it at a higher rate of interest—I do not mean a very high rate, but keeping a margin of one or two per cent.—for the purpose of opening of new industries. Though this country is very poor as compared with England, America or Germany, yet there is enough money to be had in the province. There is such a lot of what is called hoarded money, money which is turned into jewelry. It is a fact that in the Punjab practically every Indian home has got jewelry worth Rs. 500 or Rs. 600. Many times it is borrowed at a high rate of interest. If these women were told that instead of keeping jewelry in the house they should invest that money in Government bonds, I am sure quite a lot of money will be forthcoming in the Punjab. In England there is some sort of propaganda, and if we have the same thing here and tell the women that for every tola of gold they will get one *nasha* or nine *rattis* every year if they invest with the Government, I am sure they will be ready to invest their money for this purpose. The Reforms have come to stay and year after year we are going to get more and more powers supported by popular demands. It is high time that in the interests of the people we should insist on Government that something should be done for industries. How is it that we have to import even small knives from Germany? Have we not got enough iron in our country? Why should we then import them from foreign countries? If Government were to associate themselves with Indian industries, I am sure the cutlery industry of Wazirabad would be a flourishing industry. You can get cheaper cutlery there than you can from Sheffield or Solingen. But what we do find is that in spite of 15 per cent. duty and other taxes on foreign cutlery, knives and other things of the kind are being purchased by the Government of India from foreign countries. It is a great shame for us that we do not insist upon Government to buy all such things from India and not send their requisitions to England. I say it is the duty of Government to help the industry in this country. We find that factories have been started, but simply because Government does not encourage and patronise them they come to a stand still. Government should associate themselves with any new industry that is started.

We heard last year that there was going to be an inquiry office where some sort of propaganda for industries was to be carried on. I do not know what has been done in that direction. I think in each town we should have reference books in libraries about industries and industrial matters.

I am very glad to take note that the last Minister who was in charge of industries started a hosiery factory in Ludhiana. I am sure there is sufficient demand for hosiery in the Punjab. If Government were to encourage these industries, there will be enough demand for hundreds of factories. Look at Japan. From thirty thousand factories only a few years ago, it has now six lakhs of them.

[ Shaikh Muhammad Sadiq. ]

It is nothing but apathy on the part of Government that stands in the way of industrial development of our country. I must admit that they have to look up to the Government of India for this thing, and the Government of India have in their turn to take their cue from the British Government. Naturally there is a kind of vicious circle. Such is the fate of our country that those who ought to encourage these industries do not encourage them at all. There was a time when India had the world famous Dacca muslin industry. England raised the high tariff walls and imposed protective duties to the extent of 80 per cent. or 100 per cent. and killed the Indian muslin industry.

Here we have only one Director of Industries. In England, for this work they would have twenty gentlemen of that type and twenty or forty assistants. How can one Director look after all the details unless he has able men to assist him? Surely one Director of Industries without assistants for a big province like the Punjab will not do. We want more men, men who know something of industries, and we want more money to help the industries. Unless we have more industrialist officers and unless we have more money to develop industries, we cannot improve the economic condition of the Punjab. We have hundreds of people asking for jobs. Having nothing to do they become workless and if they have no work they become beggars. Surely the best way of helping these people is to start industries. It is high time that Government took up this matter seriously.

The Honourable Secretary for Finance said that if they agreed to sanction all the demands of all the departments, the budget would be very big indeed. I know what the Finance Department does. It always clips industries. I am sure it never clips general administration, but its scissors are always used for industries and for agricultural purposes. That, Sir, is due to the fact, as I have said before, that Government has no heart in industries and development and they do not believe in it. They want to keep us only as an agricultural country. (shame). Really, Sir, it is a matter of great shame. Because the gentlemen who are in charge of the department of industries are not industrialists, but are mere graduates from Cambridge. They may be very hard working but they have no interest in industries. If we had industrialists from England they would put industrialists in charge of the different industries, and that would have been something. But Government does not care if we suffer. I am not criticising the reserved side of Government whose business it is not to interfere in this matter but I am addressing the Ministers in charge. They must take courage in both hands and fight hard and make Government help them with money. They will be told that there is no money, but they must not be frightened, and they must use all their power to force Government to help the cause.

Sardar Ujjal Singh (Sikh, Urban) : Sir, my object in speaking on this amendment . . .

Mr. President : Order, order. The amending motion has been disposed of. So there is no amendment before the House. But the honourable member may speak on the original motion which is still before the House.

**Sardar Ujjal Singh :** Sir, my object in speaking on this motion is not to cast any reflections on the personalities in the Industries Department. As a matter of fact we have now a young man as head of the department who knows really something about industries. Our province is notoriously backward in industries. There is a false notion prevalent in the province that industrial interests are opposed to agricultural interests. But as a matter of fact it is quite the reverse. With such raw produce in such abundance, the Punjab ought to be most advanced in industries. Take the United States of America. In agriculture it is the most advanced country and within a few years it has made such rapid progress in industries that Punjab can take a lesson from it. Industries are the real remedy for unemployment. How can unemployment be eradicated? The first thing is to create work, and the second is to teach the people how to work. We can create work only if we start industries. We can teach people how best to work by imparting industrial and technical education. Now, look at the loss that our province suffers by not manufacturing sugar and extracting oil. Large quantities of oil seeds are being produced in this province and still we are not able to manufacture oil on a commercial scale. I do not know exactly the estimate of loss that we suffer, but I believe it is estimated at several lakhs of rupees on account of sugar only. There is a great scope in this country for sugar manufacture. I would like to refer to the report of the Industrial Commission on this subject. They state—

"Turning to sugarcane, although India possesses a larger acreage under this crop than any other country in the world, her imports of sugar have grown in recent years with very great rapidity, and, before the war, were exceeded only by those of cotton manufacture."

In spite of the fact that we produce sugarcane to such a large extent, still our imports of sugar are increasing year by year. My suggestion is that in order to encourage industries Government ought to provide industrial loans at a reasonable rate of interest for industrial purposes. The second suggestion is that model factories ought to be started; and on that point I should like to draw attention to the same report of the Industrial Commission where the members recommend the pioneering of industries by Government.

"By 'pioneering' we mean the inception by Government of an industry on a small commercial scale, in order to ascertain and overcome the initial difficulties, and discover if the industry can be worked at a profit."

Then again, the same report says—

"It must be clearly understood that Government should only undertake the pioneering of industries when private enterprise is not forthcoming, and that, as a general rule, Government participation should only be continued till the object with which the operations have been started has been fully attained. By this we do not mean that the Government factory should necessarily be closed down, as soon as a private individual or company is willing to take it over, or it has reached some degree of commercial success."

I want to draw pointed attention of the Government to this point that more model factories ought to be started for such purposes as the refining of oil and paper pulp. We produce so much of cotton seeds, castor seeds and rape seeds, but we have got no factory for refining oil. Model factories in industries serve the same purpose as experimental farms in agriculture and the success of the model factory should not be determined by the profits that are made out of it. The model factories should be only of an experimental nature in order to overcome the initial difficulties.

[Sardar Ujjal Singh.]

The third point that I want to press is the provision of industrial experts. For such industries as oil refining and paper manufacture we require experts in order to advise people who are ready to undertake industrial enterprises on the difficulties that are involved by such industrial undertaking. So I suggest, Sir, that industries ought to be encouraged in this province. There is such a great scope in this province for industries as does not exist in any other part of the country. I wish to press this point to the notice of the Honourable Minister for Industries and I also press upon the Finance Department that it should allot much more money to the Industries Department than it has at present provided. (Hear, hear).

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I rejoice that the interest in matters. . . .

Mr. President : I may point out that the Honourable Member, being the mover of the demand, has a right of reply. It appears that several members yet wish to speak on the motion, so the Honourable Member will please understand that if he chooses to speak at this stage, he will not be allowed to speak again.

The Honourable Sardar Jogendra Singh : I am not the mover of the demand, Sir. I rejoice greatly that the interest in matters industrial is growing, and if I may, I take pride in it that I have to a certain extent helped in awakening this interest in industries. I shall rejoice still further if we begin to recognise that there is an inner alliance between industries and agriculture. The agriculturist produces raw material and the industrialist turns it into finished product and in the course of my travels in the Punjab I have discovered that the weaving industry particularly has a great future. The number of weavers who have devoted their time and experience in this industry is large. Census has been taken, and perhaps the Director of Industries when he gets up will be able to give the House exact figures but I can tell him that our weaving population is fairly large. My complaint has been and is that our intelligent classes have so far entirely ignored the organisation of industries and have not helped those people whom they could help by supplying modern implements of manufacture. With this end in view, Sir, I started a small weaving school at Shahdara which I hope will be working this season. I started four demonstration stations in four selected areas where there are a large number of weavers. I may also draw the attention of the House seriously to the need in every town of the Punjab of our intelligent men to survey the industrial resources of the district and to organise finances and provide an organisation to start industries on modern lines. Here we can all join in making a better Punjab, but the Government alone cannot do it. It is we, the intelligent classes in every city and town, who should put our heads together and organise the resources of each district and organise the manufacturing side of the district.

The honourable member from Amritsar talked a good deal about our inability to produce cheap articles in India. If I may say so, our failure so far is, that we are not able to produce cheap articles and serviceable articles, in competition with articles which we import. What we need is, to be able to produce marketable articles at marketable prices.

Then, again, Sir, one of the members who spoke before, raised the question that the department of industries was very much understaffed. One

member remarked that the department of industries must grow and keep pace with the growing demand for intelligence, knowledge and guidance. There is the Development Board which has been established and I hope to hold a meeting of the Board early in April to discuss some of our industrial problems and I hope this Board will become the centre of intelligence and power for the industrial development in the Punjab.

The Sikh member for the Punjab spoke about sugar and oil and I am very glad to tell him that in the matter of sugar we had Mr. Noel Deer, one of the biggest sugar experts, who visited the Punjab and submitted a report. His report is now under the consideration of the Government but I think I can say this that he has confirmed what the sugar committee said in its report, that by using primitive methods of manufacture we are losing at least Rs. 10,57,00,000 in sugar alone. About oil, Dr. Lander travelled all over India, and his report also is with the Government of the Punjab now. We are now seeking the advice of a businessman in order to come to a decision as to whether it is possible for the Government to pioneer these two industries. I hope in the course of the next two or three months to make a pronouncement on these two subjects, whether it is possible to pioneer the sugar and oil industries in the Punjab. So far as I am personally concerned, I am fairly convinced that we have a very strong case in the Punjab for pioneering these two industries.

There is one more matter which I wish to mention and it was incidentally mentioned by the member for Amritsar. He drew the attention of the House to 15,000 motor cars in the Punjab. I just want to illustrate that 15,000 motor-cars represent, if you value each car at Rs. 4,000, it means six crores of rupees and if you have put the maintenance of a single car at Rs. 100 a month it comes to about 15 lakhs a month. It shows that in the Punjab, there is sufficient capital and if people combine together and start the organisation of industries and divert their investments in motor cars and their maintenance, they will be putting down at least 10 crores for the development of the province and for the betterment of the prospects of the Punjab. I agree with the members who have spoken already on the subject that we in the Punjab must take to the manufacturing of our raw produce if we are going to make agriculture prosperous.

If I may, I would invite all the honourable members of this House when they go down to their towns and to their cities that they would take this matter seriously in hand and consider in what direction they can help the industrial development of the province. I am quite sure that the industrial future of the province is safe in the hands of my honourable colleague, Mr. Manohar Lal, who, as you all know has been Professor of Economics and understands much better than I can ever have done how man power and money can be made productive.

Malik Nawab Major Talib Mehdi Khan [Jhelum, (Muhammadan) Rural]: Sir, the object of legislating on fish has been explained to the House, but we have to see whether that object has been achieved. So far as one sees, fish has not increased in volume, nor has it become cheaper. The people who are living on the banks of rivers see with wistful eyes the water that used to keep their land in good order has been diverted into the canal. There remain...

Mr. President: The one rupee cut has already been disposed of and only the original demand is now before the House.

**Malik Nawab Major Talib Mehdi Khan.** I am not now speaking on the general question.

**Mr. President:** Then, may I take it that the honourable member has nothing to say on the demand under consideration?

**Malik Nawab Major Talib Mehdi Khan:** Yes, Sir.

**Rai Bahadur Lala Dhanpat Rai (Punjab Industries):** Sir, I must also join with my honourable friends in condemning the Industries Department inasmuch as they have taken no steps to do anything towards the industrial development of the province. When my honourable friend Sardar Jogendra Singh joined the Punjab Ministry, high hopes were raised in our minds that he would do something to develop the industries of the Punjab. Since he joined he has been discoursing about the development of industries and he took interest to give practical shape to his ideas. He called a meeting in order to establish a Board for the development of industries. In that Board Lala Harkishen Lal told him that unless the Government was prepared to help financially there was no use of forming such a Board at all. What do we find now? In the present budget estimates which have been prepared and which have been introduced by the Honourable the Finance Member, only a sum of Rs. 25,000 has been given for industries as the revenue expenses of the development department for the whole year. With that paltry sum, do you expect the Development Board to do anything in the direction of improving the industries of the province? When the capital outlay even for the year is Rs. 1,50,000, nobody can think of developing the industries with that little sum. If you really want to develop the industries of the province you should not only invest lakhs and lakhs but you should invest crores and crores and unless the Government comes to the aid of the people industries will not develop in this province. Up to this time, I must say that nothing has been done by the Government in order to develop the industries. By opening these weaving schools and these dyeing schools, you cannot revolutionise the industry of the province. Industries cannot be established by simply having a school at one place and another school at another place, nor can they be developed by teaching weaving and giving demonstrations in dyeing there, nor yet by opening a tannery school at Shabdara. I would submit that Government should help the people by advancing loans at moderate rates of interest because Government itself can raise loans at 4 or 4½ per cent. If the Government was really anxious to help the industries of this province, they should have done so long ago. A Sugar Commission was appointed on which Sardar Jogendra Singh was also a member. Several years have passed since the report was out and it was suggested therein that in the Punjab, near Karnal, a Government Model Factory of sugar could be established with advantage. In the last Council I put the question whether the Government was prepared to act upon the recommendations of the Sugar Committee. The reply given to me by the Honourable the Revenue Member was that it was the business of the Imperial Government and not of the Provincial Government because the report was made to the Imperial Government. If a good suggestion had been thrown out by any person, even though he may have nothing to do with the Government, the Government should have taken it up, they should have examined the question on its merits and should have come to the conclusion whether it would help that suggested industry. But, of course, the question was shelved with this mere answer that it was the business of the central Government and not of the provincial Government. Now, we have been

told by Sardar Jogendra Singh that a sugar expert has come here and that he has told the Government that there is a great field for sugar development and for sugar mills in the Punjab. Sardar Jogendra Singh knew long ago that there was abundance of sugarcane here which could be converted into sugar but nobody took any action in the matter of establishing sugar factories. What is the use of an expert coming here all the way from England and telling us things which Sardar Jogendra Singh knew already? There are certain places in the Punjab in which sugar mills should have been started very profitably long ago. Now, Sir, it has been stated that it is very difficult to find money in order to help such huge projects. But, I may say that in the pre-reform budget we find that the revenue receipts of Government were only six crores or in the neighbourhood of that figure, but the revenue receipts of the present budget are more than 18 crores. If the Government could find ways and means to raise such a huge figure of seven crores within a period of seven years, then surely the Government could find enough money if they were really anxious for the industrial prosperity of this province. Industry is a subject where you have only to invest, you have nothing to spend. Money invested in industries, like money invested in irrigation projects will come back to the Government and will go to swell the revenue receipts of the province. We find that Government not only does not take any active interest in the industrial development of the province, but also it makes it more and more difficult for the industrialists to do whatever they have been doing in that direction. When co-operative societies are receiving deposits at 7 and 7½ per cent., and everybody is getting the impression that co-operative societies being part of Government department are very safe banks where people can invest their savings, surely nobody would invest their savings in industries except at a very heavy rate of interest but they will deposit all their money in the co-operative societies where they are able to get a high rate of interest. Whereas, an industrialist, if he wants to raise money has to pay 8, or 9 or even 10 per cent.\* in consequence of the high rate of interest being earned on deposits made into co-operative banks. Nobody can expect the industries to make any headway in this province under the circumstances. The Government is in a most advantageous position and knowing all the facts and figures they must offer advice to the people by suggesting that such and such an industry can profitably be started in this province. The Government can also help the people by subscribing money and starting a joint stock bank in co-operation with them. If the Government really wants to help the industries, it must be a big shareholder in a joint industrial venture.

I submit that if you really wanted to help or start profitably the Development Board and if you were really anxious to see that Board perform any useful work, you should have first voted a big sum of money, at least for the expenses which it might incur during the year under review. The formation of this Development board is a mere farce if you do not sanction any money for its expenditure. You do not provide the sinews of war for them and how can you expect they would be able to fight your industrial battles. If I put forward a proposal before the Development Board, for want of funds they will not be able to carry out the proposal. This is not the time for future budgetting but I hope that the present Minister for Industries will take this suggestion and have the money provided for the future because after all that provision will not be an expense pure and simple. It will be a sound investment and if the Government is

[R. B. Lala Dhanpat Rai.]

really keen on helping the industrial development it can raise any amount of money. If there is scope for industrial development there should be no obstacle in the way of Government to help it. But if there is no scope for industrial development, pray tell us so plainly and we shall be silent.

Lala Bodh Raj [ West Punjab Towns (Non-Muhammadan), Urban ] :

Sir, all the honourable members of this House have been condemning Government for their apathy in the matter of industrial development of the province. Now is the time when we can force the Government to accede to our requests and the only way in which we can force the hands of Government, or ask the Honourable Ministers to force the hands of Government compelling them to give us as much amount of money as we want, is that we should go on rejecting the grants unless and until the requests of Ministers are acceded to by Government. We always make speeches year in and year out. We have been discussing the budget and we have been condemning the Government, but we do not like to take any further step in order to compel the Government to accede to our requests. To grant only a sum of ten lakhs out of more than 11 crores of income is nothing and it only means that the Government wants to play with us. We are pretty sure that the Government would not grant us money for years to come. As has been remarked by the honourable member who has just sat down, with only a sum of Rs. 25,000 placed at the disposal of the Development Board nothing can be turned out. They cannot bring forward any schemes for the development of the province with such a petty amount. If the members of Government are sincere, if they are honest in their intentions to develop this province, they should come forward with larger sums of money and place that amount at our disposal, so that we may be able to open the ways for thousands of young men who are now wandering without employment. The problem of unemployment is assuming a very keen aspect. It has been left by the Central Government in the hands of Local Governments and the people themselves. If this is the way in which the Local Government wants to tackle this problem, I do not hope that we can solve it for several years to come. When a question was tabled by my honourable friend Chaudhri Afzal Haq, a committee was appointed with a view to silence our clamour. They evidently wanted to mark time and get their budget passed and afterwards to sleep over the question for a year and again wake up at the time of next budget. If the honourable members want to force the Government, now is the right time. They had better reject this demand. Let the Honourable Ministers who represent the people on the executive government ask the Executive Council Members to grant them more money. In case the Executive Council Members refuse to grant the Honourable Ministers the money they demand, then let them bid adieu to the Executive Council and let them not support them when they bring forward their own proposals for the approval of the House. When the Executive Council Members are not prepared to co-operate with the Honourable Ministers, the Honourable Ministers who represent the people and who represent the popular wish should also non-co-operate with the Executive Council Members. We should not allow the Government to play in this manner with us and ask us to work the reforms which are a mere sham and a mere camouflage. We get nothing in reality; we get no substance. We want more money for the industrial development of the province. If the Government want our sanction in such matters, then we would be prepared to give it, provided they assure us that

much more money would be spent on the industrial development of the province in accordance with the wishes of the council. What is after all a sum of ten lakhs for the development of a big province like the Punjab? Even one crore would be nothing in this respect. As has been suggested by one of the speakers, if the Government are sincere and honest in their intentions, they can raise a loan and start the industries. The Honourable the Minister for Agriculture just now stated that those who are spending crores of rupees on motor-cars and are spending lakhs of rupees in the up-keep of these cars, should instead invest their money in industrial undertakings of the province. I am afraid that the Government would refuse financial help to such undertakings, and no private enterprise can flourish unless aided by the State. Unless the Government come forward with their help in these undertakings, private people will not be able to compete successfully with the people of England and other foreign countries. It is the main duty of Government to help and encourage the industries of the province. But our experience in the past makes us believe that Government has been consistently defeating the object we have in view. With these words I would recommend that this grant should be rejected altogether so that the Honourable Minister may be in a position to force the hands of Government to grant him a larger amount of money for running the department and then come with a supplementary demand for our sanction. I can assure him that the House will then consider the demand on its merits.

**Mr. V. F. Gray** (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, I do not think that the views of the last speaker voice the opinions of the previous speakers; it is not that most of us do not want the grant to be passed at

all, but we do want to impress on the Government the necessity for taking seriously the question of the expansion of industries in the Punjab; and we think that in this budget there is too small an amount set aside for the purpose. I think that even from the Government benches these wishes of ours should be looked upon as a welcome sign, of what has sometimes been termed the industrial awakening of the Punjab. But it is very easy to say Government must do this, must do that, Government must start this and Government must do one thing or another; but I realize it is a very difficult position. One member has mentioned the high tariff in the United States of America. Does he suggest that Punjab should put a tariff wall round the Punjab borders? The tariff is an all-India question, and I think there are some objections to that. Does he also realise that a high tariff in America has made it the most expensive country in the world to live in? The recent increase in wealth in America is due not to high tariffs but to the war. It was the only big industrial country that was not fighting during the early part of the war and their trade went up by leaps and bounds during those few years. It is not merely the tariff wall; it is the opportunities they had during the war. The only other country worth mentioning which comes under a similar category is Japan. The alternative to tariffs is subsidies. But there are great dangers in connection with that. The British Government did that in connection with dye stuffs and now wish that they had not. They looked upon that as a key industry and they subsidised it at a very heavy cost to the tax payers to satisfy that ideal. The further danger of subsidising industries is that you could only subsidise one or two factories. But what about the others? I fully approve of small model factories to show people how to go

[ Mr. V. F. Gray.]

about and how to do things, practically technical schools but even there you have got the great danger of competing unfairly with private enterprise. Remarks have already been made in this House in connection, I think, with tannery, that the stuff was supposed to have been sold in Europe, but the result is we are only competing with Bomlay and Cawnpore tanneries by selling the produce of these tanneries in the Punjab at a loss. That is not the state of affairs that we want to create to any large extent. We do want the people to be taught and we want model factories to show how this is to be done, always provided you have got really expert men in these factories who will actually teach something. You have got this weaving factory coming into being. I see in the budget a provision for one lakh of rupees to buy yarn, I do not know why there should be such a big charge on the province unless you bought fully 10 lakhs worth, for this yarn is to be made into cloth, and surely the cloth is worth something. Even a Government weaving shed should not lose more than 10 per cent. in converting yarn into cloth against profits made by private enterprise. I just mentioned certain dangers from subsidising or even supplying money. Government might certainly help on occasions when they can, for instance when there is a group of men together wanting to start an industry, perhaps by giving them some facilities in the shape of land near railway sidings or rivers or perhaps some facilities to get wood in the case of match factories, railway concessions for the time being and such like things; but it is extremely dangerous to give large subsidies because you immediately get an outcry from other akin industries that they have been badly treated in consequence. We had sometime ago a very enthusiastic speech made by the Minister of Agriculture on his five-year policy. He certainly seems to be advancing along on correct lines. He talks about the number of weavers in the province and that he is trying to collect them together to draw them away from the cottage industry and get them to favour the use of power instead of hand work. Much has been done in the old handloom industry but it is not going to compete with power. To spend money trying to revive the handloom industry is in my opinion trying to flog a dead horse. You might help it along for a time but it will not lift the Punjab industrially. Handloom can never now really successfully compete with power, you must move with the times, and follow world evolution. You are going to have enormous amount of power in the Punjab, when you have the hydro-electric schemes working. So there is no reason why you should not take advantage of it and get ready to make full use of power looms. There is another point of view which I would like to emphasise. I do not think that tariffs are possible because if you want to encourage local industries by making outside articles expensive in the Punjab to help the Punjab industries, you must bear very strictly in mind that you have to get the agriculturists who form 90 per cent. of the population, to pay the enhanced prices, which would result from the wish of the State just to help a very small number of people who want to start an industry. You have also another objection that must be borne in mind, and that is when the industry is very well established you won't have sufficient men on the land. It is a trouble that appears in most of the Home countries. There is no doubt that when you have an industry in the towns you get the population drifting to the towns. You will then have far too many men in towns, with a shortage in the fields. There is another point in which I think public opinion might help considerably. We hear a great deal of graduates who are out of work. In India it is

undoubtedly a bigger problem than it is in other countries. It is an evil to some extent in all countries. It is only natural that when a boy has spent all his time in the college and graduates out as a B. A. and looks round for some employment, he does not like to find that he is of no more use than a boy who has come out of an ordinary school with a much lower standard. And he won't sit down and start at the bottom in learning something. Before you can do anything in industries a province must have men who have learnt something. Men who are going to sell the stuff must know how the stuff is made. Here you want well educated men who after completing their education are not too proud to go down to the bottom and learn a trade; they must know how to sell the articles of that trade. There is no use in producing stuff unless there is some means of selling it. That is a trouble which public opinion might help, this trouble which you have got even in England where there are a lot of people from the Universities, with nothing to do, and public opinion alone can overcome it. Commercially a University graduate knows nothing, but if he will get right down and start from the bottom, with his advantage in education he would be a most valuable man to any industry or province. There is a suggestion that Government should always buy Indian made articles. I think you find that is the policy adopted by the Government. It is certainly in the rules that if an article can be prepared in the country equal in quality and price it must be bought in the country. That is the rule of the Central Government and also this Government. Now as regards capital, get people together with definite ideas of industries and definite schemes, I do not think you will have any difficulty in getting capital. It is not hard to get capital if you put up sound profitable schemes. With regard to the asking of Government to put up the capital for more or less experimenting, I think I have already traversed that point. I do think a considerable increase of money might be spent by Government in the direction of helping industries. I do not like to say that they are not taking any interest in it, but it certainly does look from the paucity of budget grants as if they are not taking sufficient interest in industries, and I hope they will bear well in mind that the Punjab is really very anxious to have her industries speeded up.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, I have been listening very carefully to the debate which has been carried on on the motion before us. I was not able to understand the honourable member who wanted to oppose the grant. I was able to understand the last speaker who simply wanted to give some hints and suggestions for the improvement of the department of Industries though he did not oppose the grant. I was not able to hear any remark from the others who have spoken on the motion to the effect that they did not mean to oppose the grant. As to the mental attitude shown by my friend, the honourable member from Multan, that as long as we cannot get all that we want we must give up even the small we have, I thought that this had long been abandoned in the country.

The presence of my honourable friend in the Council, is evidence if evidence was needed of the abandonment of that attitude which was at its climax a few years ago. I do not see that there is any reason for a further controversy on some of the points that have been mooted by the speakers. We want some relief for the unemployed. No one questions this. We are great producers of raw material which is exported from our country

[D. B. Raja Narendra Nath.]

and then re-imported at a much higher price. Every one admits this and it is undoubtedly an unfortunate circumstance. We should try to remedy it and industrial development is the only thing that would help us to remedy it. Then there is some misunderstanding in this Council as to the conflict between industrial interests and rural interests. On that point the Honourable Minister for Agriculture has dilated sufficiently long. He has explained to the Council that the interests of agriculture are inextricably mixed up with those of industry, that the two cannot be disunited and separated. I can say from my own experience that I would welcome near my own land the existence of factories. If there is a rice factory near my land, it enhances the value of my rice. If there is a flour mill near my land it enhances the value of my wheat, and I wish there were a factory near my land to manufacture preserves, *murabbas* and jams as that would enhance the price of fruits from my orchard. So I think that rural interests are identical, with industrial interests. No doubt we will for a long time continue to devote our attention to agriculture. There is so much waste land in the country which needs to be brought under cultivation, and agriculture is a much easier industry than other industries. Agriculture will continue for a long time to absorb our capital and attract our attention. At the same time there is no reason why we should not side by side with the improvement of agriculture bear in mind the need for improving industries also.

It has been hinted by one of my honourable friends that a graduate from Cambridge is not a man who cannot be best expected to improve the industries. Well, if graduates from Cambridge can do everything else, if they can make the best soldiers, the best generals, the best statesmen, the best politicians, and the best judges, I do not see why a graduate from Cambridge cannot make the best Minister for Industries. Well, there may be other men more capable with more practical knowledge of all the industries who may be better suited for the office, but there are many other reasons which influence Government in making a selection of their Ministers. It must not be forgotten—and I draw the attention of the House once more to a point which was briefly touched upon by the Honourable Minister for Agriculture—that the Minister in charge of Industries is a gentleman who has been a professor of Economics. Certainly if an economics man cannot understand the industrial interests of our country, I fail to see who else can. It has been hinted that the Ministers under the present constitution have to look to the Finance Member, that they have to get money from the Finance Members which they are required to spend, that they cannot do anything of their own initiative. Sir, we are not here to devise a constitution or to advise Government as to what the future constitution of the country should be. You have been bearing in mind the requirements of relevancy, but I think that these remarks as to what the constitution should be are altogether beside the point. With your permission I would say a few words as to the constitution itself, I do not think that it is so unworkable as it is imagined. No Government can work without co-operation. All the Ministers, all the members of a Cabinet are expected to co-operate with each other, and from the evidence which I read the other day given before the Enquiry Committee, it appeared to me that there was the best spirit of co-operation existing between the Financial Members of the Punjab and the Ministers. The Ministers have been able to get what they wanted. There may have been some complaints in regard to the manner in which certain administrative lines of policy were conducted but that point has not been

raised by any of the members on the other side. So far as the motion for grant is concerned, I conscientiously and whole-heartedly support it, and I do not think any point has been made out by the speakers who have preceded for refusing that grant. The improvement of industries and the farther development of the industries is a thing which we all of us desire, but that is no reason why a small amount asked for should be refused. The Bureau of Industries which has been instituted may not have sufficient work before it. Rome was not built in a day. We cannot get all the money we want in one day and we have to wait. The country is heavily taxed, and the Council is probably rightly averse to any increase in taxation. Where is the money to come from? Which department is to be starved? All departments are equally important. Therefore so far as the motion before the House is concerned, I support that the money asked for be granted. (Loud cheers).

Lala Mohan Lal [North-East Towns (Non-Muhammadian) Urban]: Sir, there is, I believe, not a single member of this House who does not want industrial development in the Punjab. I associate myself entirely with the remarks made by my predecessor. It is true that 10 lakhs is a very small sum for industries, but there seems to be no reason why some of us should make a motion in this House that the whole grant should be rejected. What I personally feel is this that, as has been pointed out before, the agricultural development and the industrial development are allied together. If Government is able to raise loans for the development of the hydro-electric schemes, I would suggest it to Government that for the industrial development of the Punjab they should take similar steps. We want three things. We want capital, we want expert advice and we want a training ground. The Honourable Minister for Education and Industries has told us that they have started schools in the Punjab for tannery and for weaving and other departments. I submit that those are only preliminary classes. Government should have a college of the right sort in which those who are trained in the lower classes are to be put in. There is no doubt, as has been pointed out by some members, that for the solution of the problem of unemployment it is absolutely necessary that we should have industrial development. In my humble opinion it is the duty of the department concerned to launch a scheme. If Government finances to a certain stage, I can assure the Government that there are some of us who are prepared to take up those industries from Government. The capitalists in the Punjab are at present afraid of financing any industrial scheme, lest if it fails they should lose their capital. Surely for the development of the province it should be the prime duty of Government to provide finances, and if Government incurs a loss, it should not mind. Is Government not losing on other experiments? Government has invested such a lot of money on the hydro-electric scheme. Government should not be afraid of loss and should give a helping hand, and I am sure that any such scheme will be a success.

With regard to the suggestion of my friend from Multan that the budget should be thrown out under this head, I say that it should not be done. If all the members are unanimous that the Punjab is not being industrially developed by Government and if they want to show their disapproval of Government, they should throw out the whole budget in order to draw the attention of Government that they are feeling so keenly that the Punjab is not being industrially developed. These are my suggestions before the House. The grant for industries has my strong support, but at the same time I wish

[Lala Mohan Lal.]

to draw the attention of Government to the fact that we want industrial development in the Punjab and that Government should take steps by raising loans and otherwise providing funds, so that the Punjab may be industrially developed.

Mr. Owen Roberts (Nominated, non-official): Sir, as one interested in trade I naturally support any expenditure on industries. But I should like Government to ask themselves one question very seriously when they are spending money. I have in my hand a report on the Department of Industries, Punjab, for the year ending 31st March 1927, and I will read a sentence from it relating to the Government Model Tannery:—

"The Trading and profit and loss account has not yet been received by me from the Director of Commercial Audit; but an examination of Personal Ledger Account maintained at the tannery reveals the fact that the tannery is suffering terribly from heavy over-head and power charges."

The question I want to ask Government is whether they are spending their money in the wisest way in trying to demonstrate commercial enterprise. I submit that they are not. All that they are doing is this; when they found a tannery, they demonstrate the fact that hides can be tanned; if they start an oil industry they will illustrate the fact that oil can be extracted from various agricultural products, and if they start a sugar factory they will demonstrate that sugar can be extracted from cane. And these are things that we all know.

One member said that we export raw material to other countries and import articles at a very much higher price. Now, Sir, during the month of December I went over a very large enterprise in England. It was connected with oil refinement, and I do not believe the entire surplus production of the Punjab would keep these works for six weeks.

There is no use of talking about sinking money in enterprises when you cannot feed them with raw materials. Everybody knows that you cannot manufacture on a large scale. When every grower insists on pressing his own cane and will not give it to the factory, how is the factory to exist? Similarly you simply cannot compete with large organisations by putting up small oil factories. Therefore, Sir, I would urge upon the Government very seriously and I would urge upon the notice of this board that has been mentioned by the Honourable Minister for Agriculture whether it would not be better advised to keep themselves to training useful men such as mechanics and craftsmen and utilise the rest of their funds in supporting promising ventures. Let them entice industrialists into the open and encourage them to start enterprises, and if they show the least signs of success let them be given all the support that you can afford. It is not desirable that the Government should start enterprises such as the tanneries and dyeing factories, and the moment the Government enters into the field of commercial enterprise, it must find itself out of its depth.

From the very nature of the subject this must happen because if Government conducted paying business enterprises, it would be competing with trade and would give proper grounds of objection to any interested person.

**Sardar Habib Ullah** [Lahore (Muhammadan) Rural]: Sir, as an agriculturist myself and one representing the rural classes I agree with every word that the Honourable Minister for Agriculture has spoken a short time ago. I am fully conscious that the progress of industry is the progress of agriculture, and I feel that both these things should go together hand in hand. I can assure my honourable friend the Raja Sahib that myself and my agriculturist brethren on this side of the House would be fully with him if he would bring forward any proposition for the encouragement and for the improvement of industry. But at the same time, Sir, I will also urge on the House that the money that we allot for the department of industries should be wisely spent. In this connection I may speak a few words about the mismanagement of the department. From whatever little I know of the department I think that it is the most mismanaged department in the province. If I may refer to the history of the tannery that has just been mentioned I will say that sometime ago when this tannery was started there were hopes expressed that there will be a great progress in the tanning industry of the province, and that people would thrive and that all the tanners would have a very good quality of leather turned out. What we see now is this, that 4 lakhs of rupees were spent for the purchase of machinery and for some implements, about 2 lakhs of rupees were given for running expenses and now we find that after two years Rs. 1,52,000 have been lost in this enterprise by Government. To start with, an expert,—I do not know why he was called an expert, because I know something of the gentleman, he did not even know the elementary laws of tanning,—asked for Rs. 400 a month but was given Rs. 600 a month. (Hear, hear.) I now find that in the budget a provision has been made for a salary of Rs. 1,500 per mensem for him. This is a sheer waste of public money. (Hear, hear.) The total working expenses on this item, I believe, is more than 20 per cent. of the capital which I consider is too much for any industry. Is this the model industry that we want for this province?

As regards the goods that are turned out in the tannery, they are sold at 9 annas per square foot, whereas the goods from the Calcutta and Madras tanneries are charged 12 annas per square foot. The first class goods from the Madras tannery are charged 14 annas per square foot. It is not that we are competing with them, but what I wish to point out is that the goods produced are so low in quality that nobody would buy them. This is an enterprise which is considered to be a model enterprise.

In the same way I would just say a few words about the dyeing factory that has been started by the Government. Here we are spending Rs. 1,81,000. I would challenge the Director of Industries and my honourable friend the Minister for Education to come forward and tell me what those boys who are being turned out of the dyeing factory are doing, where they are employed, how much they earn and what good this dyeing is doing to the province. I am one of those who would like to see industries thrive and as much sum of money should be spent as possible. But I don't want that the money should be frittered away owing to mismanagement. (Hear, hear.)

Another point I want to refer to is the small sum allotted for industrial instructions for women. The Honourable Minister wants to provide an instructor for this purpose. I should like to know how this instructor

[Sardar Habib Ullah.]

is going to work with these women and how he would instruct the women. (Some voices : It is she and not he.) I am just told that it is she and not he, that is, the provision is for an instructress. (Laughter.) All the same I would like to know how this instructress is going to work among the ladies. Is it proposed that she should go from door to door and tell the people what she wants to tell them and how she wants to improve the arts of India ? It is a point which requires thorough consideration on the part of the Minister and Director of Industries. I should like to know something on this point. As the department at present stands, and as I understand it, I feel that it does not require any money at all. (Hear, hear.)

**Bai Sahib Lala Ganga Ram** [Ambala-cum-Simla (Non-Muhammadan) Rural] (Urdu) : Sir, much has been said in connection with the industrial development of the province and I need not repeat the same. It has been said that the expenditure that is being incurred on the tannery and dyeing institute is a sheer waste of money. That may be so, but I would submit that we have to compare our articles with those made in other provinces. When we look to the history of the industrial development of other countries it appears to us that it is the Government everywhere which runs the risk of incurring losses in the first stages of industrial development. The Government seems to be the chief force working towards the industrial development of a country. But here the case is quite the reverse with our Government. It has taken no steps to develop the industries of this province. Sir, now-a-days the problem of unemployment is very acute, and I can venture to say that it cannot be solved except by developing our industries. I would again urge that no private institution can ever be prepared to run the risk of incurring losses in connection with the industrial development of the province. It is the duty of the Government to take the lead in this matter. Japan was originally an agricultural country, but in a short time with the help of its Government it became one of the great commercial countries in the world. In the end I would request the honourable members of the House to accept the demand, although I admit that it is quite an insufficient sum for the industrial development of the province.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan) Urban] (Urdu) : Sir, the discussion that is now going on in the Council has reminded me of certain Punjabi verses which I came across in my boyhood. Fazal Shah (a Punjabi poet) made attacks on Waris Shah another Punjabi poet in connection with his "Hir." Thereupon another poet Pandit Gauri Nath Gauhri criticized Fazal Shah's second writing "Sohni Mahinwal."

(Here the honourable member recited a Punjabi verse.)

Sir, the same is the case with the discussion that is now going on in the Council. The proposition before the Council is quite simple. The honourable members have criticized the demand under consideration. It seems to me that some of the honourable members of the Council are perhaps labouring under a mistake that it is the Ministers who are responsible for this mischief, that is, for providing a paltry sum of Rs. 8,77,000 for the development of industries of the province, and that are responsible for wasting lakhs of rupees in connection with the tannery at Shahdara. Sir, I want to remove this misunderstanding. The honourable members might remember that

it is the very same demand which was criticized by me two years ago. I am prepared to repeat every word of that speech of mine. I assure you, Sir, that I still hold the same opinion. But the question arises, who is at fault? These gentlemen sitting on the adjacent benches have come from a very distant country in order to help us in the government of this country. Sir, the allotment of money rests with them. The Honourable Minister for Agriculture, the Honourable Minister for Education and the Honourable Minister for Local Self-Government have only to carry on their work with the money so allotted to them. These poor people are quite helpless in the matter. They cannot initiate any expenditure whatsoever. They hold the position of a *bhandari* and the Honourable Member for Finance is the sole master. If the master does not give sufficient flour to the servant and we do not get sufficient food, let us approach him. The servant is not to blame. I am at one with the honourable members who think that the sum of eight lakhs of rupees provided for the development of the industries of the province is quite insufficient for the purpose. On Saturday last in my speech in connection with the general discussion of the budget I particularly emphasised the need for the industrial development of the province and said that the sum provided for in the budget is quite insufficient for the purpose. It roughly comes to one *dhela* per rupee. Now the question arises on what principle are we to act? According to *ہم کو تو یہ بھی تو* should we reject the demand or according to *ابن را بگیرد* should we accept it? We should not as they say in English cut our noses to spite our faces. No doubt we must urge for an adequate provision in the budget for the industrial development of the province. But if we do not get what we urge for the purpose it is not the right course to refuse to accept what is given to us. As has already been stated the Ministers are helpless in the matter. If you would reject the demand, you would not punish your Ministers. You can redress your grievance against the Government by disallowing the demands under the heads of Land Revenue, Stamp and Forests, etc. These are big demands. The income derived from the forests is about forty-one lakhs of rupees and expenditure incurred over them amounts to twenty-seven lakhs of rupees. These demands are going to be placed before the Council shortly. Reject them if you like. That would be a proper course for bringing home your grievances to the Government. The disallowing of the demands would involve the dismissal of tahsildars, deputy commissioners, commissioners and the Financial Commissioners. Even the Chief Conservator and other Conservators of the Forest Department would be dismissed. It is not becoming and proper to punish the innocent and let those who are really responsible go scot-free. In my humble opinion the demand should be accepted. Whatever is given to us let us accept it and press for more. There are lawyer members of the Council, and they are well aware of the fact that in a money suit, say, for a sum of five thousand rupees, if a decree for half the sum is granted the plaintiff does not refuse to accept the decree but takes steps to have the decree executed and institutes an appeal for the balance.

My honourable friend Sardar Habib Ullah has remarked that the expenditure incurred in connection with the tannery is a sheer waste of money. Of course, Sir, dyeing is also not a very useful industry for the province. But, Sir, for all this expenditure somebody else is responsible and even he has also received the same inheritance from some other person. Fortunately now, Sir, the department under review is in the charge of a gentleman who is well-known for his patriotism, his ability and his assistant is also a young man with energy

[Dr. Gokul Chand, Narang.]

and experience of the work entrusted to him. Sir, all these matters which have been discussed so far could have been properly dealt with by means of a one rupee cut. In fact the whole discussion has been to some extent irrelevant. In order to discuss the industrial policy of the Government it was proper to move a cut of one rupee in the demand, but the honourable member representing Hoshiarpur has moved his amendment only for the sake of Budha Nullah. Sir, I would urge that there are Budha and Juwan Nullahs everywhere and if mosquitoes breed largely in the tract referred to by the honourable mover of the amendment so is the case with many other tracts in the province. Sir, in fact whatever has been said by my honourable friend Mr. Gray and other honourable members of the House could have been properly said by means of one rupee cut. I made clear all these points in my budget speech of 1925. Let the honourable members who wish to see full development of the industries of the province move a resolution to this effect, and in that way they can urge the removal of unworthy and undesirable servants of the department. My learned friend from Amritsar has, as usual, while discussing the demand, put the matter before the Council in a way that it appeared that he was going to support the demand, but in the end he proposed to reject the demand. In like manner the honourable member from Multan dwelt on the matter under discussion, but to our surprise he remarked in the end that the demand should be rejected *in toto*. Sir, with these words I would request the House to accept the demand under consideration.

**Diwan Bahadur Raja Narendra Nath :** Sir; I move—

“That the question be now put.”

The motion was carried.

**Mr. President :** The question is :

“That a sum not exceeding Rs. 10,09,100 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Industries (Revenue and Capital).”

The Council divided. Ayes, 47; Noes, 22.

AYES, 47.

Lt.-Col. W. H. C. Forster.

Dr. R. C. Bawley.

Mr. C. M. King.

The Hon'ble Malik Firoz Khan,  
Noon.

Khan Bahadur Nawab Muzaffar  
Khan.

Mr. H. M. Cowan.

Sir George Anderson.

Mr. A. R. Astbury.

Mr. J. B. G. Smith.

The Hon'ble Mr. Manohar Lal.

The Hon'ble Sardar Jogendra Singh.

The Hon'ble Sir Geoffrey de  
Montmorency.

The Hon'ble Mian Sir Fazl-i-Husain.

Mr. J. G. Beazley.

Mr. H. W. Emerson.

Mr. B. H. Dobson.

Mr. H. D. Craik.

Khan Bahadur Shaikh Abdul Qadir.

Mr. M. V. Bhide.

Diwan Bahadur Raja Narendra Nath.

Dr. Gokul Chand, Narang.

Pandit Nanak Chand.

Mr. Labh Singh.

Lala Mohan Lal.

Chandhri Baldeo Singh.

Rao Bahadur Lt. Rao Balbir Singh.

Mr. Owen Roberts.

Rai Bahadur Pandit Daulat Ram,  
Kalia.

AYES 47—concluded.

Rai Sahib Lala Ganga Ram.  
Lala Gopal Das.  
Lala Josi Parshad.  
Lala Kesho Ram, Sekhri.  
Rai Shahadat Khan.  
Khan Bahadur Chandhri Fazl Ali.  
Mian Saadullah Khan.  
Khan Bahadur Mian Mohammad  
Hayat, Qureshi.  
Makhdumzada Sayad Muhammad  
Raza Shah, Gilani.

Khan Muhammad Abdullah Khan.  
Sardar Narain Singh.  
Rai Bahadur Lala Dhanpat Rai.  
Mr. V. F. Gray.  
Sardar Ujjal Singh.  
Sardar Bahadur Capt. Dalpat Singh.  
Sardar Bahadur Sardar Sheo Narain  
Singh.  
Sardar Bishan Singh.  
Sardar Mohinder Singh.  
Mr. E. Maya Das.

NOES, 22.

Lient. Sardar Sikandar Hayat Khan.  
Mian Ahmad Yar Khan, Daul-  
tana.  
Sayad Mubarik Ali Shah.  
Khan Sahib Khan Muhammad Saif-  
ullah Khan.  
Mr. Din Muhammad  
Rai Sahib Chaudhri Chhota Ram.  
Chaudhri Zafrullah Khan.  
Maulvi Sir Rahim Bakhsh.  
Malik Nawab Major Talib Mehdi  
Khan.  
Shaikh Faiz Muhammad.

Chandhri Duli Chand.  
Chaudhri Yasin Khan.  
Dr. Shaikh Muhammad Alam.  
Lala Bodh Raj.  
Chaudhri Afzal Haq.  
Shaikh Muhammad Sadiq.  
Sardar Hira Singh.  
Sardar Hari Singh.  
Sardar Partap Singh.  
Sardar Kundan Singh.  
Sardar Bata Singh.  
Sardar Santa Singh.

The motion was carried.

The Council then adjourned till 2 P.M. on Wednesday, the 9th March  
1927.

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## PUNJAB LEGISLATIVE COUNCIL

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL,

Wednesday, the 9th March 1927.

The Council met at the Council Chamber at two of the clock. Mr. President in the chair.

### OATH OF OFFICE.

The following member was sworn in:—

Crump, Mr. B. H. (official, nominated).

### STARRED QUESTIONS AND ANSWERS.

DEATH OF BULLOCKS, ETC., IN ALAQA BEIT OF HOSHIARPUR AND LUDHIANA.

\*51. **Chandhri Afzal Haq** : Will the Honourable Minister for Agriculture be pleased to lay on the table the answer to Question No. 3572<sup>1</sup>, put on the 23rd October 1926.

**The Honourable Sardar Jogendra Singh** : The answer is laid on the table.

(Answer to Question No. 3572.)

(a) No.

(b) Heavy mortality occurs in these unhealthy areas and causes corresponding loss to the zamindars concerned.

(c) During the 6 months from 1st April to 30th September 1926, 38 outbreaks of rinderpest, 12 of *hæmorrhagic septicæmia* and 26 of foot and mouth diseases were brought to the notice of the department, either independently or through patwaris and others. These outbreaks were attended to: 5,496 inoculations were performed against rinderpest, and 1,020 inoculations were performed against *hæmorrhagic septicæmia*; also 3,720 animals were vaccinated as a preventive measure against *hæmorrhagic septicæmia*, and this method is being further extended. Government has recognised the need of more veterinary staff in these Beits. One more hospital was opened at Anandpur in Hoshiarpur district last year and extra Veterinary Assistants have been sanctioned by Government for posting to tracts subject to epizootic diseases.

**Mr. President** : I would request the honourable members not to star the questions the answers to which they wish to be laid on the table. Only those questions should be starred the answers to which the honourable questioners wish to be given orally.

**Chaudhri Afzal Haq :** In some cases the questioner wants to get some supplementary explanation and in case I ask the answer to be laid on the table, I cannot ask a supplementary question. That is why I have starred the questions.

**Mr. President :** Written answers to questions cannot form the basis of supplementary questions. Supplementary questions can be based only on answers given orally.

#### CORRUPTION IN THE POLICE DEPARTMENT.

**\*52. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state if the answer to Question No. 3574<sup>1</sup>, put on the 23rd October 1926, is ready? If so, will he please lay it on the table?

**The Honourable Sir Geoffrey deMontmorency :** The answer is laid on the table.

(Answer to Question No. 3574.)

**The Honourable Sir Geoffrey deMontmorency :** (a) Though it would be too sanguine to hold that corruption has been eradicated among police subordinates in the Jullundur district the Government considers that the Superintendent of Police has attained a gratifying degree of success in its suppression.

(b) The Superintendent of Police has been carrying out, both in spirit and letter, the instructions issued to all police officers in charge of districts.

(c) Where in any districts corruption exists it is due to various causes operating in various degrees. Its disappearance will only ensue in a district, when the particular cause operating in that district has been correctly diagnosed and successfully combated.

#### ESTABLISHMENT OF PANCHAYATS IN VILLAGES OF THE LUDHIANA DISTRICT.

**\*53. Chaudhri Afzal Haq :** With reference to the answer to Question No. 3575<sup>2</sup>, put on the 23rd October 1926, will the Honourable Minister for Local Self-Government be pleased to state if he has since received the report of the local officers?

**The Honourable Malik Firoz Khan, Noon :** Yes; and steps are being taken to constitute panchayats in 13 villages of the Ludhiana district.

**Chaudhri Afzal Haq :** Is it a fact that over 100 villages requested for the constitution of panchayats in their villages? If so, why were not panchayats constituted in the other villages? Why were no steps taken to constitute panchayats in those villages?

**The Honourable Malik Firoz Khan, Noon :** I am not aware of the fact that actually over 100 villages applied, but in cases where there are strong party feelings in the villages and where the Deputy Commissioners fear that powers to be conferred under the Panchayat Act are likely to be abused they try not to recommend the establishment of panchayats. I do not know as to whether that was the case in Ludhiana or not but we shall be prepared to look up the case.

ENGINEERING COLLEGE IN THE PUNJAB.

\*54. **Chaudhri Afzal Haq** : With reference to the answer to Question No. 3629<sup>1</sup>, put on the 23rd October 1926, will the Honourable Minister for Agriculture be pleased to state whether the Government have finally arrived at a decision in the matter of opening an Engineering College in the Punjab ?

**The Honourable Sardar Jogendra Singh** : Negotiations with the Government of the United Provinces are still in progress and the Punjab Government has not yet arrived at a decision in the matter of opening an Engineering College in the Punjab.

**Chaudhri Afzal Haq** : How long will it take to come to a definite decision ?

**The Honourable Sardar Jogendra Singh** : It is very difficult to say. The whole matter is under examination.

COMMUNAL REPRESENTATION IN DISTRICT BOARD OFFICES.

\*55. **Chaudhri Afzal Haq** : Will the Honourable Minister for Local Self-Government be pleased to state if the answer to Question No. 3651,<sup>2</sup> put on the 23rd October 1926, is ready ? If so, will he please lay it on the table ?

**The Honourable Malik Firoz Khan, Noon** : Yes. A copy of the answer to Question No. 3651 is laid on the table.

(Answer to Question No. 3651.)

**The Honourable Rai Sahib Chaudhri Chhotu Ram** : (a) The district board of Karnal resolved to apportion appointments between Hindus and Muslims in accordance with their population within the area under its jurisdiction.

(b) Yes.

(c) The district board of Sheikhpura adopted a similar resolution. The district board of Multan has fixed, for the appointment of teachers in its schools, the proportion of two Muslims to one Hindu.

SHAH CHARAGH MOSQUE.

\*56. **Chaudhri Afzal Haq** : Will the Honourable Finance Member be pleased to lay on the table the answer to Question No. 3627,<sup>3</sup> put on the 23rd October 1926, if it is ready ?

**The Honourable Sir Geoffrey deMontmorency** : The answer is laid on the table.

(Answer to Question No. 3627.)

**The Honourable Sir Geoffrey deMontmorency** : (a) It is not the function of Government to give interpretations of law, which is the function of the courts.

<sup>1</sup> Vol. IX-B, page 1753.

<sup>2</sup> Vol. IX-B, page 1766.

<sup>3</sup> Vol. IX-B, page 1757.

The Honourable Sir Geoffrey deMontmorency.]

(b) No., because when the property was purchased it was in use as a residence and the question was not raised.

(c) Government have nothing to add to the reply given to part (g) of Council Question No. 2514<sup>1</sup>.

#### NON-OFFICIAL VISITORS OF HOSHIARPUR SUB-JAIL.

**\*57. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state if the answer to my Question No. 3649<sup>2</sup>, put on the 23rd October 1926, is now ready and if so, will he please lay it on the table?

**The Honourable Sir Geoffrey deMontmorency :** A copy of the reply to Council Question No. 3649, put by the honourable member on the 23rd October 1926, is laid on the table.

(Answer to Question No. 3649.)

**The Honourable Sir Geoffrey deMontmorency :** (a) (1) Rai Bahadur Lala Sham Das, Advocate, a Matriculate.

(2) Mr. Muhammad Din, Barrister-at-Law, a Matriculate.

(3) Sardar Arjan Singh, B.A., LL.B.

(b) (1) Sheikh Zahur-ud-Din Nizami, Vice-Chairman of the Municipal Committee, a non-Matriculate.

(2) Pandit Narain Chand, M.B.E., Honorary Magistrate, a Matriculate.

(3) Subedar-Major Manohar Singh, Vernacular Middle passed, and holder of first class Educational Certificate (higher standard) in his Regiment.

(c) Yes. High educational qualifications are not the only essential qualifications in a non-official jail visitor,—vide paragraph 42 of the Punjab Jails Enquiry Committee's report. The recommendations of the Committee in this connection have been accepted by Government.

#### ARTILLERY PRACTICE AND EVACUATION OF VILLAGES IN ILAQA KANDHL.

**\*58. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state if the answer to my Question No. 3628<sup>3</sup>, put on the 23rd October 1926, is now ready and will he also be pleased to lay the correspondence referred to in part (b) of the question on the table?

**The Honourable Sir Geoffrey deMontmorency :** The answer to Question No. 3628 is laid on the table.

(Answer to Question No. 3628.)

**The Honourable Sir Geoffrey deMontmorency :** (i) (a) No.

(b) Does not arise.

(ii) (a) None. Only field firing with service rifles and machine-guns was carried out in 1925. There were no artillery practices.

<sup>1</sup> Vol. IX-A, page 37.

<sup>2</sup> Vol. IX-B, page 1765.

<sup>3</sup> Vol. IX-B, page 1757.

(b) No compensation was paid for evacuation as none were required. The following amounts assessed on actual damage were paid :—

	RS.	A.	P.
Damage to crops .....	123	5	9
Damage to trees .....	68	0	0
Total .....	191	5	9

(c) No.

#### OFFICIALS IN BHAKKAR.

\*59. **Lala Bodh Raj :** (a) Will the Chief Secretary please state if the attention of the Government has been drawn to the fact that in Bhakkar majority of the officials in various departments of the Government have been Muhammadans?

(b) Is it a fact that the people of the place have made a representation to the Government and to the local authorities against some of those officials? If so, what action has the Government taken thereon?

**Mr. H. D. Craik :** (a) The Sub-Divisional Officer, Tahsildar, one Naib-Tahsildar and the Headmaster of the Government High School are Muslims. The Sub-Judge, one Naib-Tahsildar and the Assistant Surgeon are Hindus.

(b) No representation has reached Government.

#### EXEMPTION OF THE SWORD FROM THE OPERATION OF THE ARMS ACT.

\*60. **Chaudhri Afzal Haq :** (a) Will the Honourable Revenue Member be pleased to state if it is a fact that all the non-official members of the second Punjab Legislative Council had been unanimous in recommending to Government the exemption of the sword from the operation of the Arms Act?

(b) If so, will he be pleased to state whether the Government have finally considered the advisability of exempting the sword from the operation of the Arms Act?

**The Honourable Mian Sir Fazl-i-Husain :** Government is aware that a large number of non-official members of the second Punjab Legislative Council expressed themselves in favour of exempting the sword from the operation of the Arms Act. As the honourable member knows, on the 23rd October 1926, a resolution was passed in the Council and accepted by Government to the effect that necessary steps should be taken to exempt certain classes of the population from the existing restrictions in the matter of keeping swords. This resolution is the subject of correspondence with the Government of India, and Government does not propose to consider the question of exemption on a wider scale.

**Chaudhri Afzal Haq :** Has any correspondence taken place as to the previous resolution?

**The Honourable Mian Sir Fazl-i-Husain:** I must make enquiries about that.

**THARRAS IN SARGODHA AND LYALLPUR TOWNS.**

**\*61. Sardar Ujjal Singh:** (i) Will the Honourable Revenue Member be pleased to lay on the table the whole files relating to *tharra* (raised platforms) in front of houses, shops and other building sites in Sargodha and Lyallpur towns?

(ii) Will Government please state if there is any provision in the conditions of sale of house, shop and other building sites in the town of Sargodha (or Lyallpur) allowing Government to have reservation of *tharras* (raised platform) in front of them to be sold by Government at any future time at its pleasure?

(iii) Is it a fact that in the original plan of town of Sargodha, there was no provision for *tharras* (raised platforms) in front of houses, shops and other building sites opening on roads and bazars of the town?

(iv) Is it a fact that later on, a portion of main roads and bazar roads on both sides, of a uniform width, to the entire length of the roads, was ordered to be raised by the owners in the shape of *tharras* in front of their buildings without any request on their part and in some cases *tharras* were actually built by Government contractors under orders of the colony officers and the cost was realized from the owners of the buildings?

(v) Is it a fact that a nominal rent of Re. 0-1-0 (one anna) per annum was charged on each *tharra* for use and occupation from owners of houses, shops and other buildings in front of which the *tharras* were situate and realized by the municipal committee, Sargodha?

(vi) Is it a fact that the Government have now ordered that the owners of houses, shops and other buildings in Sargodha in front of which these *tharras* (raised platforms) are situate should be given the compulsory choice either to purchase these *tharras*, not at the original rate of prices at which the sites were sold by Government at the time of auction but at the prices calculated on averages of the years immediately succeeding the Great War when prices were immensely inflated throughout the country, or to pay the penal rent at the rate per annum of 1-16th part of the total value thus assessed of the *tharras*?

(vii) Is it also a fact that the owners of houses, shops and other buildings are not allowed to build second storeys on these *tharras* even after paying the prices so demanded by Government?

(viii) Is it a fact that the prices of these *tharras* in Sargodha, as now demanded, in several cases amount to many times the value of the house, shop and other building sites as sold originally by Government of which these *tharras* formed the frontage?

(ix) Will the Government please state what rates of prices have been charged for *tharras* at Lyallpur and have the prices been realized, and if so, when?

**The Honourable Mian Sir Fazl-i-Husain :** (i) No.

(ii) No.

(iii) No. A 10 feet verandah or *tharra* was left in front of each shop or house.

(vi) The *tharras* in question were constructed partly by Government agency and partly by the owners of the shops and houses behind them.

(v) Yes.

(vi) Yes. But the prices were calculated per running foot and were not inflated by the high averages obtained for land immediately after the Great War.

(vii) No information in regard to this point is at present available to Government, but an enquiry will be made and the honourable member will be informed of its result.

(viii) In certain cases it is possible that the price of these *tharras* is in excess of the original building sites but the price demanded for them is estimated to be roughly half the market value.

(ix) In Lyallpur the sites under *tharras* and verandahs were purchased at the same time as shop sites. It is therefore impossible to say what price was charged for *tharras* as distinct from the actual shop sites.

#### GRIEVANCE OF THE CULTIVATORS OF VILLAGE 95/12-L, LOWER BARI DOAB CANAL.

**\*62. Sardar Ujjal Singh :** (a) Will the Honourable the Revenue Member be pleased to state whether it is a fact that village 95/12-L (Lower Bari Doab Canal) is situated at the tail of Tumanwala minor, which is about 29 miles in length?

(b) Is it a fact that this village has been making representations to the local canal authorities about the shortage of water supply for the past many years?

(c) Is it a fact that the proprietors of the village applied in 1922 that they should be given a new minor from 12-L, near Okanwala rest-house and that they even expressed their readiness to bear the entire cost of the new minor but their request was not granted?

(d) Is it a fact that later on the Superintending Engineer proposed a scheme of converting the Tumanwala minor into a distributary taking off from the main canal, but even that scheme was dropped and that the village is still suffering very badly?

(e) Is it the intention of Government to take steps to remove this long standing grievance of the cultivators of village 95/12-L (Lower Bari Doab Canal) by arranging to provide an adequate supply of water?

**The Honourable Mian Sir Fazl-i-Husain :** A reference has been made to the local officers and the required information is being collected.

**KHALSA MIDDLE SCHOOL, KHANEWAL.**

**\*63. Sardar Ujjal Singh :** (a) Is the Honourable Minister for Education aware of the fact that Khalsa Middle School, Khanewal, is the only Sikh school not only in the district of Multan but in the Multan-division, excluding Lyallpur district ?

(b) Is it a fact that the above school has been in existence for more than 9 years and has been open to students of all communities ?

(c) Is it a fact that although the above Khalsa school has been a recognised institution for over five years, yet it has not been brought on the grant-in-aid list in spite of the fact that it fulfils all the conditions laid down by the Education Department ?

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

(b) Yes, the school has been in existence for about 9 years but was first recognized only in 1922. It is true that the school is open to members of all communities.

(c) Last year a special grant was sanctioned for this school.

**SCALE OF PAY OF PUNJABI AND OTHER TEACHERS.**

**\*64. Sardar Ujjal Singh :** (a) Will the Honourable Minister for Education be pleased to state whether it is a fact that Sanskrit, Persian, Arabic, Drawing, Drill and Urdu teachers of high department in Government schools can rise up to the grade of Rs. 140—10—190 ?

(b) Is it a fact that the Punjabi teachers can rise only up to Rs. 50 and there is none at present drawing more than this ?

(c) If the answers to (a) and (b) are in the affirmative, will Government be pleased to state why this differentiation has been maintained ?

**The Honourable Mr. Manohar Lal :** (a) Sanskrit, Arabic, Persian and Drawing teachers may rise to the grade of Rs. 140—10—190. Drill and Urdu teachers are not usually promoted beyond the grade of Rs. 110—5—135.

(b) No.

(c) Does not arise.

**HOUSING PROBLEM.**

**\*65. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if he intends to do anything to solve the housing problem to prevent over-crowding and insanitation in places like Lahore, Amritsar, Multan and such like places in the province ?

**The Honourable Malik Firoz Khan, Noon :** The matter is under consideration.

**PLAGUE IN MULTAN.**

**\*66. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

(a) if it is a fact that before the year 1908 the city of Multan was free from the attack of plague and since that year the people of Multan have been continuously suffering from this disease ;

(b) the number of cases and deaths from plague according to year since 1908 up till now; and

(c) the special measures the Government intends to take to stop the recurrence of this epidemic?

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

(b) The number of cases of plague during the years 1908 to 1918 is not available, but the number of deaths during the years 1908 to 1917 is given in the attached statement, together with the number of cases and deaths during the years 1918 to 1926.

(c) Anti-plague measures are primarily the duty of the municipal committee, but Government afford expert advice and financial assistance, and exercise general supervision. In this particular case Government are fully alive to the dangers of plague in Multan city and are watching the situation carefully. They have already during the current year made to the municipal committee grants amounting to Rs. 2,000 for anti-plague measures and the question of making a further grant is under consideration. Moreover, the Assistant Director of Public Health has been to Multan twice recently and worked out a plan of campaign for the committee.

*Statement showing the number of cases and deaths from plague in the Multan town during the years 1908—1926.*

Serial No.	Name of year.	Cases.	Deaths.	REMARKS.
1	1908	..	..	
2	1909	..	1,880	
3	1910	..	8	
4	1911	..	2	
5	1912	..	1	
6	1913	..	..	
7	1914	..	5	
8	1915	..	172	
9	1916	..	..	
10	1917	..	4	
11	1918	3,872	2,034	
12	1919	474	266	
13	1920	657	316	
14	1921	718	348	
15	1922	2	..	
16	1923	20	14	
17	1924	466	142	
18	1925	255	147	
19	1926	29	18	

**Lala Bodh Raj :** Will the Honourable Minister please state if he is prepared to make a further grant over and above what he has already given ?

**The Honourable Malik Firoz Khan, Noon :** That depends on the needs of the municipal committee and the financial position of the Government. I shall be prepared to do everything possible in order to meet the epidemic of plague in Multan.

**Lala Bodh Raj :** Is the Honourable Minister aware that the municipal committee has got no funds to combat this disease ?

**The Honourable Malik Firoz Khan, Noon :** I am aware of the fact that the committee is in a bad way, but I do not know whether it is able or not to put more money for the work of combating the disease. I am, however, prepared to do all I can in the matter.

**Lala Bodh Raj :** Does the Honourable Minister propose to do all he can after many people have died of plague ?

**The Honourable Malik Firoz Khan, Noon :** Plague in Multan is well in hand, and besides, the municipal committee has got a Public Health Officer of its own and a scheme has been worked out to carry on anti-plague measures. All that is possible under the circumstances is being made.

**Lala Bodh Raj :** Is the Honourable Minister aware that the Health Officer does not visit the quarantine where plague patients are kept ?

**The Honourable Malik Firoz Khan, Noon :** That is a matter for the municipal committee to take notice of. If it is brought to the notice of the municipal committee and the Commissioner of the division, whatever is necessary under the circumstances will be done.

#### DISTRICT INSPECTOR OF SCHOOLS IN DERA GHAZI KHAN.

**\*67. Lala Bodh Raj :** Will the Honourable Minister for Education please state--

(a) for how many years has there been a Hindu District Inspector of Schools in Dera Ghazi Khan since April 1914 and for how many years a Muhammadan District Inspector of Schools ;

(b) what is the number of such Inspectors, respectively ?

**The Honourable Mr. Manohar Lal :** A Hindu Inspector for one year and a Muhammadan Inspector for the remaining period.

**Shaikh Faiz Muhammad :** Is the Honourable Minister for Education aware that the Mussalmans constitute 90 per cent. of the population of the Dera Ghazi Khan district ?

**The Honourable Mr. Manohar Lal :** Yes, I dare say that that is so\*

#### SHAHABAD HIGH SCHOOL.

**\*68. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education be pleased to state whether it is a fact—

(2) that the middle school, Shahabad, in the Karnal district, was raised to the standard of a high school in 1924 chiefly to meet the educational requirements of Muslim population who were averse to send their boys to the already existing Hindu High School ;

- (ii) that the Muslim population contributed almost the whole sum of Rs. 4,000 required for the purpose ;
- (iii) that originally about ninety per cent. of the students were Muslims, but the number has since dwindled to about 75 per cent. ;
- (iv) that throughout the Headmaster and almost the entire staff of the school has been non-Muslim ?
- (b) Will he be pleased to state what steps Government proposes to take to stop the growing unpopularity of the institution ?

**The Honourable Mr. Manohar Lal :** (i) The middle school at Shahabad was raised to the high standard in 1925 on the advice of the Deputy Commissioner to meet the needs of the Thanesar tahsil, which has a population of 146,000 (Hindus, 90,000, Muhammadans 50,000 and Sikhs 5,000).

(ii) Apart from municipal contributions, the sum of Rs. 4,000 was raised by the public. No list of donors has been received by Government.

(iii) No. It is not a fact that originally about 90 per cent. of the students were Muslims. The school became a High school in April 1925, and during these two years the number of Hindus has risen from 22 to 24, and of Muslims from 50 to 122 and of Sikhs from 6 to 21.

(iv) No.

(v) Does not arise. The school appears popular among all communities.

#### PROVINCIALISATION OF SCHOOLS IN THE AMBALA DIVISION.

**\*69. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education be pleased to state how many schools were raised to the standard of high schools and provincialised in the Ambala division during the last three years ?

(b) Is it a fact that in none of them a Muslim headmaster was appointed ?

(c) Is it further a fact that men of inferior qualifications were promoted over the head of Muslim teachers with higher and better literary attainments and experience ?

(d) Is the Government prepared to take suitable steps to end this state of affairs in the Ambala division, and remove the general discontent among the Muslim members of the subordinate educational service ?

**The Honourable Mr. Manohar Lal :** (a) Four schools were raised to the status of high schools and provincialised during the period.

(b) Yes.

(c) and (d) The honourable member is referred to the general reply given to the Council Questions Nos. 1961<sup>1</sup> and 1975.

<sup>1</sup>Vol. VIII-B., pages 1167—1181 and page cxli, App. VIII.

## INSPECTOR OF SCHOOLS, AMBALA DIVISION.

**\*70. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education be pleased to state how long has the present Inspector of Schools, Ambala division, held charge of that division?

(b) Are there any rules to regulate the transfer of inspecting officers? If so, what are they?

(c) Are there any special reasons for keeping the present Inspector of Schools, Ambala division, in charge of the same circle for such a long time? If so, what?

**The Honourable Mr. Manohar Lal :** (a) Six years and seven months.

(b) No.

(c) Local experience is of great value.

## ADVANCES OF MONEY BY THE SIMLA MUNICIPAL COMMITTEE.

**\*71. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact that the Simla municipal committee out of public funds advanced to a certain butcher a loan of Rs. 6,000, a portion whereof still remains unpaid?

(b) If so, under what authority was the loan advanced, and what action has the Government taken or proposes to take against this act of the committee?

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

(b) No particular authority for the loan was required, and Government do not propose to take any action in respect of a measure which was calculated to promote the convenience of the inhabitants of the municipality, and as such was a suitable charge on the municipal fund under clause (1) of sub-section (2) of section 52 of the Punjab Municipal Act, 1911.

## 'RESTRICTED AREAS' IN THE SIMLA MUNICIPALITY.

**\*72. Rana Firoz-ud-Din Khan :** (i) Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact—

(a) that about ten years ago the Government for sanitary considerations declared certain localities within the Simla municipality as 'restricted area' forbidding the construction of new buildings therein except for special reasons;

(b) that there has been no change in the conditions which led to that decision and that the Government policy in that respect is still in force unaltered?

(ii) Is the Honourable Minister aware that during the last five years the Simla municipal committee has sanctioned the erection of a considerable number of new buildings in utter disregard of Government orders and sanitary considerations?

(iii) Does the Government propose to take suitable steps to put a stop to this state of things and issue clear orders regulating the erection of buildings in the 'restricted area' so as to leave no room for favouritism?

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

(i) (b), (ii) and (iii) do not arise; but I may observe, for the information of the honourable member, that under the explanation to section 198 of the Punjab Municipal Act, 1911, the municipal committee with the sanction of the Commissioner adopted a scheme restricting, but not prohibiting, the erection of buildings in certain areas, and have been dealing with building applications in accordance with that scheme.

**ADMINISTRATION OF THE SIMLA MUNICIPALITY.**

**\*73. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact that Simla public is greatly dissatisfied with the administration of municipal affairs and that a strong representation was made to the Deputy Commissioner by a number of prominent citizens including Europeans, Muslims and Hindus in December 1926 about the maladministration of the committee, with special reference to improper and unlawful use of public funds, favouritism and state of affairs in the meat market?

(b) If so, does the Government propose to have a thorough enquiry made with a view to eradicate the existing evils in the administration?

**The Honourable Malik Firoz Khan, Noon :** (a) and (b) Government have no reason to believe that the Simla public in general is dissatisfied with the administration of municipal affairs in Simla. A representation was indeed received in December 1926 in which various allegations were made against the municipal committee, but after making certain enquiries Government were of opinion that not only were the matters complained of somewhat unimportant in themselves, but that the representation contained obvious misstatements of fact in regard to them. Government therefore do not propose to take any further steps in connection with the representation received.

**MUSLIM REPRESENTATION IN SIMLA MUNICIPALITY.**

**\*74. Rana Firoz-ud-Din Khan :** (i) Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact—

(a) that the number of Muslim electors is about one-third of that of non-Muslims in the election wards in Simla municipality;

(b) that since the introduction of the system of joint electorates all the elected seats have been held by non-Muslims; and

(c) that in view of the minority of Muslim voters there is no reasonable chance of a Muslim member being elected under the existing arrangements?

(ii) Is the Honourable Minister aware that Muslim citizens of Simla have been insistently pressing for the introduction of separate representation and even made representations to His Excellency the Governor and the Minister in charge in July 1926 when the elections were approaching?

(iii) Is it a fact that the number of elected seats in the municipal committee has lately been raised from two to three?

(iv) Does the Government propose to consider the desirability of introducing the system of separate Muslim representation in the Simla municipality?

**The Honourable Malik Firoz Khan, Noon :** (i) (a) Government have no precise information, but in view of the population statistics it seems probable that the number of Muslim electors is only about one-third of that of non-Muslim electors:

(b) Yes.

(c) If the elections run on purely communal lines, there is no reasonable chance of a Muslim member being elected.

(ii) Yes : it is a fact that a representation was made in July 1926.

(iii) It has been decided to raise the number of seats to be filled by election from two to three, but the change in the constitution has not yet been notified.

(iv) The matter will be considered.

#### RIGHTS AND PRIVILEGES OF REVENUE AND CANAL PATWARIS.

**\*75. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Revenue Member please state if it is a fact that orders contained in the Punjab Government letter No. 5244-Rev., dated 16th February 1922, have been applied to Revenue patwaris alone and have not been extended to Canal patwaris ?

(b) Is the Honourable Member prepared to make those orders equally applicable to Canal patwaris also who in other respects enjoy the same rights and privileges as the Revenue patwaris ? If not, will the Government please state the reasons for differentiating between two branches of the same service ?

(c) Will the Government please state the number of Canal patwaris who will be benefitted if the rule is extended to them ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) Yes.

(c) It is difficult to say, and does not appear worth while to ascertain.

#### UNSTARRED QUESTIONS AND ANSWERS.

86—90. *Cancelled.*

#### SECOND CORRUPTION ENQUIRY OF THAKAR BHANI SINGH, PRESIDENT, MUNICIPAL COMMITTEE, BHIWANI.

**91. Chaudhri Baldeo Singh :** (a) Will the Honourable Minister for Local Self Government be pleased to lay on the table all the papers connected with the second corruption enquiry of Thakar Bhani Singh, President, municipal committee, Bhiwani ?

(b) Will he be pleased to inform whether it is true that Mr. Kirpalani, the enquiring officer, gave his findings in favour of the Thakar Sahib ?

(c) Will he be pleased to state whether there was any previous interview on the subject between the then Minister, Bai Sahib Chaudhri Chhotu Ram, and Mr. Kirpalani ?

(d) Will Government be pleased to state the grounds on which these enquiry papers were filed? Is it true that the chief reason for filing them was that it was instituted at the instance of congressmen and non-co-operators?

(e) Will Government be pleased to inform whether this question of Thakar Bhani Singh's alleged corruption is finally closed or can still be reopened?

**The Honourable Malik Firoz Khan, Noon :** (a) Government are not prepared to lay the papers on the table.

(b) The Deputy Commissioner who made the enquiry was of opinion that the charges had not been substantiated.

(c) Government have no information on the subject and do not propose to make any enquiry.

(d) Government are of opinion that the evidence produced in support of the allegations made against the president of the committee was unsatisfactory and insufficient to substantiate the charges. The question whether the persons who instigated the bringing of these charges were congressmen or non-co-operators was not considered.

(e) Government are not prepared to order any further enquiry in connection with the charges which have been found unproved, but it remains open to any one to bring to the notice of Government any other charges of corruption which can be substantiated by reliable evidence.

**THAKAR BHANI SINGH'S ELECTION AS PRESIDENT OF BHIWANI MUNICIPAL COMMITTEE.**

**92. Chaudhri Baldeo Singh :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether in January 1926 the Commissioner, Ambala Division (Local Government for Bhiwani committee), did not approve of Thakar Bhani Singh's election as President?

(b) Did the Bhiwani committee then elect Babu Daya Kishen as President in pursuance of the Commissioner's orders?

(c) Is it a fact that the Commissioner gave his approval to Babu Daya Kishen's election?

(d) Will Government be pleased to place on the Council table the correspondence on the subject between the Deputy Commissioner, Hissar, the Commissioner, Ambala, and the Minister for Local Self-Government?

(e) Will Government be pleased to state the grounds on which Thakar Bhani Singh was subsequently gazetted as the President of the Bhiwani committee in October 1926?

**The Honourable Malik Firoz Khan, Noon :** (a), (b) and (c). Yes.

(d) Government are not prepared to lay the correspondence on the table.

(e) As a result of enquiries made, Government were of opinion that the charges of corruption made against Thakar Bhani Singh, in consequence of which the Commissioner refused to approve his election as president of

[Hon'ble Malik Firoz Khan, Noon.]

the Bhiwani municipal committee, had not been substantiated. They therefore set aside the order of the Commissioner and directed that Thakar Bhani Singh's election as president should be notified.

ASSAULT AND ILL-TREATMENT OF PERSONS WHO PROTESTED AGAINST  
THAKAR BHANI SINGH'S ELECTION AS PRESIDENT, BHIWANI  
MUNICIPAL COMMITTEE.

93. Chaudhri Baldeo Singh: Will the Chief Secretary please state—

- (a) whether Government is aware that on the 11th October 1926 the citizens of Bhiwani observed a *hartal* and a procession with a black flag was taken round the city as a mark of protest against the Notification of Thakar Bhani Singh as President of the municipal committee by the Commissioner, Ambala;
- (b) whether Government is aware that the police of Bhiwani assaulted, insulted and beat with the butt-ends of their guns the citizens who were holding the protest meeting on the night of the 10th October 1926, against the notification of Thakar Bhani Singh as President of the Bhiwani municipal committee;
- (c) if it is also a fact that the Tahsildar and the Thanedar were present at the meeting;
- (d) if it is also a fact that in their very presence Thakar Bhani Singh and his party assaulted several men with *lathies* and that these officials took no action against them;
- (e) if the Government is aware that all these facts were brought to the notice of the Deputy Commissioner by Babu Thakar Das;
- (f) whether any action was taken in the matter by the authorities and if not, why; and
- (g) whether the attention of Government was drawn to the statement issued publicly by Lala Gokal Chand and others regarding the incidents of the meeting held on the night of the 10th and whether Government is aware that it has not been contradicted by anyone up to this date?

Mr. H. D. Craik: (a), (b), (d), (f) and (g) The honourable member is referred to the reply to starred question No. 28<sup>1</sup>.

(c) Yes.

(e) Babu Thakur Das did have an interview with the Deputy Commissioner.

LALA SANT LAL, MEMBER, BHIWANI MUNICIPAL COMMITTEE.

**94. Chaudhri Baldeo Singh :** Will the Hon'ble Minister for Local Self-Government please state—

- (a) whether it is a fact that Lala Sant Lal, one of the members of the Bhiwani municipal committee does not possess the necessary qualification of being literate as required by the rules of municipal committee;
- (b) whether it is also a fact that the Deputy Commissioner, Hissar, has taken no notice of the above fact in spite of the same having been brought to his notice?

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

(b) Does not arise.

#### BHAWANI SINGH CORRUPTION ENQUIRY.

**95. Chaudhri Baldeo Singh :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Deputy Commissioner, Hissar, at first agreed to give to Mr. Desai certified copies of all the statements taken before a Magistrate in the Bhawani Singh corruption enquiry and subsequently declined to give them? Will he be pleased to state the reasons therefor?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the reply given to starred question No. 80<sup>1</sup>.

#### PROSECUTIONS UNDER THE MOTOR VEHICLES ACT.

**96. Chaudhri Baldeo Singh :** Will the Honourable Finance Member be pleased to place on the table a statement showing the total number of prosecutions under the Motor Vehicles Act at Rohtak and the fines imposed during the official year 1925-26 and after, up to the end of December 1926?

**The Honourable Mian Sir Fazl-i-Husain :** The honourable member is referred to the reply given to question No. 67<sup>2</sup>.

#### GAZETTED OFFICERS AT HISSAR.

**97. Chaudhri Baldeo Singh :** (a) Will the Chief Secretary be pleased to place on the table the names of all Gazetted officers who have been posted at Hissar for a period of over five years with reasons for the same?

(b) How long has Chaudhri Din Muhammad been in the district of Hissar?

**Mr. H. D. Craik :** The honourable member is referred to the answer to question No. 68<sup>3</sup>.

#### CIVIL AND CRIMINAL CASES IN CONNECTION WITH THE LUHANI MOSQUE CASE.

**98. Chaudhri Baldeo Singh :** Will the Honourable Member for Finance be pleased to place on the table a tabular statement showing all the Civil and Criminal cases filed at Hissar in connection with what is known as the Luhani Mosque case, together with the results in each case?

<sup>1</sup>Page 159 ante.

<sup>2</sup>Page 174 ante.

<sup>3</sup>Pages 174-175 ante.

**The Honourable Sir Geoffrey deMontmorency :** The information asked for by the honourable member is being collected and will be supplied as soon as it is ready.

#### NEW HIGH SCHOOL AT BHIWANI.

**99. Chaudhri Baldeo Singh :** Will the Honourable Minister for Education be pleased to inform as to when the work of the building of the new high school at Bhiwani will be taken in hand ?

**The Honourable Mr. Manohar Lal :** The honourable member is referred to answer to question No. 69<sup>1</sup>.

#### CATTLE SLAUGHTER AT TUHANA.

**100. Chaudhri Baldeo Singh :** Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware of the very high percentage of cattle slaughter at Tuhana ?
- (b) whether it is a fact that some private company contemplates to put up a power plant for the slaughter of animals at Tuhana ?
- (c) if this be a fact, will he be pleased to state whether it is intended to prohibit it or not ?

**The Honourable Sardar Jogendra Singh :** The honourable member is referred to the answer to Council Question No. 70<sup>1</sup>.

#### CATTLE LIFTING.

**101. Chaudhri Baldeo Singh :** Will the Honourable Finance Member please state—

- (a) whether he is aware of the increase in the cases of cattle-lifting in the district of Hissar ; and
- (b) the measures he intends to take to check this evil and the activities of professional cattle-lifters of Balliali, Bigana and Adampur ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Government is aware of the extent of cattle theft in the Hissar district.

(b) The attention of the Superintendent of Police will be drawn to the particular cattle-lifters mentioned. Government has already sanctioned a special staff to deal with cattle theft generally.

#### COMPLAINT OF ALLEGED COGNIZABLE OFFENCE OF THAKAR BHANI SINGH.

**102. Chaudhri Baldeo Singh :** Will the Honourable Finance Member please state whether it is a fact that in June 1926 one Harnam Singh filed a complaint with the police authorities at Hissar in which it was alleged that Thakar Bhani Singh had committed a cognizable offence ? Did the police hold an enquiry in the matter and if so, with what result ?

**The Honourable Sir Geoffrey deMontmorency :** Harnam Singh filed no complaint with the police authorities against Thakar Bhani Singh. He made an application to the effect that in a certain private transaction about a sale of land, Thakar Bhani Singh acted as his agent and misappropriated some money. This application was enquired into by the police and found to be without substance. The papers were accordingly filed by order of the District Magistrate.

#### KHAD CHHAKI.

**103. Chaudhri Ram Singh :** Will the Honourable Member for Revenue be pleased to state—

- (a) the area of land swept away by Khad Chhaki from the villages of Beli, Bhur Nangal, Talor, Jattan, Talwara Gujran in tahsil Pathankot, district Gurdaspur, from the time the Canal Department of Madhopur diverted the course of Khad Chhaki ;
- (b) the amount of compensation awarded to the proprietors of lands in the above-mentioned villages and if no compensation has so far been given, whether Government proposes to award such compensation now, inasmuch as it was due to the diversion of the course of the Chhaki that their lands were swept away ?

**The Honourable Mian Sir Fazl-i-Husain :** The information called for is not yet available.

#### LIQUOR SHOPS IN THE PROVINCE.

**104. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Agriculture be pleased to lay on the table a statement showing the new liquor shops which have been opened in the various districts during the last three years ?

**The Honourable Sardar Jogendra Singh :** For the statement regarding the new liquor shops opened in the various districts during the last two years the honourable member is referred to the reply given to Council Question No. 3143, on pages 909-10 of Council Debates (Volume IX-B). Only ten new liquor shops were opened in 1924, 4 in Ambala, 5 in Ludhiana and 1 in Multan.

#### POPULATION OF CERTAIN COMMUNITIES IN THE HOSHIARPUR, JULLUNDUR AND LUDHIANA DISTRICTS.

**105. Rana Firoz-ud-Din Khan :** Will the Honourable Member for Finance please lay on the table a statement showing the population of Muhammadan Rajputs, Muhammadan Jats, and Arains in the districts of Hoshiarpur, Jullundur and Ludhiana, and also the number of recruits furnished by these communities during the Great War ?

**The Honourable Sir Geoffrey deMontmorency :** The information asked for is laid on the table.

[Hon'ble Sir Geoffrey de Montmorency.]

Religion and caste.	Population.						Revenue.
	Hoshiarpur.			Sedgwick.			
	Male.	Female.	Total.	Male.	Female.	Total.	
Mohammedan Rajputs	22,161	18,708	40,869	21,488	17,887	39,375	485
Mohammedan Jats	12,535	10,556	23,091	10,215	7,835	18,050	210
Mohammedan Arains	17,390	14,340	31,730	16,116	12,564	28,680	297
							1,033
							372
							8,091
							1,033

Total of Mahammedan recruits. Figures by communities are not available in this district.

## SECOND CORRUPTION ENQUIRY OF THAKAR BHANI SINGH.

**106. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Local Self-Government be pleased to lay on the table all the papers connected with the second corruption enquiry of Thakar Bhani Singh, President, municipal committee, Bhiwani?

(a) Will he be pleased to inform whether it is true that Mr. Kirpalani the enquiring officer, gave his findings in favour of the Thakar Sahib?

(b) Will he be pleased to inform whether there was any previous interview on the subject between the then Minister, Rai Sahib Chaudhri Chhotu Ram and Mr. Kirpalani?

(c) Will he be pleased to state the grounds on which the enquiry papers were filed? Is it true that the chief reason for filing the same was that it was instituted at the instance of congressmen and non-co-operators?

(d) Will he be pleased to inform whether this question of Thakar Bhani Singh's corruption is finally closed or can be reopened?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the reply given to question No. 91.<sup>1</sup>

## THAKAR BHANI SINGH'S ELECTION AS PRESIDENT OF BHIWANI MUNICIPAL COMMITTEE.

**107. Dr. Shaikh Muhammad Alam :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether in January 1926 the Commissioner, Ambala division, did not approve of Thakar Bhani Singh's election as President of Bhiwani municipal committee?

(b) Did the Bhiwani committee then elect Babu Daya Kishen as President in pursuance of the Commissioner's orders?

(c) Is it a fact that the Commissioner gave his approval to the election of Babu Daya Kishen's election?

(d) Will the Honourable Minister be pleased to lay on the table the correspondence on the subject between the Deputy Commissioner, Hissar, the Commissioner, Ambala and the Local Government?

(e) Will the Honourable Minister be pleased to state the grounds on which Thakar Bhani Singh was subsequently gazetted as the President of the Bhiwani committee in October 1926?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the reply given to question No. 92.<sup>2</sup>

## ASSAULT AND ILL-TREATMENT OF PERSONS WHO PROTESTED AGAINST THAKAR BHANI SINGH'S ELECTION AS PRESIDENT, BHIWANI MUNICIPAL COMMITTEE.

**108. Dr. Shaikh Muhammad Alam :** (i) Will the Chief Secretary please state whether Government is aware—

(a) that on 11th October 1926, the citizens observed a hartal and a procession with a black flag was taken round the city as a

<sup>1</sup>Pages 232-33 ante.

<sup>2</sup>Pages 233-34 ante.

[Dr. Shaikh Muhammad Alam.]

mark of protest against the notifications of Thakar Bhani Singh as President of the municipal committee, by the Commissioner, Ambala ;

(b) that the police of Bhiwani assaulted, insulted and beat with guns the citizens who were holding the protest meeting on the night of the 10th October 1926, against the notification of Thakar Bhani Singh ;

(c) that the Tahsildar and the Thanedar were present at the meeting ;

(d) that in their very presence Thakar Bhani Singh and his party assaulted several men with *lathis* and that these officials took no action against them

(e) that all these facts were brought to the notice of the Deputy Commissioner, Mr. Kirpalani, by Babu Thakar Das ?

(ii) Will Chief Secretary please state whether any action was taken in the matter by the authorities and if not, why ?

(iii) Was the attention of Government drawn to the statement issued publicly by Lala Gokal Chand and others regarding the incidents of the night of the 10th October and is Government aware that it has not been contradicted by any one up to this date ?

**Mr. H. D. Craik :** The Honourable member is referred to the reply to unstarred question No. 98<sup>1</sup>.

LALA SANT LAL, MEMBER, BHIWANI MUNICIPAL COMMITTEE.

**109. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that Lala Sant Lal, one of the members of the Bhiwani municipal committee does not possess the necessary qualifications of being literate as required by the rules of the municipal committee.

(b) whether it is also a fact that the Deputy Commissioner, Hissar, has taken no notice of the above fact in spite of the same having been brought to his notice ?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the answer given to question No. 94.<sup>2</sup>

BHAWANI SINGH CORRUPTION ENQUIRY.

**110. Dr. Shaikh Muhammad Alam :** Will the Chief Secretary please state whether it is a fact that the Deputy Commissioner, Hissar, at first agreed to give to Mr. Desai the certified copies of all the statements taken before a magistrate in the Bhawani Singh corruption enquiry and subsequently declined to give them ? Will he be pleased to state the reasons thereof ?

**Mr. H. D. Craik :** The honourable member is referred to the reply given to starred question No. 80.<sup>3</sup>

<sup>1</sup>Page 234 ante.

<sup>2</sup>Page 235 ante.

<sup>3</sup>Page 159 ante.

## PROSECUTIONS UNDER THE MOTOR VEHICLES ACT.

**111. Dr. Shaikh Muhammad Alam :** Will the Honourable Member for Revenue be pleased to lay on the table a statement showing the total number of prosecutions under the Motor Vehicles Act at Rohtak and the fines exacted during the official year 1925-26 and up to December 1926.

**The Honourable Mian Sir Fazl-i-Husain :** The honourable member is referred to the reply given to question No. 67.<sup>1</sup>

## NEW HIGH SCHOOL AT BHIWANI.

**112. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Education be pleased to state when the work of the building of the new high school at Bhiwani will be taken in hand?

**The Honourable Mr. Manohar Lal :** The honourable member is referred to answer to question No. 69.<sup>2</sup>

## CATTLE-LIFTING.

**113. Dr. Shaikh Muhammad Alam :** Is the Honourable Member for Finance aware of the increase in the cases of cattle-lifting in the district of Hissar and will he be pleased to state the measures the Government intend to take to check this evil and the activities of professional cattle-lifters of Balliali, Nigana and Adampur?

**The Honourable Sir Geoffrey deMontmorency :** Government is aware of the extent of cattle theft in the Hissar district. The attention of the Superintendent of Police will be drawn to the particular cattle-lifters mentioned. Government has already sanctioned a special staff to deal with cattle theft generally.

## COMPLAINT OF ALLEGED COGNIZABLE OFFENCE OF THAKAR BHANI SINGH.

**114. Dr. Shaikh Muhammad Alam :** Will the Honourable Member for Finance be pleased to state whether one Harnam Singh filed a complaint of a cognizable offence against Thakar Bhani Singh with the police authorities at Hissar in June 1926? Will he be pleased to state the result of this complaint? If any action was taken, will the Honourable Member for Finance be pleased to inform the nature of the same?

**The Honourable Sir Geoffrey deMontmorency :** Harnam Singh filed no complaint with the police authorities against Thakar Bhani Singh. He made an application to the effect that in a certain private transaction about a sale of land, Thakar Bhani Singh acted as his agent and misappropriated some money. This application was enquired into by the police and found to be without substance. The papers were accordingly filed by order of the District Magistrate.

<sup>1</sup>Page 174 ante.

<sup>2</sup>Page 175 ante.

## STAFF OF THE COMMISSIONER'S OFFICE, MULTAN.

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

- (i) how many of the clerical staff of the Commissioner, Multan, are Hindus and how many Muhammadans ; and
- (ii) the strength of the whole staff of the Commissioner and that of the Hindus in the whole staff ?

**The Honourable Mian Sir Fazl-i-Husain :** (i) 3 Hindus, one Christian and 10 Muhammadans.

(ii) The remaining staff consists of 2 Hindus and 1 Muhammadan orderly and 6 Muhammadan peons, chaukidars and khalasis.

## GOVERNMENT'S DEMANDS FOR GRANTS.

## AGRICULTURE GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 49,91,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Agriculture."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 49,91,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Agriculture."

**Chaudhri Afzal Haq** (Hoshiarpur—Ludhiana, Rural) (Urdu) : Sir, the intentions of the Government in establishing a new department have always been good but when the question of working the department is considered we often see that it is run in the most objectionable manner. Sir, you are well aware of the fact that in the beginning of the co-operative movement, the Government undertook to reward those zamindars who volunteered themselves to make this movement a success. No doubt the Government kept their words for some time and recognised the services of those who did their best to make this movement a success. But, Sir, the question arises, who were those people whose services were recognised by the Government ? The answer is simple. Most of them were hangers-on of the Government officials. To reward these people was a blunder committed by the Government. It has been twenty years since the co-operative movement was launched in the province. But the results arrived at during the period are not satisfactory and I am sorry to remark that the movement on the whole has done no good to the zamindar community. The co-operative societies have failed one after the other. Only those societies have flourished in which most of the workers were traders. The societies in the *ilaga* of Dasuya have almost all failed. All this is due either to the neglect on the part of the co-operative department or to the blunder referred to above. Wherever a society fails it is the duty of the Government to find out the causes that led to its failure. In my humble opinion, one of the chief causes of the failure of the co-operative societies is the fact that the zamindars are poor people and that their income is very

small. So long as their income does not increase there is absolutely no prospect of the success of the co-operative movement. The Government itself admits that the average income of a zamindar is about 9 rupees a month. I believe that it is even less than that. The zamindars gladly take loans from the societies, but they cannot discharge their debts. The result is that they are sent to civil jails. If you look to the figures of those civil prisoners of the Rohtak, Karnal and Ambala districts you will find that 75 per cent. of them are prisoners for whose imprisonment the co-operative societies are responsible. Sir, if the present system continues, some day will come when the majority of the zamindar population of the country would be found in jails. Let both halves of the Government jointly deliberate and cause enquiries to be made into the conditions of those *ilagas* which are known as poor *ilagas* and unless they do so I am sure the condition of the zamindars can never improve. Under the present circumstances the zamindars cannot be saved from the clutches of the money-lenders. In my *ilaga* of Dasuya the co-operative officials are honest people. They are zamindars themselves and have sympathies with them. But, Sir, they cannot mould the policy of the Government. Most of the societies have failed and people are now taking loans from money-lenders at heavy rates of interest. Generally speaking the people are paying interest at the rate of four annas a rupee on their debts. Sir, when such are the conditions prevalent in the country, can there be any hope of improvement? I am sure there can never be any improvement until and unless the Government finances the co-operative societies and for that purpose establishes a central bank which should be in duty bound to finance other small organisations in the mufasil. In the end, Sir, I beg to submit that when we find that the money which is being spent on the co-operative department, serves no good purpose, it would be wise on our part to reject the demand under consideration *in toto*.

**Rai Bahadur Lala Dhanpat Rai** (Punjab Industries): Sir, I rise to offer a few remarks with reference to the subject before the House. I have my genuine sympathy with the movement, and the criticism I will be offering will not be in a carping spirit. I am not one of those who in season and out of season are harping on class or communal interest, because I feel that as members of this House we are bound to protect the interests of all the communities in an impartial manner. Co-operative movement as well pointed out by the Government report on the working of the co-operative societies issued last year, is not a class institution, but it extends its wings to all those who are ready to pool their savings or their labour and thus help the harmonious organisation of the man-power and the economic resources of the country. It further says that the movement must embrace both agricultural and non-agricultural classes but I am sorry to find that this very department is entirely communal in the matter of its services (Hear, hear). I understand, Sir, that if a candidate offers his services to the department, invariably the first question that is put to him is whether he belongs to the agricultural class or not and if he does not so belong, the doors of that department are closed against him.

I hope the Honourable Minister in charge of this department will be good enough to tell this House, if it is not a fact that the majority of the

[Bai Bahadur Lala Dhanpat Rai.]

officials of this department belong to one religious community and the service as a whole, with very few exceptions, is not closed to the non-agriculturist classes. All classes of people of this province contribute for this department, and it is expected that it should not be a preserve for any one community or class to the exclusion of others. I hope in future equal opportunities will be given to all the communities of the province to enter the services of this department.

The next point I want to emphasise is that provided a man fulfils the first condition regarding the community qualification he is taken into service whether he has got any banking experience or not. May I ask the Honourable Minister in charge of the department as to how many officials of this department had got any banking experience worth the name before they entered this department? I do not plead for any class, but I do say that when you require persons to fill up technical posts, they should be well posted in that technical subject. Further, Sir, the primary object of the co-operative societies should be to lend money on easy rates to the zamindars but so far as my information goes the interest charged to them is seldom less than ten per cent. which is the direct result of the high rates of interest the central banks and union banks are paying to their depositors who are financing the village societies in their towns. It is regrettable that the banks who have the patronage and prestige of the Government behind them should be paying such heavy rates of interest on deposits as 7 and 7½ per cent. If the Imperial Bank of India can get deposits in the Punjab at 3½ per cent. and other joint stock banks at 4½ to 5½ per cent., there is no reason why these societies and banks should not be able to raise money on easier rates. If you decrease your rates on deposit you can afford to lend on easy rates also and then the object of this movement will be fulfilled. I may draw the attention of the Honourable Minister in charge of the department that although co-operation is the principle of his department, it should not be confined to co-operation amongst themselves but with the outer world also. The spare money of the banks under this department is to be kept with the banks approved by the Registrar and the only approved bank so far is the Imperial Bank of India with whom these central banks and societies deal, i.e., Imperial Bank is the banker of these societies and banks. They go a little further even and that is, if at any place the Imperial Bank has not got its branch, these banks would rather deal with private firms than with indigenous joint stock banks, however high their credit and financial position may be. This is a very regrettable feature.

I may also be permitted to point out that the Honourable Minister very rarely, if ever troubles the members of the Standing Committee on 'Co-operative Societies' to meet him. Either he thinks that their advice is not worth having or there is nothing on which their advice can be sought. I think he will do well to take these members into his confidence and be not guided solely by the opinions of his officials.

This takes me to another subject which is very important. The banks have got no powers themselves to make any investments and every loan is to be advanced with the permission and authority of the Registrar. It may be a good check in the beginning but unless you give them powers, they

will not feel the responsibility and will not be able to do business for themselves, on their own initiative. I think they should not feel that they are always under the thumb of the Registrar but should act on their own initiative and responsibility.

Then, we find, Sir, that a big sum of Rs. 50,000 has been provided in the budget for propaganda work. I am told, Sir, that the propaganda work depicted in the last Council by my honourable friend Chaudhri Ram Singh is not carried so vehemently as before against the money-lending classes. So far so good, but the authorities should insist that not a pice is spent on the propaganda with a view to decry any class.

In conclusion, I appeal to the Honourable Minister to look into these things for himself and I hope and trust that he will give these remarks the weight they may deserve.

**Malik Nawab Major Talib Mehdi Khan** [Jhelum (Muhammadan); Rural]: Sir, when I was a very little child and was put into the lower primary school a person, who in those days was called a chief muharir and who probably corresponds to the present District Inspector of Schools, used to inspect the school and give the boys small toys, nice little books, and so forth simply to encourage them to prosecute their studies. There is no doubt that such little presents that we were given did serve the purpose for which they were issued. What do we find in the schools and colleges and other big institutions of the present day? I do not know whether it would have been achieved if similar inducements had not been offered for the boys to study well. I must say that these little presents did serve their purpose in inducing children to go into these institutions. In the same way if the Government had offered some land or any other reward to any of the original co-operators, I see no reason why we should grudge it. It is a sort of inducement which should be encouraged. If we condemn this policy, then all these colleges and schools must be brought down because they came into existence mainly by the inducement offered to the beginners as also these co-operative movements. Would any one agree to it? I would say no. If we find a thing reliable and useful we must stick to it. There is not the least doubt that no department of Government or any other institution is free from defects. There are some defects in this department too. But the point is that we should try to remove the defects and not cut at the root of the department itself. There are some districts which are too big for the establishment that has been appointed to look after it. They cannot manage these districts and they cannot control the working of the department properly. The worst of it is that the activities of the Government are all spent on districts which are situate close to its headquarters and the districts far away from the headquarters are given a step-motherly treatment so far as co-operative movements are concerned. Unfortunately persons living in Dera Ghazi Khan, Muzaffargarh and other far off districts get only two or three inspectors who cannot look after the needs of these districts properly. This is a point which requires to be looked into by the Honourable the Minister for Agriculture. Another thing which I wish to impress upon the attention of the Honourable the Minister for Agriculture is that as far as possible only persons belonging to that locality should be appointed to serve there. The reason is that the people of that locality know them and will

[Malik Nawab Major Talib Mehdi Khan.]

trust them. For after all this is a department, which more than any other, requires trust and confidence in the persons who are controlling it. Unless the officers of the department are able to gain the confidence of the people, the work cannot be done smoothly and satisfactorily.

An honourable friend of mine has just now said that this department of all departments is run on the most communal lines. I would put it to my honourable friend whether there is any department in the Punjab or in any part of India which can be said to be entirely free from communalism. Everything is twisted into communalism in this province. It is most unfortunate that everything is supposed to be run on communal lines. This is a department which has been created mainly to help the zamindars and it is only an officer of this class who knows all that is in a zamindar's household, all his wants and requirements, it is only such an officer of Government who can properly discharge the duties expected of him. He knows best the miseries and sufferings of the zamindars, and how they are at the mercy of the money-lenders. If you only take Mr. Thoreburn's figure, you will readily understand how much land passed from one community to the other. When the Government looked at what was happening, they were startled. In order to save the zamindar from utter ruin, they came to his rescue by passing the Land Alienation Act. There is no doubt that it was not done at the sacrifice of any other community. The Government only just gave the zamindars some help to put them on their own legs again. If the zamindars are foolish enough not to take advantage of the assistance rendered by Government and if they allow themselves still to be steeped in misery, poverty and ignorance, it is their own fault. It is really very satisfactory that the co-operative movement has been divided into several branches, such as thrift societies, consolidation of holdings societies, weavers' societies and so forth. If each of these branches work properly and discharge the duty expected of them much of the misery and suffering under which the zamindars and other poor classes are now groaning would disappear. Not only does the co-operative department help the poor zamindars, but it also helps the small investor. It gives the small investor ample opportunity and scope to earn interest by depositing his savings in the co-operative banks. The *sahukar* also who has got spare cash can put it in these banks and earn some interest. In fact the co-operative societies render help to everybody who care to avail of it. Why, I ask in the name of humanity, if some relief is given to the suffering millions of zamindars and other poor classes who are wallowing in poverty and misery, should any objection be raised against it? It is the zamindars who are the backbone of the province. They man the army, the police and other services which guard your womenfolk. We are all in honour bound to do everything to alleviate their sufferings because they are so useful to us. Have you no pity for them? Does not their condition appeal to your commiseration? We are all their comrades. After all their salvation is ours and ours is theirs. We should all co-operate with one another. All these distinctions of rural and urban, Sikh and Muhammadan or Hindu and Muhammadan should be done away with. We should have only one aim and that is to help the poor and the weak and bring them to our level. In this lies our strength and the progress and development of this province.

**Rai Sahib Chaudhri Chhotu Ram** [South East Rohtak (Non-Muham-madan), Rural]: I had absolutely no intention of speaking on this motion but the speech which has just been delivered by the honourable member who represents the Industries constituency in this Council compels me to make some sort of a reply. He has made a grievance of the fact that in the co-operative department the number of zamindars preponderates. I am sorry that he should have made such a remark. This is perhaps the only department in which justice has been done to zamindars. Almost all other departments are dominated by non-zamindars and that an educated friend like the honourable member should grudge justice to zamindars in this department also really fills me with a great deal of sorrow. As a matter of fact it is because zamindars have been admitted in larger numbers that the department has been worked successfully. The experiment of recruiting non-zamindars for the co-operative department in other provinces has proved an entire failure. There is not a single province in the whole of India in which the co-operative movement has succeeded as it has done in the Punjab.

**Pandit Nanak Chand**: No. What about Bombay?

**Rai Sahib Chaudhri Chhotu Ram**: No, the honourable member does not know. The only difference between the organisation of the co-operative department in the Punjab and that in the other provinces is that recruitment in the Punjab is mostly from among zamindars. That is really the secret of the success of this department in the Punjab. Then there is another underlying principle as to why recruitment should be chiefly from among zamindars. A man who has some sort of extra sympathy with the population among whom he has to work will bring to bear upon the discharge of his duties something of a missionary spirit. This is absolutely essential in a department like the co-operative department where you should not content yourself with a mere sense of official duty. Unless your Inspectors, Sub-Inspectors and Assistant Registrars have something of a missionary spirit in them they will not succeed in promoting the cause of co-operation. If you recruit your Inspectors and Sub-Inspectors and other officers of the co-operative department from among money-lending classes, how on earth do you expect them to promote the cause of co-operation? Their sympathies will be with the money-lending classes. How can they promote the interests of a department which wants to rescue the zamindars from the clutches of the money-lending classes? Of course there is one branch of the co-operative department, that is the industrial societies, where recruitment can preferably be from among non-zamindars. Those who have some taste for industrial subjects, those who know something of industries are to be preferred where you come to deal with industrial societies. But where other kinds of societies are concerned, you should mainly confine your recruitment to the classes among whom your officers have to work. Now take the case of the commission shops. Suppose you open a commission shop and put in charge of the commission shop a man who belongs to the class of middlemen. Will he have any sympathy with the men in whose interests he is supposed to work? Absolutely none. If you try your experiment by placing these shops under the management of men drawn from the class of middlemen it will be entirely a failure. So I think the present policy

[Rai Sahib Chaudhri Chhotu Ram.]

of the department of recruiting their officers from among the classes among whom the officers have to work is a sound one, and it has the entire sympathy of the zamindar members of this House and ought to have the sympathy of every other impartial member of this House.

**Rai Sahib Lala Ganga Ram** [Ambala-cum-Simla (Non-Muhammadan), Urban] (Urdu) : Sir, the honourable member representing Hoshiarpur Muhammadan constituency has remarked that co-operative societies have almost all failed one after the other and that on the whole the co-operative department is being run in an objectionable manner and therefore it is working to the detriment of the zamindars. Moreover he has said that 75 per cent. of civil jail population in Rohtak, Karnal and Ambala districts is comprised of zamindars and they are there by virtue of the co-operative movement. Sir, I have also been in touch with the movement since 1912. In my opinion the zamindars on the whole are greatly benefitted by this movement. There are three classes of societies in the Punjab, that is, A, B, and C. The C class societies are old societies. There are people who having borrowed money from societies are not prepared to discharge their loans. It is due to this class of people that the co-operative movement is suffering, otherwise there is nothing wrong with the movement itself. I admit, Sir, that the administration of the co-operative department is not being run in a business like manner. But the honourable member who has just opposed the demand has simply said this much that the department is not being run in a satisfactory manner. He has not offered any specific suggestions for its reform. It has also been said that the Government should finance a central bank, so that the zamindars may get loans at low rates of interest. As regards this, I would submit that the zamindars are already getting loans from central banks with interest at the rate of 8 per cent. Even businessmen cannot get money from Imperial Bank at a lower rate of interest than 8 or 9 per cent. It has also been said that the department must be manned by individuals of one particular community but that is already being done. In spite of this it is said that co-operative movement is working to the detriment of the zamindars. In my opinion this remark is uncalled for and unreasonable. The zamindars, as is already stated, are greatly benefitted by the movement. With these words I would request the honourable members of the House to accept the demand under consideration.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan), Urban] : Sir, I do not want to make a long speech at this stage but shall content myself with a very few remarks. In the first place I must say that the co-operative movement is one of the most essential things for the betterment of the agricultural and also other classes in every country. Those people, if there are any, who are opposed to this movement are really absolutely ignorant of the benefit that this movement confers upon the agriculturists and also on the non-agriculturists. However, what I want to say is, that the way in which this movement has been run in this province up to this time has certain defects which, I hope, the present Ministry will try to remove. The first defect is that this movement has been too much confined in its scope. It has been limited to the agriculturists and it has not taken into consideration the needs of non-agriculturists. If the co-operative movement is good for the agriculturists it will certainly be good for the

non-agriculturists and I am glad to find in this the latest report on the co-operative societies which has just come into my hands that a promise has been made that something will be done for other classes as well. I find on page 5 of this report : " The time has arrived to bring the benefits of co-operation home to the trading and money-lending classes also and convert them to the benefit of co-operative effort, by organising banks financed by money-lending classes and organise trade co-operative societies by bringing together the trading classes. Co-operation is not a class institution, it extends its wings to all those who are ready to pool their savings or their labour, and thus help in harmonious organisation of the man power and economic resources of the country." A passage out of this book was read by the Honourable Member for Industries. I hope this will not remain only as a pious wish, not only as a promise, but it will be translated into an accomplished fact but not at a snail-slow speed but at the same speed at which the movement has been directed so far as it touches the agriculturists of this province. I find that in 1904 practically a beginning was made and now the number of societies stands at a very large figure. In fact in six years it rose to 1,000 and now it is many thousands, with a working capital of 9 crores of rupees, the increase of 2 crores having taken place in the course of one year. I think if an increase of two crores can take place in the working capital of one section of this co-operative movement in the course of one year, at least a beginning should be made in the co-operative movement amongst other classes with a capital of 2 crores of rupees and I am sure that the money-lending and trading classes will, if properly handled and if their confidence is won, be able to put in more capital than the comparatively poorer agricultural classes of this province have put in. That is the first thing to which I wanted to draw the attention of the Government in connection with this movement.

The other defect from which this movement has been suffering and which to a very great extent is the result of its limited scope, is, as pointed out by the Honourable Member for Industries, that this movement has been running in an extremely objectionable manner. I do not grudge those who get their living from this movement ; I do not even grudge that the agriculturists have got some employment in this department. That is not in the least in my mind. But when we find that this movement has been practically manned by one class of people, mostly belonging to one community, it is bound to lead to certain undesirable results and as a matter of fact it has led to such results. Reference was made some time ago, and a reference was also now made to it, that the people who are running this co-operative movement are running it in a missionary spirit, no doubt, as the late Minister for Agriculture has been pleased to put it, but rather in too much of a propagandist spirit. The opportunity has been taken to abuse other classes who, howsoever bad in their eyes, have after all played an important part in the economy of the province. A book has been handed over to me to-day which purports to have been written by some one connected with this movement. It is امداد با همی — by Abdul Majid Salik, B.A., published in 1926 and it says :—

دارالشاعت میں چھپا

[Dr. Gokul Chand, Narang.]

I do not know what this دارالشعاع is ; but if it is our precious publicity bureau, I hope it is not,.....(*Cries of No. No.*)

**Khan Bahadur Nawab Muzaffar Khan :** It is not ; it is the name of a local press.

**Dr. Gokul Chand, Narang :** That is some consolation. Otherwise I would certainly have taken it for the publicity bureau. But I thought it was in wiser hands, and that this department would not have been guilty of issuing a book like this to the public. I think this book contains material which would form the basis of a criminal prosecution under section 153-A. of the Indian Penal Code.

**Mr. President :** Order, order. This discussion is not quite relevant to the question now before the House. The honourable member would please speak to the motion.

**Dr. Gokul Chand, Narang :** I only wanted to point this out. I proceeded on the assumption that this gentleman, Abdul Majid, Salik, BA., was a member of the co-operative movement in the service of the Government.

**Dr. Sir Muhammad Iqbal :** He is the editor of a local paper.

**Dr. Gokul Chand, Narang :** That is something. In any case my suggestion is that as this book is likely to create an impression that it is an official publication, I would like this to be made public that the Government has absolutely nothing to do with this book. I proceeded on the assumption that the Government had a hand in the publication of it and therefore I considered it relevant to make a reference to it. I submit that the sooner the Government dissociates itself from the publication the better it would be for its own good name and also for the co-operative movement.

3 P.M.

A reference to this book would be relevant on another ground that Government is bound to take notice of any publication no matter by whom if it is likely to injure the co-operative movement which is one of the most excellent movements started by Government for the benefit of the people and for that reason also I considered it necessary and of course relevant to make a reference to it.

In this book there is a filthy abuse of money-lending classes with the result that it is bound to result in apathy among those classes against the co-operative movement and I am sure the Honourable Minister for Agriculture to whom this department belongs would take some notice of it and also the Government on the executive side would take notice of it because I am sure, as a lawyer I can speak with confidence, that the book infringes the provisions of Section 153-A of the Indian Penal Code, and I do not like, Sir, that there should be any obstacle in the way of the spread and popularity of this movement.

My learned friend the honourable member from South-East Rohtak has been pleased to say that the movement will not be safe in the hands of non-agriculturists. There may be some force in it if the men selected for carrying on co-operation work are really those who cannot be trusted to advance the cause of co-operation in this country. But I certainly repudiate any

suggestion that members of non-agriculturist classes as such have no sympathy with the agriculturists of this province. What has my honourable friend, when he had the reins of a part of Government in his own hands, done particularly for the agriculturists? Well, his record of 2½ years certainly does not bristle with any conspicuous services rendered even to the community of which he claims to be the champion.

**Rai Sahib Chaudhri Chhotu Ram :** It does.

**Dr. Gokul Chand, Narang :** And there is no reason to suppose that non-agriculturists will not do what he has been intending to do for the benefit of the agricultural classes. Then again, as one of my honourable friends on this point stated, what is a zamindar? Is the Raja Sahib a zamindar? (*A voice : no*). He is not. Only those are zamindars who do not own land or own precious little of it and those who happen to belong to any particular tribes which by some artificial distinction are described as zamindars or agriculturists and not those who have been tilling the soil with their own hands. According to my honourable friend only those who are now either teaching boys or robbing clients, if the pleaders do rob, or serving, as Ministers, or as Judges, or Extra Assistant Commissioners, are agriculturists and the others are non-agriculturists. Lala Harkishan Lal and Sir Fazl-i-Husain once sat together. One is an agriculturist and the other is not, although perhaps both own a lot of land and neither the one nor the other has ever touched the plough, but both of them have been driving the quill and bothering the Judges of the Chief Court. Is this artificial distinction which has been created by this iniquitous piece of legislation and illegal law.

**Mr. President.** Order, order. I would request the honourable member to withdraw the expression 'iniquitous piece of legislation,' as it implies disrespect to the legislature which passed it.

**Dr. Gokul Chand, Narang :** I bow to your ruling, Sir, but I bow to it simply because it is the ruling of the Chair. So far as the expression is concerned, certainly if you order me to withdraw it—I would withdraw it, but certainly I am not debarred from calling this piece of legislation something which is unfair, something which is unwise, something which was uncalled for and something which has not done any good to the country.

**Mr. President :** My ruling is based upon parliamentary practice. If the honourable member has to refer to the legislation of previous Council, he should do so in respectful language. To call a legislation 'an iniquitous piece of legislation' clearly imputes discredit to the legislature which passed it and has the tendency to bring the law into contempt. If the Act were under repeal and the honourable member was advocating its repeal, he would be justified to condemn it. But as that is not the case here, I think he is not right in condemning the Act and I would ask him to withdraw his remarks without discussing the ruling of the Chair.

**Dr. Gokul Chand, Narang :** I have already withdrawn that expression, but legislatures themselves have described the acts of their predecessors in terms in which I have done when they have repealed them.

**Mr. President:** I would again request the honourable member not to start a discussion on the ruling of the Chair.

**Dr. Gokul Chand, Narang:** Sir, I never questioned the correctness of the ruling but obeyed it and I only point out the practice which is followed by legislatures. With these remarks I would submit that an artificial distinction should not be relied upon for condemning a whole class simply because they do not belong to a class to which my honourable friend happens to belong. This co-operative movement will be absolutely safe even in the hands of those who are not born agriculturists or those who belong to this artificial class which has been created by a special piece of legislation in this country. If they are given a chance they will show that probably in their hands the movement will achieve greater success provided that those who are fond of co-operation co-operate with them also and provided the Ministers whether they belong to the agricultural party or to the non-agricultural party also co-operate with one another in order to make it a success.

**Mr. Owen Roberts (Nominated Non-official):** Sir, the honourable members who have preceded me are in a better position to deal with this subject than I can hope to be but it has struck me that Rs. 9,37,000 is a very large sum of money to spend upon co-operative credit. I have done my best to try and find out what we are getting for this money. The latest report available to me in the Council library is that for 1925 and the very first thing that struck me on going through it was the obvious bias against one particular class. I will read to you a passage on page 5 of this report:—

"We have ever now types of society to attract him, and as one Circle Registrar expressed the position 'we approach him from every side, and he cannot escape us.' There is nevertheless some exaggeration in this claim. The enemy is as often the dishonest trader as the money-lender. If the latter keeps his accounts honestly—as the bigger men often and the smaller men seldom do—and the borrower can understand how his debt has grown and where his repayments have gone, we bear the money-lender no malice; he is a fair rival and we have to persuade the borrower to protect himself against himself by rejecting all offers of credit which are not controlled by his neighbours."

This, Sir, I submit shows bias.

Later on it says:—

"Again he is a commission agent in the market, lending in cash, lending in kind, buying at unfair prices from his debtor and weighing the produce with fraudulent weights."

And, Sir, I submit, that this is a very strong indictment against traders in general, and what follows does not improve matters:

"And everywhere he is the village spider, coaxing a petty shop account up into a comfortable 'balance' which when signed by an illiterate customer is left to swell within the period of limitation into a fat claim."

It appears to me that any person who sets out to promote a popular institution and takes his stand on ground like this is doing that institution infinite harm. I have had the privilege during the last few months of discussing co-operation on a very large scale and I may tell you this that whatever its result may be it certainly does not condemn the ordinary trader but looks to fulfil his proper functions. If you set up an agitation of this sort deliberately putting one class against another, the man who will be the hardest hit will be the producer. He may grow his crops and harvest them but without the assistance of the trader he will not be able to market them to any advantage.

I now turn to another aspect of the report. Let us see what the author of it has to say of the co-operators themselves and how far they are possessed of all the virtues.

Writing of co-operation in the schools the officer responsible for the department blames school teachers for not being in sympathy with the movement. He praises a certain high school for doing a flourishing business and goes on to say :—

"While in a neighbouring district a series of embezzlements appear to have been steadily carried on by both pupils and staff."

Then referring to certain of the staff employed by the Societies :—

"When called upon to exhibit the cash balance he prevaricates or lies, and if, having failed to pay up after an adequate respite, he is prosecuted, the Court sometimes appears to hold that he has been guilty of no offence. The clerks of three Central Banks proved untrustworthy; from two the money has been recovered, while the third has absconded with Rs. 4,000."

I will read another extract and this time in connection with the customs of the society. This is how he describes one class.

Referring to the formation of mortgage banks he writes of one district :—

"The low standard of character among the people and the economic distress of their condition renders the undertaking particularly precarious."

I think, Sir, that is the experience of most money-lenders.

The first point I would ask Government to consider is whether we are getting the best return for our money. I cannot find from this report how money is being spent or what benefit accrues from it. If the money is spent merely on supervision and on inspection of accounts then the charge appears to be very very high. I suggest to Government that it might go into this point and see whether they cannot promote co-operation by spending a portion of this money in advertisement. Advertisement is very largely resorted to in England. In Liverpool a short while ago the interval in a performance was devoted to advertisement on the part of a co-operative society. It was advertised that during a particular year members had spent something over a million sterling in its stores in Liverpool and the society had returned £75,000 by way of dividends to members. I think advertisement of that sort would go further than anything else, to spread co-operation.

My next point is a suggestion that there should be greater concentration of effort. This book (Report on the working of Co-operative Societies in the Punjab for the year ending 31st July 1925), ranges over societies of every possible description and at page 23 it winds up by saying—

"Five members of a Lahore society have been fined by their committee for engaging dancing girls; four have paid and against the fifth, a zaildar, an arbitration case has been instituted."

(Laughter.)

I submit, Sir, that it is a very far cry from the establishment of mortgage banks to the foundation of societies for the prevention of engaging dancing girls. I think a little more concentration would lead to results more likely to give a better return for the money spent.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture): Sir, I must congratulate the House on the very constructive criticism that the members who have spoken before have made. I welcome this

[The Honourable Sardar Jogendra Singh.]

criticism. I welcome it all the more because our Council seems to have kept up its reputation for being consistent while indulging in some inconsistencies. There was yesterday a debate on the Industries and the erstwhile member for Industries stood against the department which he had administered. To-day we find a member opposite coming and shaking hands with me in promoting co-operation. His object is to popularise co-operation and I welcome his support and I feel like warning the member who spoke of a Minister belonging to no party that—

رنگ لائیکى ہمارى ناقہ مستى ایک دن

I shall not be surprised if he too belongs to my following like the member who is sitting behind him.

The criticism so far has been with regard to certain details in the working of the department. As the honourable member who spoke first pointed out, there were societies formed in the early days that had to go into liquidation. The fault is not with the department, the fault is with the societies themselves. Perhaps the fault was not even with the societies themselves. It may be due to the wind and the weather. Crops depend on the wind and the weather and I know how difficult it is for the zamindars when a season goes against them to be able to make regular payments. But, if I may say so, Sir, I can assure him that our ambition is that every village in the Punjab should have its co-operative movement and that we should go on extending co-operation not only in the villages but in towns. As the honourable member who read out the passage from the Co-operative Review pointed out, we want not only villages but also towns to organise themselves. We are really working for the cause of self-government in the truest sense of the word. We leave these societies to govern themselves; we guide them, we provide the necessary facilities and we tell them how new organisations should be worked. Our ambition is to make these societies self-governing. Our ambition is that all communities should co-operate with each other. Our ambition is to make co-operation real in every department of life. The President of the National Bank (Rai Bahadur Lala Dhanpat Rai) offered some very constructive criticism and I welcome the suggestion that he made. There is only one question on which I want to offer a few remarks. He laid great stress that the services in the co-operative department were recruited from certain sections. I may explain that the services are recruited from certain sections, because the societies which are to be served are self-governing, and most of the appointments are made by a union which is self-governing. We have never tried to interfere with the discretion of these unions. We leave the unions an unfettered freedom to recruit the services as they like and I am quite sure he would agree with me that it would not be right on our part that we should bring pressure on these self-governing unions or that we must impose any restrictions on them from outside. Indeed I feel that we will employ more and more men from outside as the co-operation grows in other communities. The remedy again rests with the town dwellers. We are here to assist them to organise themselves, we are here to promote industries, we are here to promote banking. Let them come forward and organise themselves and if they do so I can assure them that we will provide the best possible material that is available for helping them in their progress onward.

There was another question raised by an honourable member, that possibly we are appointing officers who have received no training in banking. I may point out that we take the greatest possible care in selecting officers for this purpose and we provide for them special training for nearly a year. It is only the best officers who have gone through that training that are appointed, and when they are appointed their work is very carefully watched. I think we have anticipated this criticism and if he had read this year's Review he must have noticed that the Government is proposing to get a banking expert appointed in the department. I hope to take every opportunity of giving banking training to our officers and I agree with him that it is most desirable that we should get men who have received this banking training.

The honourable member also raised the question of the high rate of interest which the co-operative banks are charging and in this respect he echoed my own feelings. I do not know whether we can at the present moment reduce the interest because interest as he knows, depends on the conditions of the money market, on the conditions of the people who seek credit, and the facilities that are available. Interest like other things is a thing which is not controlled by men. It is controlled by other forces which sometimes are not within the grasp of man. But I can tell him that I sympathise with him in this matter, because in creating large agricultural credits in some of the European countries the one thing that has been done has been the low interest and long-term loans. We expect, that we will receive some kind of guidance from the recommendations of the Royal Commission on Agriculture in creating agricultural credits on European lines.

One honourable member opposite spoke of the backward districts. I am entirely with him, that we must do our utmost for the backward districts. The difficulty in the backward districts which I have found during my tours studying this problem is, that their very backwardness prevents them from making use of the co-operative societies. We have schoolmasters abroad, we have co-operative preachers abroad and with the growing prosperity and greater equipment, I have no doubt that the backward districts will take their place along with the central districts. So far as the department which I have the privilege of administering is concerned, I can assure him that the backward districts receive greater attention than the districts that are able to look after themselves. (Hear, hear).

There is just one point raised by one honourable member for whom I have the greatest possible respect, because he is a business man and he understands the economic results of these things. I only wish that he had read the report which was issued this year, and if he had read the review and the report he would not have found scope for such criticism as he offered. He objected to the overhead charges. I am quite sure if I told him that they come to about one per cent., on the working capital of 9 crores, he would not consider it too high.

**Mr. Owen Roberts :** It is very high indeed.

**The Honourable Sardar Jogendra Singh :** Well he says it is very high indeed. If it is very high, it is because we are breaking new ground, we are laying down the foundation of a new banking system, and we are

[The Honourable Sardar Jogendra Singh.]

training a large number of men in the art of co-operative banking. It is not only the expense of auditing, but it is the expense of direction, and management, and it is the expense of carrying the message of co-operation to the homes of the people.

Lastly, Sir, I can assure the House, and I am sure that I will receive every sympathy and support from this House, that co-operative movement in the Punjab is one of the finest movements started by the Government. It is gaining ground and I am sure in its strength lies the future prosperity of this province.

**Chaudhri Yasin Khan** [Gurgaon-cum-Hissar (Muhammadian), Rural]

(Urdu): Sir, I have very attentively listened to the different views given expression to on the subject of co-operation by the various speakers who have preceded me. I have listened to those honourable members also who have attacked the department of co-operation on the ground that it is restricted in its scope so far as the recruitment of its officers is concerned. It is to these members that I would like to say a few words in the first instance, and I think that I will have conveyed my meaning if I read the following appropriate verse:—

ہم آہ بھی کرتے ہیں تو ہو جاتے ہیں بدنام  
وہ قتل بھی کرتے ہیں تو چرچا نہیں ہوتا

The department of co-operative societies is the only department where the Government can be said to have pursued the right course. I may tell them that if the non-zamindars are not employed in this department it is not because the Government hates them. The fact on the other hand, is that only the zamindars are fit to serve the best interests of this department in the best manner. As has been pointed out before only such persons can prove to be of use to the department who possess a missionary spirit and who have got a heart full of love and sympathy for their brethren. I am sure every one will admit that such persons can be found only from amongst the zamindars. The interests of the non-zamindars are diametrically opposed to those of the zamindars and, therefore, they cannot be expected to serve the department at all. Perhaps the honourable members might be aware of the fact that the United Provinces made no distinction in selecting the candidates and various officers for the co-operative department between the zamindars and non-zamindars; the result was that the movement in that province altogether failed. Would the honourable members, who were so eloquent in their attack on the department, like the Government to try that experiment so that our province should meet the same fate? I am sure they will never like that. To bring home to them this point I may further say that if the movement of co-operation has achieved this wonderful success, it is due mainly to the fact that proper persons have always been taken to serve its cause, and I have my reasons to say so. As the study of the figures will show, the movement had its start in the year 1905, and up to 1915 there were no more than one thousand societies in the province. But when in 1915 the MacLagan Committee on co-operation submitted the report with its proposals, the movement received a great impetus and since then

it has been making progress by leaps and bounds. In these proposals the principle of the employment of the zamindars in the department was strongly recommended. It will, therefore, appear that the attack of my honourable friends is unfounded.

Then the definition of the zamindar was attacked by some of these gentlemen as is usual with them. May I ask these honourable gentlemen why the Aryans, who came into India as one unit, were divided into Brahmans, Kshatrias, Vaish and Sudras which artificial division, as they should call it, has resulted in the Brahmans wholly taking to learning, wisdom and Kashtrias trying to master the sword and so on and so forth? They should know, if they already do not know it, that it is but natural that those people should be keenly interested in the profession in which their forefathers have been exclusively engaged. On the basis of that principle I say that sons of zamindars take that interest in land which is unknown to the non-zamindars. If the non-zamindars have come to possess lands it is because they had money to spare and to invest the same in land. The fact that some of the zamindars are employed in the Government service cannot make them forget that interest in agriculture which they have inherited. Therefore it is no idle talk to say that only zamindars can take a keen interest in the welfare of their brethren.

The Honourable Minister, Sardar Jogendra Singh was pleased to say that he welcomed the criticism made by the various speakers because it was a constructive criticism. So far as I have been able to judge from the past experience, I can say that it is customary for the Ministers and the Government members to say that they welcome the criticism. They have, perhaps, to do so out of courtesy. Otherwise I am sure the Honourable Minister cannot call what has been said as constructive criticism. However, I hope that what I am just going to say about the department will be constructive criticism and will rightly be taken in that light. Lest I should be misunderstood I would say at the very outset that I have been prompted to offer these suggestions not from any personal motives or from any sectarian point of view. I offer these suggestions simply because I am anxious to see those defects removed which I find in the department.

Until 1920 the department of co-operative societies was under the charge of the Financial Commissioner and up till then whatever was demanded used to be provided for the department. During the year 1921-22 and 1923 this department was handicapped by the then Ministry of Agriculture and very little financial help was given. But after 1923 enough money was supplied by the Honourable Ministers for Agriculture who have all been zamindars. It is a fact that under the guidance of Mr. Calvert the department has made much progress. I have to admit that during these years the department received more attention and consequently got more money than it actually required. The result was that whereas it made undoubtedly much progress, certain evils also found their way into it. Like that boy who suddenly comes into possession of a large legacy and begins to squander it, the co-operative department began to waste part of the money that it got. That wastage of the public money has not stopped, it is rather increasing. I take this opportunity to request the Honourable Minister in charge of the department to put a check on that wastage.

[Chaudhri Yasin Khan.]

My next complaint is that the backward areas have so far received very little attention in this matter. I take, for example, the Nuh and Sirsa Circles. Before the Reforms were introduced there were two inspectors appointed to carry on the work at Nuh and Sirsa in the Gurgaon and Hissar districts and after a period of six long years we find that the number of the inspectors there is still the same. That will clearly show the lack of sympathy on the part of the department for the backward areas. Similar is the case of Dera Ghazi Khan. Out of 16,000 societies in the Punjab the number of societies in Dera Ghazi Khan is only 82 and for that district of three hundred miles length only one inspector has been considered to be sufficient. May I know if Lahore and other central districts pay more revenue and so they are cared for more than any outlying districts? It is a pity that although there is an increase of 71 per cent in the expenses on the department, still the claims of backward *ilqas* have not at all been attended to. In reply to this complaint of mine the Government might say, as usual, that they will give every possible help provided the people come forward and apply for their guidance and help. But does not the Government know that the people of these districts are very ignorant and do not know how to write their private letters even? It is the duty of the Government to make provisions for propaganda work on a vast scale so that the people may come to know of the advantages of co-operative movement. You will see what good this propaganda does to the people. They will come swarming to you to obtain your help in the starting of societies. But the pity is that the machinery of the Government moves very slowly and the members of the Council will be surprised to learn that so far the people of the major part of my constituency do not know what the mortgage banks and consolidation of holdings mean. Of course we should rest contented that we will come to know of them in due course and through proper channel. First these movements must be tried in Lahore and Jullundur divisions and when they prove successful, they will be extended to Gurgaon and Hissar (the district headquarters) and then Gurgaon and Hissar tahsils and from there to Nuh and Sirsa (the tahsil headquarters) respectively.

I will now ask the honourable members to come with me and have a peep into the inner working of the department. Whosoever may be the head of this department, it cannot be disputed that the sub-inspectors are running the whole show. Without them all work whether of propaganda or of audit or any other work connected with the movement would stop. But what a pity it is that they are the most dissatisfied lot and they have genuine reasons for this discontent. A patwari can go up to the Commissioner and even the Financial Commissioner in appeal but the sub-inspectors cannot raise their voice even against the orders of an inspector. How can you expect these sub-inspectors to put their heart and soul into the work? If any real progress is to be made, early steps should be taken to improve their lot. Besides there is another grave defect which ought to be removed at once. Whenever a Muhammadan inspector is transferred and is relieved by a Hindhi inspector, the camp clerk and the chaprasis employed with the former are dismissed *ipso facto* as it were. The same thing happens if a Hindu inspector is relieved, on transfer by a Muhammadan inspector. This I say on the strength of my personal experience because I have been myself

an inspector for about five years and am still serving the department as Joint Secretary of the Gurgaon Co-operative Central Bank, Ltd.

**Dr. Gokul Chand, Narang :** I hope, Sir, he did not dismiss any.

**Shaikh Faiz Muhammad :** May I know if personal reflections on members are allowed here?

**Chaudhri Yasin Khan** (continued in Urdu) : I may again inform the House that I am saying what I sincerely and honestly believe to be true. But if the members think that I am wasting their time, I will at once resume my seat . . . .

**Dr. Gokul Chand, Narang :** I only asked him to know that there was one good exception to the rule of change of inspectors ending in the dismissal of subordinates.

**Chaudhri Yasin Khan** (continued in Urdu) : Another defect, Sir, which I find is that too much officialism has been introduced in the department and that is proving detrimental to the progress of the movement. Between a tahsildar and the Financial Commissioner, there are only two officers, i.e., the Deputy Commissioner and the Commissioner. But if a note or a file is to pass from a sub-inspector of co-operative societies to the Registrar, it must pass through the hands of an Inspector, then of the Assistant Registrar, then of the Deputy Registrar and then of the Personal Assistant to the Registrar and then it comes into the hands of the Registrar. Many a time the Council has raised its voice for the abolition of the posts of the Commissioners, but no one appears to have taken notice of the posts of the Deputy Registrars recently created. These posts are no more than post offices and an unnecessary burden on the public money. The Assistant Registrars, who are also gazetted officers, were quite sufficient to cope with the work. They are responsible for the *ilaga* in charge of them. Where then is the need for the Deputy Registrars? Besides that the department has got too many inspectors. The MacLagan committee in its report recommended that there should be one inspector for every 200 or 300 societies. According to that recommendation the total number of inspectors should have been 75 because the total number of societies is about 15,000. But the actual number already in service is 96 and now 14 more inspectors are going to be appointed as it appears from the budget. I do not mean that the grant asked for should be refused. What I would like the Hon'ble Minister to do is that the money asked for should be utilised in improving the lot of the sub-inspectors and for removing the long-standing grievance of the backward areas. Before I leave this point I have yet another complaint to make against this extra-officialism. Sometimes it happens that the officers interfere with the work of the societies unnecessarily. So far as I understand the co-operative department is meant primarily to guide and advise the various societies or to audit the accounts of the latter. But as I have hinted before the officers sometimes go beyond their province. The Registrar, sitting at his headquarters, takes into his head to issue orders to sub-inspectors, of course through proper channel. For example, in one village there should be only one co-operative society no matter whether the population of that village be more than 4,000. Such orders are invariably carried out by the sub-inspectors and no other credit society is allowed to be opened in that locality. In

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such cases no regard is paid to the inconvenience of the people that such orders might cause to them. If I may, I would say that if the officers of the Government once make up their mind to do a thing they do it even in disregard of the opinions expressed by the experts on the subject. In this connection I would refer the House to paragraph 26 of the MacLagan committee Report. There it is clearly stated that there should be not more than 50 to 100 members of one such bank. But who cares for such reports and such recommendations when the officers evolve a new formula?

I now draw the attention of the Minister to another mistake which the department is about to commit. From the budget it appears that it is proposed to send one of the Assistant Registrars to England for three months and he is to be sent because some time ago Mr. Darling and Mr. Strickland were also sent and because on their return the study in Europe of the two gentlemen proved of greater use to the department. I, for one, am not prepared to countenance this proposal. But if at all he is to be sent, why should he be sent for only three months? I do not think he will learn anything in so short a period. Of course he will be able to say on his return from there "Well, I have been to England." If for enabling him to say this much you are sending him I have nothing else to say than that the money so spent will be wasted. That is not all. There is another inherent defect in this proposal and that is that you will make the different Assistant Registrars jealous of each other. Every one will try against the other to be selected for a pleasure trip, as I would call it, to England for three months. If the Minister is bent upon sending one then he must have a definite and clear cut rule to be followed in selecting the man so that others may not be offended.

If the members will look at the budget they will find that provision is also made for one more Head Assistant for the office of the Registrar. I wonder why so much staff is required for that office. There are already 20 clerks of various grades in that office and since the decentralisation of the office of the Assistant Registrars the work in the central office has considerably decreased. The cancellation of the registration and the disposal of the few general files is only what that office has to do now. The registration of new societies and fixing the maximum credit limit of credit societies and all supervision work is done by the Assistant Registrar and all work is done in his office and each sub-office has been supplied with 2 clerks in addition to one camp clerk which each Assistant Registrar formerly had. Of course the Registrar is a great personality and the Honourable Minister must sign where the Registrar has affixed his signature. Here I may warn the Honourable Minister that if he continues to allow his subordinates to have their own way, the latter will spoil the whole department just as the sons of those persons get spoiled who are not wise enough to check the evil tendencies of their sons.

I might be dubbed another sectarian and perhaps also a narrow-minded person if I request the Honourable Minister to appoint in future Muhammadan officers at places where the latter are in a majority and Hindu officers where the Hindus are in greater numbers. But I have very cogent reasons for making that request. Supposing a Hindu inspector is appointed in the ilaga where the Muhammadans are in majority it is very probable that the people there may find it difficult to associate with him. Then there is the probability

of the officer himself not taking much interest in the welfare of the population there. To be more clear, in these days of communal tension the officers do not feel at home if they are not amongst their own community. All the time they remain there they keep trying for their transfers and in consequence the interests of the people suffer. I therefore strongly urge that particular care should be taken in posting the officers. Before closing my remarks, I may warn the Honourable Minister that special care should be taken in recruiting the right sort of men and the recruitment from various communities should be made according to population, number of societies or number of members of various communities. In the report the membership stands as below :—

“ 62 per cent. Muslims, 18 per cent. Hindus, 16 per cent. Sikhs and 4 per cent. others.”

I am sure the percentage of Muhammadans is daily on the decrease. I fail to understand why men from other divisions should be sent to Ambala division when none from Ambala division is sent to other divisions and this precaution must be taken by every Transferred Department, because they all want sympathetic staff to serve the people in the best possible way.

I may say that recruitment during the recent years is open to grave objection, for candidates from certain *ilqas* have not been taken at all. The plea put forth is that they do not get applicants. Only one example will show the absurdity of this plea ; during the last 6 years they could not get one or two inspector candidates for a city like Delhi, so that after training he might be put in charge of the movement. When the officers can ignore the imperial city, they can easily do so in case of backward *ilqas*. The reason for this defect is that officers do not want the movement to be successful there. There is one defect that there are persons who are entering the department in the disguise of zamindars while they are not. . . .

**Raizada Hans Raj :** Are they Hindus or Muhammaadns ?

**Mr. President :** When one honourable member wishes to ask a question of another honourable member, he would please ask the question through the Chair.

**Raizada Hans Raj :** May I know, Sir, whether such persons are Muhammaadns or whether they are Hindus ?

**Chaudhri Yasin Khan** (continued in Urdu) : Such persons come from both the communities. Before I sit down I again emphasise the fact that particular care should be taken in the posting of officers. In this connection I may say that I know of a case in which two inspectors were posted to Jhelum and Rawalpindi districts who could not be successful there. The Deputy Commissioner of the district made a report to that effect, but the Registrar appears to have taken no notice of it so far. Consequently, the result that these unwise postings have produced is that the co-operative movement has not made any appreciable progress in such districts. I hope the Minister will spare no time in remedying the defects and will save the movement from failure. With these remarks, Sir, I resume my seat.

**Khan Bahadur Nawab Muzaffar Khan** (Director, Information Bureau) (Urdu): Sir, I take this opportunity to inform the House that the Government has nothing to do with the publication referred to by my honourable friend Dr. Narang. Some time ago when I examined the book, I expressed my opinion that the book was not worth keeping in Government libraries (hear, hear). I may further inform the House that the guiding principle of my department is to publish facts as they are and not to give them any colour of our own.

**Lala Mohan Lal:** Sir, I beg to move—

“That the question be now put.”

The motion was carried.

**Mr. President:** The question is—

“That a sum not exceeding Rs. 49,91,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Agriculture.”

The motion was carried.

#### MEDICAL AND PUBLIC HEALTH GRANT.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government): Sir, I beg to move—

“That a sum not exceeding Rs. 58,10,300 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Medical and Public Health.”

**Mr. President:** The question is—

“That a sum not exceeding Rs. 58,10,300 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Medical and Public Health.”

**Shaikh Muhammad Sadiq** [Amritsar city (Muhammadan), Urban]: Sir, before the advent of the British Government to this country naturally we had some system of medical aid and that was the Unani system but somehow or other during the last century or so that system has decayed, so that with the advent of the British rule the European system came into being. At first free hospitals were opened all over the country and the people took advantage of the free medicine distributed but by and by hundreds and thousands of young men went to colleges and passed out as doctors with the result that the unani and vedic systems have not only deteriorated but to-day there is hardly a unani school worth the name left in the Punjab.

We have been urging, for the last two or three years, the Government that the time has come for them to help the indigenous systems and to try to put them on their legs again. Unfortunately up to this time Government has not been sympathetic towards the indigenous systems of medicine. Naturally the majority of Government members do not believe in the systems. The higher officers who are in charge of the Medical Department having been trained in the European system do not have any faith in the indigenous systems. A medical officer has said that many medicines used in the Indian systems are very old fashioned and they do

not do much good and so the system is useless. But the fact is that there are still a very large number of people in India, Indians of course, who avail themselves of the indigenous systems. Unfortunately there are no proper examining authorities, no proper hospitals, no proper schools, and the result is that instead of improving we are going down day by day and if this goes on for fifty years, the old system which has served the purpose for thousands of years will be absolutely destroyed. I am sure that the new Minister now adorning the Government benches when he falls ill calls his old *Tabib*. If he is going to say, as one Government member said once, that Government does not believe in the unani system of medicine, it will not be the right thing coming from his mouth. The system is good. People seem to have got tired of some of the allopathic doctors. It is the Indian system which though it is old-fashioned in certain respects suits the palate and the temperament of the people. It is absolutely necessary that the Tibbia system should be revived in this country. You go to a chemist, he will charge you one rupee for one bottle of medicine of six doses, whereas if you go to an old hakim you can get a whole day's medicine for one anna or two pice. Why should we encourage that expensive system of medicine in this country? An allopathic doctor charges Rs. 10 or Rs. 5 and if the patient lives in the same street as his own he perhaps charges Rs. 2. But our hakims charge very little.

There is nearly one doctor for 200 or 300 square miles in the Punjab. At the time of epidemics doctors are very difficult to get as they are very few in number. People do not relish the taste of allopathic medicines and they do not call the doctors at all for this reason.

If the Honourable Minister can do something to help and revive this system, it would be a real help to the public at large. Formerly this system was discouraged in municipalities but in the Amritsar municipality we have started two hospitals and they are a great success. If Government encourages the system, we can multiply such hospitals at a very little cost.

I now come to public health. What do we find? We find that Government last year kept a very meagre amount for epidemics. There was a hue and cry at the Simla session and the result was that Government was generous enough to allot two lakhs of rupees. But we find as a rule that sufficient money is not available. Yesterday I made a remark about the seissors of the Finance Department being always at work where these departments were concerned, but we were assured that that has never been the custom with the Finance Department. I accept that correction that it is not the fault of the Finance Department but it is the fault of the department concerned. Our kind Government has recently sent a notice to all municipalities to the effect that as the *Kumbh ka Mela* is approaching, they should be prepared in case of cholera breaking out. That is a circular sent by the honourable gentleman in charge of the department to municipalities, but I do not find, as far as I have been able to see, any mention of the cholera epidemic in the budget. I cannot see that any money has been kept apart for the epidemic. I know that as a result of hue and cry which was made in Simla a sum of 1½ lakhs has been kept in reserve for the

[Shaikh Muhammad Sadiq.]

epidemic but I ask how far will 1½ lakhs go in the case of plague? God forbid that we have another epidemic of great magnitude, but I say, Sir, that 1½ lakhs for a province like the Punjab is too little. And then why should the department not ask for money for all epidemics? What about malaria? Is that not under the charge of the same department? We find that a very famous doctor has said that in India nothing is being done to stamp out malaria.

**Lt.-Col. W. H. C. Forster :** Name?

**Shaikh Muhammad Sadiq :** Sir Ross, I think.

Perhaps I may be mistaken in the name. He says that enough has not been done. He says it has not been done in the same way as it has been done in the Malay States where the Government is spending large sums of money and is trying to stamp out malaria. Malaria is not new to the Punjab. I do not know whether mosquitoes are the real cause of malaria, but it is absolutely necessary if malaria is due to mosquitoes, then we should take some measures to destroy these mosquitoes. It is high time some sanitary arrangements are made to eradicate malaria.

Speaking about the medical department I must say that during the past 20 or 30 years consumption has been making havoc in the Punjab. One would expect that under the circumstances Government would reserve enough sum of money for the help of consumptive people, that Government would open some sanatoriums as they are doing in England, France, Australia and other countries. But we find that Government has not up to this time cared to open sanatoriums for these poor people. It has so far fallen only to private individuals and private societies to start sanatoriums. We have enough places in the Himalayas where such sanatoriums can be opened. We have greater facilities for opening such institutions in the Punjab than the people of other provinces. With the Himalayas within striking distance of the Punjab, with a cheap railway system we can easily have such sanatoriums for consumptive people. Yet the Government has not done anything in the matter. There are only two places in the Punjab where we have sanatoriums, Solon and Dharampur, but they cannot accommodate enough number of people. They cannot accommodate even one-hundredth part of the number of people who are suffering from consumption and want to avail of the hospitals. I understand that within twenty years before the bacilli were discovered, the Government in England has been spending part of its revenues for the relief of the consumptives and had thus brought down the mortality figure. Surely in this province Government should do something for the poor sufferers. What is the use of making roads and bridges and other things if the people who are to enjoy them cannot live? What is the use of these benefits if young men are to be carried away by fell diseases leaving behind poor orphans on the charities of the public? It is much better that Government should spend some money in stopping these epidemics. Because otherwise by the young men dying of these epidemics the survivors of his family are a burden on the public.

We find, Sir, from the budget that nearly three-fourths of the revenues come from the agriculturists. Really not much of it is paid by the people

of the cities. The main portion of the land revenue comes from the agriculturists. The revenue from irrigation comes from the agriculturists. Some portion comes from the revenue of....

**Mr. President :** The question of communal interests is not before the House.

**Shaikh Muhammad Sadiq :** I am only urging that more money should be spent on these agriculturists. I am pointing out that they have been shabbily treated. I am urging that more money should be spent in villages than in towns for in the latter, municipalities look after the sanitation and health to a great extent.

**Mr. President :** The honourable member will be in order if he discussed the relative sanitation of towns and villages or the sanitation of the rural classes and areas. But the financial aspect of the question may be avoided.

**Shaikh Muhammad Sadiq :** I will avoid such remarks as far as possible. What I was going to say was this that in urban areas you have first class municipalities which can look to these things. But in villages you have not got such institutions and the district boards do not spend much on them. It is for that reason that I ask the Government that they should look after the health of the villages, because after all, Punjab is an agriculturist province and most of our revenues come from the agriculturists. So I want that in order that their health may be ensured more money should be spent on the agriculturist classes. Government has taken a very admirable step for the spread of hospitals, but surely they are not enough. Surely a hospital at a distance of about ten or fifteen miles from villages is not enough. In cities there is hardly any street which has not got at least one doctor or hakim. In many lanes you have got four or five doctors and one or two hakims. But what about villages? If a person in a village gets ill he has to go ten miles to reach a hospital for treatment and if he is too ill to move he has to go without medical aid. If a doctor lives in a village how many miles can he go for the treatment of the villagers? One day he goes ten miles to one village and on another day he goes to another village and he is therefore not in a position to look to the comfort of all the villagers in his jurisdiction. In times of epidemics the difficulty is all the more. There are really no facilities for the rural people to go to hospitals for treatment. I therefore urge on the Honourable Minister in charge that he should look into the difficulties and disadvantages the poor people are suffering from.

The indigenous systems of medicine have been condemned as old-fashioned and useless. I am not an expert myself to venture an opinion on the subject, but seeing that it is being resorted to, I think the systems should be encouraged. A first class college or school should be opened where the best education can be given.

My object in offering these criticisms is not to differentiate between cities and villages but simply to bring to the notice of the Honourable Minister and the Government the necessity of helping the rural population because they are helpless themselves.

**Chaudhri Duli Chand** [Karnal (Non-Muhammadan), Rural] (Urdu) : Sir, there is very little left for me to deal with the subject before the House.

[Chaudhri Duli Chand.]

I will, therefore, say a few words to show that justice has never been done to the zamindars so far as the question of admission to Government schools and colleges is concerned. They have genuine grievances in this respect. So far as I am aware very few zamindars have been able to secure admission into the Medical College. Even now you will find hardly any zamindar reading in that college. So far as the admission to the Medical School is concerned a few of the zamindar students were admitted in the last few years and that too because the Honourable Minister then in charge was interested in them. I hope that in future the zamindars will not be deprived of that concession now that another zamindar is at the helm of the affairs.

Then we zamindars have another complaint to make and that is that due share of appointments has not been given to us in spite of the circulars of the Government. I am aware that sufficient number of suitable zamindar candidates is, at present, not forthcoming. But who is to blame for this dearth of suitable candidates? I have no hesitation in saying that the blame lies with those people whose interest clash with those of the zamindars. The whole problem centres round the question of admission about which I have said something already. Many difficulties are placed in the way of the zamindars anxious to get admission into the Medical College and School. If in the first instance the condition of division in which the students may have passed their examinations, is imposed, then another condition of marks obtained is added. I do not mean for a moment that no condition whatsoever should be imposed. But what I mean is that the matter should not be left entirely in the hands of the Principals and Professors. Impose one or two conditions and stick to them. Do not change them every now and then according as they suit the occasion. Perhaps the Government is not aware that the number of rural people who go and seek the medical aid in various hospitals and dispensaries is very small. It will be no exaggeration to say that often only those villagers go to the Government dispensaries who may have received serious injuries in some riot. Has the Government ever cared to ascertain the cause of it? In my opinion the cause of it is—and that is the opinion of other zamindar members of the Council—that most of the Civil Surgeons and Assistant Surgeons and with the exception of a few zamindars the Sub-Assistant Surgeons are non-zamindars and they have little regard for the villagers. The villagers are kicked out of the dispensaries if ever they come by the compounders. The unsympathetic attitude of these doctors is proverbial amongst the villagers. As an illustration of that attitude I may say that once a woman in a village was in a dangerous condition at the time of child-birth. Her husband went to seek the help of the doctor, but as the doctor would not accept less than Rs. 75 as his fee which that villager was unable to pay, the idea of having medical attendance had to be given up. Although by the grace of God that woman did not die that doctor proved by his conduct that he had no sympathy for the poor villager. It is my personal experience that whenever a zamindar doctor is posted to a dispensary, the villagers flock to it to have their maladies cured. This again shows that there is a great need for recruitment of zamindars in the medical service; and if at present zamindars are not forthcoming to be taken as Assistant Surgeons or Civil Surgeons, rural dispensaries may be opened as a temporary measure. With these few words I resume my seat.

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**Lala Mohan Lal** [North-East Towns (Non-Muhammadan), Urban] (Urdu): Sir, I had no mind to take part in the present discussion, but the remarks that have fallen from the lips of my friend Chaudhri Duli Chand, who has never missed an opportunity to advocate the cause of zamindars, have compelled me to say a few words. My friend wants that the zamindars must be admitted in the Medical college and the Medical school and they must be given appointments in the medical service no matter whether they possess the necessary qualifications or not. I have told him many a time before that he should not raise the question of zamindar and non-zamindar about a department where technical qualifications are required. And medical department is one of them. We do not object to the zamindars being taken as doctors but they must possess the requisite qualifications because they have to deal with human lives. I may not have joined issue with him if he asked for more appointments to be given to the zamindars in the departments where no technical qualifications are required. The Government may appoint any number of zamindars as tahsildars and clerks to Deputy Commissioners to please our friends. They can at best show favour to some of their friends and relatives by giving them some posts. Like the doctors they have not to deal with precious human lives.

Then my friend Chaudhri Duli Chand said that if a zamindar doctor is posted to a dispensary, the villagers come in swarming to it. My friend perhaps does not know that the patients, when they go to seek the advice of a medical man, never make distinction between a Muhammadan, Hindu, Sikh or Christian nor between a zamindar and a non-zamindar. If the patients go to any doctor in large numbers they go to him because he is known to be an expert. May I ask my friend whether people from far and near, zamindar and non-zamindar go to Doctor Mathra Das at Mogha because he is a non-zamindar or because he is known to be an expert? There can be only one answer to this question and that is that people go to him because he is an expert. I would advise my friend that he should not make such unreasonable demands, because the only result of it can be that very inferior doctors will be turned out of the college and the school. If we want Swaraj we should not quarrel over such matters.

Then my honourable friend Shaikh Muhammad Sadiq, in his speech to-day, asked the Government to expedite the improvement of unani and ayurvedic systems of medicines. I agree with every word of his. Some of the members might be able to recollect that in the last Council I moved a resolution asking the Government to pay its attention to these indigenous systems of medicines, and the Honourable Mian Sir Fazl-i-Husain was pleased to promise that a sum of about Rs. 35,000 would be provided in the budget for the purpose and it was provided. We do not know how and where that money was spent. However I will request the Honourable Minister for Local Self-Government that no further delay be made in the matter.

**Dr. Gopi Chand, Bhargava** [Lahore City (Non-Muhammadan), Urban] (Urdu): Sir, I did not intend to speak on any motion this session, but as the discussion has drifted on to the medical profession I feel called upon to make a few observations at this stage. Sir, this profession is a noble an

[Dr. Gopi Chand, Bhargava.]

an honourable one. As far as I know the members of this profession do not make any difference between males and females, Hindus and Sikhs, Muslims and Christians and zamindars and non-zamindars. Their theme is to serve humanity. They do not indulge in such like petty differences and they do not care about the castes and creeds of patients. They do not show any preferential treatment. It is wrong to say that zamindar patients do not go to non-zamindar doctors. I am a doctor myself and I can certify that among my patients there are zamindars, non-zamindars, Sikhs and Hindus, Muslims and Christians. Had my honourable friend remarked that the system of services is bad I would have gladly joined issue with him. The system of services which is in vogue in this country does not exist anywhere else in the world. In England there are no medical services. There are private practitioners there who do their own work as well as teach classes in schools and colleges. A number of them give their time in seeing patients in hospitals and dispensaries at their leisure. But in India, Government entertains paid professors and physicians for this purpose. Europeans are employed on high salaries and they depart to their homes after serving twenty or twenty-five years when their experience could have benefited the people. Sir, I was saying that in medical profession there is no distinction whatsoever as to the caste and creed of patients. It is highly unjust and improper for our zamindar friends to say that non-zamindars' entrance to these services should be restricted. I assure them as a member of this noble profession that there is no need of creating such line of distinction in these services, otherwise the imposition of any restriction will certainly prove harmful to the country. There are already so many differences. Pray do not pollute this profession. Doctors and physicians serve humanity. They do not even care to know whether patient is zamindar or non-zamindar. I admit there are some black sheep among us, but their negligence and carelessness is due to their greed and avarice. In passing on to another point I wish to point out Sir, that in 1912 when I took my diploma I was recommended by my Principal for a post in the medical department because I stood fifth in order of merit. But you will be surprised to know that I was refused and a Muhammadan gentleman was taken in. I do not grudge that but in fact I am glad that I was not taken on that occasion otherwise I would have been deprived of serving the cause of my country. Although my political view differ from those of my honourable friends, yet in this respect, I think they will accept my advice and will not insist. Sir, if racial distinction creeps in this service it will serve no useful purpose and on the contrary will do a lot of harm to the common good of country. I am of firm opinion that no racial distinction should be introduced in the appointments relating to professorial chairs.

Then, Sir, it is said that allopathic treatment is very dear and doctors charge a very high rate of fees. I beg to say that this is not correct. Allopathic practitioners charge comparatively a very low scale of fees. Sir, native hakims and vaidas charge even Rs. 1,000 daily when they go to native states while we cannot even dream of such a high rate of fees (*A voice: They are specialist. You should also specialise.*). My honourable friend says that we should specialise ourselves. Perhaps he does not know that in this country there is no chance for specialising. Let us take

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those who are in service. We find that medical officers are often transferred from one place to another. You are aware, Sir, that in one district there is always only one disease prevalent and when an officer becomes acquainted with it all of a sudden he is transferred to another place where another disease is rampant. This can be illustrated. In North-West Frontier Province the disease of stone in bladder is common and in central districts malaria is prevalent. Now, Sir, an officer who is posted in the Frontier Province requires skill to operate for stone on patients and when he acquires extraordinary skill I mean when he is about to specialise he is transferred to the central districts where his previous experience serves him no purpose. Similar is the case of that officer who was posted in the central districts. When he goes to the Frontier Province he has to apply himself to the new task. I think I have sufficiently explained that the question of specialisation does not arise under the present circumstances.

Sir, I was saying that native physicians charge a very high scale of fees when they go to native states. This cannot be contradicted. Another charge is made on the allopathic system which refers to the high price of medicines. It is true to some extent but the reason is not far to seek. A very large profit is charged by middle-men. If this is managed medicine will become immensely cheap. But it is a matter of great regret that Government does not look into this matter because profit goes to England. Government ought to have started pharmaceutical works here in order to prepare medicines. In that case the money of India would have remained in India. Our country stands in dire need of improvement in every direction. I admit that there is a growing demand of native system of medicine in India and in this respect I shall strongly urge that some suitable research institutes or some laboratories be established. Government can afford to do so. No private enterprise can embark on such a big scheme. In Madras they have opened a school for native system of medicine. Let us follow suit. Punjab Government must take steps in this direction. It is a matter of regret that when such an important problem comes before the House some members generally bring in petty differences. We should not bend our mind towards such petty matters.

**Chaudhri Dali Chand:** Why Indianisation of services?

**Dr. Gopi Chand Bhargava** (continued in Urdu): Because here the system of services already exists. I have already stated that experienced European officers leave for their homes when time comes for taking advantage of their long-termed knowledge and experience. For this I shall strongly urge that there is no use of employing foreign men and that only Indians should be recruited for they are not likely to leave the country for good.

Before I sit down I want to bring one point before the House and that refers to the well-known maxim "Prevention is better than cure." I am a believer in curative medicines but at the same time I am cognisant of the benefits of prevention. No doubt it is better to investigate the causes of disease and apply medicinal remedies but it is still better that the axe of prevention be applied at the root of evil. It is enjoined by the health department that we should get rid of rats in order to ward off the attacks of pestilential plague. My submission is that although it is a very good and sound advice yet Government should provide for such arrangements

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that in villages the generation of rats be extinguished for ever. Better ventilated and better-accommodated quarters will not produce rats. Some more effective remedies be applied for prevention of rats. There is another disease which is known as consumption and which is very fatal. We cannot save consumptives by sending them over to sanatoriums. This disease is practically incurable. Some say that fresh air and good food can help to some extent. I think such enemies of mankind can be dealt with only when the mode of living is improved on scientific lines. Our health department should take up some practical scheme in hand to improve the sanitation of the province and to eradicate these fatal diseases. With these few remarks, Sir, I thank you for allowing me to speak at this juncture.

**Mr. J. G. Beazley** (Secretary, Transferred Departments): Sir, I shall only deal with one point which was touched upon by the last speaker and by my honourable friend from Simla who referred to the fact that a promise has been made by the Government to undertake a scheme of research in the matter of indigenous drugs and money was provided for that purpose in the budget. But, as honourable members have probably seen in the budget notes, that money has not been spent and no scheme has so far been taken up. The decision to drop the scheme was taken before the present Minister in charge of this department assumed office and for that reason I have got up to deal with the matter. The decision, I may also say, was taken during my own absence on leave and it was only recently that I heard that this decision had been come to and even then I was unable to discover the reasons why this decision had been come to as the file had in some mysterious way disappeared. It appears, however, that the Public Health Standing Committee of the last Council advised against the scheme as there was some fear that the scheme if put into effect would merely duplicate the work which was being done in Calcutta. When the matter was, however, brought to the attention of the present Minister, we looked into the case and it was apparent that the matter was one which required further examination. A scheme had been deliberately adopted; certain preliminary measures have been taken; a professor has been sent to Calcutta to obtain training and information for the special work and it appeared to the Minister and to myself that the decision to drop the scheme had been come to very hastily and prematurely and that the matter is one which requires a further examination. That examination will now be made when we have leisure after the close of this session.

**Lala Ecdh Raj** [West Punjab Towns (Non-Muhammadan), Urban]: Sir, the department has been established in order to remove the diseases of the human body. But there is one disease which this department also has not been able to remove, the disease which is common to all the departments, I mean the disease of corruption. (Hear, hear). This department is as guilty in this respect as any other department; it may be a question of degree. We have on the one hand the police department which is the custodian of our life and property, which is corrupt. On the other hand the medical department which is the guardian of our life is also corrupt. It has been admitted by the Government that corruption prevails in each and every department of the Government. The disease is one

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for which the Government wants a remedy. We are in the seventh year of the Reforms and the expenditure of the province has gone up from 6 crores to 11 crores of rupees, rather more than 11 crores of rupees, and the justification that is put forward by the members of the Government for the rise in expenditure is that there has been a development of the province all round. I can admit that so far as the Government departments are concerned, there has been some development. We have got so many high salaried officers both in India and from England. We have got palatial buildings. But I ask, Sir, if all these things contribute to the prosperity of the poor tax-payer or give any sigh of relief to the thousands of poor people of this province. They are living on the border line of hunger. They are poor, and are diseased. Our conditions are so horrible that we cannot see such conditions in any other country in the world. The conditions under which our millions of people are living are so very bad, in spite of so many natural resources.

These three generals of misery, poverty and disease are taking away their toll year in and year out. They are more dreadful and powerful than any General Dyer who took away the lives of Indians in the Jallianwala Bagh, Hindus and Mahammadans alike. Our conditions, as I have said, are very horrible. Thousands of people of this province are living under thatched roofs, they are living in slums. No attention is being paid to their sanitary conditions and when they fall a prey to any disease and are admitted into a hospital as indoor patients, the members of the staff whether they belong to the lowest rung of the ladder or whether they belong to the highest rung of the ladder, whether they are mural servants, whether they are compounders, or are Sub-Assistants Surgeons, or Assistant Surgeons or whether they are Civil Surgeons, they would not attend to the patients unless their demands are satisfied. No operations would be performed unless the fee of the doctor is paid. The compounder would not attend to the patient unless every now and then he is paid a tip. These are facts which cannot be denied. If any member of Government challenges these statements, I would request Government to appoint any committee it likes. I am sure that a large number of witnesses would be coming forward who would bear me out that corruption prevails in this department. We have before us the reports of Corruption Enquiry Committee, Police Committee, and Jails Committee and their finding is that corruption exists in the Government departments. If Government were to make an enquiry into the fact whether corruption prevails in this department or not, it would be better if Government appoints a committee to find out whether the disease exists or not. I presume that the Honourable Minister, if he sees the truth of the statement, would not try to silence me with the reply: "whose people are they?" like the remarks which fell on one occasion from the mouth of the Finance Member some time ago when the Police demand was being discussed on the floor of this House; my reply would be "to whom are they responsible?" Are they responsible to the people through their representatives of the Council or are they responsible to the irresponsible executive of the Government? The remedy, if you want to find out, lies in the fact that you make the irresponsible executive responsible to the legislature. The salaried members of the department look up for their salaries to the irresponsible executive. They

[ Lala Bodh Raj. ]

do not mind whether people die or live. They do not care what the conditions are under which we are living. They have no sympathy with us. They mind their salaries which they get from Government. Although the rules, if I am right, do not provide that the officials of the department can charge anything from the indoor patients, our experience tells us otherwise.

**Mr. President :** The honourable member has been making very wild and general charges of corruption. I do not think this is permissible in a debate on a specific demand.

**Lala Bodh Raj :** Sir, my object in making the remarks that I have made was to draw the attention of the Honourable Minister in charge of the department to see to these things for himself and to take some steps to stop the evil practices that are prevalent. If the Minister wants particular instances, I can very well give him. I am not saying anything without any information. I am saying on the basis of information that is in my possession. However, I proceed to another point. I have pointed out the horrible state of affairs in which the people of the province are living and even this afternoon I got a reply to a question of mine No. 66\* as to the conditions of the people of Multan who have been suffering from plague since the year 1908 and after the Reforms there has not been a single year when the plague has not prevailed in Multan. So many lives have been lost, but no proper measures have been adopted to stop that disease. It may be said that Government has spent money to combat the evil. It may be said that the Director of Public Health or the Assistant Director has been to Multan once or twice, but these things cannot remedy the evil or console the people of the localities. If they are sincere and honest, if they realise that the life of an Indian is as precious as the life of a European, then, they would care to spend enough money and adopt measures to stop the evil, and avoid the recurrence of disease in future. I would request the Honourable Minister in charge to see to it and give his particular attention to these facts. Before 1908 Multan was free from the disease of plague and if I mistake not, the Government had begun to think of finding out the conditions of that place so as to see why and how that town had been free from plague. Unfortunately for the people of Multan plague made its appearance in 1908 and since then Multan has been made a regular hunting ground of plague and other epidemics. It is a matter which requires the serious attention of the Honourable Minister in charge of the department.

**Malik Nawab Major Talib Mehdi Khan [Jhelum (Muhammadan), Rural] :** Sir, I begin my remarks with that well-known line :

نہ توچے کی اجازت ہے نہ نو باد کی ہے  
گہت کے موحاؤں نہ مرضی مہرے میاں کی ہے

Sir, I did not intend to take part in the debate on this subject but was compelled to do so by certain remarks made with the object of showing that no distinct line should be drawn between services. There is no doubt that

it is the duty of the Government to urge that services should be efficient, but at the same time it has also to recognise that services should be proportionately or equally represented. If one begins with the time when the British Government took over the country and goes on studying the figures up to the present time, he would be startled to find that the things have changed so much and now all the services have been monopolised by certain classes. Government have ruled that certain proportion should be reserved for certain other classes, but is the order of Government carried out? I am sorry to say 'no'. Why are these orders of Government not being carried out? Because of the machinations of the office people, and it is on this account that some classes clamour that their rights are not recognised. The complaint can be easily removed. To attain efficiency a certain standard should be placed for a certain service, and preference given to the classes with small representation if they have standard qualifications. I do not think there is any harm in it. There is certainly no objection to it and it is not a sin to encourage backward classes. These classes are unfortunately placed at a disadvantage. They reside far away from the centre of activity. They are occupied with a profession which does not give them all much time to look after other things. Their adherence to their holdings deprives most of them of opportunities to go and make themselves as capable of securing service as their more fortunate brethren living in the centre of activities. If hospitals were started everywhere and colleges and other similar institutions multiplied, backward classes may have easy means of equipping themselves for Government service, but the Government have not got inexhaustible means at their disposal for affording equal opportunity for everyone, and until the attainment of that era special efforts ought to be made to enlist backward classes.

As regards the subject itself, I mean the public health, I have not much to say about it. The only point I have to press with respect to it is that appointment of officers is being pushed on, and the work in the villages is not keeping pace with the multiplicity of the officers. Health officers are being sent all over the place but we must see how much money each district board has been able to spend on the suggestions made by them. We have to find money for getting full work out of these officers and the best plan would have been to take a certain division, concentrate attention on it and when the work is complete start with another.

Lastly, I would say a word with regard to that system of medicine which is called unani or vedic and which is making headway in the province. They are at present placed at a disadvantage because they are not patronised by the State and I must say that no institution however beneficial it may be, and no work however profitable it is, can thrive unless it is patronised by Government.

Hundreds of people die in the villages for want of medical aid. They have only got their local vaid or hakim but unfortunately many among them are quacks. But he is a part and parcel of village life. If there were some means to improve him or schools to teach him, he could attend to the ordinary wants of the patients. Experience has shown that in certain ailments unani and vedic treatments are as efficacious as allopathic system.

[Malik Nawab Major Talib Mehdi Khan.]

It will be advantageous if these two systems were also encouraged by the State.

Turning to allopathic system, I must say that its institutions are not working satisfactorily, because with one assistant surgeon or hospital assistant in charge of a dispensary really useful work cannot be expected. One finds hundreds of patients flocking into the hospital and waiting there for hours for their turn to be attended to by the doctor. Whatever medicine he may be given, however stale it may be he has to take it, because he has no other alternative. He is satisfied with whatever is given him, whether it be mere water or some other stuff, because he has no other place to go to for treatment. So unless Government multiplies hospitals in the villages the general health of these tracts cannot be improved. Along with these hospitals we must introduce ayurvedic and unani systems to take the place of the allopathic institutions where they do not exist or have both.

**Mr. President:** May I appeal to the honourable members of the House not to convert every question into zamindar *versus* non-zamindar question? It is really very unfortunate that this subject should be occupying the minds of almost every Indian member of this House. Almost every member has spoken on this subject more than once and yet the theme appears to be inexhaustible. I would, therefore, appeal to the House not to introduce and discuss this theme over and over again.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government): Sir, I am much obliged to the House for the very valuable information they have given me with regard to the departments that I hold in my charge on their behalf. The question of ayurvedic and unani systems of medicine is one in which I am interested both as a member of this Council and as an ordinary citizen of this province. I have always felt that in the villages, the villagers seem to have a sort of faith in the unani medicine which they can never have in European medicines. No matter what will happen, they will always go to a hakim. It is a question which has been tackled before and I am prepared to tackle it again. But it is very difficult for me to say at this stage as to what I will be able to do for the unani system, but I can give the House this assurance that I shall try to do my best to further this system. I will, after going into this question of encouraging the unani system invite some members of the House to advise on this important matter and then I will lay the whole matter before the House for its decision.

With regard to the question raised by the honourable member from Amritsar, namely the *kumh ka mela* and the outbreak of cholera, I may state that the outbreak of cholera in most of these places is due to the defective water supply. The water gets infected with cholera germs and people get the contagion. The Director of Public Health has just brought forward a scheme, which has been sanctioned by Government, of having removable water tanks. These tanks will be carried from place to place where there is a *mela* in this province. We thus hope to prevent cholera during *melas*. That is one step in the direction of preventing cholera, I wanted to draw particularly the attention of the honourable member from Amritsar but he would not listen to me.

**Shaikh Muhammad Sadiq :** With your permission, Sir, .....

**Mr. President :** Members have no doubt a right of explanation, but the proper time for offering such explanation is when the speaker, who is in possession of the House, has finished his speech. If, however, a member desires to explain immediately he may rise in his place and offer his explanation provided that the member who is in possession of the House gives way and resumes his seat. Again, two members cannot be allowed to stand and address the chair at the same time.

**The Honourable Malik Firoz Khan, Noon :** Sir, I was only pointing out to the honourable member that the only suggestion that came to our notice was this that we should provide healthy water supply during these melas. If there is any other suggestion which any other honourable member has in view which can help us in trying to meet this epidemic of cholera breaking out at these fairs we should be only too grateful for such suggestions.

One honourable member brought into discussion the question of a sanatorium for consumptive people. That certainly is a disease which has become very serious in this province. There is at present a sanatorium at Dharampur for this purpose. But, that, I am afraid is such a long way off from the villages that people cannot avail themselves of it. I am going to consider this question also and then I shall consult the Public Health Committee on the subject as to what can be done in this line.

One honourable member pointed out that corruption prevails in the medical department. I can give the House this assurance that if there is anything on which I feel very strongly, it is this question of corruption in departments that I have to deal with. If there are any cases of corruption which are brought to my notice with sufficient proofs against any particular officer, I shall be the first one to take the strongest action against that officer. (Hear, hear).

As far as the question of plague in Multan is concerned, I have already given my views to the honourable member. I shall again say that I am prepared to do what lies in my power in that direction. I also request the honourable member to do his bit in Multan also. He can certainly help Government in meeting this epidemic by advising the people to co-operate with the Government in combating the disease by destroying rats in their houses. If the honourable member can persuade the people of Multan to kill the rats, it will be possible to put down the disease. With this co-operation between the Government and the people the fell disease can be eradicated. As far as Government is concerned I have given the assurance that our services are at their disposal.

Something had been said about the public health officers. It was said that we are having too many public health officers. That is a point on which I should have been blamed by this House for not having enough public health officers. Even as it is, we have not got one public health officer for each district. There are several districts in which there are no public health officers at all. I will just give one instance by means of which I shall be able to illustrate the services the health officers are rendering to the people. In the eastern Punjab we have public health officers working in the various districts. We had plague epidemic there last year. Of course the public

[The Honourable Malik Firoz Khan, Noon].

health officer cannot do very much during an epidemic, because he can only inoculate the people and try to keep them out of their houses. But the real work is done during the winter months when there is no plague. I do not know the figures, probably the Director of Public Health will be able to give you if you want them, the various villages which were infected were so dealt with during the winter months by these health officers with the result that during the ensuing plague season there was no plague in these villages, or if at all it was a very small fraction of what they had before. That is the kind of work that a public health officer can do and he can do this only if he has to attend to only one district. I hope that the House will agree with me that it is not overstaffed as far as the public health officers are concerned.

**Chaudhri Afzal Haq :** Sir, may I ask one piece of information? Has the Honourable Minister's attention been invited to "*Ahali*" dated the 26th. February containing series of articles with respect to the condition of the Mayo Hospital?

**The Honourable Malik Firoz Khan, Noon :** I am afraid not.

**Raizada Hans Raj** [Jullundur-cum-Ludhiana (non-Muhammadan), Rural] (Urdu) : Sir, the honourable member from Multan has been pestering us with the mention of plague at Multan for the last 4 or 5 days. I wish that the Director of Public Health had some means of ridding the council at least of this pest?

Sir, I think the Director of Public Health will excuse me if I make some observations as to the working of health department. Before the appointment of health officers, Jamadars, scavengers and water-carriers were more prompt in their work, and finished it before sunrise. At present, however, they have become slack, and just at the time of morning walk when people most require fresh air, we find the atmosphere clouded with dust, because the scavengers are at work. The reason is evidently, that our up-to-date English trained health officers cannot get ready early enough, and their subordinates are sure that their irregularities could not be detected by the "Sahib," because of his modern habits.

Formerly there were health officers in municipalities only but now the Government has posted them in the district also, and in spite of this the sanitary conditions there have not improved much. I think that the District health officers should be clearly given to understand that if there are repeated epidemics due to bad sanitation in their districts, they will not be entitled to any remuneration. This is the system in China, where, it is said that the family physician is paid regularly only if there is no disease in the family. As soon as any person in the family falls ill, the allowance of the physician is stopped on the ground that he has failed to serve the purpose for which he is paid.

In my opinion, Sir, the agency of women can prove more useful in helping us to improve the rural sanitation. It is well-known that in villages men labour in the fields and the women look after the household duties including the cleaning of the houses. After cleaning the houses they throw the rubbish in the nearest place available outside their houses without paying any

attention to the needs of public health. Similarly in each village they make quite a big pit near the village for using earth for plastering the walls of their houses. The result is that water gets accumulated in the pit to the great detriment of public health. If the women in the village get any instruction at all in the work of sanitation, they get it second hand from their husbands whom the officers of the health department are supposed to address on this subject. Evidently they do not attach much importance to this information conveyed to them second hand. If we arrange to have the women of villages instructed directly, we shall certainly attain better results for improving the village sanitation. For this purpose I suggest that we should have women inspectresses paid by the health department, who should travel from village to village, and town to town and instruct the women in the methods of sanitation.

I may add in passing that our women generally lack entirely the knowledge of the laws of health; with the result that our children have not that home training in cleanliness without which it cannot become their second nature. This is the reason that even our educated people are careless about these things. You might have seen people sitting in the second class compartment and eating oranges and bananas but throwing rinds of fruit inside the compartment which they could easily throw outside.

**Mr. President :** The question is :—

"That a sum not exceeding Rs. 58,10,300 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Medical and Public Health."

The motion was carried.

## ANNOUNCEMENT FROM THE CHAIR.

### ELECTIONS TO THE PUBLIC ACCOUNTS AND STANDING COMMITTEES.

**Mr. President :** Before the next demand is taken up, I have to make an announcement to the Council. The elections to the Public Accounts Committee for the duration of the present Council and to the various Standing Committees for the next financial year will be held at 2 P.M. on Saturday the 12th March 1927. Nomination papers for the said Committees should be handed over to the Secretary not later than 11 A.M. to-morrow.

## GOVERNMENT'S DEMANDS FOR GRANTS.

### EDUCATION (TRANSFERRED) GRANT.

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

"That a sum not exceeding Rs. 1,44,05,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Education (Transferred)."

**Mr. President :** The question is :—

"That a sum not exceeding Rs. 1,44,05,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Education (Transferred)."

**Chaudhri Afzal Haq** [Ludhiana-cum-Hoshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move —

"That the total grant be reduced by Rs. 1 with respect to the item of Rs. 69,91,370, Total C—Primary Education."

Sir, I think I have said before on a previous occasion that it is the duty of the State to spread literacy among masses and it is likewise the duty of our countrymen to watch the rate of progress made by the department of education. Sometime back the Government announced that this department was making progress by leaps and bounds; that the Punjab had surpassed all other sister provinces in the matter of primary education; and that in the course of a few years nearly everybody would become literate. At that time I had not seen the reports relating to this department, being busy in studying the reports of jails and police departments. Now I have come to know the real state of affairs and I am ready to challenge that statement. Sir, if you cast a cursory glance on the report for 1925-26 you will find that we are very much backward so far as literacy is concerned. In fact, the Government have tried to lull us into a false sense of security. Sir, on page 8 of the report we find that in 1922-23 there were 818,608 pupils in I class and in IV class there were only 57,221, and while we come to the year 1925-26 we find that there were 409,644 pupils in I class and 73,720 in IV class. This means that only one-sixth of the population is made literate by spending five times more expenditure. Sir, I am not over-glad to see that such a large number of pupils are being admitted into I class. That does not mean much. It would have given a very great pleasure if this number of 4 lakhs were reading in IV Class and in that case only the expenditure of Government would have been justified. This department is responsible for wasting so much public money. It receives a magnificent sum of 65 lakhs for expansion of literacy but gives out a profit only on 10 lakhs, and a huge sum of 50 lakhs is wasted. In my opinion this department, like co-operative credit, is a co-operative department of praising one another. The Inspector praises the Director and the latter showers his encomiums on the former by saying that the rate of expansion of literacy is very satisfactory. But if you will look into the report, you will have to admit that it has been drawn up with great tact, so that the flaws and drawbacks of the education department are concealed. Wherever they have shown percentage they have not given the percentage of literacy but have shown the total number of pupils enrolled in primary classes. This is likely to create a misconception. My point is this that by estimating the number of pupils who read in I class we cannot know that literacy has increased, because this number decreases when pupils reach IV class. Besides this, the Government have started discouraging old *maktabs* and *pathshalas*. When application for their recognition is made, the Inspectors of Schools generally make unfavourable reports. Last year my honourable friend, Pandit Nanak Chand, drew a very painful picture and showed how these private institutions were stifled by Government officials. During the days of non-co-operation a number of schools were opened and we are all aware of the fact how those schools were put an end to. I need not touch upon this matter as I presume my honourable friend who is sitting by me has studied this particular phase and will, I think, dilate upon it at some length when he gets opportunity to speak. Sir, all the private institutions

are being destroyed because recognition is refused by the department. It is curious that on the one hand the Government issues circulars for expansion of education and for ensuring progress towards literacy, on the other hand, their officials put hindrances in the way of progress. When a school applies for recognition the Inspector of Schools usually endorses that the number of pupils is not up to the mark, and for the purpose of raising the number up to the fixed limit the teachers of schools make false entries to show the required minimum. In this connection I may mention here that I have been also the President of the managing committee of a small school in my district and I have got a fair experience of these matters. The education department has fixed a certain limit of enrolled pupils for granting recognition and the head master whose pay is paid from the grant-in-aid tries to bring his school up to the required standard by means, fair or foul. He enters false names in the register of attendance and brings his limit up to the mark. This is also a further proof of the fact that the number shown in the report cannot be relied upon as the correct and accurate one. I do not propose to indulge in these details. I wish I could oppose all the demands as our opposition party desires, and, in fact, I mean to go on opposing The (Honourable Mian Sir Fazl-i-Husain : *hear hear*). But in this case I may assure the Honourable Minister for Education that I am not criticising the department for the sake of opposition I simply want to see that the rate of progress becomes much more rapid than it is at present. I am sincerely anxious for the educational progress of my province. The facts and figures which are printed in the report do not throw any light on the progress achieved by the department, and if we suppose that these figures are correct, in that case also I will say that the progress so far made is far from satisfactory. On page 11 of the report there is a table of statistics which I would like to read, with your permission Sir, to the honourable members of the House :—

Province.	Primary pupils in middle schools.	Primary pupils in primary schools.
Bengal .. .. .	183,856	1,810,064
United Provinces .. .. .	57,822	921,882
Punjab .. .. .	235,895	353,258
Bihar and Orissa .. .. .	49,889	797,469
Central Provinces .. .. .	71,977	246,256
Assam .. .. .	25,962	184,141

I think, Sir, that only Bengal can claim that it has made some progress, but if we cannot find even Bengal progressing, is there any justification that we should not reproach our department for not making any real and substantial progress towards the spread of literacy among the people of this

[Chaudhri Afzal Haq.]

provinces? On a previous occasion when I remarked that it would take the age of Noah to educate our masses some of our friends thought that I was exaggerating. I may say that we should just have a look into the pages of the report. It will be obvious and clear that my statement is correct. The official report says that in the course of five years 80 per cent. of population will become literate, which means that there will be a yearly increase of 5,000 pupils, but a closer study of the report will reveal that when the pupils of the IV class will finish their courses, another batch of pupils will be ready by that time to re-enter the class. This is because the Government have not made any adequate arrangements for the education of adults. Besides this, if we calculate this increase at the rate of 5,000 pupils (boys and girls) per year, then at the rate of 15 per cent. an increase of 37 lakhs is secured. But if you keep in view the increase in the population, you will be admitting 40 lakhs of pupils every year, and if 40 lakhs are divided into four classes, you will get 10 lakhs in the IV class, and it is in that case only that you can claim that you have achieved some progress. But even if we take into consideration that 30 per cent. of boys after leaving school lapse into illiteracy every year, then the total number would be completed in 260 years. I do not wish that this calculation might prove true and I earnestly pray that the calculation, arrived at by the department, may be accurate and correct. To me it seems quite impossible that 80 per cent. of our population would become literate even in 10 years. There is a legend that a man enquired of the Greek philosopher, Socrates, about the fellist disease known to mankind. The sage replied that God had produced curative medicines for each and every disease, but there was one malady which was beyond cure, and that was that which was taken very lightly by sufferers. I think, Sir, that the education department is suffering from this malady. At this stage I would like to read a passage from the report, which runs thus:

"Mr. J. A. Richie, Educational Commissioner to the Government of India, stated in the last report that at the present rate it will take India another 40 years before she reaches the goal of universal primary education for boys, and he does not dare even to guess the number of years which will be required in the case of girls."

The Council then adjourned till 2 p.m. on Thursday, the 10th March, 1927.

## PUNJAB LEGISLATIVE COUNCIL.

1st SESSION OF THE 9th PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 10th March 1927.

The Council met at the Council Chamber at two of the clock. Mr. President in the chair.

### OATH OF OFFICE.

The following member was sworn in :—

Bai Bahadur Lala Rattan Chand (Nominated, Non-official).

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### EDUCATION (TRANSFERRED) GRANT—concluded.

**Mr. President:** The Council will now resume discussion on the motion<sup>1</sup> of Chaudhri Afzal Haq.

**Chaudhri Afzal Haq** (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Sir, yesterday I was reading to the House a passage from the official report for the year 1926 and the question at issue was that in accordance with a quotation in the report a period of 40 years would be required to make our boys of the school-going age literate. But, Sir, our Government claims in the same report that within a period of five years all the boys of school-going age, i.e., 15 per cent. of the total population, would be attending school. Sir, attending school and being literate are two different things. The point at issue is in how many years this 15 per cent. of the total population will reach the goal of literacy. That problem is not solved by the department. It seems that either a mistake has crept into the pages of the report or the issue has been deliberately compounded. The wording of the report is it appears to me very clever, and it is a matter of no surprise that our daily newspapers have also been deceived. The fact is that the report is misleading and strikingly evasive. I do not know why a particular daily paper is rejoicing at the idea that in the next five years literacy will be obtained by our masses and that primary course will be complete. This is a blunder of the highest magnitude. As I have already stated, my assumption is that if our population is estimated at 2½ crores and that if this 15 per cent includes boys and girls, then the one-sixth part will be 37,50,000. Now we know from the report that there are 67,500 boys in the IV Class, and if the average annual increase is 5,000 we have a simple problem of arithmetic before us, which is as follows.

Assuming that the number in the IV Class is 67,500 and the uniform average increase per year is 5,000, in how many years will the number of pupils in the IV Class become 987,500? The answer is that in 174 years the required attendance will be attained. I have included girls in this esti-

<sup>1</sup> That the grant be reduced by Re. 1 with respect to the item of Rs. 69,91,370—Total  
C—Primary Education.

[Chaudhri Afzal Haq ]

mate and if we take boys alone I submit it will take more than a century to make them literate.

Sir, this vexed question of compulsory primary education has been looming large in the horizon of this province for a quarter of a century but it is a matter of profound regret that the Government have not shown any substantial progress in this direction so far. The tale of progress which its report presents is purely illusory. It has cleared the position and has told us that we are living in a fool's paradise. Every day, Sir, the Government are requested to look into the demands of this poor country but they do not care a bit for it. The Government are merely custodians of public money. They ought to have invested it for the general uplift of the masses, but instead of doing this they are wasting this money extravagantly on fruitless schemes of voluntary education. It can be very well imagined that out of 70 lakhs of rupees spent on primary education only 10 lakhs is being utilized on proper lines, while the remaining 60 lakhs is wasted in the present system of voluntary primary education. This means that the Education Department is lavishly spending money in the wrong way, as under the present system one boy is being educated at a cost of Rs. 700 per year. My honourable friends may or may not support my proposition but I earnestly appeal that we should ensure that our funds should not be wasted away on illusory schemes. Again the report says: "a large number of people do not gain even a semblance of literacy". From this it is evident, Sir, that even in four years our boys will not be able to secure the required literacy. This is simply deplorable. On another page of the report a singular piece of ingenuity has been relied upon for the sake of concealing the real state of affairs. Where they have shown the number of pupils in IV Class they have not shown the number in the V Class. The number in the V Class does not come to much. So that if we presume that 80 per cent. will be made literate then the cost per pupil will be in the neighbourhood of Rs. 1,000 per annum. What a horrible wastage of public money! I ask in all seriousness, Sir, whether this monstrous extravagance is justifiable in any way whatsoever. It is a pity that we are divided into parties and factions and when a member of one party puts forward a proposition the other party does not pay proper heed to it. Some will say I am talking from the communal point of view. Let us see what Mr. Mayhew says. I quote from the report:—"He refers adversely to the irregular admissions, attendance and school hours, the swollen lower classes and sparsely attended upper classes and the prolongation of time required for the completion of the course." This is the opinion of a well-known expert. He urges that money should not be wasted in this way on fruitless schemes. I should quote his own words which are printed in the official report as follows:—"He therefore concludes that "India is too poor to afford any further extension based solely or mainly on the present wasteful voluntary system". In spite of these expert opinions the Education Department is still of the opinion that in the next five years the goal of literacy will be reached. In fact it is suffering from that fatal malady to which I alluded yesterday. It is a matter of pity that the department takes it as trivial. This is most unfortunate. Further the report reveals that our educationists do not attach much importance to the opinion expressed by Mr. Mayhew. The report says:—"It is difficult to resist the

feeling, however, that he is unduly pessimistic in his opinion". This amounts to a vote of censure on Mr. Mayhew. I have not been able to explore statistics which may corroborate my proposition but I am glad to find that even the department has admitted in its official report that this voluntary system is not good. "In this connection I venture to give a piece of advice. The system of compulsion should not be introduced along with the voluntary system. It has already been provided for that compulsion may be introduced in those areas which apply for it." In my opinion, these systems should never be connected with each other. They are bound to fail. I want to state for the information of the House that there are some municipalities in the province where this voluntary compulsion is in force and the conditions there are not promising. I have got figures relating to the Lahore municipality which clearly show that this system has failed. At present compulsion is enforced for five years, that is all boys whose age is between 6 years and 11 years are liable to be compelled for joining classes in a school. Most of them evade by paying off the penalty imposed by the Act. The reason is that the provisions of the Act are defective and the net result of this kind of compulsion is the same which is produced by the voluntary system. I submit, Sir, that the Act is full of defects and discrepancies. I may say that like other playthings the Government have given us this Act which is a copy of the English Act of 1918. If you happen to go to those places where this system is in practice you will be surprised to know that the inspectors of schools and attendance officers are very much handicapped. They ought to have been vested with magisterial powers. The present arrangements are no good. The zamindars know how the present day courts work. After six months the poor attendance officer succeeds in getting the parent of a boy fined annas eight by a magistrate which the parent pays and goes his own way. Sir, a mere fine of eight annas can never do any good. We wish some drastic steps could be taken for these purposes. We want exactly that system which is in vogue in England. I think, Sir, the Director must be aware that in England the attendance officers have got magisterial powers which they frequently exercise for making boys attend the classes. In other western countries and especially in France this system has been made much more effective by allowing the policemen to get hold of the boys of school-going age who wander about in school hours and take them to the nearest school. It is a law there that when a policeman encounters any illiterate person he should, as a matter of duty, take him to the nearest educational institution provided for the purpose. Here even our attendance officers are not vested with those powers which are exercised in France by a mere policeman. I fear that the matter under discussion is growing uninteresting on account of the length of time which I have taken but I wish that if my cravings and supplications are to be lost on the Government these words of mine must remain in the annals of this Council.

In India we have a limit of age for the purpose of literacy which extends from 6 to 11 years but in England this limit is fixed at 14 years and in addition to this provision they have got other bye-laws under which compulsion can be exercised on boys of 15 years of age. In some cases attendance officers are allowed to get hold of boys up to the limit of 18 years. There is a provision there—I wish it could be extended to us—that each and every proprietor of firms or factories should look after his employees, otherwise he would be

[Chaudhri Afzai Haq.]

held responsible for the illiteracy among his servants and labourers. Besides this if a boy under 18 years does not show signs of literacy he has to attend classes under all circumstances. In England these problems are solved in the most effective manner. There they have got nurseries where infants of two years of age are sent. England is the land of living people. It is unfortunate that we are not alive to our requirements and it is still more unfortunate that our Government shows apathy in regard to our demands. I think, Sir, that unless this voluntary system is relinquished and unless we introduce the system of compulsion just on the lines of the English Act of 1918 we can never be in a position to reach our goal. If we do not enforce compulsion the present conditions will not change and if we do not propose to enforce the English Act of 1918 in our province I am afraid our masses will remain illiterate for ever. Fourteen years ago when I was reading in college I prepared statistics relating to the literacy of my village which showed that the position in 1912 was much worse than that of twenty years before. The reason is that the present administration has reduced the rate of progress. Even in the official report it has not been shown that the rate of progress is more rapid as compared with the past. Now, Sir, we come to the number of pupils in middle schools. We find that only those are taking advantage of this education who would have benefitted even if this system of compulsion had not been introduced. The Government profess that they have a very great regard for the poor and ignorant. That is not correct, Sir. This knotty problem is solved only in those countries where people have got their voice in all matters. I know the reason why the Government are callous in this respect but I do not propose to touch upon this painful topic. In England the authorities of the State have amended the Act of 1918 in order to meet the requirements of the poor. But in India all requests in this respect are lost on the authorities. In spite of the fact that England is not poor, the State has provided for the requirements of the poor. It is a law there that labourers should be educated by the employers and if they do not take interest in the education of their employees they have to pay a certain amount to the Government and the Government then arrange for getting the labourers educated. It may be argued that this country is short of funds and that similar arrangements cannot be provided for. I should submit, Sir, that when 50 lakhs can be wasted on fruitless systems would it not be possible for the Government to launch profitable schemes like those in England and other western countries. I do not want to place the Government in difficulty but I want to impress that a more sympathetic view should be taken in regard to the primary compulsory education. I know that our Director is an eminent educationist. I do not impute any motives, but the thing is that he cannot do anything under an alien Government. The Government have crushed the spirit of their officers. I admit that I do not possess any expert knowledge of educational matters but I can safely say on the basis of the official report that our position in this province is hopelessly bad. It may be argued that primary education has been introduced among the masses and that the Government have also provided for adult education. As regards adult education I wish to point out that this is another illusion or mirage. I have not been able to get figures about this branch of education but I know something of Lahore where this system was introduced fifteen months ago. At present there are 1,500 adults in Lahore

who receive their education. The Director of Public Instruction had promised to create literacy among all the adults of Lahore within a period of nine months but I am sorry to say that not even one in fifteen months out of the present number of adults (i.e. 1,500) has attained literacy. I would ask my honourable friends to see the fraud which lies in the working of this department. Similar is the case of primary education. The Government are trying to lull us into sleep when they claim that during the next five years 80 per cent. will become literate. I declare that it is a sheer impossibility. I have worked out the figures. They are with me and I can show them to the Director if he likes. I wish he could assure me that he would make 80 per cent. literate even in twenty years.

In conclusion, Sir, I want to make an appeal to the honourable members of this House. They are representatives of the masses and they have assembled here to do something good for the country. I do not want them to criticise each and every item of the budget but I earnestly pray that they should support this proposition which equally affects all sections of the House. If you are not careful the public money will be wasted. I am not casting aspersions on anybody. I know that the Director is not indifferent to our demands nor is his chief, the Honourable Minister, callous. Both are well-wishers of the country. But unless you introduce the system of compulsion you cannot make the masses literate in five years as is anticipated in the report. It would require a thousand years as I have said before. The present Act is defective. Please enact a legislation similar to the amended Act of 1921. In that event you will make progress at a fair rate, otherwise you cannot achieve the object in view. With these remarks, Sir, I commend my motion to the House for its acceptance.

**Mr. President :** Demand under consideration, motion moved :—

“That the grant be reduced by Re. 1 with respect to the item of Rs. 69,91,370—Total C—Primary Education.”

The question is that that motion be adopted.

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I congratulate the honourable member who has just sat down on initiating a discussion on one of the most important and vital problems which confront us to-day. Sometime ago in this very Chamber I supported the demand for compulsory and primary education and to-day I whole-heartedly associate myself with what has fallen from the lips of my honourable friend so far as the demand for compulsory and primary education in this province is concerned. Sir, so far as the question of responsible Government is concerned, both the people and the Government are agreed in thinking that India must be made fit for *swaraj* in due course of time and the first step, in my humble judgment, is that the people must be given primary and preliminary knowledge to understand political matters. (Hear, hear.) No democratic system of Government can possibly succeed unless the people understand the issues which are to be fought in the Council Chamber where their representatives sit and advocate their cause in various matters. Now instead of the candidates for the Punjab Legislative Council going and agitating before the people those vital matters which they are to present to the Council, what we find is that votes are asked and given either on the basis of caste or on the basis of the personality of the candidate who seeks their votes. But if the illiterate electors were educated, if in their homes their children could read the newspapers

[Pandit Nanak Chand]

to them then they would be in a position to understand the boon of self-government which has been given to us so far and from that point of view too the Government ought to be in full sympathy with the demand which has just now been made by my honourable friend Chaudhri Afzal Haq. Then, Sir, it is a painful thing for us, and it must be a painful thing for the Government also, to see communal and other issues cropping up from time to time in this Council. As a matter of fact, there is no other matter which engages the attention of the honourable members than making side hits on different communities or in bringing forward such questions as agricultural or rural interests. But this is a matter, Sir, in which Hindus, Muhammadans and Sikhs are equally interested. This is a matter in which the agriculturists and the non-agriculturists are equally interested. This is a matter in which the capitalists and the labourers are equally interested, because by giving education to the people you really make them efficient, you make them able to understand that they are not to be misled by those false communal cries which are raised by those who have to seek their own ends. Therefore so far as the question of law and order, so far as the question of peaceful government is concerned, this is a matter which primarily is the concern of the Government and Government should whole-heartedly welcome the proposal made by my honourable friend. Then in this education report I read one very good extract from one of the experts who understand the educational problem. I would not weary the House by quoting at great length but on page 6 of the Report on the Progress of Education in the Punjab they will find the opinion of Mr. Mayhew :—

"It has frequently been asserted in the preceding chapters that the political, economic, and cultural advance of India depends largely on a type of elementary education that will ensure, within a measurable period of time, a standard of literacy in the industrial and agricultural population similar to that which prevails in the most advanced parts of Europe, and that will so alter their outlook on life as to enable them to co-operate intelligently with the Government, to assist in the organisation of India for the production of wealth, to derive a higher and more rational kind of enjoyment from their indigenous culture, and to connect that culture more closely with ideals of morality and social service."

When we have got the testimony of gentlemen of this position I say it is absolutely necessary that Government should take steps at once in the direction of introducing primary and compulsory education. The methods so far employed, I quite agree with my honourable friend who has just sat down, are not calculated to bring education to the province within a very short time. Therefore, so far as I have been able to see they are merely tinkering with the real problem. The Primary Education Act which was passed some time ago might be helpful just a little but we are not satisfied with that sort of help. We want an Act of the kind which is applicable to Japan and to England and we want, whatever may be the consequences, that our children should be sent to school just in the same manner in which they are sent to school in England and Japan. We do not want this local option or giving power to this municipality or that district board that they may apply or may not apply that Act. What we want is that so far as the Punjab is concerned, Punjab at this time can find money for the education of its children and we see no reason why that money should not be found by Government. Last time I said and my remarks were supported by various speakers that if you are to tax us any further, if you are to keep

the present taxation, we are prepared to shoulder that taxation. We are not prepared to have it reduced if that be a condition precedent for educating our children and I repeat again that all sections of this House are at one in this matter that they will not shirk their share of bearing taxation if they get primary education. Let us be taxed, let there be no reduction in the present taxation, but for the sake of our national life, it is necessary that you introduce compulsory primary education at once without any delay. So far as the demand from the Indian statesmen and politicians is concerned, years ago Mr. Gokhale voiced the feelings of educated India that compulsory primary education should be introduced in the country but we are not yet within sight of the goal of which Mr. Gokhale spoke so many years ago.

In this connection I want to say one thing more. I think it was my friend the member from Hoshiarpur, Chaudhri Afzal Haq, who said that we should not be content with a four-year course, and I entirely agree with him that we should have a six-year course. There was an educational conference some years ago held in Lahore in which men of all parties and communities participated. There it was unanimously resolved that we should have a six-year course for our children because if you have merely a four-year course, the children lapse into illiteracy and all the labour and money is wasted. I submit that we should not rest content unless we have the six-year course for our children. (Hear, hear.)

Then, Sir, as I have submitted, that looked at from all points of view, whether looked at from the Government point of view or whether looked at from the point of view of peace and order and good government, we should see to it that the matter is not shelved any longer. We have left the members of our party to vote as they like, but I do hope that every member of my party will support the demand which has been made by the honourable member for Hoshiarpur.

✓ **Dr. Sir Muhammad Iqbal** [Lahore City (Muhammadan) Urban] : Sir, the question of education is extremely important and I am glad to see that the honourable members who have preceded me have spoken with great enthusiasm on the subject. They have emphasized the fact that education is a common interest, that it affects all classes of the people of this land—Hindus, Muhammadans, Sikhs, capitalists and labourers—but they have not looked at the problem from the standpoint of a foreign government. A disinterested foreign government is a contradiction in terms. (Hear, hear.) The foreign government in this country wants to keep the people ignorant. A foreign government is a kind of Roman Catholic Church trying to suppress all the agencies that tend to enlighten the laity. The honourable gentleman who preceded me has conclusively proved from facts and figures given in the Report on the Progress of Education in the Punjab for the year 1925-26 that we are wasting tremendous amounts of money on education with no results. Can anybody deny in this House or outside this House that mass education is absolutely essential in the interest of the people? Primary education, secondary education, professional or vocational education are all various aspects of the same problem of mass education. Well, the ancient sages of this country used to say that the world is *maya*, or illusion. I do not know whether the world outside this House is *maya* but I am absolutely certain that whatever happens inside this House is nothing but *maya*, though I must say that I am also a

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part and parcel of this illusion. (Hear, hear.) Let us take the various stages of education, that is to say, primary education, secondary education and higher education. Now, whatever interpretations may be put upon this report, one fact is perfectly clear from it, and it is this—that the principle of compulsion must be immediately applied. If you turn to page 2 of this report, I mean the Proceedings of the Ministry of Education, you will find the following:—

"Thus, as the Director has observed, compulsion should not be regarded as an ideal of the distant future, but rather as a present and practical means of ensuring that the sums of money devoted to vernacular education are spent to the most fruitful purpose. It is hoped, therefore, that local authorities and all concerned will take immediate and effective steps towards a more rapid extension of the compulsory principle."

At the same time, the education expert, Mr. Mayhew, whom I have the privilege to know personally, has told us that, in so far as the voluntary system is concerned, the present outlook is gloomy. This is an argument in favour of the fact that the principle of compulsion must be applied. We are told that it is applied in the case of 42 municipalities and some 400, perhaps more than 400, rural areas. What happens there? We do not know anything from this report. We do not know whether any persons were ever fined for not sending their children to schools. Nor do we know the number of teachers who are teaching in these schools. Unless we are given sufficient information, we cannot say what these rural areas and municipalities are doing. As far as my personal information goes, I can tell the members of this House that nothing is being done and that there is an absolute waste of money. Only you have opened some schools and ostensibly compulsory, but not at all different to voluntary primary schools. I submit, Sir, that these schools are doing nothing at all, and in fact the way in which they are working does not amount to the adoption of the principle of compulsion. The report virtually establishes that the principle of compulsion must be adopted. In fact in the amount of money that we are wasting on primary education the report before us finds an argument in favour of the adoption of this principle. It says that a very large number of boys join the first class but the money spent on them is wasted as most of them fail to reach the higher classes. If you are spending a very large amount of money on them, then it is your duty to see that they reach the higher classes. Make them reach the higher classes by compulsion. Therefore my submission is that in so far as primary education is concerned, it is absolutely necessary in the interest of this province to adopt the principle of compulsion at once.

**Dr. Shaikh Muhammad Alam** [West Punjab Towns (Muhammadan) Urban (Urdu): Sir, the members of this exalted chamber. . . . .

3 P.M.

**Mr. President:** Order, order. I observe that some very learned and able members, like Dr. Gokul Chand, Narang and Dr. Muhammad Alam, prefer to speak in Urdu. I am aware that the honourable members are at liberty to address the Council in Urdu. But I wish they could see their way to express their views in English.

**Dr. Shaikh Muhammad Alam** (Urdu): Sir, I would have very gladly spoken in English but unfortunately some of my esteemed friends in this House are not familiar with English and it is for them that I prefer to speak in Urdu on the motion under consideration.

**Mr. President :** Order, order. No explanation is needed. I know the rule as to the language of the Council. Any member may address the Council in Urdu. I do not maintain that the members can speak in English only. I only suggested that, if possible, the honourable member would speak in English. If he is able to follow my suggestion, well and good ; otherwise he may proceed with his speech, as he owes me no explanation.

**Dr. Shaikh Muhammad Alam (Urdu) :** Thank you, Sir, I was saying that the members of this high and exalted Council have placed lakhs of rupees at the disposal of the Education Department. They have liberally and whole-heartedly allowed any amount of money for the noble and honourable cause of education and have absolved themselves of the responsibility which was placed on them by their constituents. But I notice with regret, Sir, that the Government are callous. They do not care to look into the demands of the people. Sir, this question is a question upon which everybody is agreed. All the members of this dignified House are unanimous in this respect. All thinkers of different schools of thought have one and only one opinion on this point. All parties of this House are united in demanding this legitimate provision. The very fact that this motion has been put before the House by a member of the Nationalist Party and seconded by a member of the reformed Nationalist Party and further supported by a well-known member of the Unionists, clearly and lucidly shows that everybody in the House is earnest and enthusiastic and wants that this important and far-reaching question should be approached in the right and proper spirit. It does not affect the Hindu-Muslim relations which, they say, are strained in this province. It does not affect any political creed. It is an old tale of ours which requires serious consideration on the part of the Government. We have been making solicitations with regard to the introduction of compulsory universal primary education. This illiteracy among our masses is a glaring mark of dishonour on our foreheads, and it should be washed off by applying the golden lotion of compulsory primary education. Sir, I earnestly desire that a beginning be made in this direction under your presidency in this very House, by these honourable members, by this exalted and dignified chamber, during this year, during this session of the Council, in the current month, during this week, in fact at this very moment. Sir, the question of making our masses literate is an old chapter of our woeful and lamentable tale of miseries. It is a matter of indescribable regret that we cannot tell our friends or foes that our countrymen are literate, and that they are acquainted with the blessings of education. We are unable to tell anybody that we have also begun marching like other advanced nations towards the goal of literacy. Either the system is defective which is in vogue in our institutions or the teachers do not care to perform their duties and they are habitually delinquent. Anyhow the fact is there. The Government have done nothing substantial in this direction so far. In conclusion, Sir, I once more impress upon the House and upon the members of the Government that this question of primary education is of paramount importance, and that we are persistent and unanimous in our legitimate demands in this connection. My honourable friend, the member from Hoshiarpur, who sits behind me, has very ably and elaborately explained the situation and another honourable friend of mine, who is a leading member of the reformed Nationalist Party, has also expressed his opinions on the matter

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under consideration and lastly, a well-known educationist has put the motion on the anvil of criticism and pronounced it satisfactory. Sir Muhammad Iqbal's reputation as a scholar and educationist has travelled overseas and he is held in very high esteem by the educationists of the west. He has persistently advocated the cause of our poor countrymen. All the three wings of the House have unanimously declared that this demand is a national demand and it should be granted in all circumstances. To the honourable members of the Government I would like to say, do as you like in other respects, trample upon our political rights, crush our political aspirations and national sentiments, but pray do not put obstacles in our way if we want to educate our masses. In the end, Sir, I want to urge with all the emphasis at my command that the Government must accede to this legitimate supplication of ours so that we may say with the poet—

نہ رہ جائے تمہارے ظلم کی یان داستان باقی  
تمہاری لیلیاں زندہ رہیں اور خویبان باقی

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadian), Urban]: Sir, I would speak in English as desired by you, and even without a hint from you I should have liked to speak in English.

**Mr. President:** Order, order. I may further explain, to avoid any misunderstanding as to my suggestion for speeches being made in English, if possible, that my object was to avoid consumption of time on translation of Urdu speeches into English, if the Government benches would like to have them translated. I am afraid it would be difficult for me to refuse such a request, if made; and if every speech delivered in Urdu is translated into English, considerable time of the Council will be spent on translation. I am grateful that Dr. Narang has acceded to my request.

**Dr. Gokul Chand, Narang:** Sir, the discussion on this subject of primary education is primarily intended for the benefit of those to whom the work of educating our children is entrusted for the present. Therefore my honourable friends who cannot follow the English speeches will excuse me if I am using a foreign language to express my views on this subject.

I must say that for the last 150 years or so, and if we take the Punjab, for the last 75 years or so, the progress of education has not been as rapid nor as widespread as we would have expected or wished for. The reasons may be various. There may be some truth in what my honourable friend Sir Muhammad Iqbal has said. There may be other reasons which may be more real. There may be some other reasons, such as the apathy of the people and the absence of desire for education in our people. But the fact remains that the progress of education in this country has been very slow. Even, according to the latest figures, the percentage of literacy in this province is not more than eight point something if the boys alone are to be included. The percentage of boys only for the same period, we find at page 8 of this report (referring to a book in his hand), is 8.44; and the average literacy, if the girls also are to be included, is not much more than 5. This is really regrettable and no country can lay claim to be called a civilised country where the percentage of literacy is so low.

**Sir George Anderson:** Sir, may I just offer a word of explanation?

**Dr. Gokul Chand, Narang :** May I request the honourable member to wait until I have finished. He will certainly have a chance to speak on this subject when he may remove all misapprehensions which might have crept in my speech. I beg his pardon for my remarks, but I hope he would not mind them.

**Mr. President :** Sir George Anderson has not made any speech and so he cannot have any right to interrupt for the purpose of explanation. It is only a member who has spoken before another speaker and whose speech has been misunderstood that can have the right to speak by way of explanation. I think the right of explanation is not available at all when no speech has been delivered and so when there can not be any misunderstanding.

**Dr. Gokul Chand, Narang :** Sir, the problem of primary education is a very thorny one, though *prima facie* one would think that the education of little children would not present very great difficulty. This problem has taxed the brains of our leaders for more than a quarter of a century in this country and in this province also you may be aware that when Mr. Gokhale was moving the Imperial Legislative Council for passing some sort of legislation in the interests of compulsory and free primary education a movement was started in the name of the 'Elementary Education League' in order to encourage the idea of free primary education in the country and to lend support to the movement started by the late Mr. Gokhale.

However, that movement also came to nothing because the officials did not afford it the encouragement that it deserved and the public did nothing either. The result was that that movement could not make much headway. The problem of primary education has two aspects. The first is its compulsory character and the second is the necessary corollary from it, namely, free education. You cannot put people under compulsion unless you also provide them with the means of acquiring education. The people in this country are not sufficiently rich to give education to their children if they have to pay for it. I know that especially in some of the outlying districts of the Punjab the people are in such a poor condition that they will not be able to pay even one anna which is required as fee from boys of the first lower class, if not more, and two annas in the second lower class, and in the same way in arithmetical progression from the students of other classes. It is therefore a necessary corollary from the compulsory character of primary education that it should also be free. I wish that some of my predecessors who have taken part in the debate on this subject could have also enlightened this House on this second aspect of the question as well. I shall take both these aspects and just make a few remarks with respect to both. The objections against compulsion, that I can gather from this report, are those as are given at pages 12-13. At page 12, paragraph 20, headed "Voluntary Compulsion," a sort of paradox, it is stated :—

"To scatter broadcast over the countryside a horde of subordinate officials in the form of attendance officers and to harass the people by the infliction of fines which they cannot afford to pay, would put the clock backward instead of forward. Education would become a byword of abuse and unpopularity and life in the province would become a ferment of discontent."

This is one of the reasons given.

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The second reason, if it can be called a reason, is at page 13 :

"It is neither possible nor advisable to apply compulsion at one and the same time throughout the length and breadth of the province."

The third reason, if that again can be called a reason, is at the same page :

"Equally inadvisable and unfair is the limitation of compulsion to those areas which can afford to contribute a fixed proportion of the additional expenditure involved; for this is tantamount to the encouragement of the rich at the expense of the poor. An imperfectly devised scheme of compulsion may easily result in widening the gap between rich and poor, between progressive and backward. In the Punjab the expenditure on compulsion is included in the ordinary accounts for vernacular education, and Government assistance is regulated by the grading of each board. It is pleasing to note that compulsion is in force in a number of areas, in as many as 21 districts of the province....."

These are the only reasons that the report gives against the introduction of compulsion in this province. I would submit with the utmost possible respect to the framers of this report that none of these reasons is a sufficiently strong reason for postponing the element of compulsion in this province. (Hear, hear.) It is an unfounded apprehension. If the system of compulsion were introduced in this province, it would naturally result in the appointment of attendance officers and that appointment again would naturally result in looking to the attendance of scholars at schools and in order to ensure their attendance, inflicting some fines upon their parents. All this is no doubt true, but the apprehension that this would cause a sort of ferment of discontent in the province is, in my humble opinion, entirely unfounded. The people even in this province which is one of the most backward provinces in the whole country, are imbued with the desire of literacy and it is not under the British Government alone that the desire for literacy has sprung up, but this love of learning, this desire for education is ingrained in the very character of the people of this country. (Hear, hear.) They may have had different systems of education; they may have taught their children under the *pipal* trees, in temples or in mosques, yet it cannot be denied that even in the hoary past the desire for education and the love for learning reigned supreme in this country. Therefore if the system of compulsion is introduced in the Punjab, I assure the authorities that there will be no such ferment as they apprehend. The word 'education' will not become tantamount to "abuse". On the other hand, people will realise that the Government has now begun to feel its responsibility, that the Government has now begun to do its duty and the people, instead of being discontented, will feel grateful that a desire, a need which had been felt for a long time is after all going to be fulfilled. I would, therefore, ask the Government to set at rest any apprehensions they may have in their mind on this ground. I should like to know and I am sure if there is any foundation for this apprehension, the honourable Director of Public Instruction would throw light on the subject and he would inform this House whether any representations have been received from any considerable class of people from any area in this province against the introduction even of optional compulsion. Compulsion, whether it is in pure and simple form a compulsion, or whether it is, as it has been paradoxically called 'optional compulsion,' is compulsion *qua* those who are brought to schools against their wishes. It is only optional with respect to certain institutions and certain bodies which are given power of making it compulsory in areas under their supervision.

but the individuals who are drawn to schools under that system of optional compulsion are certainly compelled to come to these schools if they do not want to come. Therefore, one would expect if there was anything in this apprehension that some complaint would have been made to the education authorities against the introduction of this compulsory element into the public instruction. If there is any such thing we should like to know whether there is any considerable volume of this opposition.

The second reason is much less sound, namely, that if there is a certain area the people of which want to contribute something towards education of their own people, the Government bearing the balance of the expenses, it would benefit the rich at the expense of the poor. I really do not understand the force of this logic either. Here are the poor, here are the rich, all want education. The poor cannot pay anything for their education, and they say: "Well, educate us entirely at your own expense". That is what they say to the Government. The rich, or the comparatively less poor people, say: "We also feel the necessity of education. If you cannot bear the total expenses of our education, take something from our own pocket and give us something from your funds, so that the long felt need of education might be fulfilled". I, therefore, do not understand how this would stand in the way of introduction of compulsory element into education. On the other hand, the Government should welcome if there are any people who are prepared to have compulsion, and are prepared to pay something from their own pocket towards the expenses of compulsory education. Instead of discouraging them and allowing them to remain in ignorance on the plea that we cannot educate everybody, we cannot educate *you* either, although you are prepared to pay something from your pocket. That really is a ground which goes in favour of the introduction of compulsory education rather than against it.

The third reason was that it was impossible to introduce compulsory education throughout the length and breadth of the province. There is something in it. But who asks you to introduce at once the system of compulsory and free education in the whole of the province, if you at present find yourself unable to do it? If you try and take the people into confidence, you can really introduce compulsory education without much delay throughout the length and breadth of the province. There is only one thing which I can apprehend in connection with this point, why education cannot be made compulsory in the whole of the province. It may be said that there may be some people who cannot spare their children from their business. There is the poor shop-keeper, perhaps he wants the assistance of his nine or ten year old boy who helps him at his shop and he would really feel it a grievance if his son were to be snatched away from him and put into school under compulsion. In the same way, peasants or poor agriculturists in a village might complain if their boys of nine or ten years old are snatched away from them and are compulsorily put into school, for if they were not put at school they would help the peasant in cultivation or in tending cattle or in sitting on the *gadi* of the Persian wheel or even help in ploughing or at least watching his fields. There is no doubt that such grievances might arise and such complaints might be made. But what I want to suggest is that the points of view should be changed. Just now the rule is that there is no compulsion, the rule is voluntary education. What I would suggest is that the

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rule should be compulsory education and option should be the exception. The educational authorities can work this principle of compulsion in a judicious manner and the power of exemption could be given to them to a certain extent ; or I may say that in the earlier stages they can allow exemptions in suitable cases to a liberal extent. If they find that a poor cultivator has only one son without whose help he would fail to earn his own living exemption may be made in his case. An exemption can be made in the case of a shopkeeper who cannot spare his only son and without whose help he cannot run his shop and without whose help his shop will have to be closed and thereby he will be deprived of the means of earning his livelihood. But the present sights that we see in the towns and villages of fairly grown up boys having no occupation whatever but wasting their time day and night in idle play or in worse things which I need not mention in this exalted chamber are very deplorable. You go to any street corner and you find a number of street arabs either wrangling or hurling filthy abuse against one another, and these are really sights which ought to be put an end to. It is a nuisance, and if for nothing else to remove this nuisance the system of compulsory education should be introduced. Of course it would be going into very elementary things to say that the introduction of compulsory education would pave the way for *Swaraj* and will remove the communal tension prevailing in the province. These are very elementary things which go without saying. The spread of education will prove these good results and no valid reasons have been given for postponing the system of compulsion in this province. (Hear, hear.) If as my honourable friend said we have to wait until the people are ready to have voluntary compulsion that is till they ask you to make education compulsory, then you may have to wait for ever. You have already been here for over 80 years and you have succeeded in educating only five per cent. of our children. At this rate, you must remain here for nearly 1,600 years before the percentage can rise to anything like cent per cent that we find in other countries. I do not think you would like to remain for such a long period as 1,600 years simply for educating the street arabs of this country nor perhaps would we like to give you the trouble to remain here for so long a period in order to put us on the right course so far as educational matters are concerned.

It is, therefore, absolutely necessary that rapid progress should be made towards compulsory and free education. There is one difficulty which has not been specifically adverted to in this respect. Of course it is implied, but it has not been specifically adverted to and that is the monetary difficulty. As I submitted, compulsory education has its necessary corollary, free education, and free education means more money. At this time in order to educate about 5 per cent. of our population the Education Minister must have 1.44 lakhs of rupees and that is about 14 per cent. of the total revenue or about  $\frac{1}{4}$ th of the total revenue of this province if I am not mistaken, and if we are to make education compulsory and free, certainly we will have, if the revenues continue at the present figure, to denude other departments of administration of the grants reserved for them. The remedy, therefore, must be sought for in other directions. As I am addressing the Government benches, trying to impress upon them their responsibility and their duty in this direction, I must also impress upon the minds of my honourable friends

occupying other benches the necessity of co-operation in this respect. We may not co-operate with the Government in anything else; but I am really not one of those who would not take the name of God if the devil asks me to take it. I would certainly take the name of God if the devil asks me to take it and in this respect we ought to be prepared to co-operate even with the worst form of Government and I would therefore ask my honourable friends to be prepared to make a grant, as large a grant as possible for the Department of Education. It is essential, and I would ask them to be prepared to support any Act of legislation that might be brought before this House to impose a new tax in order to have a larger fund for education so that it may be made not only compulsory but also free. The question whether the Government would do even this, whether the Government would condescend even to tax us for our own benefit, is also an important one. We are fortunate that we have driven a wedge,—if there is any virtue in this Reform scheme it is at least this—we have driven a wedge into the bureaucracy in the form of Ministers and one Executive Council Member that we have got and if, as Mrs. Annie Besant once said, four out of six members of the Government including the Governor, three Ministers and one Executive Council Member cannot make a headway in improving the administration and in getting what their country wants, the fault will be theirs. The constitution gives them an opportunity; they are four against two and if they combine, if they co-operate with one another, they are bound to have what they want. The Honourable Minister for Education has a special duty in this respect and it is this. He must insist on having more money just as Goethe insisted on having more light. He wanted the light for himself, but the Education Minister has to hold the torch of light to everybody and he should, therefore, ask for more means of light and if he does not succeed, if the other members of the Government or the powers that be refuse to accommodate him in that respect, he at least will have done his duty and nobody in this House will then be in a position to blame him. By the way as this matter has arisen I may also correct myself because I made a mistake the other day when I said that it was the Finance Member who was the ultimate authority for assigning or allotting the various amounts to various departments. He is not the sole authority; I make that correction. The Minister also has a part in it inasmuch as he can make proposals for new expenditure as well as for the old and when he has made those proposals those proposals will go up to the Government and the Finance Department will then take them into consideration. The Finance Department may recommend them; the Finance Department may reject them. If the Finance Department recommends them,—it does not reject unless there are very strong reasons—the proposals would be accepted and he will get what he wants. In any case what I would call upon the Honourable Minister for Education at this stage to do is that he should not hesitate to formulate proposals. Let him ask for another crore of rupees next time for popularising primary education in this province and if the Finance Department recommends the proposal he will get it, although it may be at the expense of some other department. Some slight reductions may be made in other departments and one crore of rupees might be spared even from the existing revenues. But if all the departments are just on the verge of starvation and are getting just what is enough to keep them going, then he should make bold to propose a new tax

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called the Education tax or something else. Let him lay his proposals in the form of a Bill before this House and if my honourable friends are true to their salt and if they really wish to see the spread of education in this province, they will be glad to support the Honourable Minister in any piece of legislation that he may bring forward before this House. I would, therefore, ask him not to hesitate, not to feel shy, not to feel diffident, but to be bold and make the best use of the opportunity that he has got and do something for the province over the destinies of which he has now to a certain extent to preside. If he fails in his duty the blame will be his; if he succeeds in doing his duty I am sure every honourable member of this House will support him in his noble enterprise. With these remarks I would commend this motion to the support of the House.

**Mr. Din Muhammad** [East and West Central Towns (Muhammadian), Urban]: Sir, I wish to make a few observations on the question before the House. The first point that is to be considered is whether the Government has done its duty by simply passing the Compulsory Education Act. In my humble judgment it is just like an unwilling debtor passing a cheque which is not to be honoured. The matter has been entrusted to the urban and rural boards. As a man dealing with municipalities for the last 10 or 12 years I know how the urban and rural boards deal with this question. They always urge poverty; they always shelve the question. Now the question remains still to be solved whether if you merely pass an Act and entrust the work to the urban and rural boards and just ask your municipalities and district boards to launch upon a programme of free and compulsory education, are you doing your duty? The other question, Sir, which is a very important one, to be considered in this respect is, whether you have introduced a syllabus which is attractive. My respectful submission in this connection is that it is the most important issue which is to be considered. It is the syllabus that attracts the people. Every honourable member knows that in these days the ideal of education is to become a *babu* and there are 90 per cent. of the people who seriously consider that because it is not in their line to become a *babu*, therefore, they need not send their children to school. They do not want to send their children to school. The other day an article appeared in the 'Muslim Outlook' of 15th January 1927 in which it was clearly stated as to how the Americans educated their subject races in the Philippines. The writer of the article has stated that in the course of 28 years 12 lakhs of people had been educated out of a total population of 80 lakhs and with a system which had absolutely no compulsion in it. I just wanted to guess what the reason was. I read the article through and I found that the simple reason was that the syllabus for those children was so attractive and so simple that everybody wanted to send his child to school. It included technical education; it included industrial education; it included handicrafts; it included simple lessons in agriculture; it included simple lessons in hygiene; and the result was that the artisan, the labourer, the carpenter, the cultivator, all wanted to send their children to school so that they might attain some literacy and thus be benefitted. My honourable friend for North-West Non-Muhammadian constituency said that people are indifferent in this matter. But may I say that their indifference is simply due to the fact that the syllabus is not attractive? If you make the syllabus attractive their apathy would be won over; their

indifference would disappear. Sir, a very serious question of unemployment is going to face this province in another few years. The Government is trying to tackle it a bit now. But in another ten years the question will be so acute that no practical solution could be attempted at that time. You could avert the danger only in this way. If you now start, if you now begin to educate the children in some such way the problem can be easily solved. If you now begin to teach them handicrafts, industries and other subjects, the result would be that those people who are now idling in the villages, and they constitute an overwhelming majority, would have some occupation. In this way it would not only conquer illiteracy, but it will conquer crime and it will conquer unemployment, and it would be no mean conquest if you do so. My learned friend also remarked that people might oppose the introduction of compulsory education because it would separate their children from those tasks which have been assigned to them in the past. It is for this reason that I urge the honourable members of the Government to give this matter their serious consideration, to abandon ancient grooves in which they have been moving and to consider what course of education would be most beneficial and most useful for the children of their province. After all when we find that a system of education which has been in vogue for the last 60 or 70 years has not benefitted the people in any particular respect, it is up to us to find out where the defect lies. Take, for instance, the question of rural education. With all the enormous expenditure that we have incurred we find the man in the field just what he was before, in the same helpless condition, in the same illiterate condition. We have not succeeded in making him a modern man.

After all it is up to us to find out where the defect lies. A good doctor is one who tries to diagnose not only the disease but who also takes the warning if the remedy prescribed or the medicine administered does not do the amount of good that it was intended to do and it is also therefore that I appeal to the Honourable Minister for Education to find out most sincerely and most sympathetically as to why it is that we do not become more literate and why we are not deriving as much advantage from literacy as we should. The learned members who have preceded me have given this matter their most serious attention and have advanced good arguments and I need not repeat them, but my only submission is that either intentionally or unintentionally the honourable members of Government in charge of this department have been led into an error of enacting a statute which is of no use at all to the members of the province for whose benefit it was intended. It must be reconsidered. After all there is no matter which cannot be reconsidered. I do not say this with any sting in it. I say with all the emphasis at my command that they should not consider that because this matter comes from the opposite benches, it should be discredited or spurned. They should not take it in that light. After all they are our administrators, they have been given the trust and it is always a question for them as to whether they are discharging that trust in a manner which behoves them. I would therefore respectfully urge before the House to support this motion and I would submit that it is high time that serious consideration must be given to this subject of compulsory primary education.

My friend the honourable member for North-West Towns, Non-Muham-madan Urban also suggested that there was difference between free educa-

[Mr. Din Muhammad]

tion and compulsory education. As one who has had practically to do with a municipality, I would just say for the information of the honourable member that there are municipalities which shelve the question by simply making education free and not making it compulsory because the making of primary education free is very cheap. For instance, in the Gujranwala municipality we have had only to forego an income of Rs. 300 annually to make primary education free. Similarly the district board of Gujranwala, Sir, have only abandoned a sum of Rs. 1,200 or 1,300 annually to make primary education free. It does not mean that primary education was so popular there, it means that there was no primary education there and they could make it free because there are very few schools. It is only compulsion that can do good to the people. With these words I commend the motion to the House.

**Sir George Anderson** (Director of Public Instruction): I understand that the object of this amendment is to give this Council an opportunity of discussing compulsory education and its problems. With that object I am whole-heartedly in agreement because I do not think that in the sphere of education there is any matter more important or indeed as important as that of free, compulsory and universal education; and I think that the mover of this amendment has succeeded in attaining his object beyond his wildest dreams or expectations because during the last hour or so we have listened to many enthusiastic and eloquent speeches on the subject. We have heard many suggestions, we have listened to many criticisms, and I can assure my friends that I have made a note of those suggestions and shall consider them most carefully.

I intend therefore to discuss this problem of compulsory education from two aspects; from the aspect of expansion and from the aspect of improvement. I take first the question of expansion, and I shall try to explain these figures and statistics which appear to be so confusing to many who have preceded me in this debate. So far as the actual enrolment figures are concerned, it will be seen from page 8 of this report that the numbers—and this includes girls and adults—have increased from 556,989 to 1,062,816 during the last five years. This therefore gives us an average additional enrolment of 100,000 each year. I now come to the figures at the bottom of the page and I would take this opportunity, Sir, of apologising to the House and to my friend over there for having interrupted him in his speech. My reason for interrupting him, I can assure you, was not to embarrass him but to assist him as I feared that his misunderstanding of the figures given in my report would interrupt the flow of his argument; it was for that purpose alone that I interrupted him. It will be noticed that those figures are not, as my honourable friend suggested, the literacy figures. They represent the percentage of boys at school to the total male population.

The percentage, it will be seen, has risen from 4.26 in 1920-21 to 8.44 in the year 1925-26. If we take into calculation the additional enrolment for the current year, we shall be fairly safe in putting down the figure as 9. The statisticians who have given most thought to this subject have informed us that the right proportion is 15 and therefore we are short by the difference between 15 and 9. I calculate that the average progress in the matter of this percentage is .75 a year and therefore it will take the Punjab a period of eight years to reach 15 per cent. and it will take four years to reach 12 per

cent., provided that the average rate of progress is maintained. But I have not taken into account, nor can I take into account, except generally, the normal increase in the population; and these figures also include about 80,000 adults. Therefore, bearing these two points into consideration, it will be safer to say that provided that the average rate of progress is maintained, it will take the Punjab about ten years to reach 15 per cent. and it will take six years to reach 12 per cent. By the latter I mean that 80 per cent. of the boys of school-going age should then be in school. Therefore we are within fairly easy reach of the goal so far as enrolment is concerned.

I now wish to give a few rough figures in regard to expenditure. I calculate that the average cost of an additional pupil is Rs. 10 and as in order to reach 80 per cent. of the boys of school-going age it will be necessary for us to add some 400,000 boys to our enrolment, the recurring cost will be about 40 lakhs; and in addition to that sum there will be the cost of buildings, the training of teachers and so forth. That figure is not a very large one; and I rejoice to hear from my friend over there (Chaudhri Afzal Haq) and from many other parts of this House that they are willing to submit to almost any sacrifice in order to reach the goal of universal, free and compulsory education. I submit therefore that compulsion is not urgently required for the purpose of expansion because additional pupils in large numbers are enrolled already each year by the voluntary system.

Compulsion is required far more as a means of improvement. Many speakers have referred to the wastage of the present system; and in my report I have also given figures which are gloomy enough in all conscience. On page 8 I have pointed out a gloomy fact that whereas 409,000 boys enrolled in the first class, there are only 78,000 enrolled in the fourth class. This reveals very considerable wastage, and it is therefore necessary to devise means whereby that wastage shall be reduced as far as possible. There are many ways of so doing. In the first place I agree with my friend, Mr. Mayhew (and I am glad to find that so many members of this Council have been careful to read, mark, learn and inwardly digest the admirable advice of my friend), that the one teacher four class school is almost useless. We have been able to reduce the inflammation very considerably. Whereas there were 3,000 schools of this unsatisfactory type five years ago, there are now only 400 or 500.

I also agree with the opinion that the four-class school, even if it has

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two or more teachers, is unsatisfactory, and that a six-class or lower middle school is by far the preferable. At page 11 of the report the figures show a very considerable progress in the number of lower middle schools which are schools with six classes. Whereas in 1923-24 there were only 588 lower middle schools, two years later there were 1,342 such schools; and I have reason to believe that during the current year there has been an even greater increase than in the last two years. I think that my friend opposite did not quite understand the reason why the figures at the bottom of page 11 were given. The reason was to show that we have a larger proportion of primary pupils enrolled in middle schools than is the case in other provinces. We hold, and I think everybody in this Council agrees with me, that a boy enrolled in a middle school has far greater opportunities of progress and of attaining literacy than a boy enrolled in a primary school with four classes.

[Sir George Anderson]

To summarise, in the first place, we have been trying to reduce and indeed to eliminate the very unsatisfactory type of one teacher four-class school. We have been trying as rapidly as we can to increase the number of lower middle schools with six classes. It is my hope that in the course of time the fourth-class primary schools will be a thing of the past, and that we shall have middle schools with eight classes and primary schools with six classes.

Now I come to the matter at issue. I regard compulsion primarily as a means of prolonging the school life of the pupils and thus of ensuring that they attain a permanent grasp of literacy. Compulsion, therefore, should be regarded as a guarantee that all boys who come to school shall remain there and shall benefit thereby and thus as a means of ensuring that the large sums of money which are spent on education are spent to the best purpose. We have been told that very little progress has been made in the introduction of compulsion, but, as a matter of fact, very considerable progress has been made. As will be observed from the report, on March 31st last, 42 urban centres and 451 rural areas were under compulsion. At the moment of speaking, I have the latest figures. There are now 50 urban areas and 900 rural areas under compulsion. Thus the number of areas under compulsion has been more than doubled during the last 11 months. I agree with the words of the Government proceedings in which the hope is expressed that progress will be even more rapid in the near future.

It is probable that the expression "voluntary compulsion" is confusing. It is the people themselves who should apply for compulsion on their own accord, but when once compulsion has been applied, then it is obligatory on a parent to send his boys to school. Figures show that the places where compulsion is in force, at least 80 per cent. of the boys who should be at school are enrolled.

In conclusion, I can again assure the Council that the present position is by no means unsatisfactory, and that there is every prospect of an even more rapid rate of progress in the future.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan), Urban]: Sir, an honourable friend of mine opposite said that he was not one of those who would not take the name of God because the devil asked him to take it, and that he would certainly take the name of God even if the devil asked him to take it. But, Sir, we should not wait for the devil to come to us to ask it, on the other hand, we should force the devil to take the name of God if the devil comes in our way. He also observed that Mrs. Besant had stated that when if there are three ministers and one executive councillor, we could not make much headway then we would never do so. Perhaps it may be said in the words of the Persian poet—

هر که در کار نمک رفت نمک شد

It happens that people who cherish broad ideas before they come to ministry will, according to the Persian poet, become as bureaucratic as the others.

Now, Sir, my honourable friend appealed to the Honourable Minister that he should try his best with the Government. It is absolutely wrong,

We should force the Minister to do as we wish him to do and not allow him to do as the Government likes. There is only one course open to a popular Minister who is dependant on the votes of this House, and that is, that he must abide by the decision of this House. We must bring force upon the Minister even though he may happen to be our dearest friend, because no question of friendship can come in politics where the safety and the progress of the future generation is at stake.

I thought, Sir, that after the learned speech of my honourable friend the Director of Public Instruction there would have been no necessity for me to speak. From his arguments, I thought that Government was going to apply the Compulsory Act at once. But when he came to the finishing point, the whole speech weakened down. Now his idea is that he is going to apply compulsion rapidly. One does not know whether that rapidity is that of the tortoise or that of the mail train. What rapidity does he mean? Is it at the rate of .1 per cent. or .8 per cent. or .9 per cent.? If he had told us that in two or three years he would introduce compulsion in the whole province, we would have been satisfied. We know in this Council how words uttered and promises made are given very often to bide times. So I am not at all satisfied when he says that Government is going to make rapid progress.

Now, Sir, we are spending huge sums of money, I do not mean that the sum is huge enough, but at any rate it is huge enough in amount. My learned friend has read to this House from the very admirable Education Report. At page 8 of the report you find, Sir, that in the first class there are 400,000 students; in the second class, 150,000; in the third class, 98,000; and in the fourth class, 78,000. In the first year the boy hardly learns even the alphabet. It is only after he has spent a lot of money that he learns the alphabet. In the third year the number of boys attending schools is about one-half of that of boys in the second class. In the fourth class it is one-fifth of the total that goes to the first class. I call this sheer waste of money if you are going to spend such a big amount of money in the first and second classes and then these students should not go ahead. We must know the cause why the parents do not care to send their children to schools or why boys do not care to go to schools. One member from Gujranwala said that we must make the syllabus attractive. There is no doubt about that. Some such step should be taken in the matter. Otherwise all the money that is being spent on the primary education is a waste. Our experience is that the boys who come out of these schools cannot write or read letters? What is the use of giving an education to these boys if they cannot read or write letters? A boy who comes out of the fourth class cannot read anything but printed matter. Give him something written by hand, he will never be able to read it. So, Sir, there is no use of talking that we are going to embark on a system of compulsion. What we demand from the Honourable Member is that he should promise us that within a year or two he must make full preparation for the introduction of compulsory education.

If he cannot teach them in pucca buildings, let him at least teach them under trees, or in hired buildings in villages. There are plenty of such places. Why, the Government have now doubled the number of normal schools and if the Government is really desirous of seeing illiteracy removed

[Shaikh Muhammad Sadiq]

from this province, they can give presents to young boys and make them go to schools. I am sorry to see that the Director of Public Instruction has made no mention of female education at all. Are not the women part and parcel of the country? What about them? The Director of Public Instruction simply quoted figures for boys, but what about girls? Are any steps taken to spread education among girls? How can you expect to make all round progress unless and until female education goes hand in hand with the education of boys? How can you expect boys alone to go ahead if you leave behind the girls in the race for education? After all domestic happiness and comforts are derived only through our womenfolk. The happiness of our home depends upon education, and that is a happy home where both the husband and the wife are educated. My honourable friend, the Director of Public Instruction, who comes from a European country perhaps does not care much about girls' education here, though in Europe there is no distinction between boys' education and girls' education. What is the use of merely removing illiteracy among the boys alone who are to become future citizens of the country? The boys when they get married do require educated wives. An educated wife is necessary to look after the accounts of the house, to bring up children in a proper way and in fact the whole household economy depends upon whether the housewife is educated or not. Unless and until you make this education compulsory you will never be able to force the people to send their girls to school. You have already applied the voluntary system so far as boys are concerned, but it is impossible to work this voluntary system successfully so far as girls are concerned. The Honourable Members on the Government benches should take into account the system of purda that is prevailing among all the classes of people in this province and should make such arrangement as to ensure the compulsory attendance of all girls of school-going age at the schools. The Government whenever it suits their purpose pass all kinds of laws and make the people obey such laws. As such it is the bounden duty of the Government to enact a Compulsory Education Act and force all people to obey that law. The Government should forec education on the people, males and females. The Government should leave no loopholes in the Act so as to allow people to evade the provisions of the law. No doubt the people would at first raise a great hue and cry; they would try to shirk their duty and they would resort to all sorts of tricks to evade the provisions of the Act; but it is the bounden duty of Government to spread the net of education far and wide, so that nobody could escape from it. We must educate the people even against their wishes. The Government has no reasonable excuse to say that funds are wanting. It is already well-known, Sir, that apart from personal likes or dislikes, the ratio problem in the Legislative Assembly has been solved in a way most beneficial to Government. Now that the Government of India have been able to fix the ratio in the way they liked, they would remit the provincial contributions. The sum of 80 lakhs or so is surely a windfall to the Punjab Government. I ask the Government that a sufficient sum should be set apart for giving compulsory education to the masses of this province. I am sure every member of this House irrespective of the party to which he belongs will wholeheartedly vote for the necessary sum for education. The Honourable the Minister for Education had been himself an educationist.

He had been a professor, and he had taken a very active part in all educational activities of this province. I trust that he will show real sympathy towards the masses and push forward the scheme of compulsory education irrespective of the fact whether his colleagues on the reserved side like it or not. We, the non-official members of the House are here to stand up and support him in the House. Let him but give the slightest hint, we are prepared to throw out every demand of Government and refuse to vote any supplies unless and until the Government allots sufficient money for the scheme of compulsory education which the Honourable Education Minister might put forward before the Government. We promise that we would bring the Government to their knees until they accede to his wishes. We will throw out all subjects, whether reserved or transferred. I assure the Honourable the Minister for Education that the entire sympathy of the House is all on this side and it is for him to take practical advantage of the sympathy of the House and get his scheme ratified by the Government. Learned speeches have already been made by some of my honourable friends and it is not necessary for me to dilate any further on the subject. I would say that we, all the non-official members of the House—whether some of the others get a chance to speak or not—are all of the unanimous view that compulsion should be applied at once throughout the province.

**Sardar Ujjal Singh** [Sikh, Urban]: Sir, I do not want to dilate upon this subject, because, much has already been said by my honourable friends. No one doubts the importance of introducing education on a large scale in this country. There is epidemic, there is disease and there is ignorance in this province, and that can only be removed if there is universal education. Our labour is inefficient, because the labour is ignorant. We are paying very low wages in this country and still the cost of production whether in agriculture or in trade is four to five times higher than it is in other countries. We pay hardly eight annas to our coolies, whereas in America they pay not less than Rs. 2 or Rs. 3 and still the cost of production is less there than it is here. The reason is that our people and our masses are steeped in ignorance. Sir George Anderson has admitted the wastage and the wastefulness that results from the present system of education. This can only be removed by the introduction of compulsion. He has also expressed optimistic remarks with regard to the ideal of compulsion, but at the end of his speech he has only given us the slip that compulsion is not likely to be introduced and it should be left to voluntary means. There is no country in Europe with the exception of Turkey (A voice: They too have introduced compulsion) or I will say that the whole of Europe with no exception has introduced compulsion. There is compulsion in the United States of America, there is compulsion in Canada, there is compulsion in Australia and even in Asia, there is compulsion in Japan. Germany was the first to lead the way in introducing compulsion in education and all other countries followed. Japan introduced it in 1900. If you compare the percentage of boys that are receiving education in those countries with the percentage of boys that receive education in our own province, the figures would be simply appalling. According to the report of the Director of Public Instruction, the number of boys in schools and colleges receiving education is 954,600. I would like to deduct from this number 336,000 that lapse into illiteracy. The number comes down to six lakhs, as com-

[Sardar Ujjal Singh]

pared with 58,81,926 male pupils in Japan. Accordingly we have been able to bring into schools and colleges hardly six per cent. of our school-going population, and that too we have done in the course of 70 years. The rate should be gauged from the progress that we have made since the British Government came in here. If we calculate the rate and the distance that we have covered, we can then very well imagine how much time it will take to introduce universal education and to educate all our school-going population.

When the late Mr. Gokhale introduced his Elementary Primary Education Bill in the Legislative Assembly the only excuse that was put forward by the Government was the excuse of want of funds. Funds cannot be available until you start to do the thing. The revenue of our province, and as a matter of fact the revenues of our country, have increased to a very large extent within the last few years. But very little progress has been made in the matter of compulsory education. My submission is that unless you start and pass an Act introducing compulsion, you cannot educate the whole of the school-going population in your province. Funds are available and they are being wasted in opening new Arts colleges. My submission is that whereas it costs Rs. 10 to educate a boy in a primary school, it costs Rs. 200 to educate a boy in a college. Instead of wasting money in Arts colleges and creating a class that always hunts after jobs you ought to introduce compulsion and spend money in a way where more useful purpose can be served.

Sir, it is admitted that there is need for education and it is also admitted that compulsion is necessary if not for any other purpose, at least for saving money and for economy. Then, why hesitate to introduce compulsion? If you once introduce compulsion, I am sure the country will welcome it and you will find support from every part of the province.

**Lala Mohan Lal :** I move :—

"That the question be now put."

The motion was carried.

**The Honourable Mr. Manohar Lal** (Minister for Education) : Sir, I find myself in the completest possible sympathy with the desire on the part of honourable members of this House for an increasing application of the principle of compulsion in our educational activity, and I am able in support thereof to draw the attention of the honourable members of this House to a recent review by the Government on the report of the progress of Education in the Punjab. The review says: "the system of vernacular education can be firmly based only on a strong foundation of compulsory education and compulsion should not be regarded as an ideal of the distant future, but rather as a present and practical means of ensuring that the sums of money devoted to vernacular education are spent to the most fruitful purpose."

I would welcome no less than the honourable members of the House if the fullest advantage were taken by local bodies and those who can introduce the principle of compulsion of the facilities that exist at the present time under the Act as it exists. But, Sir, further in view of the very strong desire on the part of various members of the House to see even a more

rapid expansion in the introduction of this principle than has hitherto existed, I would be very glad indeed if the Standing Committee on Education of this Council—and I understand that a fresh committee would soon be formed—would sit together and discuss the various issues that naturally arise in the solution of so complex a problem.

It is when we have arrived, with the help of the standing committee, at a definition of the actual steps, that we must take action to give effect to this unanimous desire of this House, a desire in which the Government shares no less than the other members of this House. We shall be very glad indeed to do so, and that is the position of the Government in this matter. The Director of Public Instruction has placed before us the actual rate at which this progress has been taking place. There has been some difference in the figures of expansion, etc. But we are at a stage when we shall not quarrel about the interpretation of the figures or about the rate at which this expansion should take place in order to secure education for all the boys of the school-going age. As I said, we are all of one mind in this matter and there should be no misunderstanding so far as the honourable members are concerned, as regards the attitude of the Government on this very important issue. I do not know whether, in view of this assurance on the part of the Government, the honourable member who moved this amendment would still wish to press his amendment.

**Mr. President:** Does the honourable member wish to press his motion to the vote of the House?

**Chaudhri Afzal Haq:** I have a right of reply.

**Mr. President:** Is the honourable member inclined to withdraw his motion at this stage?

**Chaudhri Afzal Haq:** No, Sir, it is a most important motion.

**Diwan Bahadur Raja Narendra Nath:** I do not know whether a one rupee cut is in the nature of an amendment and whether the member who moves the amendment has a right of reply. I am not quite sure about that, but I simply raise the point before you for elucidation.

**Mr. President:** Whether it is a one rupee cut or any other cut, in the case of motions relating to supplies the right of reply is expressly given to the mover of the motion. (The honourable member is referred to the proviso to Standing Order 33 (B).)

**Chaudhri Afzal Haq:** [Hoshiarpur-cum-Ludhiana, Rural] (Urdu): Sir, According to the well-known couplet of Ghalib—

تہی خبر موم کہ غالب کے آئینے پر زے  
دیکھنے ہم بھی گئے تھے یہ تماشا نہ ہوا

I had hoped that my statement would meet with some contradiction at the hands of my honourable friend the Director of Public Instruction. But to my surprise and chagrin, the correctness of my statement has not been challenged so far and therefore I am bound to conclude that whatever I submitted was perfectly true. Sir, one of the well-known Indian Educationalists who is in Government service and whose name I do not wish to disclose, has said that my statement that at the present rate of progress we cannot attain universal literacy even in one thousand years, is but a

[Chaudhri Afzal Haq]

modest statement of facts. He is of opinion that if the present system continues, universal literacy can *never* be attained. Sir, I have very attentively listened to the statement made by the Director of Public Instruction. He has not contradicted my statement, he has been talking beside the mark. I did not say that the number of students in the primary classes is small. What I had submitted was that the number of students in the higher classes bore no proportion to the number of students in the primary classes. The Honourable Minister for Education has particularly emphasised the question of voluntary compulsion. Sir, may I ask how voluntary compulsion is to be enforced. If you want that people should come to you and ask for compulsion that is impossible and I assure you that will never happen. I have already quoted figures for Lahore City and have shown that while the number of students in the primary classes amounts to 150,000, there is a conspicuous fall in the number of students in the fourth primary class. Moreover, Sir, your Act enforcing compulsion confers no powers on municipal committees. Sir, I think that you are delaying the question of compulsion with a view that you may be able to say to other countries that the Indians are so backward that they cannot derive any benefit from compulsory education. Now that almost all the honourable members of the House have expressed their opinion in favour of compulsion, I submit that if the Government is not prepared to accede to our wishes there is no other course open to me than to press my amendment. Sir, we are talking of a transferred subject and as such the honourable member in charge of the same is in duty bound to accept our proposals regarding the point at issue, because constitutionally speaking his remaining in office depends upon our sweet will. With these words I commend my amendment for the acceptance of the House.

**Mr. President :** Demand under consideration, motion moved.—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 69,91,270—Total C—Primary Education."

The question is that that motion be adopted.

The motion was carried.

**Mian Ahmad Yar Khan, Daultana** [Multan East (Muhammadan, Rural)]: Sir, I wanted to make a few remarks on the Department of Education in general, that is why I preferred to speak at this moment. Public instruction is the first object of a government and I think the Punjab can very well be proud of doing their duty in this respect more than any other province in India. And for this, much credit is due to the former Ministers of Education and the Director of Public Instruction, as well as the Education Department. I am sure the present Minister for Education will try his best to follow in the footsteps of his illustrious predecessors and try to further the extension of education in the province. There is one point about which some of us are doubtful and that is whether he has outgrown his old ideas that prompted him some time ago to sign a memorial against the policy of the first Education Minister in the Punjab?

**Mr. President :** Order, order. How does the question of policy arise from the demand under discussion?

**Mian Ahmad Yar Khan, Daultana :** The grant under consideration is the grant of education and the policy that was started in the Education

Department by the former Education Minister which was very popular and appreciated. . . .

**Mr. President :** Order, order. The Honourable Minister for Education has, I think, declared his policy repeatedly before this House during the last three or four days and also to-day, especially with regard to the demand under consideration. His statement is perfectly clear as to what he intends to do or would do if he could.

**Mian Ahmad Yar Khan, Daultana :** I will leave that point for the present. The other point that I wanted to press was about the University. This demand includes the grant for the University that is given from the provincial revenues. In the first reformed Council I moved a cut of Re. 1 on the University grant in which I discussed the present University Act and was given an assurance by the Honourable Minister for Education that immediate steps would be taken to amend that legislation. But I do not know whether any action has been taken up to this time. This amendment is very badly needed and I think the sooner it is done the better. It is very badly wanted and I will request the authorities to bring it before the Council as soon as possible. In case there is no such legislation in the course of the year, I think some of us will be obliged to oppose this grant altogether.

Now, as regards the Education Department, I want to make one or two observations. The first is about the vernacular schools. Sir, I think one anglo-vernacular school is better than three vernacular middle schools. The present policy of having more vernacular schools than anglo-vernacular schools, I think directly discourages higher education. The people who live in towns have got colleges and anglo-vernacular schools near by, but people who are living in far and distant places in the province cannot get higher education until there are more anglo-vernacular schools. I think a student who joins a vernacular school and passes the examination is not superior to a boy who has passed his primary examination. It is just the same whether he passes the primary examination or the middle examination in a vernacular school.

I have another suggestion and that is this, that I think it is very necessary if the characters in which the *tanias* write their accounts are introduced in the primary schools, because a boy who passes the primary examination no doubt becomes literate but his literacy cannot be of much use. He refuses to plough his land and if he knows these characters of Hindi, I think he will be in a position to save his family from many tricks of the money-lender. All the money-lenders belong to one class and they write in these particular characters.

Now, Sir, there is one thing which I want to bring to the notice of the Honourable Minister for Education and that is the courses that are being taught in the University, especially the courses of Indian history. I am a student of Indian history and I find that the courses that are taught in our present schools are the worst available. There are many untruths in the prescribed books on Indian history and we find all these misstatements in an exaggerated form in the text-books taught in our schools. Everybody has got friends and enemies and histories are written in different ways. For instance, if there were two historians to write the history of Ibn-i-Saud

[Mian Ahmad Yar Khan, Daultana]

50 years hence and one of them came across the files of the *Siasat* and the other across those of the *Zamindar*, you can imagine what they will write. One will call him as one of the best monarchs that Islam has ever produced and the other will call him an unscrupulous bigot. We have got in our Indian history the exaggerated falsehood about Ala-ud-din and Padmani and the irrational and unreasonable story of Nur Jahan and Jehangir.

**Mr. President:** Order, order. The honourable member started his argument with regard to the courses of the University by an appeal to the Honourable Minister for Education. Is the honourable member sure that the prescription of courses in the University is in the hands of the Minister for Education or that he has anything to do officially with prescribing or fixing the courses? In case the Honourable Minister has nothing to do with the courses, the honourable speaker's appeal to him is futile.

**Mian Ahmad Yar Khan, Daultana:** Sir, we are making a grant to the University and that grant includes the demand before us and I want the Honourable Minister for Education to suggest to the University the views of the House that gives them so much money.

Aurangzeb has been my favourite study and I can assure you that the position of the non-Muslims during his time was better than that of many of us at other times. (A member: Question) and I think, Sir, the present bitterness among the two communities is on account of these text books. I know that an illiterate Hindu is far nicer to his Muslim brethren than the educated Hindu and the only reason for this is the present text books. I think it is this history education which prompted the poet of the East, Sir Muhammad Iqbal to say:—

خوش تو ہیں ہم بھی جوانوں کی ترقی سے مگر  
لب خندان سے نکل جاتی ہے نریاد بھی ساتھ  
ہم سمجھتے تھے کہ لائیکگی فرائض تعلیم  
کیا خبر تھی کہ چلا آئیگا إلحاد بھی ساتھ  
گھر میں پرورش کے شہرین تو ہوئی جلوس نما  
لیکر آئی ہے مگر تیشہ فرہاد بھی ساتھ

(At this stage Chaudhri Duli Chand made a verbal request to speak.)

**Mr. President:** I waited for a few seconds to see if any honourable member would rise to speak on the subject under discussion, but no one got up. Chaudhri Duli Chand stood simultaneously with me and made in so many words a request to be allowed to speak. Were it possible for me otherwise to allow him to speak I refuse to do so, as he has forfeited his right to my permission by making his request verbally. Permission to speak is given if an honourable member catches the eye of the President and not on verbal requests. I refuse, therefore, to permit the honourable member to speak.

The question is—

"That a sum not exceeding Rs. 1,44,04,999 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Education (Transferred)."

The motion was carried.

#### EDUCATION (RESERVED) GRANT.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member):

Sir, I beg to move—

"That a sum not exceeding Rs. 6,82,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Education (Reserved)."

The motion was carried.

#### SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS (TRANSFERRED) GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture):

Sir, I beg to move—

"That a sum not exceeding Rs. 14,69,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Scientific and Miscellaneous Departments (Transferred)."

**Mr. President:** The question is—

"That a sum not exceeding Rs. 14,69,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Scientific and Miscellaneous Departments (Transferred)."

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan), Urban]: Sir, it is more than 20 months since the Gurdwara Act was passed in the cool atmosphere of Simla. The Act was necessitated to stop the restlessness in the province and to appease the agitated minds of the Sikh community as a whole. The Sikh community stood for their religious rights and shed blood and sacrificed their lives at the altar of Death. Thousands of them courted jails, many a child has been left an orphan and many Sikh ladies have turned widows and the tears that shed from the eyes of the orphans and the widows have not yet dried. The Government yielded to the demands of the Sikh community. . .

**Mr. President:** Order, order. Will the honourable member oblige the Chair by explaining what he is driving at?

**Lala Bodh Raj:** My object in discussing this demand is to consider whether the provisions of the Gurdwara Act should be worked or not in the face of the fact that the Government is not prepared to release the Gurdwara prisoners who are suffering in jails up till now.

**Mr. President:** Order, order. The honourable member was a member of the last Council, and is, therefore expected to be aware of the rule of anticipation; that is, the debate must not anticipate a matter appointed for the consideration of the House, or of which notice has been given. If I am not mistaken the resolution relating to the release of the Sikh prisoners is the first item of the non-official business of the Council. Therefore, the honourable member is debarred from discussing the subject matter of that resolution.

**Lala Bodh Raj :** Sir, before I stood up to speak on the subject I referred the matter to the Secretary, but I did not get intimation in time. I shall now bow to your ruling and stop discussion on the subject. (Hear, hear).

**Mr. President :** Before putting the demand to the House I would like to make it clear that though the Secretary of the Council is a skilled parliamentarian, yet it is the duty of the President to give advice to the members of the Council. Therefore, whenever the honourable members want advice in regard to matters of procedure they will please refer to me.

**Dr. Gokul Chand, Narang :** Sir, for information as to a question of fact, is the Secretary to be referred to or the President ?

**Mr. President :** I think there is no ambiguity in the view just expressed by me. Whenever an honourable member wants advice with regard to any matter of procedure, he should refer to the President rather than to the Secretary.

The question is—

"That a sum not exceeding Rs. 14,69,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Scientific and Miscellaneous Departments (Transferred)."

The motion was carried.

#### POLICE GRANT.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move—

"That a sum not exceeding Rs. 98,23,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Police."

**Mr. President :** The question is :

"That a sum not exceeding Rs. 98,23,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Police."

**Chaudhri Zafrullah Khan [Sialkot, (Muhammadan) Rural] :** Sir, I beg to move—

"That the total grant be reduced by Rs. 1."

My object, Sir, in moving this reduction is to discuss the report of the Provincial Police Committee. The Committee consisted of both official and non-official members and their report was submitted to the Government, I believe, as long ago as May 1926. The Committee dealt with certain matters affecting the efficiency of the police force, a department which everybody would admit affects the welfare of not only the whole community but also of each individual in the community. I understand that the committee was appointed as the result of certain resolutions passed in this House expressing dissatisfaction with the working of that very important department. I have carefully read the report which was submitted to the Government by the members of that Committee and those members of this House who have also taken the trouble to go through that report will agree with me that it contains very important suggestions with regard to the police department. One of the complaints or rather one of the matters which the report dealt with was the multifarious duties which a station house officer in that

department is called upon to perform with the consequent result that he is unable to attend effectively to any of them. Another matter which was dealt with and enquired into by the committee was the investigation into alleged offences by the police and the many evils attendant upon it. The most important matter that was enquired into by the committee was the prevalence in the police department of corruption. The strength of the police force in the various districts was also considered and suggestions were made with regard to these matters. It is surprising to learn from the budget speech of the Honourable Finance Member that in spite of the fact that the report has been presumably under the consideration of Government for the last nine months Government has not yet made up its mind to give effect to the recommendations made in that report by the committee. I wish to observe in connection with that report that although at the time, the fact that the committee was appointed did give satisfaction to those who were anxious that improvements should be effected in that department, yet any delay in carrying out the recommendations of the committee, apart from the fact whether those recommendations do or do not go to the root of the matter touched upon by the committee, is likely to cause a great deal of dissatisfaction.

The impression that is likely to be created is that these committees are appointed only to satisfy the demands of this House, and that Government have no sincere intention of carrying out the recommendations made by these committees. I do not for a moment believe that with regard to the police department, the Government have not the intention to carry out the suggestions made by this committee. The object with which I have tabled this amendment is to press on the notice of the Government the general demand there is both in this House and outside that the recommendations of the Police Committee, to whatever extent they go, should be carried into effect as soon as possible. I wish to take only one or two instances out of the report with regard to the matters dealt with there to show that the matters dealt with by the committee affect the welfare, nay not only the welfare but even the liberty of the people of this province. For instance, there are very large powers vested in an investigating officer, powers such as the summoning of people before him in order to get useful information with regard to the commission of any offence into which he might be enquiring at any particular moment, or the power to keep people as suspects under observation in connection with the commission of an alleged offence. It must be within the experience of everybody who has had anything at all to do with rural areas or rural communities that the starting of an investigation with regard to the commission of an offence in any particular village is really a matter of terror for almost every person residing in that village or even in its neighbourhood. It is within the power of the police to call upon anybody whom they like for the purpose of extracting or obtaining information and to keep them dancing attendance upon the particular police officer who is in charge of the investigation. People are sometimes kept unnecessarily the whole day and late in the evening they are called and asked to attend on the following day. There is no question whether a person is connected with the offence or not, whether he possesses any information leading to the apprehension of the culprit or not, he has to be called upon to suspend his ordinary avocations and to attend on the station house officer or the investigating officer in connection with the enquiry with which he has absolutely nothing to do

[Chaudhri Zafrullah Khan]

That is one of the important matters which very seriously affect the welfare, the valuable time and the occupations of those persons who have anything to do in connection with a police investigation. There is absolutely no remedy to check an abuse of this power which is possessed by the investigating officer. This is one of the matters which has been dealt with in the report of the committee. Certain suggestions have been made how this evil can be remedied or checked to a certain extent. The Government should take this question immediately in hand as this is one of the matters which affects the liberty of a great many individuals in the province. The sooner it is attended to, the greater the satisfaction it will give to those whom it directly affects.

Similarly the treatment that is meted out to those persons who are called upon as suspects before the police, is one of the standing complaints against the police department. The committee have themselves dwelt upon the fact that vast powers vested in the police to call anybody they like as a suspect in a case, whether there is any *prima facie* evidence against him or not, whether he can successfully be challaned or not, serves as an engine of oppression in the hands of the police and acts as a lever for them to extract bribes from alleged suspects. That again is a very important matter, and I believe that all those who have the welfare of the community at heart both for the sake of bringing to justice those who are actually concerned in the commission of offences and saving from arbitrary oppression of the police those who are not concerned in any offence at all, would be anxious that any remedies that have been suggested by the committee in regard to this matter should be immediately put into force.

Another very important matter which has been dealt with by the committee is the fact which has been acknowledged by the committee as having been amply proved before them that whenever an offence is committed and a person goes to make a report to the police station with regard to the commission of the offence, he is treated more as a criminal himself than as a person who is trying to help the administration of justice. He has got to bribe various officials of the police department, before his report can be recorded and in the end the manner in which the report is recorded is such that many true cases are spoiled by the fact that the report is recorded not in accordance with what the person states actually, but in accordance with what, in the view of the recording officer, the person who makes the report ought to state. Not only does this improper recording of the report spoil his case, but on the contrary he has occasionally to face the chance of being run in for giving a false report. This is how the first information report is recorded according to the evidence given before the committee. That again is a very important matter and it seriously affects not only the rights of individuals but also the purity of administration of justice in this province. There are certain remedies suggested with regard to this matter in the report and the Government would do well to give its anxious consideration to these recommendations.

Another matter which has been dealt with, and it is equally important though not perhaps from the points of view I have already submitted but from other points of view, is the strength of the police force and the

various grades of police officers in different districts in the province. Whatever may be the criticisms which may be levelled either in the press or from other places against the police force, it cannot be denied that it is one of the essential departments of any civilised country. On the one hand, any oppression by the police or any corruption in the police department is likely to make it an extremely ineffective department and is likely to create disaffection against the Government, on the other hand, any weakening of the strength of this department or the fact that the strength of the department is not equal to the duties which are imposed upon it is also likely to create dissatisfaction. In this connection, as has been stated by the committee, the station house officers and other officers below them are likely to shirk some of their duties on false pretences and in order to be able to show that they have attended to all the duties assigned to them they would write false returns and false diaries. With regard to this matter also some suggestions have been made by the committee in their report and these also require the careful consideration of the Government.

I do not propose to inflict any long speech on the House. But I hope I have indicated in general outline the important matters dealt with by the committee. The object with which I have moved this reduction of rupee one is to obtain an assurance from the Honourable Member in charge of the department that these matters would be looked into not only at the earliest possible opportunity but that they would be given effect to at the earliest opportunity. (Hear, hear).

**Mr. President :** Demand under consideration, motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan), Urban] : Sir, I wish to say two or three things in connection with the administration of the police department in connection with the motion for reduction moved by my honourable and learned friend the member for Sialkot. The first is with respect to the personnel of the police force. I assure the House that I am not referring to this matter out of any communal consideration whatsoever. The working of this department in the past has shown that the absence or the comparative absence of the representatives of certain communities from the police force has led to many untoward results. This has come into prominence during the last four or five years in this province, especially in connection with communal riots. The members of the Hindu community have felt that they have not received an adequate protection during these riots because their community was not adequately represented in the police department. Especially is it true in connection with the riots at Rawalpindi because those who have studied this question must know that Ganj Mandi which was the scene of terrible arson and loot during the riots of June 1926 is really situated at a distance of about two minutes' walk from the police thana and about a minute's walk from a police post ; so that it is really between two police posts and if the police wanted to save this place there would have been no difficulty in its way to prevent the terrible crimes that were committed on the 14th June in the Ganj Mandi of Rawalpindi. Complaints, I do not know whether adequate enquiry has been made into them or not, of the Rawalpindi people were communicated to the illustrious predecessor of the Honourable the Finance Member, Sir

[Dr. Gokul Chand, Narang]

John Maynard and they were also personally conveyed to His Excellency the Governor. The complaints were very serious and the principal point made out in the complaints was that the avenues leading from the city into the Ganj Mandi were closed, while the avenues leading into the Ganj Mandi from the neighbouring villages were kept open with the result that the people came from the neighbouring villages to set fire to the shops in the *mandi* and to loot these shops. They had no difficulty in entering into the *mandi* while the people who wanted to save their shops and property from arson and loot were not allowed to get in or in any case it was made a very difficult thing for them to save them or to get access to their property which was being either burnt or being looted and carried away. In fact the complaint was that several cart loads of booty were taken away under the very eyes of the police without any obstruction or hindrance or resistance offered by them. The fact remains that not a single arrest was made on the night or the following day in connection with the loot and arson in the city of Rawalpindi. For several days no first information reports were recorded by the police department there. These are very grave accusations and the reason given by the Rawalpindi Hindus is that they were not adequately represented in the police department. Otherwise these excesses would not have been committed by people who did commit these excesses in Rawalpindi. This is the first thing that I wanted to submit. Unfortunately I have not got the figures of police force in the province just now; they were placed, in answer to a question, on the table of the House and a cursory glance at that statement would show that whereas in the higher ranks of police force, the Hindus and Sikhs are properly represented, namely among Inspectors and Sub-Inspectors they are adequately represented, they are comparatively very few in the ranks of head constables and still fewer in the ranks of constables. It may be that owing perhaps to some other occupation.....

**Shaikh Muhammad Sadiq :** They take to the profession of *bannas*.

**Dr. Gokul Chand, Narang :** I was myself going to refer to that. Perhaps some of the Hindus owing to aversion to services which require hard work without adequate remuneration do not like to go into the police service. That may be so, but the fact remains that there is a great disparity between the representation of the various communities in the police force. I may also add that several cases have come to my knowledge where educated qualified Hindus have tried to get themselves enlisted in the police force without success. Their cases—I do not vouch for their accuracy or correctness, I am only voicing the grievances of these people who suffer—their cases are made over to officers who have no sympathy with them and who would much rather like to keep them out of the service. Sometimes they are disqualified because their chest does not come to the prescribed measurement or that their height does not come to the prescribed standard although if measured outside the police barracks or office their chest is all right and their stature is also all right and they do not suffer from any physical unfitness or any other defect whatsoever. These are complaints which require the serious consideration of the higher authorities and I hope they would look into this matter.

Then, Sir, the next point to which I want to draw the attention of higher authorities through you is the great corruption that is rampant in the ranks of the police. That question has several times been raised here and it has too often been met by the counter-question, 'whose brothers are they?' I am repeating the words of the former Finance Member, 'whose brothers are they?' This was repeated several times. No doubt they are our brothers but my answer is 'they are your servants and if you choose them on proper lines probably there would be much less corruption.' I made a suggestion in writing to the Police Committee, I do not know if they ever considered it, in order to reduce corruption. One thing that was suggested was that educated men should be taken into the police service, whether they are Hindus or Muslims or Sikhs or members of any other community. An educated man, I am proud to say, is generally speaking more honest; he has a higher sense of duty. There are black sheep even among the educated people; I know that. Many of these men have degraded the service and blackened their own face and the face of their country by taking bribes. But I am only speaking from a comparative point of view and I am sure that the educated people would behave better than the uneducated people. There is a wide-spread idea in this country that making something over and above one's pay is a matter of ordinary course. If anybody asks a servant of the Crown 'what is your pay' and he replies say 'Rs. 100,' the next question is about *پانچ* (that is) 'what do you get in addition to your pay?' It is taken for granted that something above one's pay should be earned. This idea should be knocked on the head not only by the Government but also by the people. I am sure that if people do not tempt the police officers, the latter will not take bribes and also if the authorities are more strict, cases of corruption will become fewer. The next suggestion, therefore, that I would make for reducing corruption would be that if any case comes to light it should not be slurred over. Sometimes people wait in deputation on higher authorities on communal grounds or on personal grounds and so on. No ear should be lent to such deputations and no representation in this respect should be listened to. Once a black sheep is caught it should be slaughtered without any mercy so that an example may be set for the other officers, and may serve as a lesson to those who are in the service.

Then, Sir, I would say a few words in respect of one particular matter of procedure. My honourable friend from Sialkot has already referred to the corruption or irregularity or mischief to which the recording of first information reports is liable. It is liable to misuse or abuse in several ways. Suppose a country fellow comes and wants to lodge a first information report. He will be kept waiting for several hours, sometimes for a day or even for two days. Unless the palm of the head constable who is acting as *moharrir* is greased, the first information report will not be recorded and the result sometimes is that when it comes up before courts the delay in lodging the first information report has to be explained and nobody would listen to an explanation that the delay was due to the corruption of the police, that though the man had been waiting at the doors of the thana the *moharrir* would not record his report. Sometimes what would happen, as my learned friend has pointed out, is that it is not what the informant wants to be recorded that would be recorded but what the head constable who is in charge of writing these reports wants to be recorded will be recorded. I would make a suggestion, therefore—I do not know whether it is feasible but I make it

[Dr. Gokul Chand Narang].

for what it is worth—that these first information reports may be allowed to be sent by registered post or even by telegrams and they should be regarded as if they were first information reports lodged personally. Then there would be no delay. That would both save delay and reduce corruption and that would save the time of the people and also the humiliation which they have to undergo sometimes by waiting at the doors of the police. Now in Rawalpindi itself it has been brought to my notice that for several days the people went to the thana and nobody would record their reports. The matter turned into a Hindu—Muhammadan question, and thanks to the inflammatory speeches made there during the month of May and the early part of June, the sufferers waited at the doors of the police and nobody would record their first information reports. If the public were allowed to send these first information reports by post or by telegram and if the fact had been known to them that they could send in the report that way, then there would have been no delay and no trouble. These are the suggestions that I make in connection with the administration of the police department.

**Khan Bahadur Mian Muhammad Hayat, Qureshi** [Shahpur West, (Muhammadan), Rural] (Urdu): Sir, before saying anything with regard to the police department itself, I would like to point out to the honourable member, Dr. Narang that this way of expressing his views does not appear to us to be the right way. He always begins by saying that he is free from communal bias or anything of that sort, but my experience is that he never misses any opportunity to make one or the other complaint against the Muslim community. If there is really a preponderance of Muhammadans in the police department and the Hindus are not fully represented, I will never grudge the Hindus to be given their due share, but may I say that we expect the same kind of toleration from the Hindus? In this connection I would rather suggest that a rule should be made requiring all departments of the Government to stop recruiting any member of that community which is in a majority in any department until and unless the number of the other community reaches the proper limit.

Coming to the department itself I have only one thing to say with regard to it. As every member is aware the evil of cattle-lifting is rampant in the villages, so much so that the villagers will not tether the cattle outside their houses or in the field as they used to do sometime before. They keep the cattle locked up within their houses for fear of the latter being carried away. In the circumstances the villagers are deprived of the advantages which they used to derive by tethering the cattle in the fields and that is that the dung of the cattle cannot be used as fertiliser. That is not all. Because the people in the villages do not know that their cattle are safe, they try to dispose them of whenever any opportunity offers itself, no matter what price they get in return. To check this evil I have one suggestion to make and I hope it will be given due consideration. Some sort of legislation should be made giving the courts power to summon before them a few leading persons of the village to which the suspect, belongs so that with their help as assessors the courts may be able to find the culprit. The courts should be further empowered to punish him not with a term of imprisonment or anything of that kind, but with a fine which should amount to the price of the cattle lifted. One may reasonably ask what useful purpose

such a legislation will serve, because the thief will willingly pay the price of the animal without feeling any pinch. But that is not the case. Some of the zamindar members, if not all, must be knowing the fact that thieves do not get more than Rs. 100 as the price of the cattle which could be sold by the real owner for Rs. 300 or so. Therefore I am sure that if one person is caught twice or thrice and is required to pay the penalty as I would call it, he is sure to give up that dirty occupation for ever. This is one of the most easy, effective and inexpensive remedies to check the evil of cattle-lifting. I again express the hope that this suggestion will be considered for what it is worth.

**Chaudhri Duli Chand** [Karnal, (Non-Muhammadan), Rural] (Urdu):

Sir, I had no intention to take part in the discussion of the matter before the House because I feel that I have said enough about it during the last two or three years. I know that every one of us has one or the other complaint to make against the police department, but I trust that these complaints will go now that the Police Enquiry Committee has suggested certain definite remedies which I hope, will be given effect to by the Government at the earliest possible date. As I have said before, I had no intention to speak on this subject, but after hearing Dr. Gokul Chand, Narang, I think I must say a few words. He has complained that the Hindus are not fully represented in the police department. That may be. But if the complaint was at all to be made it ought to have been made by Hindus of my type and not of the type of Dr. Narang. I may be wrong but my impression is that the Hindus of the type of the honourable member have got more posts than they ought to have got. It is the zamindar Hindus who have got a genuine grievance. They are few and far between so far as this service is concerned. With regard to the higher ranks of the police service, Dr. Gokul Chand was candid enough to admit that Hindus in these ranks are sufficiently represented. But here too the Hindus are of that class which is afraid of handling the gun and which gave the war loans not willingly but by coercion and under compulsion. The Hindus of my type who shed their blood not once but many a time for the King and the country do not hold even one post either that of the Superintendent of Police or that of the Deputy Superintendent of Police or even that of the Inspector. No doubt a few of the Sub-Inspectors are zamindars, but that is not a matter of great satisfaction. As regards the lower ranks of the police department the Hindu Jats, Rajputs, Ahirs and Gujars, will not generally accept the post of a constable carrying only a pay of about Rs. 18 per mensem. To them the military department is more attractive and there are more reasons than one for it. In the first place the items of future prospects, free ration and free clothing in the military department attract them which they get besides their pay. Then they are honest and as such they know that they will not be able to live honestly on Rs. 18 or so per mensem. And dishonest they will never be because that is against their traditions. As a proof of that I can say that generally all the Sub-Inspectors who belong to the martial races are honest. But our standing complaint is that the higher posts are denied to the zamindars just as it was done when the posts of lieutenants were opened to the Indians.

But this is all that I have been forced to say. Now a few words about the question of cattle-lifting to which a reference was made by one honourable member of the House. It goes without saying that nearly

[Chaudhri Duli Chand]

all the villages suffer from this evil. But to check it there are several effective remedies. One of them is being tried by the Government in my district, i.e., Karnal and that is the tattooing of cattle. To briefly state what is being done practically, I may say that the cattle are branded on their ears first with the letter 'K' to signify the district to which they belong. Below that some letter signifying the village and the thana to which the cattle belong is tattooed. Thus if a cattle is lifted and is taken to any other village the thief is at once detected. The question may be reasonably asked, how one should know that a certain cattle belongs to one person or the other of the same village. To avoid this sort of confusion patwaris have been asked to keep a register for each village where the number of cattle belonging to every villager is registered. This registration further helps the police in easily detecting cattle-lifter if there be one in any such village. The Sub-Inspector occasionally goes round to the houses of each village to see that none has got more cattle than he has got registered in the first instance. (A voice: How do they deal with the person who may have bought some cattle?). I am coming to that. If a person buys or even sells any cattle he is required to report that transaction and accordingly the entries are transferred. Some of the members might be aware of the fact that when in October last this proposal of making the experiment of tattooing the cattle was put before the House, I had opposed it on the ground that the Hindus might resent tattooing, particularly of the cows. I have had since occasion to revise my opinion because the machine with which tattooing is done is quite harmless. I can, therefore, assure the House that this remedy will prove effective in checking the evil of cattle-lifting and I hope that in due course of time it will be applied in all districts. If along with it the registration of cattle be made compulsory I am sure that this social evil can be rooted out. I am told that in America an Act called the Cattle Registration Act was passed to prevent cattle-lifting and that that Act proved quite effective. Our Government has not so far thought it advisable to adopt a similar course, but I may say that in Karnal the police are resorting to that course on their own initiative.

**Chaudhri Afzal Haq** (Hoshiarpur-pun-Ludhiana, Rural) (Urdu): Sir, I was not inclined to discuss the report of the Police Enquiry Committee, nor do I think that the present is the proper time to do it. The report should have been discussed after the Government had taken action on it. But now that the discussion has started I should also like to say a few words. It is a pet saying of Dr. Narang that he is never influenced by communal ideas, but all the same he is always eloquent in his attack on the Muslim community. Perhaps he does so because it has become a habit with him. Dr. Narang thinks that the Government are favourably inclined towards the Muslim community and that they ignore the claims of the Hindus. That impression is absolutely wrong. On the other hand, I have got sufficient material to show that the Muslim community has never been fairly treated. I would have refrained from indulging in this sort of talk, but I am forced to do so by what has been said from the other side of the House. When Lord Minto, once the Viceroy of India, came here, a deputation of the leading Hindus of the province waited upon him and represented that the Hindus were suffering at the hands of the police because there was a large majority

of the Muhammadan police officers in the service. The result of it was that although the Government issued a statement to the effect that police service being a semi-military service, only Muhammadans could prove efficient police officers, a secret and confidential circular was at the same time issued to the officers concerned that all possible facilities should be provided to the Hindus who may be willing to join the police department. Coming to more recent times, we know that at the time of the disturbances at Kohat, Pandit Malaviya, the arch-advocate of communalism, requested the Chief Commissioner of North-West Frontier Province that his community should be given 88 per cent. of the posts in the police department although its population there is not more than 6 or 7 per cent. That is not all. Dr. Narang himself, who is never tired of proclaiming in this House that he is against communalism, issued a letter a year and a half ago to all the Hindus advising them that they should try to join the police department in larger numbers. In that letter he further suggested that those, who would have to undergo pecuniary loss by accepting the posts of constables carrying a pay of Rs. 18 per mensem, should be compensated from a special fund to be raised for the purpose. Is it not the height of communalism?

**Dr. Gokul Chand, Narang:** Certainly not.

**Chaudhri Afzal Haq** (continued in Urdu): That means we should be prepared for something more drastic. Besides that, nearly all the Hindus who appeared as witnesses before the Police Enquiry Committee said in their evidence that corruption in the police department is mainly due to the fact that there is a majority of Muhammadans in that department.

**Dr. Gokul Chand, Narang:** I was not the person to accuse the Muhammadans of greater corruption. I never did it.

**Chaudhri Afzal Haq** (continued in Urdu): If I had been there I should have asked these witnesses whether the Irrigation Department and the other departments where the Hindus are in a majority, are free from this evil. However I am glad that the committee has given no credit to the statements of those witnesses and has said in its report that Muhammadans are not particularly to blame. If you will allow me, Sir, I would like to remove the misunderstanding under which these gentlemen are labouring. If my friends opposite are inclined to believe what a Muhammadan, honest and sincere, says honestly and sincerely, I may tell them that it is the Hindu sub-inspectors who have amassed huge amounts of wealth during their term of office and it is they alone who have acquired vast properties, of course by extracting money from the public. If an independent committee were to enquire into the matter, it will also come to the same conclusion. Again, Sir, a deputation of the Hindus waited upon a responsible police officer at Simla as a result of which the latter has recently promoted certain Hindu police officers to the rank of Deputy Superintendent of Police, some of whom had never had an occasion to do investigation work in the capacity of an incharge of the police station.

At this stage the Council adjourned till 2 p. m. on Friday the 11th March 1927.

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## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

*Friday, the 11th March 1927.*

THE Council met at the Council Chamber at two of the clock.  
Mr. President in the Chair.

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### POLICE GRANT—(concluded).

**Mr. President :** The Council will resume discussion on Chaudhri Zafarulla Khan's motion.<sup>1</sup>

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana, (Muhammadan) Rural] (Urdu) : Coming now, Sir, to the Committee's Report under consideration I should first congratulate the members of the committee for the candidness with which the facts coming to its light have been stated. But at the same time I have one complaint to make in this connection. It appears to me that the Report is one-sided. If one were to read it, one will at once find that the committee has taken special care to defend the police department against any criticism and if such a reader did not know any thing of the personnel of the committee he is sure to say that the committee must have consisted of members belonging to the police department. Then the political agitators have been particularly mentioned as responsible for any defects in the working of the department. Yesterday when we were quarrelling amongst ourselves the Government were chuckling in their sleeves but after reading the report I should say that they are the greatest offenders in this respect. Our quarrelling with each other is not unnatural, and if we quarrel at all we do so to be drawn closer to each other just as it happens in the case of an husband and his wife. But I may let the Government know that even when we quarrel we cannot forget the best interests of the country.

**Mr. President :** I am not aware that the Police committee's report has been made available to all the members of this House. (Cries of no, no). I understand its copies were supplied to the members of the old Finance Committee and also to the members of the Police committee but have not been supplied to the members of this Council. If I am informed rightly the very report which is under discussion is not in the hands of the members. Therefore either the report must be in the hand of every member of the House or its discussion should be stopped. May I ask the Honourable Finance Member if he can possibly manage in a few minutes to place the report in the hands of the members ?

**Lieutenant Sardar Sikandar Hayat Khan :** I understand extracts from this report were published during the lifetime of the last Council and they were supplied to all members of the last Council.

**Mr. President :** That may be the case but extracts are not the complete report. Perhaps the complete report has not been made public yet.

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<sup>1</sup>"That the total grant be reduced by Re. 1."

**Lala Bodh Raj :** I think even extracts are not before the House.

**Mr. President :** I understand the extracts were published in the Government Gazette which is supplied to every member of the Council but the question is whether the complete report of the Police committee is under discussion or only certain extracts out of it. The motion as worded refers to the Police committee's report and not to any extracts from that report.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** I may explain, Sir. Extracts from the Police committee's report were published in the gazette. The extracts consist practically of the whole of the first part of the report. Part II of the report consists only of certain details by districts. Part I of the report contains all the recommendations as regards policy and that part with the exception of one paragraph was published in the gazette.

**Mr. President :** Are the honourable members prepared to discuss the Police committee's report when it is not in their hands?

(Cries of no. no.)

I hope the Honourable Finance Member will have no objection to take into confidence the honourable members of this House by placing in their hands copies of the report which has not been supplied to them already.

**Lieutenant Sardar Sikandar Hayat Khan :** There seems to be some apprehension about this point. Extracts were also published in a book form and were supplied to all the members of the previous Council. Of course there may be some new members who have not received them; but extracts were already published in a book form and they may now be placed in the hands of the new members.

**Lala Keshoram Sikri :** May I know whether the extracts are the subject matter of discussion or the Police committee's report? If it is the Police committee's report which is the subject matter of discussion, I submit that we are entitled to have copies of the report.

**Mr. V. F. Gray :** Even if the report is placed in our hands now I doubt if it will be of any use in discussing this motion.

**Mr. President :** I am afraid under the circumstances, the discussion will have to be stopped until the report is supplied to the members. Has the honourable speaker the full report in his hand?

**Chaudhri Afzal Haq :** I have only the extracts, Sir.

**Mr. President :** Then I must stop further discussion of the report which is not available.

**Chaudhri Afzal Haq :** When are we going to discuss this amendment, Sir?

**Mr. President :** I may point out that no questions can be put to the Chair except on points of order. It is not possible for me to tell him when, if ever, the report in question will be discussed. I can only repeat that it cannot be discussed unless it is supplied to the members of the Council. It is for the honourable member to decide how he should approach the Government with a request to make the report available to the members of the House. I repeat again that unless the report is available I do not think any

further discussion can be allowed on the motion as worded. Had it been differently worded, say, had it raised a discussion only on the extracts already referred to, it might have been possible to go on with the discussion; but circumstanced as we are, I am afraid we cannot continue the discussion on the Police committee's report which is not public property yet.

The question is:

"That a sum not exceeding Rs. 98,23,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Police."

The Council then divided: Ayes 38; Noes 10.

### AYES 38.

Mr. R. H. Crump.  
Mr. C. M. King.  
The Honourable Malik Muhammad Firoz Khan, Noon.  
Khan Bahadur Nawab Muzaffar Khan.  
Mr. H. M. Cowan.  
Sir George Anderson.  
Mr. A. R. Astbury.  
Mr. J. B. G. Smith.  
The Honourable Mr. Manohar Lal.  
The Honourable Sardar Jogendra Singh.  
The Honourable Sir Geoffrey deMontmorency.  
Mr. H. W. Emerson.  
Mr. B. H. Dobson.  
Mr. H. D. Craik.  
Diwan Bahadur Raja Narendra Nath.  
Mr. Labh Singh.  
Lieutenant Sardar Sikandar Hayat Khan.  
Chaudhri Ram Singh.

Lala Mohan Lal.  
Chaudhri Kesar Singh.  
Chaudhri Baldeo Singh.  
Mian Ahmed Yar Khan, Daultana.  
Rai Sahib Lala Ganga Ram.  
Lala Gopal Das.  
Lala Joti Parshad.  
Rai Bahadur Lala Ratan Chand.  
Lala Kesho Ram, Sikri.  
Khan Bahadur Malik Muhammad Amin Khan.  
Khan Sahib Khan Muhammad Saif-ullah Khan.  
Malik Nawab Major Talib Mehdi Khan.  
Chaudhri Ali Ahmad.  
Chaudhri Umar Hayat.  
Mr. V. F. Gray.  
Sardar Ujjal Singh.  
Sardar Bahadur Captain Dalpat Singh.  
Sardar Bahadur Sardar Shao Narain Singh.  
Sardar Bishen Singh.  
Mr. E. Maya Das.

### NOES 10.

Shaikh Faiz Muhammad.  
Rana Firoz-ud-Din Khan.  
Raizada Hans Raj.  
Lala Bodh Raj.  
Chaudhri Muhammad Abdul Rahiman Khan.

Chaudhri Atzal Haq.  
Sardar Hari Singh.  
Sardar Partap Singh.  
Sardar Kundan Singh.  
Sardar Santa Singh.

The motion was carried.

## JAILS AND CONVICT SETTLEMENTS GRANT.

**The Honourable Sir Geoffery deMontmorency** (Finance Member) :  
Sir, I beg to move :—

"That a sum not exceeding Rs. 35,41,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Jails and Convict Settlements."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 35,41,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Jails and Convict Settlements."

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, I beg to move :—

"That the total grant be reduced by Re. 1."

Sir, in fact there is no serious complaint against the Jails department and, therefore, I will not avail myself of this opportunity to offer any destructive criticism against it. But I must be plain enough to say that recommendations of the Jails Enquiry Committee have not been given effect to in full. For example the committee recommended that the prisoners should not be required to do that kind of labour which can be got done by the oxen and buffaloes more profitably. The Imperial Committee of 1920 made the same recommendation and the Government was also pleased to promise that so far as possible such kinds of labour would be done away with. But I am sorry to point out that nothing so far has been done in the matter. Even in the central jail, which ought to be a model jail, the prisoners are required to work the *kohlu*. Still harder than that is the labour of grinding corn which I have pointed more than once before is the chief cause of corruption in jails. Put any human being, however, strong and stout he may be, to this labour of grinding corn and you will see that he is not able to grind as much corn as the jail rules require him to grind. To this hard labour another difficulty is added. The very first day a criminal enters a jail he is put to this labour and if he is not accustomed before to any kind of manual labour, as is always the case with most of them, he finds it impossible to grind the whole amount of corn given to him, never mind, if even he may have worked for eight, ten or even twelve hours a day. I do not mean thereby that this is done against the rules or that the Government has any ill-will against the prisoners, but I emphasise this point simply because I know for certain that this kind of labour is the chief cause of corruption in the jails. Only recently I had an opportunity to visit the Gurdaspur jail and I had expected that during the last six months, when I had not been in touch with the administration, sufficient improvement will have been effected, but I was surprised to find that instead of wheat the prisoners were grinding *jawar* which is more difficult to grind than wheat. The zamindar members at least might be aware of the fact that whenever the women in the villages intend grinding *jawar*, they keep it in the sunshine for one week and sometimes for two and three weeks at a time before actually grinding it so that it may become sufficiently dry. But in the Gurdaspur jail no consideration is being paid to this fact and the result is that number of punishments awarded for violation of the jail rules during the year 1926 is twice as compared with the figure of such punishments during the year 1925.

Then the Government has taken more time than it was desirable to dispense with the services of those jail officials whose past record of service is very bad. No doubt such officials who have not been very corrupt in the past and who, therefore, hope to be retained in the service have grown very cautious. But the others who know from their past record that they will not be retained in service any longer, have thought it worth their while to exact as much money as possible during this respite, as I would call it, that has been given to them. I know that the Government is very serious but I would request it that it should make no further delay in the matter.

Next to this I take the question of food that is supplied to the prisoners. We have requested the Government many a time to supply the prisoners wheaten bread but we have always been met with the reply that to introduce this reform huge expenditure will have to be incurred. The jails enquiry committee has also expressed the same view, but it has not cared to give us an exact idea of the money that will be required to introduce this reform. I have collected some figures in this connection and I have come to the conclusion that if the amount of wheat that is issued by the superintendents under section 446 and another amount that is ordinarily allowed be taken into consideration, only a few thousand rupees more will be required to replace the *missi* bread by wheaten bread. Government, as I understand, is of opinion that, not thousands of rupees, but lakhs of rupees will be required to carry out our wishes in this respect, but as I have said before only a few thousand more will do and I should have very much liked to show this by figure. But I am sorry I have not brought them with me to-day because I never thought that this demand would come up before the House so soon. However I will send these figures and I hope Government too will make the necessary enquiries to ascertain exactly how much more money will be required to introduce this much-needed reform.

The next point to which I would like to draw the attention of the Government is of the criminals who are sentenced to be hanged. I have requested the Government many times before by means of questions that such criminals should invariably be hanged in their home districts. I know my request has not wholly fallen on deaf ears. Recently some such criminals were hanged in their home districts, but what I want is that none in future should be hanged outside his home district, because otherwise the relatives of such a criminal are put to a great inconvenience on account of travelling long distances to see him who is about to leave them for ever. And if such relations be poor and old the inconvenience takes the form of hardship which they undergo for no fault of theirs. Even the most despotic and cruel monarchs are not known to have refused this concession. Therefore I am sure my request this time will not go unheard.

This brings me to the sufferings of the prisoners who are rotting in the unhealthy and unsuitable climate of the Andaman islands. The Imperial Jails Committee of 1920 recommended that all such prisoners should be brought back and should be confined in the jails of their province and accordingly a few of them were transferred to the jails of this province. May

[Chaudhri Afzal Haq]

I request the Government to bring back the remaining prisoners also as soon as possible? I understand that since recently the Government has begun to persuade these remaining prisoners to bring their families to the Andaman Islands. Some of them have even been brought here to appeal to their wives and children in the name of natural love and affection to accompany them back to these islands. So far we do not exactly know what the Government has in view which has necessitated the taking of this step, but it is said that with the help of these families it is intended to colonise some new area in these islands. We strongly protest against such an action particularly when we know from a statement that was published some time back on behalf of the martial law prisoners that there is none to ventilate their grievances or to convey them to the Government. The remissions in the term of imprisonment and other concessions allowed in the Punjab are not allowed there. Sometime ago I had asked the Government by means of a question to tell us why it was detaining the prisoners of this province outside the province and I repeat the same question here in this Chamber. This time I have also given notice of a resolution on the subject which is coming up for discussion before the Council and, therefore, I will not go into the details of this question. I will content myself with saying that by confining the prisoners of this province in the jails outside it, the Government punishes not only the criminals but also the relatives of such a criminal. This trouble is aggravated by the fact that no statement as to the weight or health of such prisoners is published by the Government for the information of their relatives. I do not insist that such information about weight and health should be necessarily supplied to the relatives of such prisoners, but what I wish is that the Government should recognise this principle and recognising it should supply such information through any agency it may like.

My last though not the least request is that the prisoners in the jails of this province should be supplied with writing materials and with newspapers and periodicals to read. In all European countries the prisoners are not only supplied with such facilities but they are even tempted by promises of remissions in their sentences to write useful notes or histories of their lives or such other things. But here in this province if ever any educated prisoner asks for writing materials the superintendents of jails turn a deaf ear to their request. I admit that such a concession if given is likely to be misused. But you can withhold that concession from the prisoner who misuses it and that is what is done in the case of all concessions. I am glad that libraries have since been opened in some of the jails but I am sorry to say that no periodicals or daily newspapers are allowed to enter the jails. I understand that the Government of India in their correspondence with our Government have refused to allow the periodicals and newspapers entering jails, and I do not understand on what reasons this refusal is based. However, I make another proposal to which I hope the Government will have no objection to agree and that is that such newspapers at least should be allowed to enter the jails as are not of the extreme type. For example *Civil and Military Gazette* and *Pioneer* can be safely allowed to the prisoners. Even if that proposal is not acceptable, the Government

should at least allow the entry of periodicals in the jails as it had promised to do sometime ago. I am glad to learn that the Government intends making some arrangements for the education of prisoners and if along with it periodicals and such other daily newspapers as are not in any way objectionable are also allowed, we will feel very grateful to the Government.

**Mr. President :** Demand under consideration, motion moved :

"That the total grant be reduced by Re. 1.

The question is that that motion be adopted.

The motion was lost.

**Mr. President :** The question is—

"That a sum not exceeding Rs. 35,41,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Jails and Convict Settlements."

The motion was carried.

#### ADMINISTRATION OF JUSTICE GRANT.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member);  
Sir, I beg to move—

"That a sum not exceeding Rs. 42,34,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Administration of Justice."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 42,34,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Administration of Justice."

**Rai Sahib Chaudhri Chhotu Ram** [South-East, Rohtak (Non-Muhammadian), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 3,72,500—Total Mufasil Establishment."

Sir, my object in moving this amendment is to draw the attention of the Government to the unequal distribution of the posts of Public Prosecutors amongst the various classes of His Majesty's subjects. But I desire to make it clear that I will not press this motion to vote. There are in all 28 posts of Public Prosecutors in the province. Out of these, 15 are being held by Hindus, 10 by Muslims, 2 by Sikhs and one by a Christian. Further examination of these figures will show that out of 15 Hindus none is a zamindar. As regards Muslim Public Prosecutors, I have not been able to ascertain how many of them are zamindars, but both the Sikh Public Prosecutors are, as I am told, non-zamindars. The Christian Public Prosecutor, of course, is another non-zamindar. Therefore it comes to this that out of the 28 Public Prosecutors, only a few Muslims are zamindars, because I think that there cannot be more than 4 zamindars out of the ten Muslim Public Prosecutors. Now this proportion of zamindars in this service, who comprise of nearly 80 per cent. of the population and who pay the larger portion of the revenue to the Government is really disappointing.

It is sometimes alleged that suitable zamindar candidates are not available so as to be appointed as Public Prosecutors. That allegation is absolutely wrong. I am not prepared to believe that the whole of the zamindar community has not been able to produce even 15 or 20 such capable

[R. S. Ch. Chhotu Ram]

men who may be able to discharge efficiently the duties of this post. I should say that that is only a plea to keep the zamindars out of this service. Even if it were admitted for a moment, though it is far from the truth, that zamindars are not available in sufficiently large numbers who may efficiently discharge the duties of a Public Prosecutor, may I ask whether the persons actually holding these posts were taken simply because they were all of them very capable and deserving candidates? If one were to try to sift the truth, one is sure to find out that nearly all the incumbents were taken in, because each of them had a relative or friend to approach the officers with whom these appointments lie. My lawyer friends in this Council will bear me out if I say that Public Prosecutors are generally not very capable lawyers. I, therefore, request the Government to see that in future the claims of zamindars are not overlooked.

**Mr. President :** Does the honourable member wish to press his motion to the vote of the House?

**Rai Sahib Chaudhri Chhotu Ram :** No, Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

**Rai Sahib Chaudhri Chhotu Ram** [South East Rohtak (Non-Muhamadan), Rural] : Sir, I beg to move :

"That the grant be reduced by Re. 1 with respect to the item of Rs. 55,44,330—Total Major Head."

**Mr. President :** May I point out to the honourable member that the total demand is less than the amount he proposes to reduce. On reference to page 209 of the budget he will find at the top of the page that the total demand, including the non-voted item, is Rs. 51,19,000 only, while according to his motion it is Rs. 53,44,330.

**Dr. Gokul Chand, Narang :** Zamindars perhaps do not know all these matters.

**Mr. President :** Apparently he has not kept in view the distinction between the voted and the non-voted items.

**Rai Sahib Chaudhri Chhotu Ram :** That seems to be the reason (Urdu) : Sir, I may say at the very outset that unlike the previous motion I wish to press this motion to vote, and before I say anything with regard to the matter itself, I may also request the honourable members that they will please try to avoid introducing communal spirit into the discussion of this motion.

3 P. M.

**Dr. Gokul Chand, Narang :** I wish to have your ruling, Sir, for the benefit of the House on the question which I would just put before you. The other day, I think it was the day before yesterday, you were pleased to rule that no questions involving the discussion of zamindar *versus* non-zamindar would be allowed in this House. Do not these amendments offend against that ruling?

**Mr. President :** I think my ruling has been misunderstood. It is not in the power of the Chair to rule that no member of the House should raise that point while discussing any motion. What I said and meant to say was

that in discussing a particular motion the arguments are not to be repeated. That is all I said. I could not and did not say more. I may mention that no member other than the honourable member himself raised the question in a very virulent form yesterday. So, I am afraid, I cannot help him now.

**Dr. Gokul Chand, Narang :** If I did so, why did not you, Sir, stop me then and there ?

**Mr. President :** Because, too much interference on the part of the Chair may not be liked.

**Dr. Gokul Chand, Narang :** I would never resent any interference if it is made on a proper occasion and in the proper place.

**Mr. President :** I am very glad to hear that. A specific motion is now under discussion. In my yesterday's appeal to the House I distinctly made a reservation that specific motions in proper form could be tabled and discussed. I do not think it is in the power of the Chair to exclude a subject from the discussion of the Council, if the same can be discussed in conformity with the Rules and Standing Orders in force.

**Rai Sabib Chaudhri Chhotu Ram** (continued in Urdu) : Sir, I have not the least intention to discuss this matter in such a manner which would injure the feelings of any class or person. But at the same time I think that I will not be doing my duty towards my electors if I were not to voice their feelings and put before the House their grievances simply because certain other class which is admittedly guilty of usurping the rights of zamindars may resent my doing so. I am rather of opinion that if the members on my left side sincerely wish that such unpleasant topics should cease to be discussed in this Council, they will be well advised to help us in removing the root cause of all this unpleasantness, and that can be done only if they do not grudge the zamindars and other communities getting what is their due.

I now proceed to place before the House the facts and figures which will show that there are very few zamindars in the Civil Judicial Service. I am sure that after I have quoted these figures the zamindar members will be sorry to know the real state of affairs. That is quite natural, but I also hope that these figures will not fail to elicit sympathy and proper consideration at the hands of all right-minded non-zamindar members. There are in all 13 selection grade posts in the Civil Judicial Service, out of which 8 are being held by Hindus, two by Muhammadans, one by a Sikh and two by Anglo-Indians. Now let us see how many of these Hindus, Muhammadans and Sikhs are zamindars. So far as I have been able to ascertain none of them is a zamindar. Anglo-Indians, of course, cannot be classed with zamindars. But even all Hindus, the two Muslims and the one Sikh in this grade are non-zamindars. Next in rank to these posts of Sessions Judges are the posts of permanent Sub-Judges and their number is 154. These 154 posts of permanent Sub-Judges include 78 Hindus, 55 Muhammadans, 17 Sikhs and 4 Christians. In the list distributed to members in July last there were shown 162 posts in all in this service, but according to the figures I have been able to collect the number of these posts is 184, including 18 posts of Sessions Judges, of which I have already made a mention, 154 posts of permanent Sub-Judges, 11 posts of officiating Sub-Judges and 6

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of Additional Sub-Judges. Now out of 11 officiating Sub-Judges, 4 are Hindus, 5 Muhammadans, one Sikh and one Christian and out of the 6 Additional Sub-Judges, two are Hindus, two Muslims and two Sikhs. If we were to add up all these figures, we will find that 92 posts are being held by Hindus, 64 by Muhammadans, 21 by Sikhs and 7 by Christians. We have next to see the number of zamindars amongst these Hindus, Muslim and Sikh Sessions Judges and Sub-Judges. If the definition of a zamindar as given in the Land Alienation Act were taken as the basis of our calculation, there is only one zamindar out of 92 Hindus and 3 or 4 zamindars out of 21 Sikhs. As regards 64 Muhammadans, I cannot say with certainty how many of them are zamindars, but I am sure there cannot in any case be more than about 30 zamindars amongst them. The Christians are, as a matter of course, zamindars without any exception. Therefore it is apparent that the number of zamindars in this service is very very small, as compared with their population in the province. Even according to the definition of a zamindar as given in the Government Circular of 1919, the number of zamindars in this service falls far short of the number that is their due on the basis of their population and I will presently show that, by quoting the figures in connection thereto. As I have said before the statement prepared in last January 1926 shows the total number of posts as 162. That statement further gives separately the number of Hindus, Muslims, Sikhs, zamindars and non-zamindars in the Civil Judicial Service. According to that statement the number of Hindus is 87, of Muslims 55 and of the Sikhs 20. The percentage of zamindars amongst these Hindus, Muslims and Sikhs is 39, as compared with 61 of the zamindars. These figures I have placed before the House as I found them in the statement prepared by the department itself, but I can say without fear of contradiction that we cannot rely upon them as quite correct, and I have my reasons to say so. In the first place it is very difficult to ascertain who is a zamindar and who is not according to the definition of the circular and then the officers entrusted with such enquiries have not got sufficient time to spare to critically go through the case of every individual. Therefore it is not too much to say that many wrong entries are made in the list of zamindars by the clerks who are drawn from among non-zamindars. The members will be surprised to learn that in one such list of a department, which came to my notice, the Sodhis and Bedis had been shown as zamindars according to the definition in the Land Alienation Act and they will be still more surprised if I tell them that in the same list a Sikh Jat had been shown as a non-zamindar both under the Land Alienation Act and the broader definition of 1919.

This is how these lists and statements are prepared and this is the reason why I say that we cannot rely upon them as correct. But if it were admitted for the sake of argument that the statement referred to by me is correct, even then the state of affairs is not at all satisfactory. The continuous efforts of the last eight years, since the circular mentioned above was issued, have produced no good result. We practically stand where we started. Therefore it will be something approaching an absurdity if the zamindars were asked, to keep quiet and wait. If the percentage of zamindars had reached 50 or so by this time and we had been further promised that in another four or five years the percentage will reach the maximum limit required, we could have

kept quiet. But circumstanced as we are we cannot ask our brethren with any justification that we should not raise any hue and cry. If the honourable members on my left side are justly inclined, I am sure they will support the cut I have proposed.

It is often said in reply to the demands made by the zamindars that the latter are not able and efficient enough to discharge the duties of a Sub-Judge, it is a remark which cannot but arouse feelings of indignation in the minds of zamindars. All the same I hope that the question before the House will be discussed very calmly and without any avoidable heat. To those who raise this objection I put one question. How do they judge whether a particular individual will prove efficient or not? No doubt the results of University examinations can and should form a rough basis for judging the ability of the various candidates, but I would submit, Sir, that the divisions and the marks obtained by the students in such examinations are not the only or necessarily the right standard for forming a correct opinion about the natural intelligence or intrinsic ability of the different candidates. The good or the bad results of these examinations depend much on the preparation each examinee may have done. The students of the urban areas are always and undoubtedly much better circumstanced than the students of the rural areas so far as preparation for examinations is concerned. The atmosphere in which the former live is far more congenial. They have their educated relatives and friends to guide and tell them what questions are likely to be asked in a particular examination; what is the tendency of a particular examiner and how the questions asked should be answered. But the atmosphere that surrounds the students from the rural areas is quite different.

**Dr. Gokul Chand Narang:** That is what we say.

**Rai Sahib Chaudhri Chhotu Ram** (continued in Urdu): The honourable member can say whatever he likes when his turn comes. But it is no use interrupting me when I am in possession of the House. I was saying, Sir, that the students from rural areas do not get the same good opportunities as the students of the other class for preparation for various examinations. Not one minute of the latter passes outside the company of educated friends and relatives. On the other hand, the sons of the villagers forget a large portion of what they may have read in a school or college when they go back to their homes in the long vacation. This is why I say that the relative ability and natural intelligence of two students, one belonging to a town and the other to a village, cannot be rightly judged by the divisions or marks each may have obtained in any examination without making due allowance for these other factors. I admit that students of the urban areas have this advantage over the other class of students that they have inherited some of the ability and intelligence of their educated forefathers. But this advantage is neutralised by their poor health which is proverbial. Therefore in practical life what is left is natural intelligence and ability in which respect students from rural areas are in no way inferior to the other class of students and which, as I have explained above, cannot be rightly judged by the results of University examinations.

But who really cares even for the results of University examinations? Even these results are ignored when it is meant to favour a particular

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class or community. I understand that the present practice of the High Court is to reserve two posts for the sons of those who may have been in the past or who may be at present employed in the Civil Judicial department at every selection of candidates for the post of Sub-Judge. May I know why these two posts have been reserved for men of the classes which already preponderate in this department? There can be one and only one answer to this question, and that is that by this rule it is intended to perpetuate the preponderance of a particular class in this service. Why should not this concession be given to zamindars who richly deserve it? So far as I know only once in about two years 8 or 10 men are taken as Sub-Judges, and if two out of these must continue to go to those for whom they are, at present, reserved the results cannot be satisfactory. Besides this there is another back door through which enter the Jainis who are only a class of non-zamindar Hindus. A certain number of posts is reserved for a group called the 'Miscellaneous Group.' The experience of the past few years has shown that sometimes Christian and generally Jainis are taken under this group, although it is a matter of common knowledge that the Jainis do not in any way belong to a backward class. They are, on the contrary far ahead of other classes of Hindus both in education and in wealth. I said just now that University results were frequently ignored and in support of my statement I will give the House a definite example. It happened once that among others two candidates from the same part of the province applied for the post of Sub-Judge. One of the applicants was a zamindar and had a brilliant university career besides. He was awarded University scholarships both after his Matriculation and Intermediate examinations; he was third in the list of successful candidates in the Degree examination and secured the first position in the University in one of his subjects. He then passed his LL. B. examination in the first division. But the other applicant was a non-zamindar and had no brilliant University career. He passed his Intermediate examination in second division, his B.A. examination in the third division and his LL. B. examination in the second division, there being no third division. All the same the zamindar candidate was rejected and the non-zamindar candidate was accepted. I know that the Government wishes that academically best students should always be taken in each of its department, but in practice only those succeed in getting appointments who have got influential friends and relations to support them. The same holds good of the post of Sub-Judge. After what I have said I am sure that no member of the Council will rise to oppose the cut I have proposed. The zamindars are 80 or 90 per cent. of the population. They have rendered conspicuous war services. They pay the greater portion of the revenues and they are in no way inferior to others in natural intelligence and ability. Besides, there is another fact worth consideration. Most of the civil suits that the Sub-Judges are called upon to dispose of are filed by or against zamindars. It is, therefore, not only just but necessary that zamindars should be appointed as Sub-Judges in greater numbers. Before I close my remarks I may warn the Government and the authorities concerned that if the claims of the zamindars continue to be ignored and usurped as in the past, the result will be that the zamindars will begin to despair. And I need not tell you what those people do who have lost all hopes of getting what is their due.

**Mr. President:** Demand under consideration, motion moved—

"That the Total grant be reduced by Re. 1."

The question is that that motion be adopted.

**Diwan Bahadur Raja Narendra Nath** (Punjab Landholders (General): Sir, I will follow the advice which has been given to us by the honourable member who has just spoken. I will calmly speak on the subject and will not use any words which may be objected to by my honourable friend as being harsh. I simply wish to point out in a very mild manner by a process of *reductio ad absurdum* the consequences of the policy which he is advocating. He has not clearly defined the word 'zamindar.' He has not explained what is meant by the word 'zamindar.' But I understand that what he means is this that a person who belongs to the tribe notified under the Land Alienation Act is the only person who can call himself a zamindar. He has referred to a resolution issued in October 1919 in which percentages were fixed for appointments in different departments for zamindars and non-zamindars. But he has forgotten one important part of the history of administrative policy which has come to the front since the resolution was passed. Since then we have had the Reform Scheme and the Council and its Ministers have followed a policy somewhat in variation with the proportion fixed by the resolution. The Council has fixed communal proportions so much for Hindus, so much for Muhammadans and so much for Sikhs. Now I wish to know how these two kinds of proportion have to be reconciled with each other? It seems to me that the consequence of the policy which my friend is advocating will be that about 34 per cent. or 30 per cent. will go to the Hindus and out of those 30 per cent. 34 per cent. of appointments going to the Hindus, 63 per cent. will be absorbed by the agricultural classes and only about one-third of the 30 per cent., that is, 10 per cent. will remain for non-agricultural classes of Hindus. Amongst the Muhammadans and Sikhs, agriculturists predominate, and if we apply that rule to the Sikhs, the result will be that 12 per cent. will go to the Sikhs, 75 per cent. of which will go to the agriculturists and 25 per cent. of the 12 per cent., that is to say, 3 per cent. will go to the non-agricultural Sikhs. Is my honourable friend prepared for the consequence of that policy? I will not go into the merits of it. I will not examine the principles on which this policy is based. I simply wish to point out the immediate consequence of the policy that he is advocating.

Another thing. Is he aware of the inconsistency which is involved in fixing proportions on the basis of agriculturists and non-agriculturists for appointments and maintaining the policy of the Land Alienation Act, that is to say, preventing non-agriculturists from buying land and encouraging agriculturists to dissociate themselves from the tilling and the cultivation of land? It seems to me that the two policies are inconsistent. If a man is appointed a civil judge or a munsif, he is taken away from the pursuit of agriculture. What then remains in him of agricultural pursuits and how does he partake of the characteristics of the agricultural population? If he becomes a teacher, if he becomes a lawyer, what is there to associate him with agriculture? He forgets everything about agriculture and yet to insist

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that such a man should have preferential right to the acquisition of land is an absurdity. Let me draw the attention of my friend to section 24 of the Land Alienation Act which empowers local Government to exempt certain classes from the application of the Land Alienation Act. If the number of Government servants, judicial officers, lawyers, teachers and others taking up pursuits which have no connection with agriculture increases, there will be a reason to exclude all those persons from the privileges, which the Land Alienation Act gives, that is to say, to sever them from the restrictions which the Land Alienation Act creates and to deprive them also of the prerogatives which the Act gives. Is the honourable member prepared for that?

As for the few instances in which he says injustice has been done to certain agriculturist candidates by persons who belong to non-agriculturist class and who happen to be in authority and power to give appointments, if those instances are correct and if the facts stated by him are true, let me tell him that if any partiality has been shown by those officers it is due to the heat engendered by this controversy of which the honourable member is the strongest advocate and originator. If there were no discrimination between the agriculturists and non-agriculturists, if that distinction had not been insisted upon by any policy laid by the Government or by any statutory provision enforced by Government, there would be equal justice to all, there would be no friction. So, it seems to me that my friend is aiming at inconsistent things. He wants men whose usual occupation is agriculture to be employed in pursuits which are altogether unconnected with agriculture and yet remain agriculturists. What reason can be given in favour of this policy? How long can Government continue to enforce this policy? I am not at all averse to agriculturists, if they are deserving, getting appointments and getting their fair share of the appointments in Government service, but to claim that they should get certain proportion of the appointments solely because they are agriculturists, is, I think, going too far.

**Shaikh Faiz Muhammad** [Dera Ghazi Khan (Muhammadan) Rural] (Urdu): Sir, I had no mind to speak on this subject till yesterday when my honourable friend, the member from North-West Towns Non-Muhammadan, Urban, introduced the question of communal considerations in this House. His speech showed that he wanted that Hindus should be represented in the police department.

**Dr. Gokul Chand, Narang**: I do not wish that at all.

**Shaikh Faiz Muhammad** (continued in Urdu). He himself touched upon this question yesterday and he invited the attention of the Government towards police department. Sir, the situation in this province is indeed very strange. Some communities hold a monopoly of posts in certain departments of Government. They wish to retain that monopoly and are trying to establish similar monopolies in other departments. This means:—

”میتھا میتھا ہرپ اور کڑا کڑا نہر“

My learned friend has very ably put forward the case of zamindars before the House. I quite agree with him because the majority of zamindars are Muslims. It is said that there is no concrete definition of zamindars and that

there is no distinguishable sign by which a zamindar may be known as such. In this connection, Sir, I would leave aside the case of zamindars, but I would like to refer to the case of Musalmans. At least a Musalman can be easily known and defined. Let us see now what treatment is being meted out to the Musalmans.

**Dr. Gokul Chand, Narang :** On a point of order, Sir, I want your ruling on this point whether it is permissible for the honourable member to convert the amendment into one which would deal with the communal representation in the judicial service.

**Shaikh Faiz Muhammad** (continued in Urdu) : May I continue, Sir ? Sir, the main objection which is raised is that of efficiency. The word efficiency is a riddle to us. We cannot understand its meaning and its implications. Pray tell us where we can find its significance.

**Diwan Bahadur Raja Narendra Nath :** In the report of the Public Service Commission.

**Shaikh Faiz Muhammad** (continued in Urdu) : Sir, sometimes efficiency means academical distinctions, sometimes it connotes special knowledge of a particular line and sometimes all these combined. In my opinion these are mere pretences for depriving Muslims of their rights. I can safely say, Sir, that for the judicial department you can get Musalmans possessing legal knowledge of the highest order. In spite of this I can prove to the hilt that their claims are being ignored and similar is the case with Sikhs. They are also being overlooked. Sir, it is an irony of fate that before 1919 Musalmans were efficient enough to hold the posts of judges and chief judges in the High Court, but after that their efficiency vanished for reasons which are too well-known to be mentioned here. Sir, we admit that the cause of this treatment also lies with us. We ourselves had passed the resolution regarding representation of Indians in the higher posts of judiciary. Sir, it is an open secret that an ex-judge of the High Court, I mean Khan Bahadur Shaikh Abdul Qadir, was obliged to resign his post because it so happened that he disagreed with the Chief Justice, Sir Shadi Lal, in some matters.

**The Honourable Sir Geoffrey deMontmorency :** Sir, on a point of order, is the honourable member in order in discussing the personnel of appointments to the High Court on an amendment which relates to appointments to the provincial civil service (judicial) ?

**Mr. President :** In this connection I wish to invite the attention of the honourable members of the House to Standing Order 90 (2) (iii) which says "a member while speaking shall not reflect upon the conduct of any Court of Justice in the exercise of its judicial functions." The question is whether the administrative functions of the High Court or any other court can be discussed in this House. So far as I am aware there is no rule which debars such a discussion. If any member of this House were to make an attack or reflection upon the honourable judges of the High Court or even of the judges of any subordinate court in the exercise of their judicial functions, I will be the first to object to his doing so. I shall be obliged if any honourable member of this House would enlighten me further on the subject so that I may, if necessary, change my view.

**Shaikh Faiz Muhammad (Urdu):** I anticipated this objection, but I have studied the Standing Orders, and I say that I can discuss the administrative side of the High Court.

**Dr. Gokul Chand, Narang:** On a point of order, Sir. I stand up because you have been pleased to invite the members of this House to point out, if there is any objection to the debate being carried on on the lines on which my honourable friend over there wants to carry it. He has mentioned one of the Honourable Members of the Board of Justice who preside in the High Court, namely, the Chief Justice. In the first place, the administrative department of the High Court, so far as I am aware, is not entirely in the hands of the Chief Justice. Therefore, even though reference is permissible to the High Court in its administrative capacity, no name can be singled out. I assure you, Sir, that in the severance of the connection of the honourable gentleman whose name my honourable friend has been pleased to mention in this Chamber from the High Court, the Chief Justice had no more hand than the other judges of the High Court. This is a commonplace information, and every one who has anything to do with the High Court or takes any interest in the public affairs in Lahore is bound to know. If any one wants to make himself sure he can go to the records of the High Court and see the proceedings of the Judges meeting. Then he would know that probably the Chief Justice was the last person to put his signature to the resolutions which ended the connection of Shaikh Abdul Qadir with the High Court. I would, therefore, submit, Sir, that reference to any particular member of the High Court bench is not permissible, subject of course to whatever ruling you may be pleased to give. If the honourable member wants to cast any reflection upon the administrative side of the High Court or wants to criticise any administrative act of the High Court he can at the best only refer to the High Court as a whole and not to any individual judge who presides over that Court.

**Mr. President:** I was not attentive, and I did not hear that the honourable member from Dera Ghazi Khan had referred to any Judge by name or that he meant to reflect upon him. If he has done so he should withdraw his words and apologise.

**Shaikh Faiz Muhammad:** Sir, my words seem to have been misconstrued. I did not mean this at all. I am a practising Vakil myself, and I am the last man to cast any reflection on Courts of Justice. I withdraw my words, and if my words have offended anybody in the House, I am prepared to apologise.

**Mr. President:** Is the honourable member prepared to withdraw and apologise or not?

**Shaikh Faiz Muhammad:** I have already withdrawn. Moreover, I am prepared to apologise for having used those words.

**Mr. President:** According to the Parliamentary practice:

"Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment or by the distinct vote of the House. Among these may be mentioned the conduct of the Sovereign, the Heir to the Throne, the Viceroy and Governor-General of India, the Lord Lieutenant of Ireland, the Governors-General of the Dominions, the Speaker, the chairman of ways and means, members of either House of Parliament and judges of superior courts of the United Kingdom, including persons holding the position of a judge, such as a judge in a court of bankruptcy and of a County Court."

In a word, reflections against the judges in India and other parts of the British Empire are out of order. Therefore, no disrespectful mention of any judge of any High Court, or subordinate court should be made. If the honourable member must criticise, he can criticise only the administration of a Court but not its judicial acts. To my great regret, I possess no authority to stop the honourable member from criticising even the administrative side of the High Court; otherwise I would not allow him to mention the High Court at all. If I am further enlightened in the matter I shall be only too glad to change my view and stop the honourable member from criticising the administration of the High Court.

**Shaikh Faiz Muhammad:** I have already withdrawn those words. At the same time I wish to point out. . . .

**Mr. Labh Singh:** In the citation which you have been pleased to make just now, the word 'judges' occurs. That does not mean necessarily any judge individually. It means any single judge as also judges collectively or in a body, and in that sense any reference to the power of the judges or of the High Court as such would be excluded on a proper and correct interpretation of the ruling, more especially when it is plain that their appointments do not vest either in this House or with the Government of the Punjab (Hear hear).

**Mr. President:** Yes. Reflections cannot be made upon the conduct of a Court of Justice whether it is presided over by judges singly or collectively, but the question is whether a court's administrative actions can be criticised or not. On this point our own Standing Orders are in my way. Standing Order 30 says:

"A member while speaking shall not reflect upon the conduct of any Court of Justice in the exercise of its judicial functions."

If the framer of this Standing Order meant to exclude judges entirely and absolutely the word "*in the exercise of its judicial functions*" should not have been inserted. That is my difficulty. But I am ready to be corrected and shall be obliged if any other honourable member of the House will help me out of the difficulty. The Standing Order is in my way, and I cannot see my way to get over it.

**Mr. H. D. Craik** (Chief Secretary): Sir, I rise to a further point of order. If I recollect aright, one of your predecessors in the Chair took the same view as yourself, and held that it was open to this House to criticise the High Court in the exercise of its administrative functions. The honourable member, if I understood him aright, was not doing that at all. He was criticising the personnel of the bench of the High Court. That, Sir, I submit is not a subject which is primarily the concern of the Governor of the Punjab in Council or of this Council. Appointments to the High Court bench are made either by His Majesty the King Emperor or in certain cases by the Governor-General in Council. I submit that on the analogy of the rule whereby a question cannot be asked in this House unless it is primarily the concern of the Governor of the Punjab in Council, on that analogy it should not be open to this House to discuss the personnel of the High Court bench.

**Mr. President:** I agree with the honourable member. No member should introduce the personnel of any judge of the High Court or of a subor-

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minate Court. Only the administrative action of the High Court if necessary may be touched.

**Shaikh Muhammad Sadiq :** May I know, Sir, when we are asked to grant money for new judges, why we should not criticise their appointments? When we are asked to vote money, we can either vote it or reject it. When the Government wants this Council to vote money for judges, I cannot understand why they should take out of the purview of the House the discussion of the necessity or otherwise of the appointments of judges? When we are asked for money, we have every right to criticise the purpose for which the money is asked for.

**Mr. H. D. Craik :** The salaries of High Court Judges are not voteable.

**Mr. President :** I was going to invite the attention of the honourable member to section 72-D (3) which says :

"Nothing in the foregoing sub-section shall require proposals to be submitted to the Council relating to the following heads of expenditure :—

Salaries or pensions payable to or to the dependents of :

Judges of the High Court of the province, and the Advocate-General."

**Shaikh Faiz Muhammad :** Sir, I withdraw my words and I quite agree with Mr. Craik in his interpretation of the Standing Order. If some undesirable words escaped my lips, it is because that we, Muhammadans, are very much distressed and oppressed in this respect.

**Dr. Gokul Chand, Narang :** On a point of order, Sir. Now that you have been pleased to give certain rulings in connection with this matter, may I request you again also to give a ruling on the point whether this amendment can be utilised for turning the question into a communal one. You were not pleased to give a ruling on this point. If a discussion is allowed on the lines followed till now, it is likely to lead to further troubles and will engender unnecessary heat. I would like your ruling on this point.

**Mr. President :** I hope the honourable member, who is in possession of the House, will be able to steer clear of all difficulties. If I recollect aright he said that it was very difficult to define 'zamindar.' As the majority of the Musalmans are zamindars, the word 'Musalman' may be used for the word 'zamindar.' Besides, the honourable member has apparently used the word 'zamindar' as including all zamindars, Hindus, Sikhs and Muslims. How far he is right in doing so, is for him to decide? I am not here to correct him. But that is what I understood him to state and this is how he tried to make his speech relevant.

**Shaikh Faiz Muhammad :** I leave the High Court aside and I also leave its staff and administration altogether.

**Mr. President :** I would strongly advise the honourable member not to bring in Hindu-Muhammadan question (hear, hear). The motion is perfectly clear. The object of the mover was to draw attention to the paucity of zamindars and the predominance of one class in the civil judicial service. I hope the honourable member will speak to the motion and not wander beyond its scope.

**Shaikh Faiz Muhammad :** I think, I shall have a right to speak on the main motion after this amendment is disposed of. I propose now to leave

this Hindu-Muhammadian question, and if occasion arises, I would like to speak on the main motion.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member): Sir, I should like to explain that the Government, as the honourable member for South East Rohtak has already stated issued a resolution in 1919 in which it laid down that subject to the paramount consideration of efficiency in the services, zamindars as defined in that resolution should be encouraged to enter the public services. This encouragement was to be gradually attained by two methods. The first was by fixing the percentage of zamindars as defined in that resolution to be attained in certain departments and the other was by fixing, provided qualified persons were forthcoming, a proportion of recruitment of zamindars to different services. As regards the Punjab Civil Service that resolution laid down that after excluding the Europeans and Anglo-Indians, one-half of the remaining strength of the provincial service both in its executive and judicial side should consist of zamindars. At the same time in those days there existed a judicial service, called 'Munsifs.' That service has since been done away with. As regards munsifs, it was a judicial service, and the order was that a proportion of 66 per cent. of the non-competitive appointments to that service should be held by zamindars. As, however, at the time, it was intended to make some change in the recruitment of munsifs it was not laid down how exactly this proportion was to be attained. Since then the Provincial Civil Service, judicial service has been separated from the Provincial Civil Service, executive service and the service of munsifs has been done away with and amalgamated in the Provincial Civil Service, judicial. No definite proportion of zamindars has therefore been fixed for the Provincial Civil Service, judicial, as it at present stands. But the same idea applies to it as was applied to the Provincial Civil Service, as a whole in 1919. At the time of the enquiry which led up to the issue of the resolution of 1919 the proportion of officers in the munsif class who were zamindars was only 29 per cent. The proportion of officers in the Provincial Civil Service, judicial, at the present moment or rather on the 1st of January 1926 who are zamindars according to the definition of zamindars in the resolution of 1919 is 89 per cent. In the Provincial Civil Service, executive, however the proportion of zamindars is 61 per cent.

In the Provincial Civil Service, executive, therefore, the object which the resolution of 1919 had in view appears to have been realised. In the Provincial Civil Service, judicial, the spirit of the order—for there was no precise order applying to it—does not seem to have been realised to the same extent. (Hear, hear). The attention of the Government has already been drawn to this discrepancy and the matter will form the subject of consideration in consultation with the High Court who conduct the recruitment to the Provincial Civil Service, judicial. I hope that explanation will satisfy the honourable mover of this reduction.

(Sayad Muhammad Hussain stood up to speak on his motion.)

**Mr. President:** Does the honourable member (Rai Sahib Chaudhri Chhotu Ram) wish to press his motion? Is he not prepared to withdraw it after hearing the Finance Member?

**Rai Sahib Chaudhri Chhotu Ram :** Shall I be in a position to reply to some of the arguments which have been put forward by members on the other side ?

**Mr. President :** The honourable member has a right of reply.

**Rai Sahib Chaudhri Chhotu Ram (Urdu) :** Sir, in the very beginning of my speech I had respectfully requested.....

**Dr. Gokul Chand, Narang :** Other members also wanted to speak.

**Mr. President :** The debate ends when no speaker rises to speak or the closure motion is proposed and carried. Only one member (Sayad Muhammad Husain) stood (I thought) to propose his own motion and he also resumed his seat immediately without saying a word. Upon this the mover of the motion, under discussion, asked my permission to make a reply, and I permitted him to do so. Had any other member risen and got my permission to speak, the debate might have continued. However, if a large number of members wish to speak on the motion, I would request the mover not to exercise his right of reply at this stage.

**Dr. Gokul Chand, Narang :** There was a certain misunderstanding on the part of some of the members. When the Honourable Finance Member made his explanation, you were pleased to call upon the honourable mover of the amendment and enquire of him whether in the light of the explanation given he would be prepared to withdraw his motion and then he began to speak. There was no interval between the reply he made with respect to the withdrawal and the starting of his speech for others to have stood up. I think there was some misunderstanding.

**Mr. President :** The honourable mover of the motion has a right of reply which he can exercise at this or a later stage. Even after he has replied, if other members wish to speak on the motion, I will allow them to do so.

**Rai Sahib Chaudhri Chhotu Ram :** I will exercise my right of reply at the end.

**Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadan), Rural] :** I had at first no mind to speak on this motion. But it seems to me that we are rather asking for favours and not for justice. If the honourable member desires that justice should be done to the zamindars, and if there are cases where zamindars have applied for posts and have been refused on insufficient grounds, the statistics should have been given and the case proved here. The thing is that the zamindars or agriculturists have been backward in education. Moreover, they have not been applying in sufficiently large numbers for appointments so that they may be recruited to the service. If these points are taken into consideration and if it can then be shown that the zamindars have been refused appointment on grounds which were not quite fair and they have been dealt with unfavourably, then I think the question would have arisen that they are not being treated in the right manner. But as I find even from the speech of the honourable member, it is mostly the favours that are asked for and special treatment that is required. I would ask the honourable member to bring forward next time as many applications for these posts as he can in the province and then say : "so many applications were put in, such and such were the

qualifications of those people and they have been rejected," so that this House may know whether they are really badly treated. I am also an agriculturist, and I also like to see that justice is done to this class. I am in favour of justice being done to the zamindar class if they are being treated badly. But if it is shown that they are treated just like the other classes, then nobody is to blame. All the zamindars think it their right to enter the military department. Similarly those classes which are ahead in education consider it their right to enter the other departments. They are debarred from entering the military because they are not supposed to be fit for that, i.e., the Government consider that they are not fit for the military service. Similarly if the zamindars are not well qualified in this other direction, I do not think anybody is to blame, but the zamindars themselves. I am of opinion that in this House justice alone should be demanded. (Hear, hear).

If justice is demanded and if every member is bent upon doing justice to each community and to each class, I do not believe that there will be any complaint about the zamindar or non-zamindar, about the Hindu or Muhammadan or Sikh or Christian. With these words I resume my seat.

**Chaudhri Yasin Khan** [Gurgaon-cum-Hissar (Muhammadan), Rural] (Urdu): Sir, I do not propose to inflict a lengthy speech on the House at this stage, but I would like to make a few observations with respect to the points raised by the speaker who has preceded me. Sir, a poet has pertinently remarked :—

من از بیگانگان هرگز نه نامم      نه با من هرچه کرد آن آشنا کرد

Sir, the motion before the House is a sort of touchstone. Even if it is passed we know we will not gain much, but we want to see whether Government has any regard for us or not. Sir, ever since we have been elected to this exalted body we have been thinking over these questions and trying to discern friends from foes. As I have said before, this motion is a sort of touchstone which will show whether we should repose our confidence in those who are wearing the garb of friendship, but are not good at heart. We do not propose to wreak vengeance upon anybody by putting forward this motion. We only want pure and simple justice. We have sacrificed our person and property for the sake of the Empire. We have shed our blood in the cause of the State. We have rendered yeomen services to the Government, but it is a matter of profound regret that when Government has something to grant, it looks towards others and ignores the fact that zamindars are much more deserving than others. We know that all the judicial posts are not in the hands of Provincial Government, but at the same time we know that Punjab Government has got power to entertain sub-judges. Sir, in the last recruitment of sub-judges, Government deliberately ignored the claims and rights of zamindars in spite of the fact that their representation in the judiciary is very meagre. Sir, it has been remarked by a speaker in this House that zamindars should look after their cattle and plough and see that their lands may not be converted into banjars. I submit, Sir, that we have got enough men to till our lands and our friends need not worry about it. We are healthy and

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sturdy and can afford to spare our brothers for any vocation or calling. We can send our brothers for service in the police and military departments. If our friends wish us not to enter into these services we would request them to spare our lands. If they will desist from purchasing lands in the Nili Bar we will admit that they are sincere. Sir, the fact of the matter is that zamindars are always deprived of their rightful shares in the services of the State. If Government gets alarmed by the articles in the press, it should know that zamindars also know how to make agitation, and if they indulged in such matters it would become very difficult for the Government to cope with the situation. I respectfully submit, Sir, that justice should be done to zamindars.

Then, Sir, there is one more point to which I must refer. It is always said that for services, efficiency should be kept in view. What is this efficiency? An old saying is —

سب سے بڑی سہاگن وہ جس کو نہ دیا جائے

The reason is clear. The selecting officers are prejudicial to us. And it is to be regretted that Punjab Government sides sometimes with one, at other times with other party and not with the majority party as it should. At present unfortunately the tables have turned against us, but these things must be changed, because majority must prevail. Besides this, other occasions are bound to come when the service of zamindars will be required by Government. The Great War has just ended, times are changing, it is just possible another war may break out when these *pan* selling banias will not be forthcoming to take part in the war. Our representation in services is already very poor, but despite this, different ways and means are being devised to deprive zamindars of their legitimate shares in the judicial service.

In the end, Sir, I would like to request the Government that if our demands are just and proper, then these should be granted without any further delay. Pray do not ignore us. Do not overlook our past services. We know that our strength can be weakened by nominations and other methods, but in that event we will wait for better times. But I may assure you, Sir, that we have always been faithful to the Government and are more trustworthy than the non-zamindars. When the Government can rely on us, why should it ignore us? With these few words, Sir, I resume my seat.

**Chaudhri Ram Singh** [Kangra (Non-Muhammadian), Rural] (Urdu): Sir, I am a zamindar myself, and I wish that my zamindar brothers should make progress by leaps and bounds, and that they should get employment in each and every Government department. But at the same time I believe in the principle of "live and let live." Those who want to reach the goal of success by crushing others are not praiseworthy, and the society which allows this is not to be regarded as a good society. This question of zamindars and non-zamindars is an old and vexed one, and I am unable to understand how long we are to be confronted with it. Sir, I have already stated that we should not make our living by killing others. That is not commendable. Non-zamindars are already debarred from purchasing lands under the Land

Alienation Act. Besides this our friends are trying to put obstacles in the business of money-lending.....

**Mr. President :** The general question of zamindar *versus* non-zamindar is not before the House. The motion under discussion relates to the paucity of zamindars and the predominance of one class in the civil judicial service. The last speaker as well as the present speaker have wandered far away from the motion before the House.

**Chaudhri Ram Singh** (continued in Urdu) : Sir, I think I was speaking with respect to the motion under discussion, because it involves the question of service.

**Mr. President :** I expect the honourable member to respect the ruling of the Chair and speak to the motion.

**Chaudhri Ram Singh** (continued in Urdu) : Sir, I bow to your ruling. But I would like to point out that if non-zamindars are not fit for Government service, if they are not to be taken in the police or military department where should they go ? Does the Government want to drive them to the Indian ocean ? Government must not ignore them. They are also human beings and are the subjects of His Majesty the King-Emperor. With these words, Sir, I finish my speech.

**Mr. H. D. Craik** (Chief Secretary) : Sir, I should not like the debate to conclude without making a small contribution to it myself, as I happen to be the only member of this House who was a member of the committee which led up to the resolution of 1919. I think no member of this House who has known my record during the years I have been connected with this Government, can accuse me of lack of sympathy with the zamindars. I also happen to have a large amount of work connected with the making of appointments to the public services, and I can assure the House that it is always the practice of Government, when selecting recruits to the various branches of the public services, to scrutinise their records, their educational qualifications and their origin with the most anxious care. Government is, as the Finance Member has explained and as indeed is stated in this resolution, fully aware of the large claim which the zamindar population has on a due proportion of the posts in the public services. We often have allusions made to the Resolution of 1919, but it may be that some members are not aware of its actual words, and for their benefit I will read out a few lines from the resolution :—

"Considerations based on such broad figures as the above are reinforced by the not less important fact that education and enlightenment are spreading with considerable rapidity among the rural and agricultural classes.....and last but not the least by the experience of foreign countries which has been gained by many of the very large number of soldiers which the zamindars of the province contribute to the ranks of the Indian Army. Facts such as the above indicate, in the Lieutenant-Governor's opinion, that the time has come for definitely securing to the landed classes an adequate representation in the public services of the province. But any standard proportions which may be laid down for this purpose must of course be taken subject to the proviso that a sufficient number of candidates of adequate educational qualifications will be forthcoming as they may be required from time to time."

Any one who reads those words will admit that it is the desire of Government to see that the landed classes secure an adequate representation in the public services and in regard to nearly all the services definite proportions have been laid down by Government. The process, however, must be slow

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We are, I am glad to say, getting year by year from the landed classes an increasing number of recruits to the various branches of public service who can compete in education and intellect with any other class in the province. The number of such candidates that come forward is increasing year by year; and whenever we can, we do our best to take such candidates into the service. But as the last speaker, whose speech I am glad to say was illuminated by a spirit of toleration which I wish I could always see when such questions come up before the House, has observed: 'one must live and let live.' One cannot altogether ignore the fact that there are other classes who at present lead the way in education and intellectual attainments. It is not fair to keep out the man of outstanding educational merits, merely because he does not belong to a certain tribe, and in these days when education is spreading amongst all classes and when I think everyone will admit that we should attempt to demand a higher standard of qualifications for our public services, it is not fair to take a zamindar with an inferior education merely because he is a zamindar. Subject to these reservations, Government is faithfully endeavouring to follow and give effect to the policy laid down in 1919 and as the analysis of the figures for certain departments which the Finance Member has put before the House, shows considerable progress has already been made in the comparatively few years that have elapsed. Government admits that the progress has not been so rapid in the judicial service as it has been in some others and not perhaps been so rapid as we, as well as the honourable mover, would have liked. But the Finance Member has given an undertaking that this matter will be taken up in consultation with the High Court and in view of that undertaking I would ask the honourable mover to display a similar spirit of toleration and good humour as was displayed by the last speaker and not to press this motion with the possibility of engendering further friction on this very controversial question.

**Sayad Muhammad Husain** [Montgomery (Muhammadan), Rural], (Urdu): Sir, when my honourable friends opposite have condemned Acts, like the Punjab Alienation of Land Act, which is undoubtedly a good piece of legislation for zamindars, how can we think that non-zamindars whom the honourable members opposite represent in this House, are our well-wishers? The zamindars form eighty or ninety per cent. of the population of the province, but their representation in the judicial line is only 99 per cent. Is it not a deplorable state of affairs?

**Mr. President:** I must point out to the honourable member that he is not speaking to the motion.

**Sayad Muhammad Husain:** Sir, when we sacrifice our lives for the sake of the Government in battlefields, when we fill up the coffers of the Government by paying *Abiana* and other taxes, should not we ask them to grant us a due share in various services? In the matter of services, sheer injustice is being done to us. We are asked to be content with only 99 per cent. The Honourable Member for Finance and the honourable the Chief Secretary have remarked that the Government would consider the matter under discussion in consultation with the High Court of Judicature at Lahore. Sir, this proviso, that is, "in consultation with the High Court

of Judicature at Lahore" gives us no hope. The Honourable the Minister for Agriculture, the Honourable the Minister for Local Self-Government and the Honourable the Member for Revenue belong to agricultural tribes.

**Mr. President :** Order, order. Is the honourable member speaking about judicial appointments? I would appeal to him to speak to the motion and not wander away from it.

**Sayad Muhammad Husain :** Sir, had the Honourable Malik Firoz Khan, Noon, been in judicial department he would not have risen to the rank of even a Sessions Judge. It must have been said against his appointment as such that he has not sufficient practice as a lawyer. Sir, when zamindars can produce persons capable of holding the highest positions under Government, when they can become members of the Executive Council of the Governor-General and the Viceroy of India, I am at a loss to understand why they are considered to be incapable of holding the post of a Judge of the High Court. When the zamindars are holding posts on a salary of say, Rs. 4,000 or Rs. 5,000 a month, how is it that they are unfit for the post of a Sub-Judge who gets about Rs. 300 a month? We are treated as sheep. But it is just possible that we may also one day take to agitation and throw off our garb of sheep. It is just possible that the Government may again stand in need of our help. In that case we shall have to tell the Government to ask those intellectually advanced people for help. In the end, I am sorry to remark that the Government has not cared to carry out their resolutions fixing the limit of zamindar representation in Government service. With these words I resume my seat.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadian Urban)]: Sir, I have been wishing to avoid speaking on this subject, but unfortunately one is sometimes driven to take part in a debate in which he has no intention to take part. I was accused yesterday of having introduced the communal matter which created some unnecessary heat in the brain of the honourable member representing the Muslim constituency of Hoshiarpur sitting opposite and he went into my private activities and into the private life of Pandit Madan Mohan Malaviya. I say private, because the acts of a private member, that is a member who is not an official and the acts of persons who are not members of this Council cannot be criticised in this House. Of course, that is a matter on which the Chair should have interfered, and so I made no grievance of it. Again to-day a similar situation has arisen and I would probably be accused of having, if not started, at least taken part in the discussion.

I shall start by saying, Sir, that this amendment is only a camouflage for another amendment, and the cat was let out of the bag by my honourable friend who was really obliged to resume his seat under the fire of points of orders and rulings from the Chair. In plain words I would say that this is really an amendment which means that the Muhammadans should get more posts in the judicial department than at present. There is not the slightest doubt that the honourable mover of this amendment, Rai Sahib Chaudhri Chhotu Ram, has been made a cat's-paw of in this case and while claiming to protect the rights of the zamindars as a whole he has really played into the hands of the majority members of his party and probably if left to himself he would not have brought forward this amendment. On this aspect of the

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question I would not dilate any longer. I would only say that the act of the honourable mover is perfectly intelligible and is also pardonable, because when one is brought to bay he has to lead a forlorn hope and he has to satisfy those on whose support he has to depend. Therefore I do not blame him, and his action, as I already said, is perfectly pardonable.

As regards the intrinsic merits of the question, I would submit that this principle whether the Government has adopted it or not is mischievous, just as the principle of communal representation in services is mischievous. I would not look upon any man who advocates the principle of communal representation in services as a patriot, as a lover of his country. I make bold to say that I never advocated this principle at any time in this Council or anywhere else outside. My sole object in referring to that matter was to suggest a measure which might avoid administrative difficulties, not because the Hindus would have got more posts and Muhammadans would have lost some, but because owing to this extreme disparity, a certain situation had arisen which the Government had found very difficult to control. My position would have been the same if the Sikhs and the Hindus had been larger in the police department and the number of Muhammadans had been less. If such a situation had arisen in the province, I would have advocated the introduction of a further element of Muhammadans into the services so that the extraordinary preponderance of the Hindus and Sikhs in that department might not lead to any untoward results. That was my sole object and it was far from me to present before this House that question from any communal point of view. I thank you, Sir, for allowing me to offer this bit of personal explanation. I would submit that the present amendment is in its essentials absolutely the same as if it were put in different words, namely, that the attention of the House or of the Government was to be drawn to the paucity of Muhammadans in this House. There is no difference between the two. Now, Sir, as was just hinted by one of the preceding speakers, the honourable mover of this amendment has really omitted to mention before this House some very important facts and has not discussed some very important points. The very first point that required discussion by him before this House was to give us some workable definition of a zamindar. It has more than once been hinted when discussing in this House that this word zamindar is really undefinable. If it is to be taken in its literal sense, namely, one who owns lands, one who holds lands, then many people will be included in the definition whom the mover of this amendment would not like to be introduced and it would leave out some whom he would like to be included. Because, certainly there are some people who have not even an inch of land that they can call their own and yet my honourable friend would not exclude them from the definition of a zamindar. On the other hand, people who own village after village, people who own thousands of acres would be excluded by him, because Providence arranged their birth in a family which did not fall within the four corners of a certain legislation. That is exactly what his position comes to. Therefore in the absence of a correct idea as to what a zamindar is and what he is not, the whole discussion really becomes fruitless. He should either stick to one definition or to the other; either to the definition which was introduced sometime in 1919 which would include Brahmins, Khattris, Aroras, Jains and others who

are not treated as zamindars in his dictionary, or he should entirely confine himself to the definition which is given in the Alienation of Land Act. That would be a position intelligible to this House, but the position taken up by him is really not intelligible.

The next thing then is that my honourable friend ought to have also provided this House with statistics showing the percentage of literacy among the so-called zamindars and among others. Literacy would not be sufficient by itself. When he is talking of appointments in the judicial department of this province he ought to know and presumably he knows that the passport to appointment in the judicial department is really a double degree or at least one degree from some university. He ought to have placed before us statistics showing that the number of graduates available for recruitment to judicial service from among the zamindars was this or that. He has failed to do that. Therefore we are not in a position to know whether there are any qualified zamindars who have been deprived of their deserts or whether they had any right to come. That has not been done. An attempt was made only to mention one case of a zamindar who had a brilliant academic career, and my honourable friend pointed out that his application was rejected and that he was not selected, but another man, a non-agriculturist with inferior qualifications was accepted.

If he had mentioned his name, we would have been in a position to point out whether it was a genuine instance or not.

5 P.M.

But, assuming that it was genuine and that such a thing had happened, the matter would not end here unless my honourable friend proved that there were no counterbalancing factors. Even in that case specified, there were other factors which outweigh the little academic or even the more academic superiority that the zamindar candidate possessed. In the absence of that, we are not in a position to accept my honourable friend's *ipse dixit* on that point. He has not also pointed out how many of the properly qualified zamindars applied for appointments in the judicial department and how many were refused. The practice is that Government does not go abegging to anybody's house saying: "Will you oblige us by accepting these posts." Even Ministries are not offered, or rather not always offered like this, not to speak of sub-judgeships. (*A voice: They are sometimes offered.*) I corrected myself by saying that they are *not always offered*. I think I am right in saying that even ministerships are not always offered like that. Posts under Government are to be applied for and the procedure laid down for recruitment of sub-judges is that the applications have to be sent up through the district judges to the High Court. Then all the applications are considered by the Judge in charge of these applications and that consideration is not done by the Chief Justice alone and individually. Then certain applications are selected.....

**Mr. President:** The honourable member is referring to the personnel of the judges of the High Court which he ought not to do.

**Dr. Gukul Chand, Narang:** I do not want to defend myself, though I can do so. I will not repeat that. Then an interview is called for and if the academic qualifications of the candidates and their appearance are

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sufficiently satisfactory then they are selected for these posts. It was therefore necessary for my honourable friend to point out that so many applications had been made, so many rolls had been sent up and so many rejected on no other grounds than that these people were zamindars, or that even when they possessed equal qualifications they were not given an equal chance with others.

My honourable friend spent a considerable part of his time in discussing one important change in the rule; that was, under the present rules, as he said, two out of these seats are reserved for the sons or relations also of judicial officers, and he made a great grievance of that. This was the process of reasoning in which my learned friend indulged. As at present the judicial officers are preponderatingly recruited from non-agricultural classes, therefore every year two persons who would be selected as relations of judicial officers in all likelihood, or in a greater likelihood would belong to non-agricultural classes. His contention is that this process is continued for some time to the detriment of the agriculturists. Well, there is no doubt some force in what my honourable friend said. But he should not forget that every Government servant who has rendered some meritorious service to Government expects encouragement. If the agriculturists want squares of land, if they want honours and titles of captains and if they want pensions—these are substantial things in the form of pensions, titles and squares of land—well, the non-agriculturist who has served the Government faithfully for 30 or 35 years and who has rendered meritorious service would naturally expect that his services should also be rewarded in some manner and if taking that point into consideration, two appointments have been reserved for the relations or sons of judicial officers.....

**Mr. H. D. Craik :** They are not reserved.

**Dr. Gokul Chand, Narang :** Then, I will pass on. The whole basis on which my honourable friend has erected a splendid fabric of his argument falls to the ground because I am assured by the honourable the Chief Secretary that it is not true that any seats are reserved for them. I was not myself sure whether it could be true. I was assuming that it was true and even then I was trying to defend that position. But now that the whole basis is gone, that part of the criticism which was offered by the honourable mover also disappears.

My honourable friend also went into details and took up the cause of a Jain who had entered into judicial service by the backdoor. By putting two and two together, I think I shall be safe in concluding that he has referred to a particular case from Rohtak side, because that case must have come within the personal knowledge of my honourable friend, the mover of this amendment. If it is that case that he has in mind, I would assure the House that that was an extremely exceptional case. The young man who has been appointed from among the Jains was, if I am not mistaken, one who had stood first in the Indian Civil Service examination, but had been superseded for certain reasons and somebody else had been selected. It was therefore an act of tardy and belated justice which was done to him. Whereas in course of time he would have become a deputy commissioner or even a commissioner, he was now given the post of a sub-judge, although he stood

first in the examination for the Indian Civil Service held in India. Therefore I expect that that instance would not rankle in the mind of my honourable friend.

Then, Sir, the honourable mover said that doubts were expressed as regards the efficiency of the zamindars, and that they were, as a matter of fact, not inefficient. Moreover, he said, that they are in better health and therefore according to a well-known proverb they also possess better minds and better brains. I assure the honourable mover that no one thinks that there is anything inherently wrong with the brains of any zamindars or any agriculturist as such. God has endowed those people with the same brains as he has endowed the other people with. As such, therefore, there is no difference in the intellectual capabilities and possibilities of the zamindars and the capabilities of non-zamindars. As the honourable mover himself said, they are so circumstanced and the result is all the same. The zamindars, as a rule, cannot achieve the same efficiency as non-zamindars. As he himself said, the zamindars live in outlying districts and in outlying villages. Perfectly so. They have therefore fewer opportunities of higher education. Perfectly so. That is what I would also say. They do not get as good teachers as the pupils who live in cities. That is again another circumstance to which he might as well have referred. These are things which go to show that the zamindars do not get the same opportunities as people living in the city; but the fact remains all the same, whatever the reasons may be that the net result is that the zamindars on the whole are not so well endowed intellectually as the non-zamindars.

I am glad, Sir, that a slip has now been placed into my hands and I hope it would facilitate in meeting one other objection raised by my honourable friend, that is, with respect to the zamindars of superior qualifications being passed over in favour of non-zamindars. The slip that has been placed into my hands gives the information that there was one particular case in which my honourable friend Chaudhri Chhotu Ram had particularly interested himself, and that was the case of a Jat. Unfortunately that Jat could not be taken and in his place a non-Jat, but an *Ahir*, who was also an agriculturist, was taken. If that is the case, this part of the criticism also loses its force, because an *Ahir*, I hope, is as good a zamindar, and as good an agriculturist as a Jat and he forms part of the formula *Ajgar* which my honourable friends on the other side have invented to include the four main agriculturist tribes, namely, *Ahirs*, *Jats*, *Gujars* and *Rajputs*. *Ahir* comes first among the lot.

Another curious argument that was addressed to this House—unfortunately that was an argument which was repeated by almost every speaker who spoke in favour of this amendment—was that the Jats or the zamindars formed 80 per cent. of the population and therefore by a process of arithmetical reasoning they are entitled to 80 per cent. of the posts in the civil judicial department. The same argument would be applied to the medical department, the same argument would be applied to the engineering department and in fact to every other department. They want 80 per cent. of the appointment in every department. It may be, but 80 per cent. of the population does not unfortunately mean 80 per cent. of qualifications. If the two things were synonymous, certainly their claim

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would at once be decreed and admitted. But the qualifications are unfortunately inversely proportional to the population and they are inversely proportional also with respect to the non-agriculturists. They are fewer and their occupations are such which involve intellectual labour and therefore naturally the non-agriculturists are better qualified than agriculturists. The profession, the occupation of the agriculturists is such that it does not call forth so much of intellectual gifts and endowments of the individual as the manual and physical fitness. Their occupation is such that nobody can blame them. God created these professions in a way. That is the distribution of Providence. God has created these gifts and these endowments, these professions and these occupations. If God had not given these gifts, we would have wandered about in the jungles in Nature's garb living on fruits and roots kept ready made by Nature for our consumption. I would say that it is a natural distribution and a natural division of labour. Therefore if your lot is cast among those who earn their living by manual labour, you cannot grumble and envy the lot of those who have to earn their living by intellectual effort and who are to a certain extent superior to you in intellectual gifts and who therefore get a little more than their share in the reward which intellectual gifts are, as a rule, entitled to. There should be no grumbling on this ground. This population question should not be the basis of higher claim by itself. It is a matter which ought to be taken into consideration, not alone, but with other things.

There is also another argument which has been advanced, and that is very curious. He said :

ہم نے سر کٹائے۔ ہم نے جانیں دیں

Heaven forbid that another Great War should come, if for nothing else, at least to humble the pride of these people who are always boasting of having sacrificed their lives for their country and King. Is that a claim for preference? You confine a boy within the four corners of a room and keep him there for ten years. You put another boy of the same age and for the same period under a drill instructor who puts him into quick marches for four hours out of 24 hours every day. Then you put them together and say: "this fellow cannot run as well as the other fellow and therefore he is absolutely unfit." You say: "we go and fight; these people do not fight. Therefore we want our reward not merely as military pensioners, not only in the form of squares of land, but patronage should also be in the distribution of sub-judgeships, also in the distribution of medical and engineering posts and in fact in the distribution of all posts of all departments." Why? Because they have been fighting in the battlefields. I say: "if you have been fighting on the battlefields, you have got your reward. What more do you want? Do your work and let others do theirs."

Some of the Government officers have been so much badgered by these people with importunate requests for grants of land and this and that because they have been fighting, that after all they have been obliged to tell them "did you not get your pay? Did you not get your rations? Did you not get your uniform free? Have you not got your pension?" After all there ought to be a limit to these claims. Many people have come to me and complained, "look here, these people are selfish; these English people are

very ungrateful. We fought for them and now when we go to them they say 'you took your salary'. I did not treat them as reasonable complaints, because when people starve at home, have not got lands to till, have not got bullocks with which to carry on cultivation or as my learned friend prided on his superior prolific.....

**Mr. President :** I must point out again that the question before the House is not the general question of zamindar *versus* non-zamindar, but zamindar *versus* non-zamindar in the judicial department. I hope the honourable speaker will confine his remarks to this subject.

**Dr. Gokul Chand, Narang :** That is exactly what I wanted to point out ; it is absolutely the same thing. Honourable members on the other side have turned this question into zamindar *versus* non-zamindar, while the question really is whether the zamindars should have more representations than at present in the judicial department of the province ; they have wandered away from the subject and have been indulging in arguments which have absolutely no bearing on the question before the House and it is the absurdity of those arguments that I am now pointing out. I was not indulging in those arguments but I was only exposing the ridiculous character of the arguments put forward before the House in connection with this motion and I had no other object whatsoever. There is one thing which these honourable gentlemen have forgotten and it is this. One ground which they have been putting forward, of course unreasonably, in claiming a greater share in the judicial department is that the agricultural classes have been fighting and the non-agriculturists have not been fighting. I ask them 'does anybody ask these non-agriculturists to go and fight?' They have made it a rule not to admit the Brahmins or Khatri, Baniyas or Jains into the army. It may be for the reason that these people are not very good fighters. But the other reason may be that they have got a cheaper stuff from among the agriculturists and therefore they say 'we get physically better people on a lower pay ; why should we not have them?' Therefore it is no argument for asking for more seats in the judicial department of the Government. I would therefore submit that none of the arguments which have been advanced by the honourable mover and his supporters would justify the introduction of this principle into the subject and before I sit down I just want to sound a note of warning to my Sikh friends. Reference has been made to them in order to elicit their sympathies. It has so happened that none of those gentlemen has thought it fit to speak on the subject for surely good reasons which they must have ; but they should not ignore the real character of this amendment.

**Mr. President :** Is the honourable member speaking to the motion ?

**Dr. Gokul Chand, Narang :** I have closed and I am sitting down.

**Mr. President :** He may resume his seat if he has finished but no motion relating to the sympathy of one community to the other is before the House.

**Dr. Gokul Chand, Narang :** One word of explanation, Sir. I have no idea of disobeying the Chair, but reference was actually made to this point in the course of the arguments and I wanted to point out that it was uncalled for and it had a sinister purpose.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muham-madan), Rural] (Urdu): Sir, in the very beginning of my speech I had respectfully requested the honourable members of the House to consider my amendment most dispassionately and be kind enough to refrain from introducing a communal spirit into its discussion. But to my utter disappointment I find that no heed has been paid to my request and the matter has been discussed from a purely communal point of view. Sir, my amendment is innocent in itself, and was not conceived in a communal spirit or expected to generate communal bitterness as it has done in fact. Therefore in order to avoid further communal bitterness and to avoid the unnecessary heat that has been imported into the discussion by some of the honourable members of the House, I would prefer to ask the leave of the House to withdraw my amendment. But before doing so I would like to reply to the arguments advanced against my amendment. It has been asked by an honourable member of the House how zamindar representation in various services can be fixed when we have no definition of the word "zamindar." As regards this I have already submitted and I submit once again that we have got the definition of the word "zamindar," that is, the definition given in the Punjab Alienation of Land Act which, though condemned by the honourable members opposite, is, in my opinion, a very sound piece of legislation.

**Mr. Labh Singh:** May I know which definition it is? There is no definition in the Land Alienation Act.

**Mr. President:** The honourable speaker may say all this in the exercise of his right of reply. He should not be interrupted except on a point of order or for offering a personal explanation. But the honourable interruptor has not spoken on the motion and therefore his interruption is uncalled for.

(Mr. Labh Singh again stood up to speak.)

**Mr. President:** Order, order. I cannot allow any discussion on this point.

**Mr. Labh Singh:** As a matter of principle....

**Mr. President:** Order, order. There is no question of principle.

**Mr. Labh Singh:** I perfectly obey the ruling, but I am raising another point of order and it is this. Is it not within the province of a member who has not already spoken to ask a question through you in order to elicit information on a point which is being adverted to by a speaker, who has the possession of the House?

**Mr. President:** Yes. Has the honourable member to ask for any information?

**Mr. Labh Singh:** That is exactly what I wanted to ask through the Chair, namely, will the honourable member who has the possession of the House refer me to the definition of the word 'zamindar' in the Land Alienation Act which he was just now mentioning?

**Rai Sahib Chaudhri Chhotu Ram** (continued in Urdu): Sir, it has been asked where in the Punjab Alienation of Land Act the word "zamindar" is defined? In fact, I referred to the definition that can be deduced from the Act itself, that is, I mean by the word zamindar one who belongs

to one of the notified agricultural tribes under the Act. This is the definition of the word "zamindar." You may accept or reject it as you please, but it is quite definite and intelligible. There is one other definition of the word "zamindar." I leave that aside, because I do not take it as a sound definition. Sir, another honourable member of the Council has asked me to find out first what are the claims of the zamindars on population basis and what is their actual representation obtaining now in various services. As regards this, I would submit that if my definition of the word "zamindar" is accepted, there would no longer be any difficulty in preparing a list of zamindar servants from the Civil List or by some other means. According to my calculations, I can venture to say that at the most there are only about 15 per cent., though, according to the list prepared by Government, there are 39 per cent. zamindars in the judicial line, whereas the Government has fixed 66 per cent. as the zamindars' share in that service. Another honourable member of the House has said that the chief occupation of the zamindars is husbandry, and that they should rest content with it. They should not complain of other avenues being shut against them. Sir, as regards this, I would submit that while discussing matters in the Council we must realise our responsibility and refrain from treating serious matters in a light-hearted vein, for such attitude cuts at the very root of amicable relations and breeds communal misunderstanding. I cannot understand why even when zamindars are educationally sufficiently advanced and are fit for service, they should remain where they are, that is, why all of them should go on tilling the land and desire for nothing more. Sir, it is the right of the zamindar to claim a due share in Government service especially when they can produce persons as capable and as efficient as the urban people usually are.

Another point has been raised regarding a supposed variance between the policy of the Government and that of the Ministers. I am sorry I can not follow that line of reasoning. So far as I am aware, the policy of the Government and their Ministers has been one and the same, that is, that the zamindar should be given a proper share in the Government service and this can be amply proved by the speeches of the Ministers delivered here in the Council and the resolutions promulgated by the Government *re* the matter under discussion. Again an honourable member has remarked that we should demand justice and must not beg for favour. I entirely agree with him. We demand justice pure and simple, but the point of the complaint is that we cannot have it. It would not be unreasonable if backward classes were encouraged by being granted special privileges. But, Sir, the case is quite the reverse. Favours are shown only to those people who are already in usurpation of the rights of others. It has also been said that we must find out how many applications were made to authorities concerned and out of them how many were accepted and how many rejected. Perhaps my learned friend does not know the procedure in regard to those applications. The applications are first made to Sessions Judges and it is impossible for us, therefore, to know how many applications were originally made to various Sessions Judges in the province, how many of them were rejected and how many of them forwarded to the High Court of Judicature at Lahore. I have tried to get information on the point by means of a Council question in which Government was asked to state how many applications reached the

[R. S. Ch. Chhotu Ram]

Government in this behalf in the years 1924, 1925, 1926, and also to state the qualifications of the candidates who were accepted as well as of those who were rejected. But, Sir, we cannot find out the number of those candidates whose applications have not even been forwarded by the Sessions Judges. The whole difficulty of the matter lies in the fact that all the Sessions Judges in the Punjab are non-zamindars and as such they are not inclined to recommend the case of a zamindar. Therefore, Sir, we are not in a position to find out the real number of applications made or which would be made if the natural sympathies of Sessions Judges were not against zamindars.

Again, Sir, another zamindar member of the House has remarked that we should live and let others also live. I entirely agree with him. I would go a step further and submit that we wish that others may lead a happy and prosperous life but we have a right to request those others not to do anything which may make our life a misery. We do not demand our full share. Let us be given a share a little less than what is due to us. But let us get it in peace. The zamindars wish that the non-zamindars may lead a happy life but I am very doubtful about the attitude of the latter, because whenever the question of the zamindars comes in, it is dealt with by the non-zamindar members of the House in a way which would indicate as if zamindars were the oppressors and the non-zamindars the oppressed. My honourable friend from Kangra, rural, has, while discussing the amendment under consideration, remarked that the non-zamindar is already under great many disabilities and it is not becoming for us to render his position still worse. By virtue of the Punjab Alienation of Land Act the non-zamindar cannot buy land. By means of the Money-lenders' Bill an attempt was made to deprive him of interest as well. He is already debarred from military service. As regards this I would submit that non-zamindars can buy land in new colonies. But if they want to take away our land in lieu of tobacco, oil or sugar supplied to us and then swelled, by compound interest, into a large sum of cash, then that is a difficult matter. Now the zamindars fully understand the nature of frauds committed upon them by the non-zamindars. As regards the Money-lenders' Bill I would not say anything, for it has nothing to do with the present discussion. As to the disability of the non-zamindars for military service I would submit.....

**Mr. President :** As some speakers went beyond the motion the honourable mover of the motion will not reply to the irrelevant parts of their speeches.

**Rai Sahib Chaudhri Chhotu Ram :** I bow to your ruling, Sir, and leave these matters alone. My honourable friend the Chief Secretary has assured the House of the sympathies of the Government with the zamindar. I do admit that the Government and their officials sincerely desire to give their sympathies to the zamindar, but, Sir, what I want to emphasize is that no practical, and effective steps are taken by Government to safeguard the rights of the zamindar. Take the case of the Civil Secretariat offices which are in the charge of the Chief Secretary himself, you would find only a very few zamindar clerks employed in them.

**Mr. President :** Is the honourable member discussing the position of zamindars in the judicial or in the executive line?

**Rai Sahib Chaudhri Chhotu Ram** (continued in Urdu) : Sir, I was stressing the point that we cannot rest content with lip sympathies and that we stand in need of actual help. My honourable friend representing North-West Towns (Non-Muhammadan) (Urban) has been pleased to make some personal remarks about me. I would treat those remarks with the silence of contempt. But to his remark that I am a cat's-paw in the hands of Muhammadan members of the House I wish to reply. This is unjust and the remark is as groundless as it is malicious. I know well enough that more than once the same view has been ventilated by some of my urban honourable Hindu friends in this House and outside this House, in the press and on the platform. But this is a trick which should deceive nobody. The familiar appeals of urban Hindus in the name of religion even where only secular interests are concerned are a mere blind to delude the unwary. But even the simple zamindar has begun to see through the trick. What I fail to understand is the audacity of this gentleman to suggest that I am not furthering the best interests of Hindu zamindars and simply moved by my sympathies with the Muhammadans in general. I have laid particular emphasis on the paucity of Hindu zamindars in the judicial line and have asked in surprise and pain why out of 92 posts only two are held by Hindu zamindars. Sir, I would frankly submit that if by my moving an amendment in order to invite the attention of the Government to the need of safeguarding the rights of the zamindars in general, the Muhammadans are likely to benefit, I will be too glad. Similarly, if the Sikhs are benefitted I shall be equally glad. Sir, I have always been advocating the cause of the zamindars whether they be Hindus, Muhammadans or Sikhs and will continue to advocate the cause even if I am in a minority of one. It has also been said that I had perhaps in my view the case of a Jaini gentleman, a resident of the Rohtak district.

**Dr. Gokul Chand, Narang** : On a point of personal explanation, Sir. I never attributed any malice. All that I said was that that is the case he has in mind, put two and two together. He would be in a position to know of the case. I never attributed any malice to him.

**Rai Sahib Chaudhri Chhotu Ram** (Urdu) : But, Sir, may I know how he comes into possession of these details? However, I emphatically deny that I had in my view the case of the Jaini gentleman. I simply take exception to the rules in force regarding the enlistment of candidates. The Jaini gentleman referred to above is a brother of a friend of mine. He was a very capable young man. I am only too glad that he has been accepted. But what I object to is that in many cases the claims of zamindar candidates having better academical qualifications are ignored and other candidates are taken whose university results are very poor. The man to whom I refer was of very poor attainments and should not have been accepted in preference to a zamindar, when a capable non-zamindar was available in the person of the Jaini who was allowed to enter through a back door in order to leave the ordinary door open for the other undeserving non-zamindar.

**Dr. Gokul Chand, Narang** : May I ask the honourable member through you, Sir, whether he wants this question to be answered or whether it is only a flourish of rhetoric?

**Rai Sahib Chaudhri Chhotu Ram** (continued in Urdu): Sir, my honourable friend has also alluded to the case of an Ahir. I assure him that it is quite unfounded. I make no distinction between an Ahir and a Jat. I am glad if any Jat or Ahir, Arain or Rajput is taken in. My real complaint is that in the selection of candidates only the individuals of that class are given preference which is already in enjoyment of rights which belong to other communities.

One point more and I have done. It has been said that efficiency is the only test for selection of candidates. The urban people are better qualified and more efficient than the rural people. That may be true. But what I want to emphasize is that among candidates of equal qualifications zamindars ought invariably to be given preference. Sir, when we can produce zamindars who are intellectually as advanced and as capable as the non-zamindars are, we have a right to ask the Government to give a proper share to the zamindars in Government service. In our eyes it is most objectionable that non-zamindars should be given preference over zamindars with better qualifications.

It has also been said that non-zamindars have got more share in service only because they have got, as compared to zamindars, more educated people among themselves. The rural people cannot compete with urban people as regards the percentage of literacy. Unfortunately it is so. That is exactly the reason why we do not lay a claim for full share and demand a little less than what is due to us. In the end, Sir, I may also submit that it is the duty of the Government to safeguard the rights of the zamindars and to have its orders and resolutions in this connection fully carried out. Having said what I wanted to say I beg leave to withdraw my amendment.

The motion was by leave withdrawn.

**Sayad Muhammad Husain**: Sir, I beg.....

**Mr. President**: Before I allow the honourable member to move his motion,<sup>1</sup> I would request him to explain how his motion is in order. The first part of his note shows that his motion is intended to discuss the inability of the Insolvency Courts to afford proper relief to the backward agricultural communities in the province. How does he propose to secure the proper relief? As regards the second part of his note, namely, "the pro-money-lending tendencies of the courts of justice," assuming this part has any sense in it, I rule it out of order inasmuch as it is a clear attack upon the courts of justice of the province in the exercise of their judicial capacity. The honourable member will now explain to me how he proposes to gain the object he has in view so far as the first part of his note goes?

**Sayad Muhammad Husain** [Montgomery (Muhammadan), Rural] (Urdu): Sir, as regards the first part of my amendment I would request the Government that they should in consultation with the High Court of Judicature at Lahore devise certain methods in order to.....

<sup>1</sup> "That the total grant be reduced by Re. 1."

(NOTE.—To discuss the inability of the Insolvency Courts to afford proper relief to the backward agricultural communities of the province, and the pro-money-lending tendencies of the courts of justice.)

**Mr. President :** Order, order. I think the administrative action of the judicial department is open to debate. But the necessity for legislation and matters involving legislation cannot be discussed in debates on demands for grants. Therefore I rule the motion to be out of order.

The question is—

"That a sum not exceeding Rs. 42,34,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of Administration of Justice."

The motion was carried.

#### GENERAL ADMINISTRATION (TRANSFERRED) GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 1,98,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of General Administration (Transferred)."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 1,98,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1923 in respect of General Administration (Transferred)."

**Chaudhri Afzal Hag :** I do not move the motion No. 2<sup>1</sup> of which I have given notice.

**Mr. President :** I am inclined to think that motions<sup>2</sup> 7, 8, 9 and 10 on the agenda are out of order. Have the honourable members who have given notices of the motions anything to say ?

**Dr. Shaikh Muhammad Alam :** Sir, as regards motion No. 9 for the reduction of Re. 1 with respect to the item of Rs. 1,80,000—Total pay of Ministers, it is intended to discuss the acceptance of Ministerships. It is not clear to me how the motion is out of order. I should be obliged if you kindly explain it to me.

**Mr. President :** I consider the motions to be out of order, because the discussion of demands for grants does not afford proper opportunity for discussing why a member has been chosen or appointed Minister or why he should remain a Minister. I think the appointment or retention of Ministers cannot be discussed when demands for grants are discussed. Therefore, I rule motions 7 to 10 as out of order. According to our own

<sup>1</sup>"That the grant be reduced by Rs. 1,20,000 with respect to the item of Rs. 1,80,000—Total Pay of Officers."

<sup>2</sup>"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,80,000—Total Pay of Officers."

(NOTE.—To discuss the arbitrary manner of appointment of Ministers.)

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,80,000—Total Pay of Officers."

(NOTE.—To discuss and criticise the unconstitutional acceptance of Ministerships.)

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,80,000—Total Pay of Officers."

(NOTE.—To discuss the acceptance of Ministerships.)

"That the total grant be reduced by Re. 1."

(NOTE.—To discuss the constitutional position of the Ministry.)

[Mr. President]

Rules and Standing Orders, there are, I think, the following seven ways in which a Minister can be attacked :—

- (i) by questions ; (ii) by a motion for adjournment for the purpose of discussing a definite matter of urgent public importance ;
- (iii) by an ordinary resolution, subject to the rule of ballot ;
- (iv) by an attack at the general discussion of the budget ;
- (v) by reductions or cuts in grants, which have been attempted so many times during the current session ; (vi) by passing a Bill which is opposed by the Minister or the Ministry ; and
- (vii) by a motion of no confidence which was unsuccessfully attempted on the 28th February last.

These are the proper ways in which a Minister can be attacked, but he cannot be attacked indirectly while discussing the demands for grant. Therefore, I rule all these four motions as out of order. Now there remain motions 3, 4, 5 and 6 relating to a reduction of Ministers' salary. These appear to be in order and may be moved.

**Dr. Shaikh Muhammad Alam :** Sir, if a motion for the reduction of the Ministers' salary can be moved, I am not able to understand why my motion for the reduction of the Ministers' salary by Re. 1 cannot be moved.

**Mr. President :** Order, order. I have tried to explain that the appointment of any member to the office of Minister cannot be attacked in discussing the demands for grant. One rupee cut or reduction can be moved with the object of discussing the action, conduct or the administrative policy of Ministers, but their appointment cannot be attacked in the course of discussion on the budget. That is why I have ruled the four motions 7 to 10 out of order.

The Council then adjourned till 2 P.M. on Monday, the 14th March, 1927.

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" That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000—  
Total Pay of Officers."

(NOTE.—To reduce the salary of Ministers.)

" That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000—  
Total Pay of Officer."

(NOTE.—To reduce the salary of Ministers.)

" That the grant be reduced by Rs. 60,000 with respect to the item of Rs. 1,80,000—  
Total Pay of Officers."

(NOTE.—To urge the reduction of Ministers' salary.)

" That the grant be reduced by Rs. 60,000 with respect to the item of Rs. 1,80,000—  
Total Pay of Officers."

(NOTE.—To reduce the salary of Ministers.)

## PUNJAB LEGISLATIVE COUNCIL

1ST SESSION OF THE 8<sup>TH</sup> PUNJAB LEGISLATIVE COUNCIL.

*Monday, the 14th March 1927.*

THE Council met at the Council Chamber at two of the clock.  
Mr. President in the Chair.

### STARRED QUESTIONS AND ANSWERS.

TREATMENT OF THE MUSALMAN CANDIDATES BY THE RASUL ENGINEERING SCHOOL AUTHORITIES.

\*76. **Shaikh Faiz Muhammad :** (a) Is the Honourable Minister for Agriculture aware of the fact that there is among the Musalmans of the province a widespread feeling that the candidates of their community are not fairly treated by the Rasul Engineering School authorities at the time of admission ?

(b) If the answer to part (a) is in the affirmative, what action does the Honourable Minister for Agriculture propose to take to remove the grievance ?

(c) Are the members of the staff of the Rasul Engineering School liable to be transferred ? If so, after what period, and if not, why ?

**The Honourable Sardar Jogendra Singh :** (a) No.

(b) Does not arise.

(c) Some members of the staff are liable to transfer, others not. No fixed period of duty has been prescribed for service at Rasul for members liable to transfer, because the need for such fixation has not arisen.

MATRONS FOR POLICE STATIONS.

\*77. **Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) if it is a fact that in any police lock-up (*havalat*) no matron is employed for the custody of females under trial ;

(b) if he is aware that in all European countries matrons are employed for the above-mentioned purpose ?

If so, will he be pleased to state if the Government is considering the desirability of appointing matrons at each police station for the said purpose ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

(b) Government has no accurate information on this point and does not consider the appointment of matrons in charge of female prisoners under trial in police lock-ups to be necessary.

**Chaudhri Afzal Haq :** Will the Honourable Member please state whether after getting accurate information, Government would be pleased to give an answer again to this question ?

**The Honourable Sir Geoffrey deMontmorency :** Certainly.

#### VENTILATION OF LOCK-UPS FOR UNDER-TRIALS.

**\*78. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state if he is aware of the fact that all the police lock-ups are ill-ventilated, provided with old and dirty blankets for the use of persons under trial ? If so, will he be pleased to state if anything is being done to improve the state of affairs ?

**The Honourable Sir Geoffrey deMontmorency :** Government is not aware of the facts stated. On the contrary, it has reason to know that the majority of police lock-ups are not ill-ventilated, and that the blankets provided for prisoners are not old and dirty.

#### IMPRISONMENT IN DEFAULT OF PAYMENT OF FINES.

**\*79. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of those convicts who were made to undergo a term of imprisonment in default of paying their fines in the year 1926 ;
- (b) whether the convicts above mentioned were allowed reasonable time to arrange for the payment of their fines ; and
- (c) the number of cases in which the time for payment was extended ?

**The Honourable Sir Geoffrey deMontmorency :** If the honourable member means the number of persons who were sentenced to fine only and went to jail to serve sentences of imprisonment in default of paying the fine I will endeavour to collect the information for him in any two districts. It would be a very onerous task to collect it for the whole province. If, however, he refers to persons sentenced to fine in addition to a substantive sentence of imprisonment, it hardly appears that any useful purpose would be served by attempting to collect the information, because in such cases the not inconsiderable period of the substantive sentences of imprisonment is available for the payment of the fine.

**Chaudhri Afzal Haq :** Will the Honourable Member collect the information with respect to Lahore and Amritsar districts ?

**The Honourable Sir Geoffrey deMontmorency :** Certainly.

#### TIME FOR PAYMENT OF FINES.

**\*80. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state if he is aware of a feeling amongst the public that generally reasonable time is not allowed to arrange for the payment of fine to those who are fined and in case of their inability to pay within the fixed period time is seldom extended ? If so, will he be pleased to state whether the Government is taking necessary steps to remove this feeling of the public ?

**The Honourable Sir Geoffrey deMontmorency :** Government are not aware of any public feeling on the subject of the nature indicated and have received no complaints on the subject.

**Chaudhri Afzal Haq :** Will the Honourable Member please say whether Government keeps any register of complaints which are forwarded to them ?

**The Honourable Sir Geoffrey deMontmorency :** Government does not keep any special register as regards this class of complaints.

**Chaudhri Afzal Haq :** Does Government keep any registers as regards any class of complaints ?

**The Honourable Sir Geoffrey deMontmorency :** I do not think that supplementary question arises. I shall, however, require notice of the question.

#### CONFERENCE OF OFFICERS OF PRISONS.

**\*81. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether any conference of the officers of the prisons was held in 1926 or before in this province to suggest measures for removing corruption and effecting prison reform in the prisons ;

(b) whether Government is aware of the fact that in the United States of America, such conferences have been very useful to the prison administration ?

If so, will he be pleased to state whether the Government proposes to convene a conference of the officers of the prisons in this province also annually ?

**The Honourable Sir Geoffrey deMontmorency :** (a) No.

(b) Government is without information as to the practice in the United States of America and sees no necessity for annual conferences of the kind in this province at present.

#### MEDICAL OFFICERS AND DISTRICT JAILS.

**\*82. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) if it is a fact that the medical officers are not given the charge of district jails in the province ;

(b) if the Government is aware of the fact that in England medical officers submit an annual report of the jail health independently ;

If so, will he be pleased to state whether the Government is considering the desirability of making similar arrangements in this province ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Under the reorganization scheme in district jails, it is proposed gradually to replace civil surgeons by non-medical superintendents for purposes of administrative control, but civil surgeons will continue in medical charge at present.

(b) Yes, and a similar arrangement will be made in regard to this province.

## LABOUR FOR PRISONERS.

**\*83. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state if it is a fact that officers of the jails allot the prisoners the form of labour arbitrarily without giving the prisoners the right of choosing the form of labour as it is done in the European countries? If so, will he be pleased to state whether Government is considering the advisability of allowing prisoners to exercise their choice regarding the form of labour?

**The Honourable Sir Geoffrey deMontmorency :** Labour is allotted to prisoners according to conditions of health. Punjabi prisoners will not, as a rule, state the work they are accustomed to do in civil life, but when they do so, such work is given to them as far as possible.

## TRADE INSTRUCTOR IN THE PUNJAB JAILS.

**\*84. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that no trade instructor is appointed in the Punjab jails;
- (b) if Government is aware of the fact that trade instructors are appointed in the English prisons? If so, will he be pleased to state whether the Government is considering the desirability of appointing a trade instructor in each district jail?

**The Honourable Sir Geoffrey deMontmorency :** (a) Trade instructors are appointed in certain jails, e.g., Weaving masters in Borstal Institution, Multan and Montgomery, a Tent master in Borstal Institution, and Dyers in Central Jails, etc.

(b) Yes. The proposal is under consideration.

## NON-OFFICIAL VISITORS OF THE FEMALE JAIL, LAHORE.

**\*85. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the number of non-official lady visitors of the Female Jail, Lahore;
- (b) the number of Inspectresses of the Female Jail, Lahore?

If no such non-official lady visitors and Inspectresses have so far been appointed in the Punjab jails, will he be pleased to state whether the Government are considering the question of the appointment of such visitors and Inspectresses?

**The Honourable Sir Geoffrey deMontmorency :** (a) 2.

(b) First part: none. The second part does not arise.

## TRAINING OF FEMALE CONVICTS IN THE FEMALE JAIL, LAHORE.

**\*86. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state whether any arrangements are in existence for educational training of the female convicts of a tender age in the Female Jail, Lahore?

If not, will the Honourable the Finance Member be pleased to state whether the Government is now considering the advisability of making arrangements for such training?

**The Honourable Sir Geoffrey deMontmorency :** Elementary education is imparted to prisoners in the Lahore Female Jail and 40 prisoners are at present being taught.

ALLEGED ILL-TREATMENT OF A HINDU TITLE-HOLDER BY THE SUPERINTENDENT OF POLICE, MULTAN.

**\*87. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that a Hindu title-holder reported to the Government that the Superintendent of Police, Multan, mercilessly thrashed him while he was attending His Excellency the Governor's Darbar held at Multan ;
- (b) if it is a fact that a commission of enquiry was appointed to enquire and report on the complaint ;
- (c) if it is a fact that the commission has submitted its report ? If so, will the Government be pleased to state the facts of the case and the finding of the commission ?

**The Honourable Sir Geoffrey deMontmorency :** (a), (b) & (c) There was no report to Government about any such incident connected with His Excellency's Darbar held at Multan.

**Diwan Bahadur Raja Narendra Nath :** Did the matter come to the notice of Government otherwise than on regular report ?

**The Honourable Sir Geoffrey deMontmorency :** The subject matter of the question regarding His Excellency's Darbar at Multan did not come to notice of Government, either on written report or verbally, as far as I know.

BRIDGE ON SWAN NALLAH.

**\*88. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the District Board, Hoshiarpur, have recommended to Government the necessity of constructing a bridge on Swan Nallah ;
- (b) whether it is a fact that several lives are lost every year on account of floods in the Swan ; and
- (c) in view of the loss of lives what steps the Government proposes to take and when ?

**The Honourable Malik Firoz Khan, Noon :** (a) No. (It is presumed that the honourable member refers to the point where the Hoshiarpur-Una road crosses the Swan Nadi).

(b) No. There is occasional loss of human life when there is an unexpected spate. Cattle are also occasionally washed away or lost in quicksands.

(c) The Swan Nadi being two miles wide at Una, and it being extremely doubtful whether the occasional accidents which occur would be prevented by the construction of a bridge at one particular point, Government are of the opinion that the gain would not be commensurate with the great expenditure involved.

## CURRICULA OF STUDIES FOR WOMEN.

\*89. **Raizada Hans Raj :** (i) Will the Honourable Minister for Education be pleased to state if the Government is aware that—

- (a) the education given in the schools meant for men makes the students fit for nothing but for clerical jobs ;
- (b) that the curricula of studies followed in the schools meant for women are practically the same as those followed in schools meant for men ;
- (c) that Indians do not generally want to educate their women for the clerical profession ; and

(ii) If the answers to parts (a), (b) and (c) be in the affirmative would he be pleased to state if the Government would take steps to change the curricula of girls' schools in such a way as to be more suitable for the peculiar requirements of the country and to introduce special subjects like domestic economy suitable for Indian houses, sewing, charkha, khadi, etc., in the educational institutions for girls ?

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

(b) No.

(c) Yes.

(ii) Domestic Economy and sewing are taught in girls schools.

## PROPORTION OF LITERATE MALES AND FEMALES IN THE PROVINCE.

\*90. **Raizada Hans Raj :** Will the Honourable Minister for Education be pleased to give figures showing the proportion of literate males and females in the province ?

**The Honourable Mr. Manohar Lal :** The honourable member is referred to 'Census of India,' 1921, Volume XV, Part II. The required information is given on page 108 of this volume.

Recent Reports on the Progress of Education in the Punjab would give the honourable member an idea of the pace at which literacy is growing in the province.

## PROPORTION OF SCHOOL-GOING MALES AND FEMALES IN THE PROVINCE.

\*91. **Raizada Hans Raj :** Will the Honourable Minister for Education be pleased to give figures showing the proportion of school-going males and females in the province ?

**The Honourable Mr. Manohar Lal :** The information asked for by the honourable member is given in the table on page 2 of the Report on the Progress of Education in the Punjab for 1925-26.

## PHYSICAL INSTRUCTRESSES.

\*92. **Raizada Hans Raj :** (i) Will the Honourable Minister for Education be pleased to state—

- (a) how many, if any, Government educational institutions meant for females have adequate arrangement for the physical development of the students ; and

(b) whether all the schools meant for females have physical instructresses ?

(ii) If the answer to part (b) above be in the negative, will he be pleased to state if Government is considering the question of taking necessary steps to establish posts of physical instructresses in all the schools under its control and providing playgrounds attached to the schools ?

(iii) (a) Will the Honourable Minister for Education be pleased to state if there is any institution for the training of physical instructresses in the province ?

(b) If the answer to part (a) be in the negative, will the Honourable Minister be pleased to take immediate steps to remedy this defect ?

**The Honourable Mr. Manohar Lal :** (i) (a) & (b) Physical training in girls schools is usually given by the J. A.-V. Mistresses who take a special course in that subject during their course of training.

(ii) Almost all the girls schools have good playgrounds and gardens.

(iii) (a) Government does not consider such an institution necessary at present, in view of what has been stated in the answer to (3) (a).

(b) Does not arise.

**Raizada Hans Raj :** Is there any garden adjacent to the school ?

**The Honourable Mr. Manohar Lal :** I shall enquire if it is so or not.

#### INSTRUCTION OF MUSIC IN EDUCATIONAL INSTITUTIONS FOR WOMEN.

**\*93. Raizada Hans Raj :** (a) Will the Honourable Minister for Education be pleased to state if it is a fact that the subject of music is not at all taught in the educational institutions meant for women which are under the Government control ?

(b) If the answer to (a) above be in the affirmative, will the Government be pleased to take immediate steps to introduce this subject in the female institutions ?

**The Honourable Mr. Manohar Lal :** (a) No. Music is taught in Queen Mary's College and the Lahore College for Women, and arrangements are being made for instruction in music in some other institutions.

(b) Does not arise.

**Raizada Hans Raj :** Is there any school for teaching music and thus training teachers for further teaching of music ?

**The Honourable Mr. Manohar Lal :** So far as I am aware there is no school for training teachers in music.

#### CLIVE MOTOR TRANSPORT COMPANY.

**\*94. Raizada Hans Raj :** (i) Will the Honourable Member for Revenue be pleased to state if the Government is aware—

(a) that there is a general complaint about high charges of carriage for passengers and goods charged by the Clive Motor Transport Company between Pathankot and Dharmisala ;

[Raizada Hans Raj]

- (b) that the Clive Motor Transport Company has a monopoly to ply cars and lorries for hire between Pathankot and Dharmsala?
- (ii) If the answer to (b) is in the affirmative, will he be pleased to state the reasons for allowing one company to hold this monopoly?
- (iii) Will the Honourable Member for Revenue be pleased to state—
- if there are any more services of this nature in other parts of the province where monopolies exist;
  - whether the contract was given to the above-mentioned company at an open auction; and
  - if there were any other companies which were also willing to carry the mails at less cost?

**The Honourable Mian Sir Fazl-i-Husain:** (i) (a) Government is aware that there has been some criticism, but not a general complaint, regarding the passenger fares charged by the owners of motor vehicles plying for hire on the Pathankot-Dharmsala road. Certain proposals for the reduction of fares are under consideration. No complaint has been received regarding the fares for goods.

(b) The Clive Transport Company has not a monopoly.

(ii) Does not arise.

(iii) (a) Monopoly in the matter of plying motor vehicles for hire exists on the Pathankot-Dalhousie road.

(b) & (c) Government has no knowledge of any contract held by the Clive Transport Company for the Pathankot-Dharmsala or Pathankot-Dalhousie roads. If, however, the mail contract is referred to, the attention of the honourable member is invited to entry No. 10 in Schedule I of the Devolution Rules. The carriage of mails is not a matter with which the Local Government is concerned.

#### HIRE CHARGES OF CARS BETWEEN CERTAIN STATIONS.

\*95. **Raizada Hans Raj:** Will the Honourable Member for Revenue be pleased to state the average charges per mile per person by cars plying for hire between the undermentioned stations:—

- Pathankot to Dalhousie,
- Pathankot to Dharmsala,
- Kalka to Simla,
- Rawalpindi to Murree,
- Rawalpindi to Srinagar,
- Jammu to Srinagar?

**The Honourable Mian Sir Fazl-i-Husain:** The information which the honourable member asks for is being collected. I regret that it is not yet ready.

POPULARITY OF DALHOUSIE AS A SUMMER RESORT.

**\*96. Raizada Hans Raj:** (i) Will the Honourable Member for Revenue be pleased to state if the attention of the Government has ever been drawn—

- (a) to the decreasing popularity of Dalhousie as a summer resort owing to heavy motor transport charges;
- (b) to the fact that the cause mentioned in (a) above is again due to the existence of motor transport monopoly;
- (c) to the fact that in 1926 a deputation of Dalhousie people waited on the Deputy Commissioner of Gurdaspur in this connection?

(ii) Will he please state what action, if any, was taken on the representation of that deputation?

**The Honourable Mian Sir Fazl-i-Husain:** (i) (a) It has been represented to Government that the popularity of Dalhousie as a summer resort is decreasing and that the cost of motor transport from Pathankot is one of the causes.

(b) It has been represented that the existing rates are excessive and that they could be reduced were the monopoly enjoyed by the Clive Motor Company to be terminated.

(c) No.

(ii) Government has under consideration certain proposals for the reduction of fares on the Dalhousie road. No statement can however be made at present.

MAILS FOR DALHOUSIE.

**\*97. Raizada Hans Raj:** Will the Honourable Member for Revenue be pleased to state—

- (a) what amount was paid per year to the company which carried the mails between Pathankot and Dalhousie before the Clive Motor Transport Company secured the license;
- (b) what amount is paid per year to the Clive Motor Transport Company; and
- (c) whether it is a fact that under the former arrangement Dalhousie used to get down mails twice a day, whereas now it gets one mail a day only?

**The Honourable Mian Sir Fazl-i-Husain:** The attention of the honourable member is invited to entry No. 10, Schedule I, of the Devolution Rules. The Local Government is not concerned with the transport of mails and has no information on the subject of the question.

UNEMPLOYMENT.

**\*98. Raizada Hans Raj:** (a) Will the Chief Secretary be pleased to state whether the Government is aware of the fact that there is a considerable amount of unemployment amongst the educated people and that it is liable to increase every year?

(b) If the answer to the above be in the affirmative, will he be pleased to state what steps the Government has taken to check the spread of this evil?

**Mr. H. D. Craik :** The attention of the honourable member is invited to the reply given to question No. 271.

**GRANT OF LANDS TO EDUCATED PEOPLE FOR CULTIVATION.**

**\*99. Raizada Hans Raj :** (a) Will the Honourable Member for Revenue be pleased to state if the attention of the Government has been drawn to the suggestions made by Mr. L. Burrows before the Agricultural Commission regarding the unemployment amongst educated middle class people and by the Commander-in-Chief in his recent address at the Benares Hindu University?

(b) Will the Government consider the suggestions of giving lands to the educated people for cultivation with their own hands on an experimental basis in the province?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) The honourable member's attention is invited to the recent Punjab Government Notification No. 4920, dated 16th February 1927, appointing a committee to enquire into the whole question of unemployment in the province.

**COMPLAINT AGAINST A SUB-INSPECTOR OF POLICE OF SIALKOT DISTRICT.**

**\*100. Raizada Hans Raj :** Will the Honourable Finance Member be pleased to state whether—

(a) the attention of the Government has been drawn to the complaint against the Sub-Inspector of Police of Sialkot district, made by the residents of the *ilaga*, appearing in the *Tribune*, dated the 4th February 1927;

(b) the Government has taken the trouble to investigate the alleged grievances against the said officer of police;

(c) if so, what has been the outcome of those investigations?

**The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

(b) Yes: Government has the case under consideration.

(c) The result of Sub-Inspector Barkat Ali's appeal is awaited before orders can be passed on this complaint.

**SCARCITY OF FODDER.**

**\*101. Raizada Hans Raj :** (a) Will the Honourable Member for Revenue be pleased to state if it is a fact that due to scarcity of rains this winter, there will be shortage of fodder in certain districts, especially in Ludhiana and Jullundur?

(b) If the answer to the above is in the affirmative, will he be pleased to state what action the Government has taken so far to lessen this threatened shortage and thus to relieve the peasants of their anxiety?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Government is aware that due to scarcity of rain this winter shortage of fodder may be felt in a few districts including Jullundur and Ludhiana.

(b) Government has a standing order containing general instructions in the event of fodder scarcity, for the railway carriage of fodder at concession rates from certain areas where fodder is plentiful to areas where fodder is scarce. This order will be acted upon whenever required.

#### SHORTAGE OF WELL WATER IN JULLUNDUR DISTRICT.

**\*102. Raizada Hans Raj :** (a) Will the Honourable Member for Revenue be pleased to state if it is a fact that the attention of the Government has been drawn from time to time to the shortage of water in wells in Jullundur district and that the water level is going deeper and deeper day by day?

(b) If the answer to the above is in the affirmative, will he be pleased to state what action the Government has taken so far to remedy this trouble with which the agriculturists are faced?

(c) If no action has been taken so far, does Government propose to move in the matter?

**The Honourable Mian Sir Fazl-i-Husain :**

(a) Yes.

(b) and (c) An exhaustive enquiry, which is not yet finally completed, was made by Dr. Wilsdon, Scientific Member of the Water Logging Committee. He is of opinion that "the diminution in the water level in the Jullundur district is due to excessive irrigation from wells and that the remedy would seem to be to forbid the excavation of any more wells in that district." The suggested remedy is a drastic one, and for the present only the question of restricting the grant of *taccavi* for new wells is under consideration.

Further scientific investigation is also being undertaken with a view to throwing light on the general question of the flow of sub-soil water by a study of sub-soil conditions. An Officer has recently been deputed to Europe to study the use of the Eotvos Torsion balance and to bring one back with him. This is reputed to be an extremely accurate instrument for ascertaining sub-soil conditions and it is hoped that the information to be procured from its use will be of practical use at least in predicting the area where trouble is likely to arise and possibly in suggesting methods to overcome the evil.

#### HONORARY MAGISTRATES.

**\*103. Raizada Hans Raj :** Will the Honourable Finance Member please state—

(a) if he is aware of the fact that in the last Council elections the powers of certain honorary magistrates were suspended, who were either standing for election or were actively taking part in the election of other candidates in some of the districts;

(b) whether he is prepared to take similar steps in the case of elections for local bodies? If not, why not?

**The Honourable Sir Geoffrey deMontmorency:** (a) During the recent elections for the Legislative Council District Magistrates were directed to send no cases to honorary magistrates who were either themselves candidates, or were related to candidates, or were known to be canvassing on behalf of candidates.

(b) No: Government is not at present aware of the necessity for such orders in the case of elections for local bodies.

**MUNICIPAL COMMISSIONERS HOLDING LAND IN THE LOWER BARI DOAB COLONY ON *abadkari* CONDITIONS.**

**\*104. Raizada Hans Raj:** Will the Honourable Member for Revenue please state—

(a) if he is aware that certain municipal commissioners of Montgomery holding land in the Lower Bari Doab Colony on *abadkari* conditions do not reside in their estates as required by rules;

(b) if so, has the condition of residence been abrogated in their cases? If so, why?

**The Honourable Mian Sir Fazl-i-Husain:** A reference has been made to the Deputy Commissioner, Montgomery, whose reply has not yet been received.

**BEHAVIOUR OF THE POLICE TOWARDS THE PUBLIC.**

**\*105. Raizada Hans Raj:** Will the Honourable Finance Member be pleased to state—

(a) if the attention of the Government has been drawn to the circular issued by the Chief Commissioner of Police, London, reproduced in the *Tribune*, dated 1st February 1927, asking the police force to be more polite and civil in their dealings with the public;

(b) if the behaviour of the Punjab police is better than that of London police, and if not, will the Government follow the excellent example set by the Commissioner of Police, London; and

(c) whether its inaction in this matter so far is due to the fear of loss of prestige of its officers or to any other reason?

**The Honourable Sir Geoffrey deMontmorency:** (a) Yes.

(b) Conditions as regards education in the forces being entirely different in the two countries it does not appear to Government that an exact comparison and conclusion can be made but it may be pointed out that the subject matter of the circular forms part of the instruction in District Police Schools, as well as Provincial Training School. The honourable member is also invited to peruse *Vernacular Police Gazette* No. 51, dated the 22nd December 1926.

(c) Does not arise.

## UNSTARRED QUESTIONS AND ANSWERS.

### PENAL POST AT CHINIOT.

**116. Dr. Shaikh Muhammad Alam :** Will the Honourable Finance Member be pleased to state if the Government is aware—

- (a) that a penal post was established at Chiniot after the occurrence of a communal riot about three years ago ;
- (b) that no disturbance has taken place there since then ? If so, will he be pleased to say—
  - (i) when it is intended to remove the post ;
  - (ii) what is the strength of the said penal post ;
  - (iii) what is the annual expenditure incurred ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

(b) Yes—

- (i) The additional police will be withdrawn with effect from the 1st November 1927, provided that unforeseen events do not necessitate its continuance.
- (ii) One Inspector, one Sub-Inspector, six Head Constables and forty Foot Constables.
- (iii) Rs. 23,277-6-0.

### LAWRENCE EUROPEAN SCHOOL, GHORA GALI.

**117. Pandit Nanak Chand :** Will the Honourable Finance Member please state—

- (a) if there is any restriction for admission of Indian boys to the European Government School known as Lawrence European School at Ghora Gali in Murree hills ; and
- (b) if there is any, will he be pleased to state if the Government will consider the advisability of issuing orders for every European School maintained or aided by the state for the admission of a minimum percentage of Indian boys ; and
- (c) if there is no restriction for the admission of Indian boys, will he be pleased to give a statement showing (i) the number of students reading in the Lawrence European School at Ghora Gali ; (ii) the number of Indian boys in that school ; (iii) the number of Hindus, Muhammadans and Parsis separately ; (iv) the number of boarders ; (v) the number of day scholars ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Indian boys are eligible for admission to the Lawrence School, Ghora Gali, up to a limit of 15 per cent. of the total enrolment.

- (b) Orders as in (a) already exist.
- (c) Does not arise.

### LAWRENCE EUROPEAN SCHOOL, GHORA GALI.

**118. Pandit Nanak Chand :** Will the Honourable Finance Member be pleased to state if the Government is aware that a waiting list of candi-

[Pandit Nanak Chand.]

dates for admission is kept by the Principal of the Lawrence European School, Ghora Gali, and whether the Government consider the advisability of ordering him to keep a separate waiting list for Indians also?

**The Honourable Sir Geoffrey deMontmorency:** A waiting list of all suitable candidates for admission is kept, and vacancies are offered, other things being equal, to all candidates in order of priority of application. Government does not consider, therefore, that any useful purpose would be served by the maintenance of a separate list for Indians.

PROVISION OF FOOD TO INDIAN STUDENTS IN THE LAWRENCE EUROPEAN SCHOOL, GHORA GALI.

**119. Pandit Nanak Chand:** Will the Honourable Finance Member be pleased to issue instructions that Indian resident students in the Lawrence European School, Ghora Gali, may not be served with food prohibited by their respective religions?

**The Honourable Sir Geoffrey deMontmorency:** The existing orders of Government are that the children of non-Christian parents shall not be compelled to eat food which by their own religion they are debarred from touching.

LAND REVENUE AND WATER RATES IN THE SUTLEJ VALLEY PROJECT.

**120. Mian Ahmad Yar Khan, Daultana:** Will the Honourable Member for Revenue be pleased to kindly state the land revenue plus water rates fixed or proposed for the perennial and non-perennial canals in the Sutlej Valley Project?

**The Honourable Mian Sir Fazl-i-Husain:** The land revenue rate fixed for perennial canals in the Sutlej Valley Project is Rs. 4 an acre matured and Rs. 2 for the non-perennial canals. As regards water rates the Honourable Member is referred to the schedule published with Punjab Government, Irrigation Department, Notifications Nos. 1198-R. I. and 1201-R. I., dated the 9th November 1926, copies of which are laid on the table.

NOTIFICATIONS.

*The 9th November 1926.*

No. 1198-R. I.—In exercise of the powers conferred by section 75 of the Northern India Canal and Drainage Act (Act VIII of 1879, as amended by Act XVI of 1899 and Act IV of 1914) the Governor in Council is pleased to direct that the following Schedule of Occupiers' Rates shall come into force for all irrigation from the Pakpattan Canal (except the Khadir Branch) with effect from the rabi crop of 1926-27?

## SCHEDULE OF OCCUPIERS' RATES.

Class.	Crop.	RATE PER ACRE.		For
		Flow.	Lift.	
		Rs. A. P.	Rs. A. P.	
I ..	Sugarcane ..	12 0 0	6 0 0	Crop.
II ..	Rice and water nuts ..	7 8 0	3 12 0	Do.
III ..	Cotton, Indigo and other dyes, tobacco, poppy, spices and drugs.	6 4 0	3 2 0	Do.
IV ..	Gardens and orchards and vegetables (except turnips).	5 8 0	2 12 0	Gardens and orchards per $\frac{1}{2}$ year; rest per crop.
V ..	Wheat, barley and oats ..	5 4 0	2 10 0	Crop.
VI ..	Melons, maize, fibres (other than cotton) and all crops not otherwise specified.	5 0 0	2 8 0	Do.
VII ..	Oil-seeds ..	4 4 0	2 2 0	Do.
VIII ..	Field peas and beans ..	3 12 0	1 14 0	Do.
IX ..	Bajra, gram, masur and pulses	3 4 0	1 10 0	Do.
X ..	Jowar, china, grass, which has received two or more waterings and all fodder crops, including turnips.	1 8 0	0 12 0	Grass per $\frac{1}{2}$ year; rest per crop.
XI ..	(a) Watering for ploughing and followed by a crop in the same or succeeding harvest.	1 0 0	0 8 0	Acre.
	(b) Village and District Board Plantations:—			
	(i) any number of waterings in Kharif.	1 0 0	0 8 0	Do.
	(ii) one watering in rabi ..	1 0 0	0 8 0	Half year.
	(iii) two or more waterings in rabi.	2 0 0	1 0 0	Do.
	(c) Grass—a single water in kharif and rabi.	1 0 0	0 8 0	Do.

NOTE.—Grass given two or more waterings fall under class X.

## NOTIFICATION.

The 9th, November 1926.

No. 1201-B. I.—In exercise of powers conferred by section 75 of the Northern India Canal and Drainage Act (Act VIII of 1873, as amended by Act XVI of 1899 and Act IV of 1914) the Governor in Council is pleased to

[Hon'ble. Mian Sir Fazl-i-Husain.]

direct that the following Schedule of Occupiers' Rates shall come into force for all irrigation from the Khadir Branch of the Pakpattan Canal with effect from Kharif Crop of 1927.

SCHEDULE OF OCCUPIERS' RATES.

Class.	Crops.	RATE PER ACRE.		Per
		Flow.	Lift.	
		Rs. A. P.	Rs. A. P.	
I ..	Sugarcane .. ..	10 0 0	5 0 0	Crop.
II ..	Rice and water nuts ..	7 8 0	3 12 0	Do.
III ..	Cotton, indigo and other dyes, tobacco, poppy, spices and drugs.	6 4 0	3 2 0	Do.
IV ..	Gardens and orchards and vegetables, except turnips.	5 8 0	2 12 0	Gardens and orchards per $\frac{1}{2}$ year; rest per crop.
V ..	Melons, maize, fibres other than cotton and all crops not otherwise specified.	5 0 0	2 8 0	Crop.
VI ..	Kharif oil-seeds .. ..	4 4 0	2 2 0	Do.
VII ..	Rabi oil-seeds, wheat, barley, oats, field peas and beans.	2 8 0	1 4 0	Do.
VIII ..	Bajra, gram, masur and pulses	2 8 0	1 4 0	Do.
IX ..	Jowar, rhina, grass which has received two or more waterings and all fodder crops, including turnips.	1 8 0	0 12 0	Grass per $\frac{1}{2}$ year; rest per crop.
X ..	(a) Watering for ploughing not followed by a crop in the same or succeeding harvest.	1 0 0	0 8 0	Acre.
	(b) Village and District Board Plantations.	1 0 0	0 8 0	Do.
	(c) Grass—a single watering ..	1 0 0	0 8 0	Crop.

NOTE.—Grass given two or more waterings fall under class IX.

POLITICAL PRISONERS.

121. **Sardar Santa Singh:** Will the Honourable Finance Member be pleased to state—

- the number of political prisoners undergoing imprisonment in jails outside the province;
- whether the Government is aware of the fact that the prisoners are put to a lot of trouble owing to—

- (i) their ignorance of the language of the place where they are imprisoned;
- (ii) the disagreement of the climate and food given to them;
- (c) whether the Government is aware of the fact that the relations of these prisoners have to bear heavy expenses and face many difficulties whenever they go to see these prisoners;
- (d) whether the Punjab Government is prepared to bring these prisoners back to their own province?

**The Honourable Sir Geoffrey deMontmorency :** (a) 35.

- (b) Complaints have come to the notice of Government under (b) (i).
- (c) No.
- (d) No.

#### MILITARY PENSIONERS.

**122. Sardar Santa Singh :** (a) Will the Honourable Finance Member be pleased to state if it is a fact that military pensioners who took part in the Gurdwara movement or who were sent to prison in connection with the same are paid their pensions on the following conditions :—

- (i) that they should express regret for having taken part in the Gurdwara movement, and
- (ii) they should give an undertaking to refrain from taking part in any such movement in the future?
- (b) Is it a fact that the pension of those military pensioners has been withheld from them, who have refused to abide by the conditions laid down in (a)?
- (c) If the answers to (a) and (b) above be in the affirmative, will the Honourable Finance Member be pleased to state why the conditions mentioned in (a) above, should be complied with by military pensioners in face of the fact that with the passing of the Gurdwaras Act, the Gurdwara movement has assumed the shape of a constitutional movement?
- (d) Do Government propose to take immediate steps for the removal of the restrictions mentioned in (a) above?

**The Honourable Sir Geoffrey deMontmorency :** The honourable member is referred to the speech made by His Excellency the Governor when addressing the Legislative Council on the 9th July, 1925, reported at pages 1801—1805 of the Punjab Legislative Council Debates, Volume VIII, Part B. That speech explained the conditions under which the pensions of military pensioners which had been sequestered in consequence of a conviction by the courts of an offence against criminal law arising out of the Gurdwara movement would be restored. Those conditions are being observed. The Honourable Member is not correct in stating that military pensioners are required to express regret for having taken part in the Gurdwara movement.

## LIQUOR LICENSE.

**123. Sardar Santa Singh :** Will the Honourable Minister for Agriculture be pleased to state whether—

- (a) it is a fact that in 1926 the inhabitants of Mauza Danewal Satkosi, district Ferozepore, protested against the auctioning of liquor license there and that questions in regard to the same were also put in the Council;
- (b) it is a fact that the Government promised to enquire into the matter?
- (c) If so, will he be pleased to lay on the table the result of the enquiry and further will he be pleased to state if—
  - (i) Government is aware of the fact that in January last the liquor license for the above Mauza was again sold by auction;
  - (ii) it is a fact that the inhabitants of the Mauza refused to let their shops to the vendor of liquor and that ultimately a shop was opened in a dharmshala, and
  - (iii) it is a fact that the inhabitants of the Mauza lodged a protest with the Naib-Tahsildar of Abohar against the opening of the liquor shop in their midst?
- (d) If so, will he be pleased to state the reasons for allowing the Excise department to authorise the opening of a liquor shop against the wishes of the public again and again and whether Government proposes to abolish the liquor license in the interest of the public and take action against such of the officers of the Excise department who have failed to respect the feelings of the public by auctioning the liquor license in the said Mauza?

**The Honourable Sardar Jogendra Singh :**

- (a) Yes. The honourable member is referred to the reply to Council Question<sup>1</sup> No. 2682 given on 5th March 1926.
- (b) Yes.
- (c) The result of the enquiry when completed will be laid on the table—
  - (i) Yes.
  - (ii) and (iii) A further enquiry on these points is being made.
- (d) A reply will be given when the result of the further enquiry is received.

**HEAD CLERK OF THE OFFICE OF INSPECTOR OF SCHOOLS, MULTAN.**

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

- (a) if it is a fact that out of five head clerks of the offices of the Divisional Inspectors of Schools in the province only one is a Muslim;

- (b) the number of years for which the present head clerk of the office of Inspector of Schools, Multan Division, has worked at Multan ;
- (c) whether the head clerk, second clerk and third clerk in the office of the Inspector of Schools, Multan Division, are all non-Muslims ;
- (d) whether the present head clerk of the office of the Inspector of Schools, Multan Division, is due to retire from service in June next ;
- (e) whether he will be pleased to consider the advisability of posting a Muslim head clerk in succession to the present incumbent of the said post ?

**The Honourable Mr. Manohar Lal :** The honourable member is referred to the general answer given to Council Questions <sup>1</sup>Nos. 1961—1975.

#### PUNJAB EDUCATIONAL SERVICE.

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

- (a) whether out of ninety-seven appointments in the Punjab Educational Service only thirty-six are held by Muslims ;
- (b) whether out of eight appointments in the selection grade of the Punjab Educational Service only one is held by a Muslim ;
- (c) whether it is a fact that out of eighteen appointments in the Punjab Educational Service made during 1926 only six were given to Muslims ;
- (d) whether it is a fact that the last Muslim appointed to the Punjab Educational Service in the Multan Division was in July 1925 ? and that during the last year only one post in the Punjab Educational Service was allotted to the Multan Division, and that too was not given to a Muslim ;
- (e) the principle or procedure which is followed in distributing new posts in the Punjab Educational Service to the various divisions and communities ?

**The Honourable Mr. Manohar Lal :** The Honourable member is referred to the answer given to Council Questions <sup>1</sup>Nos. 1961 to 1975.

#### HEAD MASTERS OF SCHOOLS OR PRINCIPALS IN THE MULTAN DIVISION.

**126. Shaikh Faiz Muhammad :** (a) Will the Honourable Minister for Education kindly state the number of non-Muslim Head Masters of Schools or Principals of combined institutions in the Multan Division who hold posts in the Punjab Educational Service ; and

(b) if there is any Muslim Head Master or Principal in that division who holds post in the Punjab Educational Service ?

**The Honourable Mr. Manohar Lal :** The honourable member is referred to the answer given to Council Questions <sup>1</sup>Nos. 1961 to 1975.

DISTRICT INSPECTORS OF SCHOOLS ON THE SUBORDINATE EDUCATION SERVICE CADRE.

**127. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education kindly state the number of District Inspectors of Schools who are still on the Subordinate Education Service cadre?

**The Honourable Mr. Manohar Lal :** Seven.

**128. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Member for Revenue be pleased to state whether money is being compulsorily raised from landowners in Gurgaon District and recovered with land revenue for (1) the erection of a sarai in the city of Gurgaon, (2) the destruction of rats? If so, will he kindly state (a) what is the incidence per village or per acre of harvested crop of these imposts in each village; and (b) whether it is authorized by any existing law? If not so authorized, will the Honourable Member kindly state whether Government will take steps to stop the levy of this impost?

**The Honourable Mian Sir Fazl-i-Husain :** The question has necessitated a reference to the local authorities. The information when received will be communicated to the honourable member.

DISTRIBUTION OF LANDS TO WELL-DIGGERS (*tobas*).

**129. Sardar Habib Ullah :** (a) Will the Honourable Member for Revenue please state—

(1) whether it is a fact that in the Nili Bar Colonization Scheme Government has reserved some land for distribution to the original inhabitants of the colony districts; and

(2) if so, whether the well-diggers (*tobas*) who form an important section of the original population will be allowed to be benefited?

(b) If the answer to (2) is in the negative, will he be pleased to state whether Government will consider the desirability of extending the concession to this class whom the colonization of waste lands has thrown out of employment?

**The Honourable Mian Sir Fazl-i-Husain :** (a) (1) Yes, (2) Yes.

(b) Government is not aware that the colonization scheme has thrown or will throw any men of this class out of employment. On the contrary, there should be an increasing demand for their services, particularly in the non-perennial area.

CANE SUGAR MILLS IN THE PUNJAB.

**130. Rai Bahadur Lala Dhanpat Rai :** Will the Honourable Minister for Agriculture be pleased to state whether—

(i) it is a fact that there is no cane sugar mill in the Punjab;

(ii) the cane grown in the Punjab is suited for sugar manufacture;

(iii) the Government is prepared to set apart a large area for cane cultivation, on some canal which could feed a sugar mill?

of a moderate size, to be given on some concession rates to a public company which may start a sugar mill on it, on the terms and conditions laid down by the Government?

**The Honourable Sardar Jogendra Singh :** (i) Yes.

(ii) Yes.

(iii) The matter is under the consideration of Government, who have recently had the whole question of sugar production examined by an expert. Government has not yet had time fully to consider the expert's report.

#### LIFE-SENTENCE PRISONERS.

**131. Rai Bahadur Lala Dhanpat Rai :** (i) Will the Honourable Finance Member be pleased to state whether—

(a) the attention of the Government has been drawn to an article under the heading of "some life-sentence prisoners" in the *Tribune* newspaper in its issue of 22nd February 1927;

(b) the facts stated therein with respect to Ramsaran Das, B.A., are correct?

(ii) If so, will he please state the reasons for not acting in the manner in which the Bombay and Bengal Governments are said to have acted?

**The Honourable Sir Geoffrey deMontmorency :** (i) (a) Yes.

(b) No, not in all respects.

(ii) Does not arise.

#### GRAIN ELEVATOR AT LYALLPUR.

**132. Rai Bahadur Lala Dhanpat Rai :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the cost of the grain elevator at Lyallpur,

(b) whether the said elevator is in use now, if not, since how long?

(c) the annual cost of its maintenance;

(d) the income from it to the Government for the last five years;

(e) the reasons for which the said elevator is not used by the cultivators and grain merchants;

(f) whether the Government is prepared to lease out the said elevator?

**The Honourable Sardar Jogendra Singh :**

				Rs.
(a) Buildings, cost	..	..	..	8,02,452
Machinery, cost	..	..	..	1,90,517
			Total	4,92,969

(b) It has not been in use since the 1st of April 1926.

[Hon'ble Sardar Jogendra Singh]

(c) The cost of its maintenance is—

Rupees 408 per annum for chaukidars ;

Rupees 1,456 per annum for insurance of buildings and machinery.

Then there are local taxes, and the cost of any annual repairs which may be needed for the buildings.

(d) The income to Government from it for the last five years was as follows :—

					Rs.
1921-22	..	..	..	..	927
1922-23	..	..	..	..	8,978
1923-24	..	..	..	..	1,840
1924-25	..	..	..	..	4,171
1925-26	..	..	..	..	1,345

(e) This is a debatable question. The whole question of the introduction of an elevator system in the Punjab is being looked into.

(f) Several attempts to lease the elevator have failed. If it is decided that the Punjab is to have a system of elevators, the Lyallpur elevator will be required as one of them, but Government would have no objection to leasing the elevator on reasonable terms until it is required for other purposes.

#### HAISIAT TAX.

**133. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government be pleased to state if—

(a) it is a fact that several district boards (i.e., Ambala, Sheikhpura, Gujranwala, Jhelum, Amritsar, Jhang, Attock, Karnal, Dera Ghazi Khan, Gurgaon, Hoshiarpur, Simla, Montgomery, Shahpur) in the Punjab have levied haisiat tax ;

(b) it is also a fact that a civil suit was filed by the pleaders of Sialkot against the local district board, with the result, that such a tax was declared to be illegal by the court of Sub-Judge of Sialkot, and the judgment of the said court was upheld by the appellate court of the Senior Sub-Judge, and the appellate court is of the opinion that this tax is being imposed in an illegal way on the basis of wrong notification of the *Punjab Gazette*, 1925-26 ;

(c) If the answers to (a) and (b) are in the affirmative, will the Honourable Minister please state whether the Government will consider the desirability of withdrawing this illegal tax and also direct the district boards where this tax exists, to postpone the recovery of the tax in the circumstances ?

**The Honourable Malik Firoz Khan, Noon :** (a) and (b) Yes.

(c) The matter is under the careful consideration of Government.

## HEADQUARTERS OF THE SUB-JUDGE OF KHARAR.

**134. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Finance Member be pleased to state if it is a fact that the Sub-Judge of Kharar has his headquarters at Rupar instead of at Kharar for want of a suitable residential house at Kharar?

(b) If so, will he please state if the Government will consider the desirability of constructing a suitable house for the said officer, in view of the inconvenience caused to the litigant public of tahsil Kharar?

**The Honourable Sir Geoffrey deMontmorency :** (a) No. There is no Subordinate Judge of Kharar.

(b) Does not arise.

## TUBERCULOSIS AND OTHER KINDRED DISEASES.

**135. Malik Nawab Major Talib Mehdi Khan :** Will the Honourable Minister for Local Self-Government be pleased to state if his attention has been drawn to the appalling extent to which tuberculosis and other kindred diseases are spreading in the province and whether he proposes to take any measures—

(a) to prevent their growth, and

(b) to mitigate the sufferings of these patients?

**The Honourable Malik, Firoz Khan Noon :** Government are fully alive to the importance of the problem to which the honourable member has drawn attention and are considering what measures it is possible to take to deal with it.

## CATTLE LIFTING.

**136. Malik Nawab Major Talib Mehdi Khan :** Will the Honourable Member for Finance be pleased to state if he is aware of the steady increase in the crime of cattle lifting in the province and whether Government proposes to take any special steps to root out the evil?

**The Honourable Sir Geoffrey deMontmorency :** Government knows the extent of this evil and has already sanctioned a special staff to deal with it in certain areas, where it is particularly prevalent. The extension of these measures to other areas will depend upon the success achieved and on financial considerations.

## METALLED ROADS IN THE JHELM DISTRICT.

**137. Malik Nawab Major Talib Mehdi Khan :** Will the Honourable Minister for Agriculture be pleased to state the mileage of the metalled roads in the Jhelum district leaving the Grand Trunk Road (Delhi-Peshawar) and the municipal roads out of account and whether the Government is taking any action towards removing the hardships the people are suffering on account of want of facilities of locomotion?

**The Honourable Sardar Jogendra Singh :** Excluding the Grand Trunk Road and municipal roads the mileage of metalled roads in the Jhelum district is 11. For the improvement of road communications in this district Government has brought the following roads into Class II or "main roads" for participation in the benefits of the road reclassification scheme in its first instalment :—

1. Jhelum-Gatalian-Mirpur.
2. Dina-Sheikhupura.
3. Sohawa Domeli to junction with Jhelum-Chakwal road.
4. Chakwal-Dulla-Pindigheb.
5. Chakwal-Kallar-Kahar.
6. Chakwal, Choa Saidan Shah-Pind Dadan Khan.
7. Rawalpindi-Talagang.
8. Choa Saidan Shah, Kallar-Kahar-Talagang.
9. Jhelum Pind Dadan Khan, Khushab.

Further in the second instalment of this scheme, which will come before the Legislative Council in the present Budget Session, Government has added the following to the roads in the first instalment :—

1. Dina-Lehri.
2. Chakwal-Mandra.
3. Kallar Kahar-Lilla.

Lastly, provided the proposals are accepted for the constitution of a fourth circle in the Buildings and Roads Branch of the Public Works Department which are coming before the Legislative Council in the present Budget Session, the Public Works Department will proceed during 1927-28 to take over the road from Sohawa to Talagang as Arterial Road No. 12. This road is at present unmetalled. When it has been transferred to the charge of the Public Works Department a project-estimate will be prepared for its gradual conversion to a metalled road as funds are made available by the Legislative Council. The length of this road in the Jhelum district is 70 miles approximately.

#### ILL-HEALTH OF STUDENTS.

**138. Malik Nawab Major Talib Mehdi Khan :** (a) Is the Honourable Minister for Education aware that the student class does not generally enjoy good health?

(b) If the answer to (a) be in the affirmative, does he propose to have an enquiry made as to the causes of the ill-health of students?

**The Honourable Mr. Manohar Lal :** (a) Unfortunately, there is much ill-health among the boys at school.

(b) A system of medical inspection and treatment has recently been introduced.

## POSTS IN THE SENIOR GRADE.

**139. Chaudhri Afzal Haq :** (i) Will the Honourable Member for Revenue be pleased to state—

- (a) how many posts in the senior grade Rs. 40—2—90 have become vacant in each district of the Punjab since the issue of circular Memorandum No. 9139-F., dated Lahore the 4th April 1925 ;
- (b) how many such vacant posts were filled in by the clerks in junior grade Rs. 30—1½—60—2—70 in an officiating capacity and how many were appointed substantively in the senior grade Rs. 40—2—90 ;
- (c) how many persons merely as candidates on the list were given in each district the officiating chances in the senior grade Rs. 40—2—90 ;
- (d) how many clerks in the junior grade Rs. 30—1½—60—2—70 have been given the substantive posts in senior grade without affording them an officiating chance in that grade in each district ?

(ii) Will the Honourable Member for Revenue be pleased to state if it is a fact that officiating hands have been preferred to get substantive posts in senior grade Rs. 40—2—90 by Deputy Commissioners to the clerks serving in the junior grade Rs. 30—1½—60—2—70 who were eligible for promotion ? If so, will he be pleased to state why the directions contained in paragraph 4 of the Memo. No. 9139-F., dated Lahore the 4th April 1925, have not been given effect to ?

**The Honourable Mian Sir Fazl-i-Husain :** The information is not available at headquarters and will have to be procured from districts. An urgent letter is being sent to all Commissioners and Deputy Commissioners asking them to send a reply without delay.

## SUPPLY OF WRITING MATERIALS TO PRISONERS.

**140. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the number of prisoners in the Punjab jails who applied during the year 1926 to the respective superintendents of jails for writing materials, and the number of applications (verbal and written) which were granted by the Superintendents of Jails.

**The Honourable Sir Geoffrey deMontmorency :** The necessary information is being collected and will be communicated in due course.

141—145. *Cancelled.*

## GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (TRANSFERRED) GRANT—*concluded.*

**Dr. Shaikh Muhammad Alam** [West Punjab Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move—

“ That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000—  
Total pay of officers.”

[Dr. Shaikh Muhammad Alam]

Sir, in moving this amendment I would like to make it clear that a reduction of Rs. 72,000 with respect to the item of Rs. 1,80,000 would mean a monthly salary of Rs. 3,000 for each Minister. My honourable friend from Jullundur the other day while discussing some other matter had requested the Honourable Ministers to make an announcement of their own free will to the effect that they are prepared to accept a reasonable reduction in their salaries. I whole-heartedly support this view and would be glad if the Honourable Ministers make such an announcement, for I would be saved the trouble of performing the unpleasant duty which I have undertaken to do to-day. As regards my present motion, however, I must say that it has nothing to do with a vote of censure. It has not been moved with a view to prove that the Council has no confidence in the Ministers. I believe the Ministers are well-wishers of the country and as such they would not let this opportunity go by and would show self-sacrifice and love for their country. By doing so they would be able to restore confidence in our minds. Their salaries do not count much in our eyes. We do not look upon them as money-lenders—whatever respect we have for them is independent of their salaries. A reduction in their salaries cannot affect their position. I hope that the Honourable Ministers and their supporters would see their way to support my amendment. Apart from the point that by the acceptance of my amendment the Ministers would be able to restore confidence in us, I have some other reasons financial and economical for the proposed reduction. Sir we have been discussing the Budget for the last few days and are well aware of the fact that whenever we ask the Government to provide larger sums for beneficent departments, we are told that the Government have no funds at their disposal to meet the popular demands. Sir, only a sum of Rs. 6,000 is provided for charitable purposes. It so happens that I have also moved for a reduction of Rs. 6,000 which I think, if accepted, can be more properly used for charitable purposes. It is a pity that the Government say that they cannot afford to spend more than Rs. 6,000 for charitable purposes whereas a sum of Rs. 15,000 a month is being spent on Ministers. Sir, Rs. 2,000 can very well be spent on the introduction of compulsory education, removal of the indebtedness of the peasantry, and on various other matters. Besides the financial and economical reasons already advanced by me there is one sound principle on which my amendment is substantially based, and that is this, instead of providing Rs. 10,000 for the Ministers as we used to do, why should we provide Rs. 15,000 for them when we do not see any material change effected in the administration of the transferred departments and when there is neither an increase in income nor in the number of transferred departments? The number of appointments is quite an immaterial thing for us. We are concerned with the expenditure. Let the Government appoint as many Ministers as they please but let us not provide money for them in excess of what is reasonable. The Government are at liberty to appoint two, five or twenty Ministers. But providing for their salaries rests with us and let us provide no more than is absolutely necessary. And we cannot provide more than Rs. 10,000 for the Ministers. In all such matters the guiding principle must be that the expenditure should be incurred according to real necessities. We are not concerned with any increase in the number of Ministers. There is another reason for moving this reduction and

that is this, that a monthly salary of Rs. 5,000 is a great inducement which often takes away from amongst us persons endowed with exceptional qualities of head and heart to the Government benches. Sir every one is inclined to strive for this high-salaried post. Therefore, the sooner the inducement is done away with the better for every one concerned. There must be some such safeguard as should eliminate any extra inducement from this matter. In this way our best people would be able to serve the best interests of their country. As I have already stated, I would submit again that I have not moved my amendment with a view to show any lack of confidence in our Ministers. In conclusion I would request the honourable members of the House to leave aside all communal bias and personal considerations and consider my amendment in the spirit in which I have placed it before the House.

**Mr. President :** Demand under consideration, motion moved :—

"That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000—  
Total Pay of Officers."

The question is that that motion be adopted.

**Raizada Hans Raj** [Jullundur-cum-Ludhiana (non-Muhammadian), Rural] (Urdu) : Sir, in fact during the general discussion of the budget I proposed that the Honourable Ministers themselves may make an announcement to the effect that they are prepared to accept a reasonable reduction in their salaries. I waited for this announcement till to-day but all in vain. Unfortunately in the world of to-day it is very seldom that people are ready to forego what they have already got in hand, even though it may be much more than they should reasonably take. Sir, we have confidence in our Ministers. I think they are the most capable of the gentlemen in this House. I also believe that this trinity, that is, the Honourable the Minister for Education, the Honourable the Minister for Local Self-Government and the Honourable the Minister for Agriculture would lead to the disappearance of communal tension and re-establishment of the Hindu-Muslim-Sikh unity. I hope they will go hand in hand from village to village and thus set to the people an example of co-operation and unity. I respectfully request these gentlemen to accede to our wishes. Sir, I have gauged the opinions of the various members of the House in connection with the matter under consideration and it seems to me that the only hitch that lies in the way of those who do not agree with me in the matter of the proposed reduction is the idea that the position of the Ministers would be affected and that they would be considered lower in rank than the Executive Councillors. Sir, the salaries of the latter are non-votable and we should take the earliest opportunity to ask the Statutory Commission to make these votable. In Bengal and Madras Legislative Councils, the Ministers have accepted reduction in their salaries with pleasure. The Maharaja Sahib of Mahmudabad himself proposed a reduction in his salary. The Punjabis are known to be practical men. Khan Bahadur Shaikh Abdur Qadir, while acting as the Judge of the High Court accepted Rs. 4,000 a month and Rs. 3,000 per mensem when he acted as President of this Council. When he came here as Minister he got Rs. 5,000 a month only because the salary of the post was Rs. 5,000. It would thus appear that he accepted the amounts that went with the respective posts in order to render public service. The Honourable Ministers are enjoying entertainments and parties every now and then. But, Sir, it is a matter for a few days. Every Minister has to go out of office some day. So it is better for

[Raizada Hans Raj]

the Ministers to win over the hearts of the people while they are in office. In that case by accepting my proposal, when they would be out of office they would enjoy as many entertainments as they had been enjoying while they were in office. Sir, the Ministers have a very light work to do as compared with that of the Honourable Judges of the High Court who have to work for days and nights. The Honourable Judges including even an ex-leader of the Lahore Bar are getting salaries of Rs. 4,000 a month. Their judgments are subject to criticism by the Privy Council, but the decisions of the Honourable Ministers are final. By the acceptance of a reduction in their salaries, the Ministers would show that they have accepted the post only with a view to serve their country. At the time of the *Lee-loot* we all wanted economies in the administration. Now, I think, our Ministers will give practical proof of that desire. When the non-co-operation movement was at its height the Government wanted to get hold of our leading men for filling up these posts. Accordingly they took two of our ex-Presidents of Provincial Conference and gave them what I would call war-time wages. Sir, during the war-times abnormal wages are always offered. Accordingly the Government then offered this abnormal salary to Ministers. Now that the war-time has passed they cannot be given abnormal salaries. I think, that the Honourable Sardar Jogindra Singh being a *Jogi*, as his name shows, would be content with a smaller salary than the one he is getting now-a-days. Our Honourable President was getting no salary at all when he was the President of the Lahore municipality and still he enjoyed great prestige. Sir, if the Ministers accept a smaller salary, it would raise them high in the estimation of the people. It would be a good precedent for the future. In the end, I hope the Honourable Ministers would agree to this proposal.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member): Sir, my friend the honourable member for Jullundur seems to have some doubts as to why the exact provision of salaries of Ministers as it stands in the budget was made. What was the reason for this? Some observations to this same effect were made also in the general discussion of the budget. I should like therefore, in case any honourable members have any doubts on the subject, to solve these as far as I can, and also to mention a few considerations which arise out of this question. The first part of Section 52 of the Government of India Act relates to the appointment and remuneration of Ministers. The second part of the first sub-clause relates to their salaries and it runs as follows:—

"There may be paid to any Minister so appointed in any province the same salary as is payable to a member of the Executive Council in that province, unless a smaller salary is provided by vote of the Legislative Council of the province."

Now the rate or rather the maximum salary of a member of the Executive Council is fixed by statute in the second schedule of the Government of India Act. It varies in different provinces.

What lies behind the words of the statute as regards Ministers' salaries? In the first place it obviously gives effect to the recommendations of the Joint Select Committee which recommended that Ministers' salaries should be fixed by the Legislative Council because that was the obvious manner of making Ministers responsible to the Legislative Council. In the second place, the section gives the Legislative Council power to fix for a Minister the same

salary as for a Member, that is the salary of the Minister cannot exceed in any province the maximum of the salary of the Executive Council fixed in that province. In the Punjab the maximum salary has been fixed by statute at Rs. 60,000.

Another point which must be borne in mind is that once the Legislative Council votes a smaller salary for the Ministers, that salary cannot be raised and that is one of the reactions of the statutory position as it stands. The reason, therefore, for the provision in the budget of the specified amount as salary of Ministers is that the statute gives a pointer that ordinarily the salary of Ministers in this province shall be provided at the figure of Rs. 60,000 each.

So much for the statute. May I also briefly mention some of the *a priori* reasons why it is reasonable that a Minister should enjoy the same salary as a Member? It would be very undesirable and very invidious, I think, that a Minister should receive a smaller salary than a Member. It would at once give rise to the impression that the charge of those departments of which the Ministers hold the charge is less important than the charge of those departments of which the Members hold the charge. But this is very far from being the case especially in the Punjab. In the Punjab a greater part of the new money goes to the transferred departments. These are rapidly expanding and busy departments. It is on these departments that interest, criticisms and suggestions both inside and outside this Council concentrates. It would, therefore, seem *a priori* undesirable to take any step which would belittle the great importance of these beneficent and nation-building departments.

May I also remind the honourable members of another point, that is, that the Ministers have been given the same status as the Members of the Executive Council? Why should they then enjoy a smaller salary?

Another point I think will occur to every body. Indeed it has been mentioned that if a smaller salary is voted for the Ministers, men of good stamp would hesitate to accept these posts, and I think everybody will also recognise that men of good stamp are required to take charge of these very important departments. Why should they hesitate? I think they will hesitate, in the first place, because by the reduction of the salary these posts would be branded in the eyes of the public as something inferior to the posts held by the Executive Council Members. They would naturally also hesitate to take up posts on a lower salary in view of their obligations to their families and dependents. Now, let us look back at the history of this Council and see from what classes of persons have our Ministers been drawn. They have been drawn from persons interested in commerce and industry, they have been drawn from persons owning and managing large estates; they have been drawn from persons in the legal profession. For all these three classes of persons what does Ministry involve? For the first two classes it involves, first of all, for three years the severing of the personal touch and direction in those concerns which they would have been otherwise personally managing. It involves loss during that period because as honourable members are aware that when the hand of the master is taken away

[Hon'ble Sir Geoffrey deMontmorency]

things are apt to go wrong; but it involves loss during an additional period also because when that hand is re-imposed it may be necessary to make special arrangements to retrieve the loss which may have happened in the three years' interval.

As regards the members of the bar, what does a three years' severance from their profession involve? It does not only involve loss of whatever income they would have made during those three years, but it involves also a loss of their clients and future prospects. Whenever they accept ministry, their clients have perforce to seek other legal advice and when they return to their profession they find that their clients having committed their business to other gentlemen are unable to come back to them.

If salaries of the Ministers are lowered the probabilities, therefore, are that good stamp of men may not be forthcoming. People of good stamp undoubtedly in good many cases may be patriots. They may have the best interests of the province and the people at heart. Nevertheless they have duties towards their dependents and families and they cannot seriously afford to jeopardise those interests by neglecting their business and occupying themselves in public duties, unless a fitting remuneration is paid for these public duties. It would be unreasonable to ask them to do so. What then, may be the result of lowering the salary? A good stamp of man will not be forthcoming. The result may be that you may have to entrust A-1 responsibilities to C-3 men.

I may dwell on one further point which is also financial. When this province was passing through a period of great financial stringency, members of this House voted reductions in salaries and in different other directions. They voted for the reduction and abolition of posts. But there was one item in those days of financial stringency for the reduction of which a motion was never carried and that was the salary of Ministers. Let me as Finance Member say that now in these days of comparative affluence there seems not only far less reason but indeed no reason at all to take the step of reducing the salaries of the Ministers. (Cheers).

**Pandit Nanak Chand** [Hosiarpur (Non-Muhammadan) Rural]: Sir, I was rather surprised that this motion should have come from the Congress benches. (Hear, hear). One could have understood the motion for the total reduction of the Ministers' salary from them. Then the policy of the Congress members would have been in consonance with the Congress policy followed in other provinces. But it is difficult to understand how the members like Razada Hans Raj or my honourable and learned friend Dr. Muhammad Alam could have decided to bring a motion of this kind. We have been told times without number that one of the objects of the Congress was to claim equality for Indians in all departments of administration. We have often blamed the "satanic" Government for things that it has done, but we entirely forget that in some cases we ourselves are to blame. If my learned friends read the report on the reforms by Lord Chelmsford and Mr. Montagu they will find that they have claimed equality for the Indian Ministers with Executive Councillors and it was that thing which was incorporated in the Government of India Act. Our claim to equality has been conceded by the British Parliament and those who are responsible for these reforms. But

our friends here say 'No. The Ministers' salary should be placed at a lower level.' My honourable friends might be right in saying that we must wear *khaddar* and so on and so forth, but if these things are carried out in the way in which our friends want, then the salary of the Ministers need not be Rs. 3,000. It is enough if it is Rs. 1,000. Judged from that point of view the Ministers ought to wear *khaddar* and should travel in *bail garrhi*, so that the Ministers' salary may be reduced to Rs. 1,000 or Rs. 500. But the honourable members propose Rs. 3,000. By so doing they lower the status of the Ministers even below that of the Financial Commissioners whose salary is Rs. 3,500. What then is this equality? We are now on the eve of a second Commission which will come here, and if the commission accepts this recommendation and provides that the Ministers are to get Rs. 3,000 or Rs. 2,000 as voted by the different Legislative Councils, there would be a hue and cry, "Look at the Government, see what it has done. Look at Parliament, it has lowered the status of Ministers, the representatives of the people, the representatives of the Councillors." Thus all blame will rest on the Government, though we ourselves dig the grave of equality and then try to blame other people for our own doings. From that point of view, Sir, from the national point of view, from the Swarajists' point of view, from the Congress point of view, I would ask the honourable member to withdraw his motion, because it would be harmful to the Indian interests at large. If you claim equality, there must be equality not only in the social and political status, but in case of salaries also. There is no reason why they should be placed at a lower fee than the Executive Councillors.

Then, Sir, the honourable mover of this amendment was very eloquent while trying to depict to us that these Rs. 6,000 may well be devoted to charitable purposes. What authority has he for making the statement that it will be devoted for charitable purposes? Does he mean that these Rs. 6,000 will be allotted by Government to charitable purposes? Not at all. On the other hand, by reducing the salary of the Ministers he is shutting the door to the Ministers to pay something out of their funds for charitable purposes (hear, hear). Of one thing I am certain that if this reduction is made, Government is not going to allot these Rs. 6,000 per mensem for charitable purposes. On the other hand, there is every possibility that if my friend Dr. Alam or Raizada Hans Raj, the member for Jullundur go to the Ministers and ask for contribution for charitable purposes, for poor-houses and so on, the Ministers might be able to help these people from out of their salary.

3 P.M.

**Shaikh Muhammad Sadiq:** Let the honourable member try.

**Pandit Nanak Chand:** On the one hand we have got the definite fact that this money will not be allotted for charitable purposes, on the other hand there is a probability of some of this money being devoted to charitable purposes. From that point of view, also, I submit that this motion should not be accepted by the House.

Mention was made that there was no necessity to have three Ministers. You ask the Government why there should be three Ministers to administer the same departments which were hitherto being administered by two Ministers. The three Ministers have now under their control the same departments which once were administered by two Ministers. Here also

[Pandit Nanak Chand]

the Government comes for blame. We have seen what the result of the communal tension in this province is. One section of the House, one section of the people in the Punjab was pressing the Government to give them a Minister. You fight with one another, you quarrel with one another, you are not agreed about the appointment of Ministers. On account of your own quarrels, on account of your own claim to have one more addition to the Ministry, the Government have raised the number of Ministers to three. When your claim is conceded and when your request is granted, you turn round and say: "Why should you have three Ministers to administer the same department which were hitherto being administered by two Ministers." I submit that that is a most unreasonable argument. All along in the Press and on the platform an agitation has been going on that all communities should be represented in the transferred departments. When the Government gives way to that desire of the people, there are honourable members here who come forward and say: "these people are administering the same departments and they are doing the same work which was done by the two Ministers." They now say: "it is a sheer waste of money to have three when two will suffice." I submit, Sir, that if it is a punishment which has been meted out to those who have been clamouring for representation in the Ministry, they have been rightly served. It was open to us, to anybody individually, or to all sections of the House to have prevented this addition of another Minister. We could have plainly told His Excellency that we would be satisfied with two Ministers. But this was a step which we were afraid of taking. One community is not satisfied with the representative of the other community. The other community is not satisfied with a Minister from a third community. The result is that three Ministers have had to be appointed, one from each community. Now, if you are punished, I think you are rightly served. In my opinion this is the proper time and this is the proper ground for you to compose all your differences and to approach His Excellency the Governor and say that if in future any Ministry is to be formed, we, all sections of the House, are prepared to support two Ministers, whether they belong to one community or to two communities. That is a point which I wish to impress upon all the honourable members of this House. There is no use of trying to blame other people for our own faults.

My honourable friend then went on to compare the work of the Honourable the Judges of the High Court with that of the Ministers. To that sufficient reply has been given in a way by the Honourable the Finance Member. The term of office of High Court Judges is secure. If they are to be turned out, it can only be done by the vote of both Houses of Parliament on an address made to His Majesty the King. But what is the position of our Ministers? Here 40 or 50 of us might combine and turn the Ministers out if we chose. There is that element of uncertainty in the job of Ministers which you do not find in the judgeship of the High Court. From that point of view, if a Minister is given a salary higher than that of High Court Judges, there is sufficient justification for the same. I very respectfully submit that leaving all questions aside, we must first of all look at this from a national point of view. Any reduction in the salary of Ministers is bound to

lower their status and their position. When the next Royal Commission comes, we will find that this, our wish, will be given effect to and then we will find everybody blaming either this party or that party or the Government for reducing the salary of Ministers, while we ourselves are responsible for that humiliation. It is a humiliation for a Minister to be paid Rs. 8,000 while an Executive Councillor is paid Rs. 5,000.

One honourable member was pleased to say that he had tried to gauge the opinions of the various members of this House and he had come to the conclusion that every member was in favour of reduction of the salary of Ministers.

The third argument advanced was that because the Executive Councillors were paid Rs. 5,000 each and because we could not touch their pay, therefore, we should reduce the salary of the Ministers whose salary was within the vote of the House. That is not a plausible argument. Out of the five cabinet members four are Indians at this time. It is open for you to say here in this House and also to agitate outside that so far as Indians are concerned, whether they are Executive Councillors or Ministers, they should be paid the same amount of salary, but the representative of the British people in the Executive Council must be given an overseas allowance in addition to pay which should be the same as that of the Ministers. If this had been suggested, one could have understood that position. There should be a proposal that just as members of the India Council get an overseas allowance, the Executive Councillors in India who come from overseas also should get such allowance, otherwise the pay should be lowered. That sort of agitation I have seen nowhere neither in the Press nor on the platform. I submit that it is merely to humiliate the Ministers that the motion has been made just now.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan), Urban] : I could not believe my ears when I heard the speech which has been delivered by the honourable member for Hoshiarpur. If I remember aright, it was the cry of my honourable friend for the last three years that the salary of the Ministers should be reduced. Everyday whether in Simla or in Lahore, whether in the High Court bar or outside, my honourable friend's one incessant cry was that the salary of the Ministers should be reduced. He had all along been harping on the one theme of the high pay of Ministers. An honourable member who had all along been giving expression to such a view to come to-day and defend the position of Ministers in taking a higher salary is, to say the least, performing the funniest political somersault. Once he was saying that the Ministers should not get as much as Rs. 5,000, now he turns round and justifies their taking Rs. 5,000. What has happened to my honourable friend who has all along been taunting the previous Ministers by saying that they should not receive as much salary as they are receiving to come now and say that they should get as much as the Executive Councillors. My honourable friends opposite were once members of the Congress party and the mandate of the Congress now is that there should be no dyarchy. My honourable friends who were once condemning the Ministers are now congratulating them. My honourable friends were once sitting in the opposition and now they have gone over to the official side. Is it not a great surprise that the very people who were saying what we are now saying should say that we are wrong simply by reason of change of their seats from

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the opposition to the Government benches. What other reason can we give for their change of attitude? We have all along been saying that this motion for the reduction of salary of Ministers is not intended to be a vote of censure on the Ministers. I hope my honourable friends on the other side would accept that assurance. Even in spite of this open assurance that no censure is intended on the Ministers by this motion, why should my honourable friends on the other side suspect our *bona fides* in the matter and suggest that there is something lurking behind the motion. I say it openly in this House that this is not at all a vote of censure. I appeal to my honourable friends to put that idea absolutely aside.

My honourable friend from Hoshiarpur has been lecturing on the charitable feeling of the Ministers, and he laid great stress on the fact that if the Ministers were paid the full salary of Rs. 5,000 they would benefit many institutions by their benefactions. I can assure the House that neither I nor any member of this House want any charity from the Ministers. I do not think that the Punjab is too poor to pay Rs. 5,000 to each of the Ministers. Neither on this ground, nor on charitable ground nor yet on political grounds do I support this motion. I oppose on grounds of economy. If I may be permitted, I shall quote from the *Daily Mail Year Book*. We find that the Prime Minister of Great Britain is paid £5,000 per annum. The Lord Chancellor gets £10,000 per annum. Let the House note, Sir, that a Prime Minister gets less than his subordinate the Chancellor of the Exchequer. The Attorney-General in England gets £7,000 plus fees. The Solicitor-General gets £6,000 plus fees. One outstanding factor in the salaries of many officers in England is that they are paid much higher than the Prime Minister and yet nobody says a word about the humiliation of the Prime Minister in being asked to receive less salary. Let me be put in the position of Executive Council Member only on Rs. 500 and let any officer who draws greater salary dare to utter a word in insult to me because I am drawing a low salary, I shall soon put him in his proper position. It is all a question of power, not a question of salary. The salary does not in the least bit affect the position of Ministers. The President of the United States of America gets only 15,000 dollars a year. The President of the Republic of France gets only about £3,000 per annum. Nobody would dare to say that the President of the Republic of France is lower in status than the Prime Minister of England. Take the case of the Viceroy of India who gets nearly three lakhs, which is much more than that of the Prime Minister of England, under whom the Viceroy is serving. The Viceroy here has got all the paraphernalia of Royalty, viz. Rolls Royce, etc., whereas the poor Prime Minister of England has not got a motor car from the State Exchequer. The King-Emperor has not got even one-third the number of bodyguards the Viceroy here has. Not even the King-Emperor in England has as many servants as the Viceroy in India. Does that in any way detract him from this exalted position? All this talk of pecuniary difference is all humbug. It does not hold water for one moment.

Then, Sir, great stress has been laid on the question of the coming Commission. Unless you reduce the salary of the Ministers to Rs. 3,000 now, how can you ask the Commission when it comes here to reduce the salary of the Executive Council Members. My honourable friend from Hoshiarpur

being a keen lawyer knows how to twist arguments as it suits him. A lawyer who is arguing for the prosecution will instantaneously argue for the defence only if he is called upon to do so. I am a lawyer and I know the tricks of the trade. You can see that these arguments of the honourable member from Hoshiarpur are only specious. The object is not to convince the House about the utility of paying the Ministers the same salary as the Executive Council Members, but my honourable friends on the other side already seem to have made up their minds how to vote on this motion.

My honourable friend says that the Ministers should be paid Rs. 5,000 now because Executive Councillors are paid Rs. 5,000. Supposing the Commission comes and says that Rs. 10,000 per mensem should be paid to the Executive Council Members, would my honourable friend even then contend that the Ministers should be paid the same salary as the Executive Councillors, namely, Rs. 10,000?

**Pandit Nanak Chand :** Certainly.

**Shaikh Muhammad Sadiq :** Perhaps my honourable friend dreams of becoming a Minister, and that is why he is saying that he would plead for the Ministers being paid the same salary as the Executive Councillors even if that be Rs. 10,000 per mensem. I may assure him that he is not going to become a Minister. Perhaps he is thinking that the present Ministers might not be returned in the next election and he would thereby become a Minister. Let him live in this fond hope. He will always be living in hopes without achieving anything. After all Ministries do not go abegging. I can assure the House that those honourable gentlemen who are now supporting the Ministers in getting the salary that they get now are doing so for different reasons. What is it that has happened to change their mentality? In the last Council my honourable friends were Swarajists and Congressmen. What has occurred to them to change their minds suddenly. I cannot understand how they have been able to change their mentality within one year.

Now why have they changed sides and why have they changed their mentality? It is not patriotism at any rate. It is due to communal differences and nothing else. Now it is said that if we reduce the pay of the Ministers it will reduce their status. My honourable friend, the Finance Member, says that they have to live in better houses and have to pay a higher rent. Now why should they go to another house simply because they become Ministers? I think Ministers are living in the same houses as they were living before. That they have to live in a better house is no argument, and it does not hold water at all. Now I do not agree with my honourable friends who said that jogi wants less money. My experience of jogis is that they want more and more money. So appealing to the Minister in that indirect way cannot be accepted. But I expect the Ministers to look to the financial position of the country. If you again refer to this book on page 128 you will find that the revenue of England is 80 times more than that of the Punjab. In Punjab we have got 15 crores and the revenue of England is 80 times that of ours. So according to that proportion, dividing the Ministers' pay there by 80, we should pay our Ministers only Rs. 60 a month. But we are not so unreasonable as the English Government is; we are not so unreasonable as the English Parliament is. Instead of offering 80 times, we are offering 50 times. It is said that if we reduce the pay of the Ministers

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there will be very few people coming in for Ministerships. The Ministers are to be selected from this House, and I know how many people are running after Ministerships. I am sure there will be no dearth of Ministers in this House even if the pay is reduced to half. Why should they stand for selection if it does not pay for them? They do not always come in on patriotic grounds as is always mentioned. I am not now attacking any gentleman. It is not my habit to attack any individual. I want to be friendly with all. Even if we are opposed politically there is no reason why we should not be friendly socially. But at the same time sometimes our voting against them may lead them to say, 'God save us from our friends.' In political matters we may belong to this party and that party, but socially we must be all friends. Let us try as far as possible to reduce the expenditure of this country. Let us give the Ministers Rs. 3,000 a month. But I do not stick to that. If they think that this is not enough for them let them have more. We do not want to press in that way. But what is the use of asking this House to vote the salary when they have got the solid votes of the Government behind them? With the help of the Government Benches they can easily get what they want. But if you want the free vote of the House then the best thing for the Government is not to vote on this question. After all the law says that it should be voted by legislature, and if in the legislature the Government uses its influence then we can hardly call it a free vote of the House. Now, Sir, there seems to be some mistake about calling us Congress party. I can assure you that the party on this side as is now constituted is not Congress party or Swaraj party. It is an independent nationalist party. It is independent of the Congress. It may be that there are 2 or 3 Congressmen in the party, but it does not make a Congress party, and my friends on the opposite ought to know that because they themselves deserted that party.

**Pandit Nanak Chand :** I never belonged to that party.

**Shaikh Muhammad Sadiq :** I know that. I did not speak about my honourable friend. But he belonged to the Nationalist party and he voted with it when it served his purpose. (*Laughter*). They had different names; they called themselves Hindu Nationalist party or Congress party or something else but the fact is that the majority of the party were Swarajists and now they have deserted their side and they have condemned their own action.

**Dr. Gokul Chand, Narang :** Is the honourable member in order?

**Shaikh Muhammad Sadiq :** My friend does not speak but he objects (*Laughter*). The finest thing is, I may tell the House, that they have changed their mentality. This year they have sat absolutely quiet, whereas previously the agenda used to be full of motions for cuts. Now not a single motion for cut has been tabled by that party. What is this change of attitude due to? Why has the lion become so meek? They used to be proud of the fact that they were going to oppose the Government. Now they are sitting quiet as lambs. What is it due to? The whole party have given up their political ideas. They have sacrificed their political ideas.

**Mr. V. F. Gray :** Are we discussing the parties or discussing the Ministry?

**Skaikh Muhammad Sadiq :** In order that honourable members of the House may not be carried away by the eloquence of the other party, I am just referring to these things, so that the House may truly value the speeches of the honourable members.

**Mr. President :** May I ask the honourable member to speak to the question?

**Shaikh Muhammad Sadiq :** I bow to your ruling, Sir. My idea was to argue round about, like a lawyer, and try to show to the House that it should not value the speeches of the other party, and that they should take them at their true value. I do not want to appeal to the charitable instincts of the Ministers. On the other hand, I will appeal to the instincts of this House and I ask them whether it is right to have such high salaries when the next Commission comes. In a small country like Ireland there are 10 Ministers and in India also in the future there will be more and more Ministers. The Chief Secretary and other Secretaries will be merely advisory officers to the Government, not taking part in the Council. So in the future constitution instead of three Ministers we will have many Ministers, and if we begin to pay Rs. 5,000 to each Minister it will be very expensive and the whole revenue might be absorbed in the pay of the Ministers. For this reason only, and not as a vote of censure, not because I am an enemy of any of the Ministers, not because I want to lower the prestige of any particular member, that I support this amendment. I support it only as a means of economy.

**Diwan Bahadur Raja Narendra Nath (Punjab Landholders General) (Urdu) :** Sir, I did not intend speaking on this motion because my point of view on the question before us has been fully expressed by my friend Pandit Nanak Chand and the Honourable the Finance Member, but I think it would be quite appropriate if I invited the attention of my honourable friend, the mover, towards the famous couplets of two renowned poets. It is a matter of satisfaction to me, Sir, that the mover has stated that his motion does not imply a vote of no confidence. I only wish to draw his attention to the dual system of Government which is called dyarchy. As long as the system is there we shall have to work it, and it is the earnest desire of political leaders and of those persons who wish to attain self-Government that the present difference between the reserved and the transferred subjects should gradually disappear. I would like to ask my friend whether it would be desirable in that case to propose reductions. If this cut does not amount to a vote of no confidence as is admitted where lies the justification of suggesting reductions? By such proposals the gulf between the transferred and reserved halves will be widened. The Honourable the Revenue Member and the Honourable the Finance Member are above these cuts. Will not the Minister whose salaries depend on our vote say in the words of the poet :

اناکہ دم میس کر فکند کز شند

ما غرق از انیم که بر پیل سواریم

[Diwan Bahadur Raja Narendra Nath.]

My submission is that you are indulging in slighting your own men. You object to your own Ministers while you cannot do anything whatsoever in regard to the Executive Councillors. Sometime back I also had the occasion of looking at these matters from another point of view. I recalled to my mind then a verse from Saadi—

دوستان را کجا کنی مخروم  
تو کہ با دشمنان نظر داری

I would change the words slightly to suit the present occasion and the verse would run—

دوستان را ہی کنم مخروم  
من کہ با دیگران نظر دارم

Not to touch the salaries of Executive Councillors and to reduce the salaries of Ministers without implying any censure of their policy amounts to what is portrayed in the above verse. It is premature to lay down any principle by which the salaries of Ministers should be fixed. We shall have to deal with this question sooner or later; we will get our complete provincial autonomy, and we will be able to form a cabinet. It would be then and then only right to fix the rate of salaries for our Ministers on an economic basis. We should not touch upon such matters before we reach our goal. But in order to attain the goal we should qualify ourselves for it. Our mutual squabbles must cease. Another poet has pertinently remarked—

تو کہ بر جائے بزرگان زد بگراف  
مگر اسباب بزرگی همه آفاده کنی

(You cannot take the place of great men by mere fluster and bluster. You should first qualify yourself for the high position.)

I assure my friends that when self-Government comes and my soul is re-incarnated, I shall be glad to accept the office of a Minister on a smaller salary (Laughter.)

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural]-(Urdu): Sir, I must confess that I had a hope that the honourable members who are well known for their aptitude for mathematics will support this cut, but I am awfully sorry to find that my hopes have been falsified. I thought that if other parties will keep aloof the party consisting of the members I have alluded to will certainly rise to the occasion and come forward to support this motion which aims at reduction in the expenditure of the province. On the contrary, these gentlemen have changed their view-point and decided to oppose this cut for considerations too well-known to be mentioned here. A poet has very pertinently remarked—

ہم نے چاہا تھا کہ داور سے کوئی شکوہ  
وہ بھی خوش بخت تو چاہنے والا نکلا

Besides this you are always found preaching the gospel of efficiency and inculcating the feelings of patriotism. But I would like to know as to

whether these epithets of patriotism and efficiency are reserved for other province. Are they not meant for this province? Here I should quote the instance of the United Provinces where the salary of a Minister is fixed at Rs. 8,000, while in another province, I mean Madras, the Ministers get Rs. 4,333-5-4 per Minister. Sir, when we see these things it is but natural for us to think why we should not compel our Ministers to accept that rate of salary. We should be honest. We should not look at these matters from a communal point of view. It may be argued that by lowering the salary of Ministers the work will suffer because on a smaller salary efficient men will not be forthcoming. I submit, Sir, that this is not correct. There are other provinces where efficient men are working as Ministers on a comparatively small salary. Had there not been a Muslim Minister and had I supported this motion it would have been remarked that I had indulged in communalism, but my contention is that the salary of the Muslim Minister should also be reduced. Now how far does this question consist of communalism? I must emphasise, Sir, that the honourable mover has not brought this motion before the House from a communal point of view. He has moved this cut from the view point of economy. It is a matter of regret that one of the members of the party which is now opposed to this motion had circulated a confidential letter to the effect that the salaries of the ministers be reduced (*ries of 'no,' 'no'*). Please do not try to deceive me. I am positively sure that the letter was circulated. Do not challenge my statement. If I am compelled to convince you I am afraid you will be convinced. Probably at that time you did not take any interest in that matter. You should have asked your party before you issued that letter.

**Dr. Gokul Chand, Narang :** Sir, is not the honourable member under the convention of the House bound to accept a denial on a point of fact?

**Chaudhri Afzal Haq :** Sir, my honourable friends should accept my statement. They are bound to accept it. Then, Sir, the Honourable Sir Geoffrey has told us that by paying a smaller rate of salary the efficiency of work will suffer. Look at the circumstances in other provinces.

**The Honourable Mian Sir Fazl-i-Husain :** Which province does the honourable member refer to?

**Chaudhri Afzal Haq :** Sir, I have seen only two budget estimates. I mean Madras and the United Provinces. I think the climate of this province stands in the way of efficiency and a smaller salary. Is it necessary that efficient men will only be forthcoming when a high salary of Rs. 5,000 is offered. The crux of the matter is. . .

**The Honourable Mian Sir Fazl-i-Husain :** May I with your permission ask the honourable member how much salary for Ministers has been put down in the Madras budget? Is it Rs. 5,000 or Rs. 4,000 or what?

**Chaudhri Afzal Haq :** In Madras it is Rs. 4,333-5-4 (One honourable member: Is it after deduction of income-tax) I do not know.

**The Honourable Mian Sir Fazl-i-Husain :** Which is the other budget which the honourable member refers to?

**Chaudhri Afzal Haq :** The budget of the United Provinces.

**The Honourable Mian Sir Fazl-i-Husain :** Is it for 1927 ?

**Chaudhri Afzal Haq :** This is for 1926-27.

**The Honourable Mian Sir Fazl-i-Husain :** That is not the current budget then.

**Raizada Hans Raj :** They have been paying that.

**Chaudhri Afzal Haq :** Now, Sir, if it is correct that once the salary is lowered it cannot be raised then there is no need for seeing next year's budget. I was saying, Sir, that Rs. 5,000 is paid for the maintenance of efficiency by the Government, but I would submit that man is not infallible. He can easily be won over and can be led away by promises and high salaries. His voice, his feelings and his discretion can be purchased through high-sounding praises and high salaries. If a Minister desires to effect an improvement in his departments which does not suit the other wing of the Government he will twice think before he orders for any initiative. In fact his discretion is fettered. He is to play the second fiddle. But if he gets a smaller salary, say, Rs. 3,000 he will be bold enough to embark on any scheme because he will think that he could earn Rs. 3,000 easily elsewhere, and if he is obliged to work with fettered discretion he will at once resign his post. My submission is that efficiency does not depend upon Rs. 5,000. It depends upon feelings of patriotism and a strong sense of duty. Unless these epithets are not possessed by a Minister he cannot be called efficient. If you wish that your Ministers should become efficient, please inculcate these noble feelings and high sentiments in them. In passing on to another point I may say that the Sikhs are my honourable brethren and they belong to our party. Now if they are asked by the *Panth* to retire from the Council they will at once obey the orders of the *Panth*. Would they hesitate? I think they dare not. Similarly these Ministers ought to do. But they can do so in case they are getting smaller salaries because high salaries generally make them weak. I say, Sir, that if Ministers were independent they will not care for their posts and initiate their own schemes and proposals. But the fact of the matter is that these big salaries make them diffident in their actions. Sir, it has been said that at the time of the next instalment of Reforms it will be argued that Indians should be given a scale of pay comparatively smaller than that of the Europeans. We would reply that we do not want officers who are not willing to work on smaller salaries. If they are not prepared to accept they had better leave this country for good. Sir, this contention of high pay does not sound much. It will induce everybody to aspire for high wages, and it will become hard to cope with the situation arising out of such measures. We should instil in the minds of our countrymen these noble ideas of self-denial and patriotic feelings, and the things will go alright. Some of the members opposite were pleased to remark day before yesterday that in this poor country the salaries and wages were so high that people cannot afford to make both ends meet. But it is most unfortunate that to-day they have changed their front. This is sheer partisanship. Sir, I wish to point out that those who always enjoined for reduction are not only opposed to cuts and reductions, but they vehemently defend and support these high salaries of Ministers. I do not propose to ask you to vote in favour of this motion. I do not make any appeal or suggestion because I know that these will fall on deaf ears.

when a spirit of partisanship is prevalent. But I should say that for God's sake do not let your country be plunged into heavy expenditure which will not be permissible at the time of self-government. These Ministers are popular and respected persons. But it is not in the least just and proper that their pockets should be filled with any amount of gold. This country is very poor. You might have seen in reports and heard in this very Chamber that the income of an average Indian is equal to the expenditure of a prisoner in the Punjab jails. Sir, had there been two Ministers I would have remained silent for fear of being accused of communalism. Now there are three and one belongs to each community and in this case I cannot help criticising their salaries. It is a matter of surprise and regret that the very staunch supporters of cuts and reductions are opposed to this motion. In fact they are acting against principles. We should not think over these matters from a standpoint of partisanship. We should not see whether this motion will help Hindus and Sikhs or will prove detrimental to Muslims. We should settle up these differences between ourselves and at the same time the principles of patriotism should not be lost sight of.

Again, Sir, it is a matter of indescribable surprise that this accusation is flung at the Congress that higher salaries are allowed by that body. Although I have come here on the Khilafat ticket yet I am a staunch believer in that august body. I know it for certain that the Indian National Congress has always registered its protest against high salaries. It is easy to make a statement but it is difficult to substantiate it. It is a matter of common knowledge that the Congress has been recording its complaints for the last 30 years that India was a poor country and that big salaries amounted to heavy taxation on the Indian people. But to-day my honourable friends just for the sake of carrying one point are adducing such arguments which even a man in the street will not be convinced of. Sir, I do not want to take more time of the House but I would like to submit once more that it is the decision of our party and we want this cut to be carried. We know we cannot defeat Government by securing more votes but one should at least raise his voice and ventilate his feelings with respect to such matters which prove useful for the general good and common weal. I am a Mussalman and I beg to say that although I have every sympathy with my brother Muslims yet I am prepared to say that the salary of the Muslim Minister may also be curtailed. If our Ministers agree to our proposals I assure them that they will command more respect and confidence. They should follow the example of the Ministers in other provinces. I have already cited the pages of the budget estimate of other provinces to show that the salaries of Ministers in other provinces are lower than those of our Ministers.

In conclusion, Sir, I appeal through you to the honourable members of the House to sink these differences of communalism. Pray do not adopt that attitude which was adopted in the Legislative Assembly by the Hindus, at the time of the Frontier Reforms Debate and by the Muslims when the Ratio Bill was brought forward. I hope that my honourable friends will think over this motion dispassionately and will not look at it from a communal point of view.

**Mr. V. F. Gray** (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, I have listened for the better part of two hours to

[Mr. V. F. Gray.]

the debates on this amendment. The amendment has been moved with the object of discussing the reduction of the salary of the Ministers, but we have wandered very far from this, during the last 2 hours. The honourable member from Amritsar (Shaikh Muhammad Sadiq) took great exception to the honourable member from Hoshiarpur, a lawyer, arguing as a lawyer on the lines he did. He himself, also being a lawyer, then proceeded to argue in exactly the same way, so as to present his point of view. I think he began by comparing the Prime Minister's salary in England of £5,000 per year with that of His Excellency the Viceroy, thinking that the Prime Minister was obviously a bigger man. He then showed, by quoting somebody, how the salary of the Prime Minister of England was less than that of some Cabinet Ministers but more than others. He then proceeded to tell us that the income of England is eighty times as big as it is of India and on that reason he argued that the salary of Ministers here should be one-eightieth of what it was in England, that is, according to his calculation Rs. 60 a month. I would like to ask him, if he had not left the House, "Why not work the argument the other way? His Excellency the Viceroy being according to the honourable member equal, or less in status than the Prime Minister, and the Prime Minister's remuneration being roughly equal to Cabinet Ministers, why should not the Punjab Members of Executive Council and the Ministers have the same salary as the Viceroy?" This would be an equally good argument. However, I won't waste the time of the Council by merely trying to catch points in the debate. I would like the whole House to take to heart the warning given by the Honourable the Finance Member that if a cut in the salary is now made it cannot be restored again. I think that is a point we ought to bear very much in mind. Just at the present moment the feeling between one community and another is estranged and for no sound reasons you are asked to reduce the salary of the Ministers. There is no solid argument put forward in favour of the reduction. Remember at the time the province could barely afford the salary of Rs. 5,000 for each of the Ministers, there was no question about it. Now that we have a comparatively happy time financially and can easily afford it, there is really no object in making any reduction; because you must bear in mind that you want for your Ministers the finest men you can get from the province and you cannot get the best men unless you pay them well. You may not get the best men even by paying well, but reducing the salary is not going to help you at all. Perhaps if you reduce the salary there may be among the Ministers of this House one or more who may think it hardly worth their while to accept the ministry, but the chances are that it will have no effect whatever at present and that you will only make the post for future incumbents one that is not liked instead of making it one which people may look forward to as well worth aspiring to and of great honour. I strongly urge the House from the point of view of the future men that this is most unfair, and from the point of view of the present incumbents, the present Honourable Ministers, it seems to me that two of the three men are new and we have had no time to judge their work. Therefore from this point of view there is no object in reducing the salary of the present Ministers. It would be very unwise for the future and would not enhance the prestige of the Punjab, of which we are so proud, to reduce the Ministers' salary.

**Sardar Hira Singh** [Lahore (Sikh), Rural] (Urdu): Sir, the reduction in the salaries of the Ministers, as proposed by my honourable friend the mover, is based on the principle of economy. It does not refer to any communal differences nor does it involve any personal considerations. In fact these Hindu-Muslim differences and distinctions between a zamindar and non-zamindar are all detrimental to the common good of the country. So long as these petty differences continue the country will suffer. During the previous Councils the expenditure incurred was Rs. 10,000 per mensem but now it has risen to Rs. 15,000. This enhancement is not justifiable from the standpoint of economy. We want you to know that we are prepared to reduce the salaries of our own Ministers simply for the sake of economy and that the salaries of other Government members should be similarly reduced. In my opinion, Sir, if our Ministers will work on a smaller salary they will be in a position to work independently, otherwise the temptation of getting higher pay will make them meek and dormant. They will always side with the Government and will not be able to initiate their own independent policy. On the other hand a comparatively small pay will not prevent them from working according to the needs and requirements of their country. It is a matter of profound regret that the party which raised objections in regard to the salaries of the members of Government in the last Council, has changed its viewpoint and its members have now become ardent supporters of the present scale of salaries of the Ministers. This shows that our brothers do not attach much importance to the principles of truth and righteousness. One must abide by the principles and should not retract under any circumstance. These things will not lead our countrymen to the goal of progress.

4 P.M.

For these reasons, Sir, I earnestly appeal to the honourable members of the House that this motion of reduction in the salaries of Ministers be accepted.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan), Urban]: Sir, I had really no intention of taking part in this debate because it was likely to be misunderstood in various quarters. But the honourable member from Amritsar and some other honourable members have really made it necessary for me to say a few words with reference to this motion. It would be not so much with respect to the merits of the motion now before the House but really in answer to a question which was definitely put by some of the speakers on the other side and in answer to the charges which were definitely brought against us by some of the speakers. I thought this would be avoided and with that object I drew your attention, Sir, to the remarks which were then being made by an honourable speaker on the other side, I mean the honourable member from Amritsar. From your silence I concluded that the remarks were perfectly in order and that the subject which he had brought into the debate had been legitimately brought in and therefore it has now become my duty to say a few words in connection particularly with that matter. Honourable members sitting on the other side of the House.....

**Mr. President:** I purposely kept silent as I thought that if the challenge thrown by the honourable member were accepted by the speaker then in possession of the House serious unpleasantness might result. I did not take what that speaker said to be quite in order, nor was I in sympathy with the suggestion thrown by the honourable member but it was to avoid unpleasantness that I kept quiet.

**Dr. Gokul Chand, Narang :** It was with this very object I preferred to draw pointedly your attention to the nature of the remarks that were made at that time. I expect that now that these remarks were allowed to be made in this House you would also be pleased to allow me to make a reference to that and to say a few words in explanation of our position. I assure you, Sir, that I shall not import any heat into the debate and would not say anything which might give offence to anybody. It would be purely explanatory and I hope acting on the principle that what is sauce for the goose will also be sauce for the gander you would allow me to say a few words. It has been said that some members, particularly members sitting on this side of the House, have changed their mentality, and whereas they used to be uncompromising critics of the Government even on the transferred side, they have now become supporters of the Government, although even those who are accusing this side of the House of partiality to Government must have observed that that partiality if it is there has been confined only to the support of the Ministers in matters which are vitally important to the nation-building departments of administration.

The question put is : "What has happened that they who occupied these benches have now come to occupy those benches?" These are the exact words used by my honourable friend from Amritsar and therefore I am constrained to use them. Why has the fire of criticism which we used to direct against official benches been silenced? My simple answer is this, that because of the attitude which my honourable friend and his friends have taken up during the term of the three years of the last Council we have changed our attitude. It is they who are responsible for this change, if there is a change in the mentality of honourable members sitting on this side. We strained every nerve to help the province by trying to reduce expenditure. We were almost always defeated and defeated by the votes of those honourable gentlemen who are now anxious that the salaries of the Ministers should be reduced.

**Raizada Hans Raj :** Come to us and we will help you.

**Dr. Gokul Chand, Narang :** Furthermore if there has been a change in the mentality that has also been due to the communal policy which was followed by a large number of members of this House and which drove even the nationalists from the field of nationalism, if I may so put it. Apparently it does not mean that they have ceased to love their country. It does not mean that they have been purchased by Government. It does not mean that their criticism of Government as such has been given up and will be given up and that the Government which was considered by them to be defective in various respects has cured those defects and that there is no further room for criticism now. But to their greatest regret they have found they did not receive the support which was their due and which they were entitled to from the main body of the House and if in sheer self-protection, if to watch and safeguard the interests of their own community which have always been in danger in this House for the last six years, they have taken up this attitude, it is only those who did not protect the interests of that community who are rightly to be blamed and not members sitting on this side of the House. This is my answer to my honourable friends and I hope they will not take offence at what I have said. Well, Sir, I do not like to indulge in oily phrases, just as one would hate oily hair and greasy faces. I want

to be plain. To a plain question I want to give a plain answer. I would put a question to those of my honourable friends who have put the question to me: why has there been a change in the mentality of those honourable members? During the last six years did it ever occur to them that Rs. 5,000 was too much for a Minister? What has happened now that they have thought of this economy? What has happened to them to think of this simple life, of this patriotism, of such self-sacrifice and self-denial and service to the country, and all that? What has happened to inspire them with these noble ideas during the term of this Council? No one has been able to give an answer to that question, not even able to give an explanation of the change in their mentality. During the first Council the Ministers were getting Rs. 5,000 each. During the second Council the Ministers were getting Rs. 5,000 each. How is it that now they say that the Ministers should get only Rs. 3,000? There is particularly no love lost between us and the Ministers. We are not anxious to put more money into their pockets this year, no more than we were anxious to put more money into the pockets of the Ministers during the last Council or during the term of the first Council whatsoever. Now they want Ministers to get Rs. 3,000. Why did they not move even a reduction to Rs. 4,000 in the last two Councils? Surely there must be some reasons and those reasons, I submit are not far to seek. These reasons are that the appointment of Ministers, as was plainly hinted at by several of the amendments which were placed before the House on the agenda, was not in accordance with the wishes of the House, the House of course meaning a particular section of the House. It would be within your knowledge, Sir, that in 1923 when the second Council was to take its seat early in 1924 another section of this House made a representation to the Government with respect to the choice of Ministers and that representation had no effect and the only weapon that was left in the hands of that section of the House was to give expression to their protest in a particular manner in this House, which they did in this House itself.

And yet, after having made that protest, for three years they never said anything as to the appointment of the Ministers or with respect to their salaries or anything of that kind. I want to correct another error and that is with regard to the point that this party through any member made any proposal for reduction in the pay of the Ministers. It is an error. It is absolutely incorrect to say that any motion was made by this party to that effect. An individual member sent up a motion and it was at the instance of the party that that motion was withdrawn, so that it might not appear that we as a party were against any particular Minister and so that the matter might not have a communal outlook. It is not that any motion was made by our party for the reduction in the salary of the Ministers. I am not of course including the motion for one rupee reduction which was made in the first Council. That was an entirely different matter and as my honourable friend who moved the motion under discussion said it was not in the nature of censure but it was entirely on a different basis. It was altogether a different matter and, with the exception of that, to the best of my knowledge, never was an amendment made or motion brought forward by this party of ours for the reduction in the pay of the Ministers. As I said the other day—it is more or less on the merits of this motion what I am now going to say—if the motion were that the diarchy should be done

[Dr. Gokul Chand, Narang.]

away with altogether, I will certainly be with them (hear, hear) and I would strain every nerve to do away with the system of dual Government in this province as well as in other provinces, because diarchy is a system which must go sooner or later and the sooner it goes the better. (Hear, hear.) But that is not what the honourable members on that side of the House are prepared to do. In any case they have not intimated in any definite manner that this is what they are prepared to do. The attitude they have taken up—they may be perfectly honest, I am not questioning their honesty—is unfortunately one which lends itself to be taken as personal, if not communal and therefore, for that reason, if for no other reason, we find ourselves unable to support this motion. There are certain persons who are discontented with the present Ministry. We know. It is not a question of merits or demerits. It will be a most unpleasant task for me to go into the merits and the demerits of the present Ministers as compared with the merits and demerits of the Ministers who have held the same portfolios during the last two Councils. Comparisons are always odious and in this House they will be still more odious. Therefore, I would refrain from instituting any comparison. Yet, while not doing so, I would say that the present Ministers, whether they are good, bad or indifferent, are no worse than the Ministers who occupied those seats previously. Therefore it cannot be said that as the present Ministers are particularly worse than their predecessors therefore they do not deserve to receive the same pay as their predecessors were receiving. If the previous Ministers were good enough to get Rs. 5,000 a month, I really see no reason how the present Ministers are not good enough to receive the same Rs. 5,000. Tackle the whole system altogether if you want and save the whole amount of Rs. 15,000 a month. But so long as this system continues they must put up with it and not create invidious distinction between Members and Ministers. It was stated on the other side, 'why should there be three Ministers now? We should allot a sum of Rs. 10,000 for the Ministry, whether there are two Ministers or three Ministers.' As was mentioned by one of the members on this side, if there are three Ministers, that is also our fault. If this additional expenditure has been imposed upon the province, we are to blame for it and nobody else. There is something very important to which I want to draw the attention of my honourable friends and it is this. Colour has been lent in this province to the idea that it is only a certain class on whom the Ministry depends and it is only a certain class that can run the Ministry, that can run the Government in the Transferred Departments. That idea we want to knock on the head. We want to make it clear that the Government shall not be run and the Government shall not depend upon the support of any particular community or class in this House. Whatever may be the merits or demerits of this proposal, I think all the merits will be outweighed by this one consideration, that there exists an idea that the Government in the Transferred Departments cannot be run unless by one particular community or one particular class, whether it be zamindars or non-zamindars. That idea must be removed and in order to remove that idea, if for nothing else, we are not going to support the proposal which has been made to-day for the reduction in the salary of the Ministers. My learned friend on the other side said that this is not a communal matter because also a Muhammadan is affected by this motion and he was very sorry as a pious Muhammadan that he had to make a cut in

the salary of his Muhammadan brother who is one of the Ministers. In the larger interests of the country, as a patriot and as a lover of his country, he was prepared even to make that sacrifice, to take away Rs. 2,000 out of the pay of his Muhammadan brother. It may be very good of him to have the larger interests of the country at heart, but I would ask him where were these larger interests of the country during the last three years? Of course he was not here during the first Council; he was a non-co-operator at that time, but he was here during the last Council. Why did he not make this proposal for a reduction in the salaries of the Ministers during the last three years? Was he not a lover of the country during the last three years? Has his love of the country overflowed his noble mind only during the last two or three months and has he now been inspired by this holy desire of effecting economy in the interests of the province? Whatever they may say we know all about it and there is no secret about it. The whole thing is transparent. We know that the idea behind this reduction in the salaries is a particular one; and it is anything but economy, otherwise we see no reason why the same thing was not attempted during the last six years and why a particular class which is now very anxious to make this reduction was wholeheartedly supporting the Ministry during the last six years, while we, poor people, were straining every nerve to bring them to book and to point out their errors. I make a confession and I am not ashamed of making that confession that out of sheer disgust we have given up proposing these cuts in the budget here and there, because our experience for the last three years was most disappointing. People wanted to remain with the Government perhaps because the Government was supporting them and therefore they would not help us in our humble efforts to reduce the figures in the budget and to effect economy in the whole thing. Therefore as a hopeless task we gave it up and the only attitude that was open to us was, being nationalists, being reformers, to carry on the Reforms as much as possible and be as nationalistic as possible. (Hear, hear.) But for no other reason, no personal grounds, on no communal grounds, shall we ever support the Government or oppose the Government. We shall support the Government if it is in the interests of the country to support it and we shall oppose the Government if it is in the interests of the country to oppose it. We are not wedded either to the one side or to the other side and if these seats have been allotted to us it does not mean that we have been wedded to this side of the House.

مدر فر جا کہ نشیند مدر است

We may not be Sardars, but certainly we are independent people having a conscience within ourselves and our views are exactly the same as they were. We shall only see and watch how our friends who have been opposing us during the last three years behave and they can rely on our support in everything patriotic provided it is divorced from personal and communal considerations. (Hear, hear.)

**Chaudhri Afzal Haq:** On a point of personal explanation, Sir. The honourable member has misunderstood me. I did not say that I had great sympathy with the Muslim Minister. I said that I did not look at the question from a communal point of view because the Ministry consisted of the members of all the three communities, i.e., Hindu, Sikh and Muslim. I said that equal treatment is being meted out to them.

**Sardar Ujjal Singh (Sikh, Urban) :** Sir, I fail to understand the reasons that have prompted the honourable member to move a reduction in the salary of the Ministers. Why is it that the salary that was considered necessary for reasons of efficiency for the last six years should be considered too much now : it is an idea that passes beyond my comprehension. An appeal has been made to the sense of patriotism of the Ministers. Sir, it is very easy to preach, but it is rather very difficult to practise. How many of my honourable friends who follow the learned professions take pity on their clients and take less fees because of patriotism or because of the poverty of their clients ? Sir, much stress has been laid on the argument of economy. But this argument has absolutely no force. When our province was faced with heavy deficits in 1921-22 and 1922-23, the salaries of the Ministers were not touched by the members of this House. Sir, we want that the dignity and status of the Ministers should in no way be inferior to those of the Members of the Executive Council. Responsibilities and duties of the Ministers are equal, if not heavier, than those of the Members of the Executive Council. Members of the Executive Council have to discharge their duties in their respective departments ; but the Ministers besides discharging those duties have the onerous duty of catering to the whims and idiosyncracies of the members of this House. We can realise the extent of this work only when we know how fastidious some members of this House have become of late. Besides, Ministers have to spend a lot of money on entertainments and such other things which the Executive Council Members need not do. If with all these disabilities we want our topmost men to come forward and discharge these heavy responsibilities we ought to pay them handsomely, at any rate not less than what we pay to the Members of the Executive Council.

Then, Sir, it is said that Ministers ought to forego some part of their salary out of charity. The late Honourable Sir Surendra Nath Bannerji did do that out of patriotic motives, but, Sir, we know, at least I know, that one of the Ministers and I think the other Ministers too spend large sums of money on charities.

Then another point was raised as to why instead of two Ministers three Ministers were appointed and the province has been made to incur unnecessary expense of Rs. 60,000. As has already been pointed out by an honourable member, the disgraceful state of matters communal in this province is mainly responsible for it. If the system of communal representation forms part of the constitution, the three big communities have indefeasible right of a share in the topmost administration. But if this system is done away with and parties are formed and elections are fought by parties based on honest and disinterested differences in political judgment and if one party comes into power, we will not grudge any ministry being formed by that party (hear, hear), and I, Sir, on behalf of the Sikhs..... (A voice : *How many Sikhs ?*) on behalf of the Sikh community as a whole, I can say this that if the Muhammadans who form the majority come forward to abolish the system of communal representation, the Sikhs, though they will suffer, will be prepared to make a sacrifice in helping to put an end to this system (hear, hear). But so long as the system of communal representation does exist, the Sikhs have an indisputable claim of their

proper share in the cabinet of the province as well as in other parts of administration.

Then, Sir, in the Council of 1921 this question was discussed on the floor of this House, and it was passed without a single dissentient voice. I hope that this House will show the same sense of responsibility in passing the salaries of Ministers and rejecting the amendment by a large majority.

**Dr. Shaikh Muhammad Alam** [West Punjab Towns (Muhammadan), Urban] (Urdu): Sir, had I known that the discussion of the matter before the House would degenerate into a discussion of personalities and that the principle underlying my amendment would be lost sight of in the wave of communalism, I should have thought twice before proposing this reduction. I think that if this is the way how most vital questions must be considered in this House, it is unfortunate for those who have the interest of the country at heart to be the members of this honourable House. The point from which this long story started was quite different but it has ended where unfortunately all matters end in this Council. I can very well guess that most of the opposition that has been offered to my amendment is due to the fact that the honourable members opposing it are in some way or other connected with a certain Honourable Minister. It was more than apparent from their speeches that they were not speaking from their heart. Some of them opposed the motion on the ground that topmost men must be found to discharge the onerous duties of a Minister and therefore unless we pay them handsomely such persons would not be forthcoming. This is all besides the point. Another honourable member contended himself by quoting one or two verses from Shaikh Saadi. I wish he could have noticed another verse occurring there which reads as follows:—

چه خوش گشت است سعدی در زیبا

بخال هندو اش بخشم سرفروند و بخارا را

I may make it once more clear that when I moved the present motion I was not at all prompted to do so by any communal bias, by party feeling or anything of that sort. I moved this reduction simply because I believed that no necessity had arisen to justify this increased expenditure. I may repeat it, that the idea of no-confidence in the present Ministry is very far from my mind at this time. But I am sorry that in spite of the assurance we have repeatedly given that we do not intend to pass a vote of censure against the Honourable Ministers, the honourable members on the other side of the House would not think it worth their while to take that assurance as true. If they wish that we should take them at their word, it is necessary that they should also believe what others say. If I wanted to move a no-confidence motion I would have done so plainly and openly. I did that only the other day, I was defeated and I accepted that defeat with good grace. But I may inform the House that I hate disguises and I cannot put the same matter in another garb. What I said in my opening speech to-day and what I say again is that we do not see any reason why we should sanction the increased expenditure proposed to be spent on the salaries of the Ministers. We know that it does not lie with us to decide how many Ministers should be appointed. The Governor can appoint such number as he may deem fit. But the matter of the salaries rests with us and in dis-

[Dr. Shaikh Muhammad Alam.]

posing of that important matter we should not be guided by any ulterior motives. Personally I think it a great sin to give my assent to any unnecessary expenditure which must result in extra burden to the poor tax-payers.

I will now proceed to reply in brief to some of the objections raised against my motion. The Honourable Member for Finance was pleased to say that the law allows us to fix the salary of each Minister at a maximum figure of Rs. 5,000 per mensem. I know that. But I ask why the principle of fixing the maximum salary was adopted in the first instance. I am sure that some of the members, who are now supporting the Government in its demand for big salaries of the Ministers, must have tried to fix the salaries at a much lower figure if they had not kept out of the Council as non-co-operators. The next ground of attack of the honourable member was that the persons who accept these offices do so at a great sacrifice. They are either landlords or they are practising lawyers. If they are landlords, the management of their lands suffers a good deal on account of their continued absence from such lands and in case they are lawyers, they have to lose their practice at the bar. I have yet to find that out for myself as my experience is quite otherwise. I know from facts that if any lawyer once gets an opportunity to hold any Government post not to say anything of the high offices of the Ministers even for a few days, he finds on return to the profession that more clients are coming to him and consequently they begin to charge very high fees for the cases entrusted to them. Why should the management of the lands suffer when most of us have become flatterers by habit under the influence of the present Government? Some of these flatterers go and volunteer their services to those who are exalted to the office of a Minister and their services being naturally accepted they put their heart and soul into the management so much so that the lands begin to yield much more produce than they used to do before. In the presence of these flatterers no one dares approach these lands. Even angels fear to tread there not to say anything of the devil (*laughter*). But even if it were admitted that they lose their practice or the management of their lands suffers what is that as compared with the honour that attaches to these offices and which naturally comes to be attached to them? The Honourable Member for Finance further opposed my amendment on the ground that by reducing the pay we will be lowering the status of the Ministers. That is an argument which has been refuted before. That the amount of income one has got should be a standard of judging the status and position of a man is something that I cannot understand. If you are going to fix that standard we will not wonder when some day the Chief Secretary and the other Secretaries of the Government who are adorning the opposite benches will demand salaries equal to those of the Ministers because otherwise they are sure to be treated as lower in status and position. If I were in the position which the Honourable Ministers occupy I must have resented this remark that salary is the standard to judge the status and position of a person. Besides that it was said that if we once reduced the salaries of the Ministers, it would not be possible to raise them to the present level if ever in future it was considered advisable to do so. That is not altogether true. But even if it be true who is going to ask for the revision of the salaries of the Ministers in future? Not we.

Another honourable member opposed my amendment on the ground that it was not proper for us to punish our own men by reducing their salaries when we cannot touch the salaries of the Executive Members. This argument appears to me very strange. These Ministers are certainly selected from us and if we punish them at all, although that is far from truth, we also punish ourselves. In this connection I may warn the members of a very likely danger. On account of the present communal tension in the country every division and sub-division of the population is trying to assert its existence and it is not improbable that a time may come when these divisions and sub-divisions may each demand its own Minister to represent it in the Transferred Departments. If we fix the salaries of the Ministers at as high a figure as proposed by the Government, I am sure we will take a step for which we will have to repent afterwards.

The honourable member from Hoshiarpur said that the Congress had not yet advised us to reduce the salaries of the Ministers. It may not have done so in so many words but it goes without saying that it has never countenanced any unnecessary expenditure even of a pie. The honourable member further said that our position before the Statutory Commission will become awkward if we now reduce the salaries of the Ministers. What reasons shall we give for allowing less salaries to the Ministers? In reply to this question I can only assure him that if the United Provinces, where the Ministers are getting Rs. 3,000 a month, will not be effaced from the map of India because of giving less salaries to the Ministers, the Punjab too will not suffer in any way. The same honourable member further said that we had better allow the sum of Rs. 5,000 to remain in the pockets of the Ministers because it is very likely that they would give a greater portion of it in charity to our brethren. May be, but that is yet to be seen. We are not here to make experiments. Besides, we do not want to beg, nor do we want to beg of the Ministers to accept lower salaries. We are here to protect the rights of the people and therefore by the exercise of our votes we should try to withhold every pie that we think the Government might spend unnecessarily.

Another honourable member in opposing the amendment put one question to us asking why we did not propose any reduction in the salaries of the Ministers during the last Council. He has not tried to understand our position. We say that such a question did not arise last year or in the last Council. The sum of Rs. 10,000 which used to be allowed for the salaries of the Ministers, we are prepared to vote even now. We do not raise objections so far as that sum is concerned. What we say is that no necessity whatsoever has arisen which may justify the increased demand.

I now turn to the interesting speech of the honourable member from north-west towns. From his speeches that I have listened during these few days of my Council life I have learnt that he will always begin by saying that he had no intention of taking part in the discussion and still he says so much, once he gets up to say anything. I wonder if he had some day come into the Council with the intention of taking part in the discussion how much he would have had to say and how long he would have taken in saying it. Then as a preliminary to his speech he always says that he is free from communal bias,

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but our experience of these few days tells us that most of his speech runs on purely communal lines. Perhaps it has become a habit with him or may be his power of speech does not get excited unless he levels his attacks on a community that does not find favour with him. One thing that struck me in his speech was that he said he would have supported us if we had proposed to put an end to Diarchy. It really appears very funny on his part to say so. May I ask whether the honourable member is not entitled to send a notice of a resolution or of any cut on the subject just as we are and whether there is anything that debars him from doing what he now asks us to do? If he is sincere he should have taken the lead and we would have surely supported him. I am reminded here of a well-known verse which is as follows:—

بہت شور سنتے تھے یہاں میں دل کا  
جو چیرا تو اک قطرہ خون نہ نکلا

I said if the honourable member was at all sincere he could have himself done the thing, but as it is apparent from the concluding portion of his speech he did not mean what he said. In his closing remarks he confessed and he said that he was not ashamed to make that confession that henceforward he and his party would try to remove the impression that the Government could not be run without the support of a particular community or party. I have found that his sympathies are confined to one section of the population and he never makes a secret of it. But I wonder why he sometimes talks of nationalism. He should first change his mentality if he ever wishes to indulge in such talk. Not only that. If I may say so the honourable member has made another mistake in changing sides so soon. I wish he could have maintained his opposition of the Government a little longer and I can assure him that I would have come to his side. Even now it is not too late to mend. It is no doubt very difficult to be a nationalist. I, who have been with the people, have seen their condition and have sympathised with them during my tour with Mahatma Gandhi, hesitate to call myself a nationalist. That ideal is difficult of attainment. Finally I appeal to all the honourable members of the House that in voting for or against the motion, they would take care that they are not influenced by any consideration of friendship, party spirit, or personal likes and dislikes. I hope they will all exercise their right of vote in a manner that suits the interests of the country.

5 P. M.

**Mr. President :** Demand under consideration, motion moved :

"That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000—  
Total pay of officers."

The question is that that motion be adopted.

The motion was lost.

**Mr. President :** The question is :

"That a sum not exceeding Rs. 1,98,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of General Administration (Transferred)."

The motion was carried.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member):  
Sir, I beg to move:

"That a sum not exceeding Rs. 87,75,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of General Administration (Reserved)."

**Mr. President**: The question is:

"That a sum not exceeding Rs. 87,75,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of General Administration (Reserved)."

**Sardar Ujjal Singh** (Sikh, Urban): Sir, I beg to move:

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 53,37,000—Total General Establishment—District Administration."

Sir, my object in moving this amendment is to raise a discussion on the separation of judicial and executive functions. It is not a new subject and it is as old as the British Government itself. The country has been demanding it and the Government has always been consistently treating it with contempt. In 1921 the Punjab Council passed a resolution to that effect and a committee presided over by Justice Le-Ressignol was appointed and certain recommendations were made by that committee. The committee suggested that the scheme if carried out would involve an expenditure of 8 lakhs non-recurring and 7 lakhs recurring. But nothing was done in pursuance of the recommendations. In 1925 and 1926 the Council passed unanimously amendments in the budget recommending that effect should be given to those recommendations. But, Sir, the Government sleeps heavily like *Kumbhakarna* and it requires rude shaking all these years.

With regard to the separation of the judicial and executive functions, I would like to draw the attention of the House to the following quotation from Henry Sidgwick's "THE ELEMENTS OF POLITICS":

"First, we may note the need of rules regulating within the narrowest possible limits the power of the executive to imprison private citizens before trial. The most important provisions under this head are—

- (a) that no one shall be arrested except on a definite charge of having committed a certain offence;
- (b) that the person arrested shall be brought as soon as possible before a judicial functionary who shall decide whether the charge is made on grounds *prima facie* reasonable, and whether the offence charged is sufficiently grave to render it needful to keep the accused in confinement until the trial;
- (c) that if the charge is of this grave kind the accused shall be brought to trial as soon as possible, and that if it is of a lighter kind, he shall be set at liberty on bail.

In order that these latter provisions may be effective it is clearly desirable that the judicial functionary before whom the accused person is brought should be distinct from the executive and independent of its influence. This independence is further required to secure an impartial trial in any case in which the conduct of

[Sardar Ujjal Singh.]

private persons which is alleged to be illegal is certainly inconvenient to the executive. It is also required to secure the effectiveness of another of the constitutional bulwarks of freedom to which I above referred—the right of suing or prosecuting Government officials for any illegalities committed by them in performance of their functions.”

Now, Sir, the need for the separation of the executive and judicial functions is admitted by all men versed in political science. But the Punjab Government did not give effect to these recommendations of the Council because they thought that funds were not available and also that the scheme would involve some administrative inconvenience. Sir, I submit that sound theories should not be thrown away. I want to know whether the Government has tried the experiment and found it impracticable. Is our country the only sacred spot on this earth where sound theories cannot be translated into practice? The thing is that Government does not try to tackle this problem seriously. Lord Dufferin admitted this as a counsel of perfection but the excuse of want of funds was always forthcoming. The Government has three lines of defence for any scheme which is put forward by the non-official element. The first defence is that the scheme is unsound. If the Government cannot establish it, the second excuse which it puts forward is that the scheme is impracticable. If even in this the Government cannot make a stand, want of funds is another excuse which always comes to the rescue of the Government. Now that the province has got some surplus, thanks to the remission of provincial contributions, I would submit that this sum should be spent on compulsory primary education and in giving effect to this much required reform. Not a pie of this remission should be spent on the reserved side. As a matter of fact, by introducing this reform Government can kill two birds at a shot. Another much needed reform is the amalgamation of the land revenue and canal revenue work. If the executive officers are relieved of their judicial work they can spend much of their time in the canal revenue work under the control of the Collector. Thus these two reforms can be introduced side by side. I strongly submit that under these circumstances, Government should not put forward any new excuse which, I believe, can always be forthcoming from the inventive brains of the Bureaucracy. They should, on the other hand, seriously tackle this problem and introduce the much needed reform in this province without further delay.

**Mr. President :** Demand consideration, motion moved :—

“That the grant be reduced by Rs. 1 with respect to the item of Rs. 53,37,000—Total General Establishment—District Administration.”

The question is that that motion be adopted.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan) Urban] :  
Sir, I am not going to deliver a long speech on this subject because this subject has been thrashed out many times before so much so that Government was once pleased to admit that they were going to put the scheme into operation as soon as possible. If I remember right it was in 1925 when I spoke on the subject that the Chief Secretary promised that as soon as Government had enough funds they would put the scheme into operation. . .

**Mr. H. D. Craik :** I do not think I have promised.

**Shaikh Muhammad Sadiq :** Probably my friend has forgotten. In fact his speech was quoted by me in Simla. The Government appointed a committee and the committee made some recommendations and I am afraid those recommendations have never seen the light of day. I am not aware whether those recommendations have been published and whether the public know at all the result of the enquiry. I am sure the report has not been published and I hope it will be made public as soon as possible. It has always been the unfortunate duty of the members on this side to bring to the notice of the Government all important matters of principle. Now this is one of the most important reforms which we need. Sir Henry Campbell said that good government is no substitute for self-government. In the same way I may say self-government is no substitute for good government. If you cannot have self-government, let us at least have good Government. There is no reason why if we cannot get self-government in 10 or 15 or 20 years, we should not have good government as soon as possible. The separation of executive and judicial functions is an act of good government. (*A voice.*—Not for the present). My friends say that it is not for the present. I do not know whether it is ironical or serious. But the fact remains that it is absolutely better. As I reminded the Government many times—perhaps they have forgotten about it—Punjab is a non-regulated province. In the regulated provinces they have not got Deputy Commissioners just as you have got them here but they have got what you call Collectors. In the regulated province they have no powers under section 90, but the whole thing is reserved to the Sessions Judges. Therefore the time has come in this province when some sort of improvement should be made in the administration. Whenever a suggestion is brought before the Imperial Government they say that it is a matter for the provinces. Now the provincial Government have appointed a committee and the committee sent in a report but that report has not been published yet. One of the honourable members sitting opposite to me was also a member of that committee. They have laboriously worked at it, but we do not know what the result is. There is no doubt that in practice we find most of our Deputy Commissioners are hard working men. Their work is all the more heavy now especially when there is Hindu-Muhammadan friction. Now the District Magistrate is supposed to be in charge of every department, right down from births to deaths. There is hardly any department which is not under his control. One single man has to do so much work. In fact he is so much over-burdened with work that he has to transfer some of his work to his personal assistant at the head-quarters. It is impossible for him to do the whole work singly. The administration of the district is a complicated one. He has to look to the Government, he has to look to the police and he has to administer justice. How can one man attend to all these duties? If he does not attend to the executive work properly Government finds fault with him and if he does not look to the work of justice the High Court finds fault with him. So it is high time that he should be relieved of the magisterial side of the work. In fact very few of the Deputy Commissioners do the magisterial work at present; their work is merely superintending their magistrates. If this part of the magisterial work is handed over to the Sessions Judges it will be a good thing. They are experienced men and

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they will not mismanage the thing. Suppose a policeman reports to the magistrate that such and such a person is a *badmash*. The name is sent to the magistrate and the same magistrate is supposed to try him. It is a very hard law. I have seen in actual practice in our district hundreds of people have been sent to jail, only two or three zaildars and lambardars giving evidence against all. I have seen one zaildar giving evidence against one hundred people saying that such and such a person is a *badmash*. This will not happen if both the executive and judicial functions are separated. I remember a Sub-Inspector challaned a man. When I asked him he told me, 'The Deputy Sahib came and I asked him to bring more water and he refused.' These are the words he used. This is the difficulty which we are experiencing. I have been practising for the last 10 or 12 years and I know how many false cases are being brought forward merely on account of enmity. It is the fault of the system, the magistrate being in charge both of the executive and the judicial sides. Suppose the police bring a man to the magistrate and ask him to bind over the man. If the magistrate does not bind over the man the police will say 'if a crime occurs it is the fault of the magistrate and he is to blame.' If the magistrate binds over the man he thinks innocent, then he is doing a great wrong. Why should this system of combining both the executive and judicial functions in one man exist only in India? It does not exist anywhere else, perhaps except in Persia. It exists neither in England nor in Germany nor in France nor in Japan. I have read the constitutions of the different countries and I do not find the judicial and executive functions being concentrated in one person in any country in the world except perhaps in one or two countries. The Honourable Finance Member said that we are going to have at least 60 lakhs of rupees. He hopes to have 60 lakhs recurring and 26 lakhs non-recurring. I do not think it will cost more than a lakh and a half if this scheme is put into operation. Last time it was stated that in order to bring this scheme into force 20 or 30 additional magistrates would be required. Now we find in this budget that 20 or 30 more Extra Assistant Commissioners have been provided for. I think that with these additional men the scheme can be put into operation. Or if necessary, we can easily provide for 20 or 30 people more. We are ready to grant the necessary money. Even if there is any need for extra taxation for this purpose, we are ready to pay it, but I do not think it will come to that. Let the Government come forward and put the scheme into operation.

**Khan Bahadur Chaudhri Fazl Ali** [Gujrat East (Muhammadian), Urban] (Urdu): Sir, it is not the first time that this question has been brought before the Council, and if I do not mistake I had had occasion to express my views on this subject once before. We want that executive and judicial functions should be separated. But the question arises what particular defects are there in the present system of administration and how far we will be benefited by the desired change in the system. We can approach this question, so far as I think, from four points of view, i.e., from justice, administration, service itself and the additional expenditure that will have to be incurred.

First, I take the point of view of justice. Are the honourable members sure that with the change of mere designation the same gentlemen, who are

now suspected of doing injustice, will change and begin to do justice? So far as I think the mere change of designation will not and cannot revolutionise the dishonest nature of the magistrates if there are any of such nature although personally I am not inclined to believe that magistrates of such a nature are in existence barring of course a few exceptions. Give them any name you like; call them magistrates or sub-judges, but I do not think that there is any magic in a name and if it is believed that there is any magic in a name, I think the Government will have no objection to changing the names without changing the system.

I will next approach this question from the point of view of those candidates who can be taken in the Provincial Civil Service as such. If executive and judicial functions are separated most of the appointments will go to those who will have secured more marks in the university examinations because as all know that is the standard by which the efficiency or inefficiency of various candidates is judged. I hope, I will be excused if I say a few words about the zamindars in this connection. They are admittedly the backbone of the country. Whenever the Government requires the sacrifice of lives or of money or even of cattle, it is the zamindars who provide the Government with all these things and if it is desired that they should continue to form the backbone of the country, it is better that they be allowed to remain where they are. If most of the appointments are given, as they must be on the separation of the executive and judicial departments, to a section which is far more advanced in education, the zamindars will be compelled to flock to the centres of education and in consequence they will have to give up agriculture. I think that is what no one will desire.

Besides, the separation of executive and judicial functions will entail huge expenditure which we at present cannot afford to incur. Administration is being run and justice is also being dispensed. Only a little improvement is required which can wait for some time to come. But there are awaiting our attention other more urgent demands which we cannot ignore in order to provide money for carrying out separation in the executive and judicial functions. For example, we want as soon as possible free compulsory primary education. Almost all the members have on one occasion or the other emphasised the urgent need for universal literacy. A resolution on the subject is also coming up for discussion. Then we want communication facilities very badly without which we cannot sell the produce of our lands profitably. The sanitation in the villages requires our immediate attention. When all these urgent demands are satisfied we can turn our attention to the separation of executive and judicial functions, but not before that. And it is particularly so when we do not like to pay any more taxes and when we want expansion in every beneficent department. In my opinion the present proposal is like the other proposals which are put before the Government by the members without due consideration as to whether it is at all possible for the Government to accept them.

Lastly, I will touch briefly this question from the point of view of administration. In this connection I have one complaint to make. Some honourable members of this Council think that all the zaildars and lambar-dars are dishonest and they make reports in favour of or against an individual according as they are asked by the Deputy Commissioners or other officers.

[K. B. Chaudhri Fazl Ali.]

I strongly protest against their wholesale condemnation of this class. No doubt there are some black sheep amongst these zaildars and lambardars, but I can guarantee that most of them are honest and sincere. I have been myself a zaildar for the last 25 or 26 years and am also connected with the crime of my place for the last 10 years, but during this long period I have never been once asked by any officer to make a report against or in favour of a particular individual. But supposing, for the sake of argument, that these zaildars and lambardars do make reports at the instance of the magistrates, what guarantee is there that they will not do so at the instance of the Sub-Judges? Besides I think under the proposed arrangement many of the criminals will go unpunished. And if that is what they aim at achieving by the separation of executive and judicial functions, I would be the last person to lend my support to it. But I do not think that it can be the intention of any member and I therefore request that we should not press for this so-called reform for the present. Time may come when we might take up this question, but that is yet to come. With these few words I oppose the proposed reduction.

**Malik Nawab Major Talib Mehdi Khan** [Jhelum (Muhammadan) Rural] (Urdu): Sir, it is the duty of every government, whatever its form be, to see that it rules for the good of the people who are placed under it. It must see that their life and property are safe and that proper care is taken of their health, education, and culture. Let us see whether the Government are fulfilling this promise. The executive and judicial functions in the Punjab have been discharged by the same officers and we must, therefore, inquire before making any radical change in the system, whether there is any objection to it, or whether it has failed in its working. The answer one gets to such a query is in the negative. Then why need we impose further burden on the people of this country who, even on the admission of those members who are in favour of this change, are unable to bear this additional charge? We are to look to the condition of the people. Punishment or acquittal of a criminal is not the only duty of courts who administer justice. Prevention and decrease of crime is the real thing to be aimed at. People must be taught to respect the law. A check must be placed on their criminal tendencies. And this cannot be achieved by deciding cases in court rooms, it is possible only by the exercise of executive powers. An officer who enjoys both executive and judicial powers and who mixes with people and understands their nature can prove himself more useful to the administration. We must first try to raise the moral and mental condition of the society in the Punjab and bring it to a higher pitch of civilization. When this is accomplished there will be time to demand the separation of these functions. Till then we must not try to increase the burden of taxes on the poor.

**Chaudhri Duli Chand** [Karnal (Non-Muhammadan) Rural] (Urdu): Sir, I am in perfect agreement with the principle underlying the demand for the separation of judicial and executive functions. But I regret I cannot support at present its being translated into practice. I support it because I realise that the present arrangement has great shortcomings and is even often very unsuccessful. If a judicial officer has also executive functions to perform he has in the discharge of these latter functions often to go on tour when he

has to fix dates for hearing of cases in the discharge of his judicial functions. This increases the cost of justice so far as the litigants are concerned. Not only that. It also often happens particularly when a magistrate is weak and does not come of a very respectable family and does not belong to the martial classes either, who are very bold and straightforward, that he even waits for some pointer from the Deputy Commissioner to decide the case in a particular way. For these reasons, I do really want that the two functions should be administered separately. But we must inquire whether the separation at present will not cause still greater hardship. I submit, Sir, it will do so. Justice will then be at a still greater cost and the people will groan under the weight of taxes. There are three reasons for the same:— (1) attributable to employment and service difficulties; (2) financial difficulties and (3) administrative troubles. First, the Chief Secretary told us that he would decide the question of recruitment of judiciary after consultation with the High Court; that frightens me. Because when appointments have to be made by His Excellency the Governor or the Chief Secretary, as in the case of Extra Assistant Commissioners, we can get full justice and men of proper sort, but when the matter comes to these consultations, I am sure that the *Khans* and the *Chaudhris* that we now see as Extra Assistant Commissioners will disappear. Men of a different sort will creep in and the good purpose of the Land Alienation Act even will be defeated. The second reason is financial. By the separation more people will have to be recruited and this will mean more expenditure. If, however, the honourable mover who I suppose belongs to moneyed classes, is willing to impose its burden only on rich people, I am perfectly willing to agree to it. But if the posts are to go to others and the burden is to be shouldered by us, I am afraid I cannot agree to it. Thirdly, I consider the question of administrative difficulties. This is a martial province and people have greater inclinations towards crime and the use of force and if they once come to understand that it is only a question of stronger arguments to secure acquittal they will engage a powerful advocate and get out of the noose. This will increase the number of crimes. No doubt we will be gaining thereby, but my friends over there will cry. So, I submit that it will not be useful to separate the administration of the two functions.

**Mr. President :** Does the honourable member wish to press his motion or, would he like to withdraw it?

**Sardar Ujjal Singh :** Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

**Chaudhri Afzal Haq** (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Sir, I beg to move.

"That the total grant be reduced by Rs. 1."

Sir, a resolution was proposed in this House in 1924 recommending the exemption of sword from the operations of the Arms Act. This was passed with the support of all the sections of the House. The most gratifying feature of this was that even the Sikh community who enjoy the right of wearing swords, agreed to the extension of this right to non-Sikhs. On

[Chaudhri Afzal Haq.]

some previous occasion, I told the House under what unfortunate circumstances the country was deprived of the right to wear sword. After the Mutiny of 1857 when the country was under the horrors of the crimes perpetrated during the *ghadder*, the Government taking advantage of the conditions prevailing disarmed the people. And though to-day sword is no weapon in comparison with fire arms, still it is considered as an emblem of bravery. Sword is a distinction and it is a pity that this province which in the words of a great administrator is the sword arm of the country has been deprived of the right of keeping sword though the neighbouring provinces like the United Provinces enjoy the right. Last time I submitted that the Government by not giving effect to this resolution has lost its prestige. What will they reply when the Commission comes? If I appear before the Commission, I will certainly inform them that we demanded a very ordinary concession but for four years no heed was paid to the unanimous wish of the House. Will it add to the prestige of the Government? Then a resolution was moved and accepted which I will call an underhand way of defeating the object of the first resolution, a conspiracy to deprive the first resolution of its force that only capitalist classes be allowed to keep sword. I do not doubt the honesty of the honourable mover of the resolution, probably he suggested it as a *via media*, but the Government accepted it in order to checkmate the first resolution. But I would submit that the resolution was not voicing the opinion of the House. You did not even give the House time to reply.

The Council then adjourned till 2 P.M. on Tuesday, the 15th March 1927.

# PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, the 15th March 1927.*

THE Council met at the Council Chamber at 2 of the clock. Mr. President in the Chair.

## OATH OF OFFICE.

The following members were sworn in :—

Barron, Mr. C. A. (Official, nominated).

Dorman, Mr. W. S. (Official, nominated).

## STARRED QUESTIONS AND ANSWERS.

M. ABDUL HAKIM, *ex-municipal clerk*, JHELUM.

\*106. Chaudhri Zafrullah Khan : (1) With reference to the answer to question No. 9262<sup>1</sup>, put by Rana Firoz-ud-Din Khan on 30th June 1926, will the Honourable Minister for Local Self-Government be pleased to state whether a proper enquiry by the municipal committee, Jhelum, has been held into the case of M. Abdul Hakim, *ex-municipal clerk* ?

(2) If the answer to question (1) be in the affirmative, was a proper charge framed in that enquiry against the said M. Abdul Hakim and was he given an opportunity to be present at the inquiry to answer the charge ?

(3) If the answer to question (1) be in the negative, will the Honourable Minister for Local Self-Government please state what steps the Government is prepared to take to see that the course indicated in the answer to Council question No. 9262 (1) (c) is followed ?

(4) If the answer to question (1) be in the affirmative, will the Honourable Minister for Local Self-Government please state whether the decision of the municipal committee has been forwarded to the Honourable Minister for information ?

(5) If the answer to question (1) be in the affirmative, will the Honourable Minister for Local Self-Government please state whether the Commissioner has dealt with the appeal of the said M. Abdul Hakim on the merits as indicated in the answer to Council question No. 9262 (1) (c), and if so, what that decision is ?

(6) If the answer to question (5) be in the negative, will the Honourable Minister for Local Self-Government please state what steps the Government is prepared to take in order to see that the indication contained in the answer to Council question No. 9262 (1) (c) that the Commissioner should decide the appeal of the said M. Abdul Hakim on the merits is carried out ?

The Honourable Malik Firoz Khan, Noon : After making further enquiries, Government are of the opinion that the case of this clerk has

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received full consideration, and that they have no power to interfere any further in the matter.

**Chaudhri Zafrullah Khan:** I did not ask the Government to interfere. My question is whether these things have been done and I submit that that question might be answered.

**The Honourable Malik Firoz Khan, Noon:** I am prepared to give the honourable member a fuller answer if he wishes to have it.

The clerk in question was originally dismissed by the municipal committee in 1923. He petitioned Government, and Government directed that the committee should reconsider the matter as the clerk had been dismissed without having been called upon for an explanation. The clerk's explanation was thereupon taken in writing, and the committee after reconsidering the matter reaffirmed their previous decision. He again petitioned Government, but was informed in February 1924 that as the resolution of the committee was in conformity with the law, Government had no power to interfere. A further petition was received in September 1925; and Government in forwarding it to the Commissioner as previously explained in reply to question No. 3262 of 1926, expressed the opinion that a decision of the petitioner's appeal on its merits or the holding of a proper enquiry into the allegations originally made against him would be an equitable way of dealing with his case. I may however observe that the petitioner had no legal right of appeal as the rules conferring that right were not made until February 1925. It is therefore not within the power of Government to enforce compliance with the suggestion made towards the end of 1925; and in view of the further report that has now been received from the local officers, the clerk in question has been informed that Government do not consider that they can interfere any further in the matter.

#### SHAHABAD HIGH SCHOOL, KARNAL.

**\*107. Rana Firoz-ud-Din Khan:** (i) Will the Honourable Minister for Education be pleased to state whether it is a fact—

- (a) that the present headmaster of Shahabad High School, Karnal, introduced in the school two novel schemes called 'music for all' and 'refreshment for all' making it compulsory for every student to play music and take refreshments prepared by a non-Muslim contractor;
- (b) that there was a strong agitation against the dual innovation by the Muslim population on the basis of religious scruples, and that representations were made to the Director of Public Instruction, and that there was also a strike in the school;
- (c) that the said headmaster in September 1924 gave severe beating to two students and suspended one of them, named Muhammad Asadullah Khan, a student of the 10th class, and refused to give to his guardian any reason for the suspension even when asked in writing;
- (d) that a complaint was lodged by the said Muhammad Asadullah Khan against the headmaster under section-348/823, Indian Penal Code;

(e) that in the complaint and statements recorded by the Magistrate serious allegations were made regarding the moral character of the headmaster?

(ii) Is it proposed to order an enquiry into the conduct of the headmaster, and consider the case of the unfortunate student?

**The Honourable Mr. Manohar Lal :** (i) (a) No. The movements referred to have no compulsory character nor is any one compelled to take refreshments prepared by a non-Muslim contractor. The Muslim teachers and boys are left free to make arrangements for themselves.

(b) There appears to have been some agitation and a representation was made to the Director of Public Instruction; there was no strike in connection with such schemes.

(c) Authorized punishment was given by the headmaster to one student; M. Asadullah was suspended and his guardian was informed of the reasons.

(d) and (e) A complaint appears to have been lodged. Government has no information regarding the section of the Indian Penal Code under which it has been made, nor is Government in a position to give details of the proceedings.

(ii) Government has already made enquiries.

#### SIRSA MUNICIPAL COMMITTEE.

**\*103. Rana Firoz-ud-Din Khan :** (i) (a) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact that six out of eleven members of the Sirsa Municipal Committee tendered their resignations in or about May 1926; if so, what were the reasons which led to these resignations?

(b) Does the committee as at present constituted contain any representatives of Muhammadan community and is it a validly constituted committee?

(c) Is it a fact that secretary of the committee was dismissed by the committee under orders of the Deputy Commissioner and the Commissioner before resignation by six members? If so, has he been reinstated, if so, under what circumstances?

(d) Has the committee since the resignation of six members imposed any new tax, if so, what?

(e) Has the Government received any representation from the Anjuman Islamia, Sirsa, about maladministration of municipal affairs?

(ii) What steps has the Government taken or proposes to take to end this state of affairs?

**The Honourable Malik Firoz Khan, Noon :** (i) (a) Six members, four Muhammadans and two elected Hindus, tendered their resignations in November 1925 as a protest against the management of the committee's affairs by the president and the secretary.

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(b) The resignations of these members were not accepted by the Commissioner, and were withdrawn. It is the view of Government that they are still members of the committee, though an *ex parte* decree was passed against them restraining them from acting as members of the committee on the ground that having once resigned, they could not withdraw their resignations. It is however a fact that owing to this decree there is at present no Muslim member who is in a position to perform his duties as a member.

(c) The six members who had resigned, after withdrawing their resignations, passed a resolution for the removal of the secretary; but the Deputy Commissioner had no concern with this. Subsequently, the secretary was reinstated by a resolution passed at a meeting attended only by the other five members; but this resolution was not confirmed by the Commissioner, and the secretary has now himself resigned, and his resignation has been accepted by the committee of five members.

(d) No new tax has been imposed by the committee since the resignation of the six members. Proposals for the terminal tax, the imposition of which was notified by Government in May 1926, had been adopted by the committee long before the resignation of the six members.

(e) Yes.

(ii) In order to settle the question promptly, Government are exercising their power under section 14 of the Punjab Municipal Act, 1911, to order that the seats held by the members who resigned shall be vacated, and that such of them as are at present filled by election shall be filled by appointment. The Commissioner will then be directed to reappoint to these seats the members who resigned. A further direction will be issued in due course so as to permit of the seats being again filled by election at the next general election.

#### BRINGING OF MEAT OF COWS INTO JAGADHRI.

\*109. Rana Firoz-ud-Din Khan: (i) (a) Will the Chief Secretary please state whether it is a fact that under orders issued by executive authorities of the Ambala district, the Muhammadans of Jagadhri are not allowed to bring into the town meat of cows slaughtered for sacrifice on 'Id' occasion till after sunset?

(b) Is he aware that the restrictions imposed cause great inconvenience to and are highly resented by the Muhammadans of Jagadhri?

(c) Have similar arrangements been made in any other town in the district? If not, what are the reasons for doing so at Jagadhri?

(ii) Is the Government prepared to reconsider these orders?

Mr. H. D. Craik: (i) (a) Yes.

(b) No.

(c) No. The reason for doing so at Jagadhri is ancient custom.

(ii) Government sees no reason to reconsider these orders.

M. ABDUL HAKIM, ex-MUNICIPAL CLERK, JHELUM.

\*110. **Rana Firoz-ud-Din Khan :** (i) With reference to answer to my question No. 3262<sup>1</sup> asked on 30th June 1926, will the Honourable Minister for Local Self-Government please state if proper enquiry was held by the Jhelum Municipal Committee in the case of M. Abdul Hakim, ex-municipal clerk? If so, was the dismissed clerk allowed to attend it?

(ii) Has the Government received the decision of the municipal committee? If not, will the Government please call for an explanation for this long delay?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the reply given to starred question No. 103.<sup>2</sup>

#### CULTIVATION OF SUGARCANE.

\*111. **Raizada Hans Raj :** (i) Will the Honourable Minister for Agriculture be pleased to state—

(a) the area of land under sugarcane cultivation in the province for the last five years,

(b) whether he is aware that there is a tremendous amount of scope for improving sugarcane industry in the province?

(ii) If the answer to (b) is in the affirmative, will the Honourable Minister for Agriculture be pleased to state what steps Government have taken to encourage the cultivation of sugarcane in the province?

**The Honourable Sardar Jogendra Singh :** (i) (a) The following are the areas under sugarcane crop in the province during each of the past five years :—

Year.	Irrigated, acres.	Non-irrigated, acres.	Total, acres.
1922-23 .. .. .	496,342	60,253	498,595
1923-24 .. .. .	403,767	79,394	483,161
1924-25 .. .. .	310,230	85,402	395,632
1925-26 .. .. .	302,179	87,748	389,927
1926-27 .. .. .	361,841	86,292	448,133

(b) The whole question is under examination.

(ii) This does not yet arise.

<sup>1</sup> Vol. IX-B., page 1131.

<sup>2</sup> Pages 418-20 ante.

## SUGARCANE AND REMEDY FOR DESTRUCTION OF BLIGHT.

**\*112. Raizada Hans Raj :** Will the Honourable Minister for Agriculture be pleased to state if there is any research being carried in the province to find out a remedy for the killing of blight to which sugarcane is susceptible?

If the answer to the above be in the negative, does the Honourable Minister propose to take steps to institute a research for the above purpose?

**The Honourable Sardar Jogendra Singh :** It is not understood what blight the honourable member refers to. A certain amount of work is being carried out on 'Red Rot' disease of sugarcane and it is proposed to appoint a Mycologist in the year 1928-29 who will pay special attention to sugarcane fungal diseases.

## SUGARCANE.

**\*113. Raizada Hans Raj :** Is the Honourable Minister for Agriculture aware that the produce of sugarcane has considerably decreased throughout the province, even in districts where soil and climate favour its growth? Is this due to the enhancement of water-rate on sugarcane?

**The Honourable Sardar Jogendra Singh :** It is presumed that the first part of the question refers to the area of sugarcane grown and not to the produce per acre. On this assumption it may be stated that there have been large fluctuations in the area of sugarcane grown on canals, when no alteration in water-rates had taken place. It is also noticed that there has been a considerable increase in the total area of sugarcane crop on irrigated land in the present year. This increase is apparently due to an increase in the price of raw sugar and a decrease in the price of cotton. It therefore appears that factors other than the alteration of water-rate have affected the area of sugarcane grown.

## CLOTHING FOR FEMALE PRISONERS.

**\*114. Sardar Partap Singh :** Will the Honourable the Finance Member be pleased to lay on the table the answer to question No. 3318,<sup>1</sup> put in June last?

**The Honourable Sir Geoffrey deMontmorency :** A copy of the answer is laid on the table.

(Answer to Question No. 3318.)

**The Honourable Sir Geoffrey deMontmorency :** (i) (a) All these prisoners are on admission given two complete sets of clothing in accordance with paragraph 969 of the Jail Manual. These two sets of clothing are kept in a state suitable for wear and repaired or replaced, when necessary.

(i) (b), (ii) & (iii) Do not arise.

**\*115. Cancelled.**

## EMBEZZLEMENT OF THE FUNDS OF THE DISTRICT BOARD, MUZAFFARGARH.

**\*116. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) if there have been cases of embezzlement of the funds of the district board, Muzaffargarh, during the last three years?
- (b) If so, what action has been taken against the persons responsible for such defalcation?

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

(b) Some cases have been handed over to the police with a view to prosecution, in others the district board is being advised to dismiss the persons at fault.

**Lala Bodh Raj :** Will the Honourable Minister please state if any persons at fault have been dismissed so far?

**The Honourable Malik Firoz Khan, Noon :** I could not answer that question off-hand.

## TRADE UNIONS OF EMPLOYEES AND EMPLOYERS IN THE PUNJAB.

**\*117. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to lay on the table a list of the Trade Unions of (i) employees, (ii) employers, in the Punjab showing the following—

- (a) the name of the organization,
- (b) the trade, profession or service to which its members belong,
- (c) the place of its head office,
- (d) the number of its members,
- (e) the names of its principal office-bearers and their present addresses,
- (f) in the case of an employees' organisation, whether it is recognised by the employer or not?

**The Honourable Mian Sir Fazl-i-Husain :** The information is not available as the Trade Unions Act has not yet come into force.

## TRADE UNIONS.

**\*118. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) when would the Indian Trade Unions Act come into force in the Punjab; and
- (b) who has been appointed the Registrar of Trade Unions in this province?

**The Honourable Mian Sir Fazl-i-Husain :** (a) It is understood that the Government of India propose to bring the Indian Trade Unions Act into force on the 1st of April next.

(b) The Director of Industries, Punjab, has been appointed Registrar of Trade Unions for this province,—vide Punjab Government notification No. 8141-R., dated the 22nd December 1926.

## RULES UNDER THE TRADE UNIONS ACT.

\*119. **Mr. M. A. Ghani :** (i) Will the Honourable Member for Revenue be pleased to state—

(a) whether the Government has framed any rules under the Indian Trade Unions Act ;

(b) if so, whether they were circulated among all the unions in the Punjab for opinion and criticism ;

(c) if so, among what unions they were so circulated ?

(ii) If the answer to (b) be in the negative, will the Honourable Member be pleased to state the reasons for not doing so ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) A draft of the proposed regulations under the Trade Unions Act was published with Punjab Government notification No. 2981-R., dated the 30th November 1926, in which it was notified that the draft, together with any criticisms and suggestions which might be received with regard thereto, would be taken into consideration on or after the 28th February 1927. The draft regulations are now under consideration.

(b) } Fifty copies of the draft regulations were forwarded to the  
(c) } Director of Industries, Punjab, for distribution among Chambers  
(ii) } of Commerce, representative employers of labour and associations  
of workmen in the Punjab.

## UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

\*120. **Mr. M. A. Ghani :** (a) Will the Honourable Member for Revenue be pleased to state whether the unions or associations of Government servants could be registered under the Indian Trade Unions Act ?

(b) If not, will he be pleased to state the reasons for debarring Government servants from taking advantage of the Act ?

(c) Will he also please state whether the Government is aware that in all civilised countries, particularly in England, unions or associations of Government servants are registered under Acts similar to the Indian Trade Unions Act ?

**The Honourable Mian Sir Fazl-i-Husain :** As the Trade Unions Act has not yet come into force, the question does not arise.

## INDIAN TRADE UNIONS ACT.

\*121. **Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state what steps have been taken by the Government to make known the provisions of the Indian Trade Unions Act, and the regulations framed under it to the different labourers and servants likely to be benefitted by it ?

**The Honourable Mian Sir Fazl-i-Husain :** The Indian Trade Unions Act, when passed, was as usual published in the *Gazette of India* as well as in the *Punjab Gazette*.

As to the draft regulations framed under the Act, the honourable member is referred to the answer already given to his question No. 119 above.

ENGINEERING SUBORDINATE SERVICE.

**\*122. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the travelling allowance of the Engineering Subordinate Service has lately been reduced ;
- (b) the rate at which it has been reduced ; and
- (c) the reasons for the drastic reductions thus made ?

**The Honourable Mian Sir Fazl-i-Husain :** Will the honourable member please refer to the reply to question No. 128 below.

ENGINEERING SUBORDINATE SERVICE.

**\*123. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government is aware that there is a great discontentment among the Engineering Subordinate Service ever since the reduction of their travelling allowance ;
- (b) whether any action has been taken by the Government to remove that discontentment ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) Owing to complaints received from various departments the question of the revision of the Travelling Allowance Rules in certain directions has been under the consideration of Government for some time past. Among other matters, which formed the subject of complaint and are under examination, are the change from the 5 mile to the 8 mile radius in connection with eligibility for daily allowance and the mileage rates now fixed for some officials. It is hoped to introduce some changes from 1st April next, which it is hoped will remove the dissatisfaction felt by the Subordinate Engineering Service.

TRAVELLING ALLOWANCE OF THE ENGINEERING SUBORDINATE SERVICE.

**\*124. Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the question of permanent travelling allowance of the Engineering Subordinate Service of the Irrigation Branch has been under the consideration of the Government for a long time ; and
- (b) when the Government would be in a position to arrive at a decision ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) The matter has been dropped.

## UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

**\*125. Mr. M. A. Ghani:** (i) Will the Chief Secretary be pleased to state—

- (a) whether the Government have framed any rules for the recognition of unions or associations of Government servants;
- (b) when they were framed;
- (c) whether they were published for the information of the public;
- (d) the names of the paper or papers in which they were published;
- (e) whether they were circulated among all the unions in this province;
- (f) the names of the unions they were sent to?

(ii) If the answer to (e) be in the negative, will he be pleased to state why Government did not do so?

**Mr. H. D. Craik:** (i) (a) and (b) Rules were framed by the Government of India in 1921. No rules have been framed by this Government.

(c), (d), (e) and (f) The rules were not published but their purport was communicated to the associations concerned.

(ii) Does not arise.

## TRADE UNIONS OF GOVERNMENT SERVANTS.

**\*126. Mr. M. A. Ghani:** Will the Honourable Member for Revenue be pleased to state under what Act of the legislature were the rules regarding the recognition of trade unions of the Government servants framed, and will he please place a copy of the said rules on the table?

**The Honourable Mian Sir Fazl-i-Husain:** No rules regarding the recognition of trade unions of Government servants as such have been framed. The Government of India, have, however, framed certain general rules regarding the recognition of associations of Government servants.

## UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

**\*127. Mr. M. A. Ghani:** Will the Chief Secretary be pleased to state—

- (a) whether the Government has given the right of forming associations to its subordinate servants?
- (b) If not, whether he would be pleased to state reasons for its not doing so?
- (c) whether it is a fact that officials like Extra Assistant Commissioners, Sub-Judges, Tahsildars, Deputy Collectors and so forth have formed their associations?

**Mr. H. D. Craik:** (a) Yes on certain conditions.

(b) Does not arise.

(c) Yes.

**UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS AND THE  
LABOUR MOVEMENT.**

**\*128. Mr. M. A. Ghani:** Will the Chief Secretary be pleased to state—

- (a) whether it is a fact that Government has issued private instructions to all officers to discourage their subordinates to form unions and to put down the labour movement generally?
- (b) if so, will he kindly give reasons for doing so?

**Mr. H. D. Craik:** (a) No.

(b) Does not arise.

**RECOGNITION OF PUNJAB PATWARIS AND KANUNGOS' ASSOCIATION.**

**\*129. Mr. M. A. Ghani:** (i) Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Punjab Patwaris and Kanungos' Association applied for recognition;
- (b) whether the association was recognised?
- (ii) If the answer to (b) be in the negative, will the Honourable Member be pleased to state reasons for not recognising the association?

**The Honourable Mian Sir Fazl-i-Husain:** (i) (a) A representation was received in 1924 from Mr. M. A. Ghani, Bar-at-Law, purporting to be made by an association calling itself "the Punjab Patwaris and Kanungos' Association" and requesting recognition of that association.

(b) No.

(ii) On enquiry it was found that the association was not representative of more than a very small number of the patwaris and kanungos of the province and therefore it did not warrant recognition by Government.

**STATUS OF PUNJAB PATWARIS AND KANUNGOS' ASSOCIATION.**

**\*130. Mr. M. A. Ghani:** (a) Will the Honourable Member for Revenue be pleased to state whether it is a fact that the Government held an enquiry regarding the status of the Punjab Patwaris and Kanungos' Association?

(b) If so, will the Honourable Member be pleased to state—

- (i) the method of enquiry,
- (ii) the agency through which it was held,
- (iii) the number of witnesses and documents examined,
- (iv) their names?
- (c) Were similar enquiries held regarding the status of any other associations of Government servants with a view to their recognition?

**The Honourable Mian Sir Fazl-i-Husain:** (a) Yes.

(b) The information required is not available.

(c) No particular association is mentioned. But when any association of Government servants apply to Government for recognition it is the practice of Government to enquire into the *bona fides* of such association and with a view to ascertaining if it is representative.

## ECONOMIC CONDITION OF THE PEOPLE OF THE PUNJAB.

**\*131. Mr. M. A. Ghani:** Will the Honourable Member for Revenue be pleased to state—

- (a) what is the average income of a person in the Punjab;
- (b) to what extent is he or she at an average indebted to another; and
- (c) what is the amount of tax paid at an average by a person in the Punjab?

**The Honourable Mian Sir Fazl-i-Husain:** The information required is not available and cannot be obtained without a very elaborate and expensive economic inquiry.

## GRIEVANCES OF THE UNA TAHSIL TENANTS.

**\*132. Mr. M. A. Ghani:** (a) Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the Commissioner of Jullundur Division enquired into the grievances of the Una tahsil tenants; and if so, when?
- (b) whether he is aware that the Commissioner refused to recognise the union of the tenants and hear their chief spokesman? If so, will he kindly state reasons for his doing so?

**The Honourable Mian Sir Fazl-i-Husain:** (a) Yes in 1925.

(b) No.

## GRIEVANCES OF TENANTS OF UNA TAHSIL.

**\*133. Mr. M. A. Ghani:** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the reports of the Deputy Commissioner of Hoshiarpur and the Commissioner of Jullundur on the grievance of the tenants of Una tahsil were in favour of tenants or of landlords?
- (b) whether they suggested any changes to be made in the Punjab Tenancy Act?
- (c) if so, what action has been taken by the Government on their reports?

**The Honourable Mian Sir Fazl-i-Husain:** (a) The question of the grievances of tenants of the Una Tahsil was reported on by the Deputy Commissioner of Hoshiarpur and the Commissioner, Jullundur, after thorough enquiry and due consideration of the facts as represented both by the tenants and landlords. There is nothing to be gained by disclosing the views of particular officers.

(b) and (c) The question of special legislation was carefully considered by Government, and the decision arrived at was that such grievances, as are alleged on either side, can be settled by the civil or revenue courts under the existing law and recourse to legislation was not considered desirable.

**RUTS ROUND THE BANKS AT SULEIMANKI HEAD.**

**\*134. Sayad Muhammad Husain :** (a) Will the Honourable Member for Revenue please state whether he is aware of the fact that the Canal Department has dug deep ruts round the banks at Suleimanki head which have made the land unfit for cultivation?

(b) If the answer to part (a) is in the affirmative, what compensation does the Government propose to give to the owners of the land for the reclamation of their soil?

**The Honourable Mian Sir Fazl-i-Husain :** The facts are not as stated by the honourable member. The owners concerned preferred to retain their lands for cultivation rather than part with them.

**COMPENSATION FOR UTILISATION OF PILCHI BY CANAL AUTHORITIES.**

**\*135. Sayad Muhammad Husain :** (a) Will the Honourable Member for Revenue be pleased to state whether he is aware of the fact that the canal authorities at the head Suleimanki have been utilizing the pilchi for the construction of the head without paying its price to the owners?

(b) If so, whether the Government intends to compensate the owners now?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Government is not aware that pilchi has been cut from land outside that acquired by Government at Suleimanki. Pilchi is usually cut by contractors and supplied to Government for use on works.

(b) If any of the owners of land, outside that acquired by Government, put in claims for pilchi cut from their land, the claims will be enquired into.

**MISERABLE CONDITION OF CERTAIN WATER-LOGGED VILLAGES IN SIALKOT DISTRICT.**

**\*136. Sayad Muhammad Husain :** (a) Has the attention of the Honourable the Revenue Member been drawn to the two articles which appeared in the vernacular paper "Zamindar" on the 6th and 12th of January 1927 regarding the miserable condition of the fifty-one water-logged villages of the Sialkot district, and the low terms offered to them for effecting their exchange, and the subsequent persuasion and coercion of the revenue authorities for the acceptance of the Government terms of exchange?

(b) If the answer to part (a) is in the affirmative, will the Honourable Member please state whether Government is prepared to reconsider their case?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Government has seen the articles in question. This matter has for long been the subject of considerable anxiety to Government and extensive experiments are being made to ascertain what can be done to prevent the spread of water-logging and to dewater those areas where water-logging has already taken place.

In Sialkot, with regard to the villages in question where the water level had risen to within 4 feet of the surface, Government, while not admitting any legal responsibility, made an offer that it should take over the whole of the village lands and that the villagers should be granted canal irrigated land in the Nili Bar at the rate of  $\frac{2}{3}$  of an acre for every cultivated acre of the village concerned. The cultivated acre is taken to be that shown in the jamabandi of 1918-19. This offer has been tentatively accepted by some 10 out of 51 villages concerned and detailed arrangements, as to the conditions of transfer, etc., are being made.

The terms offered are considered sufficiently liberal, especially as the offer is made purely as a matter of grace.

The Government is not aware of any subsequent persuasion and coercion by the revenue authorities for the acceptance of the terms offered.

(b) If the honourable member were to go into the whole problem of the water-logged areas in the Punjab, increasing cost of the Sutlej Valley Project and claims of other classes and sections of the public, he will realise that the decision is as fair as the circumstances of the case permit.

#### UNSTARRED QUESTIONS AND ANSWERS.

146—169.—*Cancelled.*

#### WATER-LOGGING IN THE SHEIKHUPURA AND SIALKOT DISTRICTS.

**170. Sardar Buta Singh :** (i) Will the Honourable Member for Revenue be pleased to state (a) if he is aware that large and extensive tracts of lands in the Sheikhpura and Sialkot districts have been made unfit for cultivation owing to water-logging due to these lands being in the vicinity of the Upper Chenab Canal ;

(b) if it is a fact that many representations have been made by the owners of such lands to the Government, with a view to getting immediate relief ?

(ii) If the answer to (b) above be in the affirmative, what immediate action does the Government contemplate to take in the matter ?

**The Honourable Mian Sir Fazl-i-Husain :** (i) (a) and (b) Yes, some.

(ii) The matter has for long been the subject of considerable anxiety to Government and extensive experiments are being made to ascertain what can be done to prevent the spread of water-logging and to dewater those areas where water-logging has already taken place.

With regard to the two districts specially mentioned, Government while not admitting any legal responsibility made an offer to the villages in the worst water-logged tract of Sialkot district where the water level had risen to within 4 feet of the surface. That offer was in brief that Government should take over the whole of the village lands, and that the villagers should be granted canal irrigated land in the Nili Bar at the rate of  $\frac{2}{3}$  of an acre for

every cultivated acre of the village which is concerned. The cultivated acre is taken to be that shown in jamabandi of 1918-19. This offer has been tentatively accepted by some 10 out of 51 villages concerned and detailed arrangements, as to the conditions of transfer, etc., are being made.

In Sheikhpura district a detailed inquiry is being made under the orders of Government by the Extra Assistant Settlement Officer with a view to ascertaining the extent of water-logging in the villages affected and also with a view to comparing the economic state of those villages in regard to amount of cultivated land, etc. :—

- (a) At the settlement preceding the advent of the canal.
- (b) In 1914.
- (c) At the present day.

When this report becomes available Government will decide what relief, if any, it is prepared to grant in villages which have suffered, though not legally liable to do so.

#### DESI COTTON.

**171. Raizada Hans Raj :** (a) Is the Honourable Minister for Agriculture aware that the soil and climate of this province are peculiarly fitted for the cultivation of *desi* cotton ; and that in the Punjab the same area yields greater quantity of *desi* cotton than that of American cotton ? If so, does the Honourable Minister propose to take steps to encourage the growth of *desi* cotton in the province ?

(b) Is the Honourable Minister aware that *desi* cotton is better suited for the purposes of *khaddi* than American cotton ?

**The Honourable Sardar Jogendra Singh :** (a) Certain soils and conditions of water supply, etc., have given far better monetary results to farmers over a number of years where American cotton has been grown in place of *desis*. Other soils and conditions in the province have given better results when *desi* cotton was grown. Farmers have seen these results on various Government farms and have always been free to choose the type of cotton which, in their opinion, would pay them best. No alteration in this policy seems necessary.

(b) Either cotton can be used on *khaddi*. *Desi* cotton is generally used for the lower counts and American for the higher.

#### REMISSION OF WATER-RATE FOR AMERICAN COTTON.

**172. Raizada Hans Raj :** Will the Honourable Member for Revenue state whether it is a fact that a remission in water-rate has been made in certain districts in consideration for the damages done to the American cotton crop but no remission has been made in case of the *desi* crops ? Will the Honourable Member for Revenue be pleased to state the reasons for this preferential treatment of the American cotton crop ?

**The Honourable Mian Sir Fazl-i-Husain :** Yes. Because after careful consideration, of the reports received, it appeared that the American cotton had suffered to a larger extent than the *desi* cotton, which though poor was not so very poor as to deserve remission.

## SIKH MILITARY PENSIONERS.

**173. Sardar Mohindar Singh :** Will the Honourable the Finance Member be pleased to state if the attention of the Government has been drawn to the issues of the *Akali-te-Pardesi*, dated the 1st and 2nd of February 1927, in which serious complaints have been made regarding the hardships of those Sikh military pensioners whose pensions have been withheld in connection with the Gurdwara reform movement?

**The Honourable Sir Geoffrey deMontmorency :** There was no issue of the *Akali-te-Pardesi* of 1st February. The issue of 2nd February will be examined, when received.

## PENSION OF HAVILDAR NARINJAN SINGH.

**174. Sardar Mohindar Singh :** Will the Honourable the Finance Member be pleased to state if it is a fact that the pension of Havildar Narinjan Singh, No. 4198, of 15th Sikhs, resident of village Gill, district Ludhiana, has been forfeited for his having sympathy with Gurdwara reform movement; and if so, will he be pleased to state if it is the intention of the Government to reconsider his case and recontinue his pension, specifying the date for this action?

**The Honourable Sir Geoffrey de Montmorency :** The pension of the non-commissioned officer was sequestered for disloyalty to Government. The question of its restoration is under consideration.

## DALIP SINGH, SON OF NARAIN SINGH AND GURDIT SINGH, SON OF HAMIR SINGH.

**175. Sardar Mohindar Singh :** (i) Will the Honourable the Finance Member be pleased to state—

(a) if it is a fact that Dalip Singh, son of Narain Singh and Gurdit Singh, son of Hamir Singh, residents of village Nathowal, tahsil Jagraon, district Ludhiana, were sentenced by a court of law at Bhai Pheroo, district Lahore, to undergo two years' imprisonment and to pay Rs. 300 fine each and in default of payment of fine to undergo further imprisonment of 8 months each on 3rd February 1924;

(b) if it is a fact that both of them have in default of payment of the said fine undergone 8 months' imprisonment;

(c) if it is fact that to recover the said fine proceedings are being taken against them.

(ii) If the answers to the above questions be in the affirmative, will the Honourable the Finance Member be pleased to state whether it is the intention of the Government to instruct the authorities to stop those proceedings?

**The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

(b) Yes.

(c) Warrants for the recovery of the fines were issued very shortly after the conviction of the two men, but so far as Government is aware no further proceedings were taken. The fines have not been recovered.

(ii) Does not arise.

## GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED) GRANT—(concluded).

**Mr. President :** The Council will now resume discussion on the motion\* of Chaudhri Afzal Haq.

**Chaudhri Afzal Haq** (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Sir, I was telling you yesterday that this House has been making a demand for the last three years without a single dissentient voice that sword should be exempted from the operations of the Arms Act. I was also telling you yesterday that some people have a different view of the resolution that was passed in the year 1925. It is possible that it was a sort of *via media*.....

**The Honourable Mian Sir Fazl-i-Husain :** You mean in the year 1926.

**Chaudhri Afzal Haq :** Yes, it was moved in the year 1926. But there is no doubt that nobody was satisfied with that resolution and its acceptance by the Government, and the demand stands where it was. My friend Sardar Jodh Singh in 1924 during a speech on this resolution said that if the Government goes on rejecting popular demands and cares not for the wishes of the people, the responsibility of the agitation will lie with it. He further told us that these things are done by no other Government in any other country. Now consider for a moment, how small a demand this one is, and if even this is not acceptable to the Government during the period of four years, I wonder what other love or sympathy can it have with other demands for Swaraj. Is it not a very expensive joke the Government is playing with us by running all these elections and making the members waste huge sums of money on elections.....

**The Honourable Mian Sir Fazl-i-Husain :** Never.

**Chaudhri Afzal Haq :** That is what it comes to. The Government may not be wishing this directly but this is the result of what the Government has prescribed. Now when these members are returned, the Government pays them lakhs of rupees as travelling and halting allowances. But think of the absurdity of all this waste that when these members make a petty demand like the one before us it wastes years before conceding to it. This is like that drummer in the company of the Indian rope dancers who even though the dancers at the rope high up in the air play all sorts of tricks at great personal risks, the drummer simply shakes his head as a token of disapproval of what has been accomplished. The same is the case with us. Now if we go to our constituents and tell them that the Government is not prepared to accept our demands and the only way of making it do so is to agitate and create disaffection among the people, who will then say that we are not justified, and that we have not got fair reason to do so? Now if anybody were to ask me the net result of these reforms which we had after such great agitation, then my honest opinion will be that the Government has not given us even a toy. After the events of 1919 the Government invited us to co-operate with them and every responsible officer of the Government who came to India brought the same message, but just consider for a moment whether that invitation for co-operation means anything in the face of the actions of the Government.

\* That the total grant be reduced by Re. 1.

[Chaudhri Afzal Haq.]

Will our future generations accept this invitation? We have co-operated with the Government, we came into the Council and we moved resolutions and adopted all constitutional methods open to us under the constitution. But with no result. I do not think anybody will suppose that I am appealing only to sentiment. But I ask you to imagine if I were in your position and at the helm of affairs, and if I refused your persistent demands, will you not be justified in creating disaffection and spirit of disloyalty among the people against me? When love fails to achieve its ends, hatred and scorn naturally take the place. When the people come to know of the way in which their demands are treated there is sure to be a great revulsion of feeling, and I am sure if the people of this country were educated they would have created great mischief by this time. If, therefore, at any time there is an upheaval among the people I will attribute it to the Government's own doings. The Government itself prepares us for opposition, otherwise the people are so law-abiding and loyal by nature that they do not wish to put the Government or themselves in any awkward position. Yesterday, when I reached my place, I told my honourable friend Rana Firoz-ud-Din Khan why should we waste our very valuable time in this Council; we can use it in a far better way by doing some service to our country or our children. I hope many others will also have reached the same decision. These ideas were in my brain when I slept. And it so happened that I dreamt that I was walking by the Ravi and saw a simpleton running with a sieve in his hand. I stopped him and inquired the reason for his running in so great a hurry. The fellow told me that he had heard that the premises of Hayat Brothers, Upholsterers, on the Mall have caught fire and he was trying to take water to extinguish the fire. I told him that he had no vessel to carry the water and how he would manage it. He told me that he had the sieve. I laughed at him and told him that the sieve will not carry water and that he should not waste his time in such a play. He did not mind my counsels and pursued his whim. But an hour's fruitless efforts produced no result and he stopped. Then I found that at the bridge there was another fool of the same sort who was blowing hard towards the city. I inquired of him what he was doing and was told that he also had heard of the fire at the Mall and was trying to stop it by blowing. I advised him not to do so because it will not help anybody. But he also did not mind my advice and went on in his way for an hour when he also got tired and told me that I was really a sage. Now, Sir, in the same dream we started towards Lahore with the simple people and I asked if there could be a greater fool than them. On which the two simpletons quietly replied that there were others bigger than them and that they were the members of the Punjab Legislative Council. We have realised our mistake in an hour's fruitless effort but these gentlemen have not been able to do so in three years even. I was very much angry at this but I could not say anything against the truth of their statement. I realised that these apparent simpletons were really very wise persons. But when I looked at their faces I felt that their smile covered a look of a scorn. I enquired why that expression of hatred. No sooner did I do so, than they burst out in a hearty laughter of scorn and told me that we deserve this. I was very much upset and I gave a hard blow on the face to one and a kick to the other. But I had hardly delivered the blows when

I felt a great noise in my room which woke me up, and I was repenting that, as a follower of Mahatama Gandhi and a believer in non-violence, I should not have done this and that I have broken my pledge when I found to my great relief that the blows I had struck on the two persons in the dream had not hit them, thus saving me from the remorse of broken pledges, but have actually struck the tables on which stood my books and tumblers, throwing the one down on the floor and breaking the others. I also found that it was early in the morning and according to the Indian belief a dream in the morning is often true. I found that the dream was very significant. When the Government is not prepared to give us sword even on the unanimous recommendation of the Council, what will it give us in the way of self-government? I, therefore, insist on my demand.

**Mr. President:** Demand under consideration, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

**Rai Bahadur Lala Sewak Ram** [Multan Division (Non-Muhamadan), Rural]: Sir, at one time last year I supported this motion which was moved by the honourable member over there, but, now, I feel that the communal tension has grown so much during the last few years and also the tension between the agriculturists and the non-agriculturists that I feel I cannot lend my support to the motion. (*Hear, hear and laughter*). How can we support a motion like the one before the House when a colleague of ours, the member for Karnal, even without a sword is ready to kill the non-agriculturists? What will he not do if the restriction on the possession of the sword is removed? (*Laughter*) (*A voice: Don't be afraid of him.*) Until we learn to behave better, until the communal tension is removed, I suppose it is not wise for Government to allow everybody the use of the sword. Even under the existing Arms Act certain persons are allowed the use of the sword, but to give everybody the right to keep sword is not safe. Until this communal tension ceases to exist and the rural and urban question is satisfactorily solved, until the agriculturist and non-agriculturist problem is solved, I do not think it is safe to remove the restriction on the possession of the sword. With these few remarks I oppose the motion made by the honourable member opposite (*Chaudhri Afzal Haq*).

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan), Urban]: Sir, I do not rise to make any lengthy speech on the subject. It is an irony of fate that some of our friends who had been occupying the opposition benches for the last three years should now have joined hands with Government. (*A voice: No, no.*) If my honourable friends say 'no,' the division which would be called for just now will show whether he is sincere in his 'no' or not and whether he and his friends do not want to support the Government in season and out of season. This Arms Act, Sir, has been a long-standing stigma on the Indian character. Although here and there amendments have been made in the enforcement of the provisions of the Act we have not yet reached the stage when the Government or its officers would consider the Indians above suspicion. The Government and its officers are quite unmindful of the true saying that it is confidence that begets confidence. We have been laying our grievances before the Government, we have been representing our troubles to the Government and its officers for so

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many years but we find that our cry has only been a cry in the wilderness. My learned friend, Rai Bahadur Lala Sewak Ram, stated that he has since changed his views on the subject owing to the existence of the communal tension and that he cannot repose any confidence in his Indian brethren. It is true that there is communal tension. I know that even men like myself who feel for the country and who feel a need for the consolidation of our people into a nation are sometimes dragged into the communal mire; but we should, as representatives of the people, consider every question in a calm mood, in a cool manner and on its merits. We should not brush aside a question simply because Government and its officials are opposed to it, nor should we adopt a proposition simply because Government wants it. We have to decide this question and other questions on their merits. I am sure, Sir, that the non-official members of this House will give their support to the motion before it. Before I sit down I must remind my honourable friend Dr. Gokul Chand, Narang, that when the members in the opposition benches were opposing the demand for Industries, it was because they felt disappointed by the fact that the Government was not prepared to listen to their grievances in any direction. Government is not prepared to give us what we want. In spite of so many restrictions and limitations of the rules of the constitution under which we are working here, the modest, reasonable and just demands of ours are not given effect to by the members of the Government. My friend the other day suggested to us that we should not oppose any grant which is under the control of the Ministers who represent us in the Government. But if we want them to listen to what we want, if we want to force the Government to accede to our general requests we should oppose the demands in the reserved subjects. Here is the main demand, the demand for general administration, for the top-heavy administration which is too costly for the resources of this province. We have to pay more than one crore of rupees for the general administration of the province, another one crore for the police for the maintenance of law and order. The question before us is not that the general administration is to be carried on or that law and order is to be maintained, but the question is how the administration is to be carried on and how law and order is to be maintained. With these few remarks, Sir, I again urge upon the members of this House to consider this question on its own merits and then to give their votes.

**Mr. Din Muhammad** [East and West Central Towns (Muhammadan), Urban]: Sir, we on this side of the House would have kept quiet but for the speech of the honourable member from Lyallpur. Lest our silence be misconstrued, lest we may be considered to endorse every word that he has said I have been constrained to rise and offer some observations on the point at issue. Unfortunately everybody has got two handles to work upon and everything that is discussed in this House is generally discussed either in the light of the Hindu-Muslim tension or in the light of the rural and urban differences. Let me take this opportunity of submitting before this House that there is absolutely no antagonism between the rural and urban interests. (*Hear, hear.*) If there are certain interested observers who say that these two sections are mutually exclusive, let me assure them that in reality it is not so. They are quite welcome to hold whatever views they like, that can't be helped. Both sections of the community are governed by the same

laws, they are subject to the same disabilities, they suffer under the same disqualifications, and the only advantage the urban people happen to enjoy is simply this that merely on account of the incidence of location they have been enjoying the benefits of modern civilisation earlier than their rural brethren. Sir, all those gentlemen who represent the urban interests here, at least those on this side of the House, have decided once for all to forego almost all their personal gains so long as the rural interests are not advanced. We know that in the advancement of the rural interests lies our advancement. We also know that in their salvation lies the eternal salvation of the country. I wish to remind the House of the words of the Honourable Revenue Member which some time back he spoke during one of his tours at Montgomery. We wholeheartedly endorse his views.

There now remains the unfortunate question of Hindu-Muslim tension which has been made so much of. So long as the Hindus profess their faith and the Muslims profess their own faith these two sections must continue to be separate. So long as east is east and west is west, the two will never meet, but it does not mean that any movement that is set on foot should be discarded simply because of the tension which exists outside this Council Chamber. We should not take mean advantage of the disunion existing in the country among certain interested persons. There is no tension existing among the masses, and as Government has confessed on so many occasions, it is only a few interested persons that take part in creating these dissensions. Therefore I would most respectfully submit that this question should not be shelved simply because the honourable member from Lyallpur says that there are certain Hindu-Muslim differences, and that so long as the Hindus are Hindus and Muhammadans are Muhammadans, and that so long as the agriculturists continue to live in villages and the urban people live in towns, this resolution should not be given effect to nor the previous resolution in this Council on this question should be supported. With these few remarks I resume my seat.

**Chaudhri Yasin Khan** [Gurgaon-cum-Hissar, (Muhammadan), Rural]: The resolution before us is a very simple one and does not require further speeches. The honourable member from Lyallpur has informed us that the present tension in the country does not permit the grant of right of wearing sword. If this is his personal opinion, then I have nothing to quarrel with but generally owing to the parties in the Council when a member speaks it is considered that he voices the feelings of the whole of the party. I, therefore, must notice a few points in his speech. This question of agriculturists and non-agriculturists cannot be done away with. This is based on distribution of proper shares in the administration of the province. This resembles the quarrel between a faqir and a zamindar. The zamindar said: why do you beg from the people of my community, you should go and beg from the members of your own class. But there is no question of rural and urban interests amongst us. It may be in the minds of the opposite camp and it may be based on personal advantages. The opposite benches have told us that they are not wedded to the policy of the Government nor have they mortgaged themselves to it. Though they have said as much and professed it, they have revealed themselves in the speech delivered by

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the honourable member. This shows that they have really sold themselves to the Government and have forgotten all those highly cherished ideas in the profession of which they used to be so loud. But why should they not do so when they get 88 per cent. share instead of 10 per cent. which is their due? In the grant of right of wearing swords neither the agriculturists nor the non-agriculturists will suffer. If it were detrimental to the cause or the interests of the non-agriculturists, why have they started those arenas for wrestling exercises? Sword would add to the movement of encouraging wrestling and other manly exercises. This will be of greater use to the non-agriculturists than it would be to people of the martial tribes. I submit, Sir, that it is really disgraceful for us belonging as we do to a martial race that we are not allowed to keep swords. I know personally how ashamed we feel when we go to the United Provinces. We people who belong to the district of Gurgaon and others have our relations in the United Provinces and Alwar State and when we go to these parts unarmed, they laugh at us and we are very much ashamed of ourselves. The people of the United Provinces who are not physically superior to us are allowed to keep sword but we are not allowed to do so. We do not know whether we will get any further instalment of reforms or not. We know this for certain that we have not been granted even this little request. If, therefore, the honourable member and his party are going to vote as they have expressed their desire to do, then I submit there is no need for the statutory commission to come. They should write to the authorities in England that the people of this province at least are unfit for further reforms. I, therefore, appeal to the honourable members in the benches opposite to vote at least this time in favour of the motion and they can do as they please hereafter.

**Sardar Hira Singh** [Lahore (Sikh), Rural]: The question of swords is a simple one and there is no room for any objection. This is not at all connected with the communal question no is it harmful to anybody. It is wrong to say that the exemption of sword from the operation of the Arms Act will lead to an increase in crimes. On the other hand, the weak persons who cannot defend themselves and fall an easy prey to thieves and robbers will be able to defend themselves. Have the crimes increased with the grant of right of wearing kirpans to the Sikhs? It is, therefore, wrong to say that crimes will increase with the grant of this right. This province is no worse than the other provinces. The Council passed the resolution with a unanimous vote and it is wrong and unfair to withhold this right any longer. The Sikhs have had to make a lot of sacrifices to gain this right and they will be pleased if others will also be allowed to have the same. It was done for the good of all communities with the hope that all will be benefitted thereby. A story goes that two people were going through a jungle when they met a thief with a *lathi* in his hand. The thief gave them a thrashing and robbed them of their belongings. When the two men reached home they told others that the thief and *lathi* were two, while they were alone. The exemption of the sword will infuse courage in the minds of the people and they will be able to defend themselves better. I, therefore, hope that this resolution will be accepted by the Government.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, this subject is one that has been discussed in this Council more than

once, more than twice, and I believe more than three times. Therefore the honourable members, new or old, have been hard put to make this a very interesting debate—like twice told tales speeches also on hackneyed subjects in the same House begin to pall a little. Those members of this House who were members of the last Council will recollect that the attitude of Government on this problem has been quite clear. It will be recollected that Government did not oppose the resolution that was moved, I believe, in 1924. Another resolution was moved in 1926 and Government did not oppose it. I recollect myself having stood up and said that I am glad to accept it. That acceptance meant such acceptance as the Local Government was in a position to accord to a resolution moved on a subject which was not entirely within their own control.

It seems to me that the subject is really not a very exciting one. I recognise that the Indian sentiment on the question of sword or on the question of arms generally is one which I, for one, have always shared, appreciated and even admired. It should also be remembered that it was on account of the Punjab Government fully appreciating the value Indian opinion attached to this question that Government did not oppose that resolution. Therefore one might go so far as to say that as far as the principle underlying the demand for making swords free is concerned Government has already recognised it. It may then be fairly asked, if so, why all this delay? Sir, I believe, I am not revealing any secret of Government when I say that when the resolution was passed it was very near being given effect to. I believe such delay as has taken place has been due to those unfortunate incidents which every part of this House has from time to time regretted, Government benches no less than the opposition benches or other non-official benches. Those incidents were incidents which were not within the control either of the Government benches or of the benches occupied by the non-official members of this House. However much we may regret these incidents, the unfortunate tensions which precede them, and the apprehended recurrence of those unfortunate riots which come into being, no one knows how and where they will end, no one can foretell, cannot be ignored, and afford sufficient excuse for not giving effect to the resolution as it stood. When I say afford sufficient excuse, I mean those who are fairly disposed say that it is a genuine excuse, those who are suspiciously disposed say that Government has used it as a pretext but it is not a really genuine excuse. Whether this excuse is being used by Government genuinely or as a pretext depends upon the attitude of mind of the honourable member who is for the time being considering that question. I assure you, Sir, that bearing in mind the position in the province, the best I could have done in the matter of sword was what I did in the last Council last October when an honourable member of this House moved a modified resolution, a resolution which was a step towards the realisation of the resolution passed in 1924. The resolution as modified was to the effect that sword be made free so far as jagirdars were concerned, so far as income-tax payers were concerned, so far as payers of land revenue above a particular amount were concerned, so far as title-holders were concerned and so far as Government servants with pay above a definite figure were concerned. I recognise that the honourable members of this House will consider that this step was a very short step, that this step was a very inadequate one. Whatever

[The Honourable Mian Sir Fazl-i-Husain.]

adjective they may be pleased to affix to the step, I will not quarrel with it but still it will be recognised that it was a step in the right direction and as I have said before I was very glad to have that opportunity of helping the Council to take a step towards the realisation of their resolution. I am glad to be in a position to-day to refer to the Government of India notification which has appeared only in to-day's Gazette—the Gazette is dated the 12th March 1927—which shows that the Government of India have been pleased to accept the recommendation of this Government on that resolution. Now at all events for those classes specified in the resolution of Lieutenant Raghbir Singh, who was a member representing Amritsar in the last Council, the sword has been exempted from the restrictive provisions of the Arms Act. The resolution as passed by this Council has been accepted in full by this Government and also approved by the Government of India. I assure the House that any further advance in that direction rests very largely in the hands of the honourable members of this House occupying official and non-official benches. I do not wish to enter into a controversy either in the matter of the parables so beautifully narrated by the honourable mover of the cut or in anything else, but lest the honourable member should indulge in any more acts of violence in his sleep, I should like to tell him that if he comes across those two queer folks he held converse with on the banks of the Ravi, trying to put out the fire on the Mall, would he mind directing them to the Lahore Municipal Committee fire engine house, where engines used for putting out fire are maintained? If instead of keeping those well intentioned but hopelessly ill-informed persons waiting there and entering into useless discussion, he had directed them to run fast to the fire engine house the poor Hayat Brothers on the Mall might have been saved. May we not all instead of discussing the resolution again and again turn our hands to improve the deplorable tension prevailing in the province?

Now, Sir, the honourable member returns again and again to the attack so far as this resolution is concerned. I admire his preserverance, I appreciate it and I assure him that no great rights in national affairs are won unless those who advocate their rights show perseverance and strength of mind and do not develop a pessimistic frame of mind which not only tends to do harm to themselves but also leaves a bad impression on other people who want to enter into the struggle for freedom. What has he done after all? Lahore is not a bad place to spend a fortnight in, on and off. My honourable friend is not really serious when he says that because the sword resolution has not been given effect to, therefore the Legislature is valueless. Something has already been done, and if the conditions improve, Government can do more. If the honourable member spends some of his leisure moments in going to the engine house, probably the realisation of the sword resolution would come nearer. When I say that he should go to the engine house, what I mean is that all of us

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should take steps to go where the trouble is. We all know that it is sometimes said that the trouble is in the dumb masses; sometimes it is said that the trouble is in the educated classes; sometimes it is said that the trouble is due to the ruling classes, by ruling classes I mean the Indian ruling classes. Whatever the source of trouble is, it is our business, Sir, not to go to the Ravi

but to go to the place where the trouble is and try to compose these differences to the best of our ability. All of us, officials and non-officials, should take up that work and thus approach the solution of these problems.

Again, can we say that the present-day conditions are normal? I assure you, Sir, that when I am saying this I am not saying it in any spirit of officialdom, to put off a fair demand. Unless we are true to ourselves, unless we are prepared to face the situation we can make no advance. As I said once before I am not revealing any secret when I say that the question of sword being made free to all to-day, is not as near realisation as it was in 1924, and it is up to us to recover lost ground. I trust the honourable member will take this statement of mine in the spirit in which it is made.

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, I value the advice given by the Honourable Member for Revenue at a very high price, but he has made in his speech certain remarks which are likely to create misunderstanding and which, therefore, I cannot allow to pass unnoticed. He said that in 1924 when the resolution regarding the exemption of sword from the Arms Act was passed, the conditions in the province were much better than they are now. He meant to convey that the present conditions do not warrant the grant of this concession. May I ask him whether he sincerely thinks that such a time is ever likely to come in the history of the province teeming with crores of population when there will be no riots at all? May I further ask him whether there is any country on the face of the earth, however much civilised, whose history may tell us that that country has never seen any riots, dissensions or communal outbreaks? So far as I can see the answer must be in the negative. In England, which is considered to be one of the most civilised countries, we know that every now and then riots do take place. If one day there is fighting for the liberty of Ireland, the next day the Scotch rise for the vindication of their rights. All the same it has never entered into the head of the Government of the United Kingdom to impose any restrictions on the keeping of arms of any kind howsoever dangerous, not to say of sword which is a very innocent weapon in this twentieth century. If we are to be granted this concession when these riots and communal outbreaks will have altogether ceased, I can guess from the past history of the world that with that big 'if' we will not be able to get the concession till the day of judgment.

Whenever we put forward even very modest and reasonable demands we are asked to wait for some time more. The Government has become accustomed to saying that they have given us a little out of what we wanted. Try that and if the commission to be appointed recommends that you have grown wiser by the experiment, the rest will be granted to you. A similar old hackneyed reply we receive from an Indian Government Member to-day. Whatever may be the merits of his reply we should thank God that our men have begun to learn how to rule. They treat us in their turns as they are treated by the Government. I am here reminded of a story about a person who was in the service of a rich man. The latter was a hard task-master and his treatment towards his servant used to be very harsh. This servant had a dog at his house and whenever he used to go back to his place, he was in the habit of beating and thrashing it. One day a neighbour

[Chaudhri Afzal Haq.]

asked him the reason of his ill-treatment of the dog. He replied that he did so because he received a similar kind of harsh treatment from his master. It is in the nature of every human being to rule and therefore we cannot blame any one if he exhibits that nature.

It really pains me whenever I have to get up to give expression to our troubles and sufferings. But I cannot help saying that if the masses had been awakened to their miserable lot, the Government would not have found this lame excuse which it is never tired of repeating. We are advised to go to them and try to reform them. But the pity is that in spite of its advice and professions the Government will not allow us to approach these masses. In 1921 I was arrested simply because I was lecturing to the people and telling them of their miserable plight. I remember to have delivered no violent speech in those days. Still I was sent to jail for six months. If to-day I again go out to do propaganda work amongst the masses, who knows this time I may be sent to jail not for six months but for a period of six years? There is no security in this matter when we know that Mahatma Gandhi, who is admitted all over the world as one of the greatest men, and his followers were all one by one sent to jail for the simple reason that they were advising their brethren to give up drinking or to wear *khaddar*. The Honourable Member for Revenue is perhaps not aware that it is not an easy job to work for the masses under the present Government. I ask, Sir, what serious offence that Sikh boy of seventeen had committed that he was sent to jail for seven years? He had only stuck on the wall one copy of a *fatwa* which was issued from Karachi and in connection with which the Ali brothers and a few others were sent to jails for two years. Under the circumstances how can I dare go to the masses?

**The Honourable Mian Sir Fazl-i-Husain:** You cannot go.

**Chaudhri Afzal Haq** (continued in Urdu): Then it would be better if the Honourable Member were to take the lead. I will gladly follow in his footsteps. Sir, according to the following verse:—

قائد کے آئے آئے خط اور لکھ رکھو  
معلوم ہے مجھے جو لکھینگے جواب میں

I knew beforehand the fate that my motion will meet and, therefore, I had in my opening speech said what I had to say by way of reply. The Government has one and only one answer to give and that is that we should wait. Everything will be done in due course of time. I wonder for how long we are going to put up with this indifferent attitude of the Government.

**Mr. President:** Does the honourable member wish to withdraw his motion?

**Chaudhri Afzal Haq:** No, Sir.

**Mr. President:** If he is not inclined to withdraw it, I am afraid I may have to pass on to the next motion inasmuch as he has stated in so many words in the note to the motion that his object is "to raise a discussion for the exemption of sword from the operations of the Arms Act," and as the discussion he meant to raise has taken place his object has been achieved.

**Chaudhri Afzal Haq** (Urdu): Sir, may I point out that the Chair has allowed similar amendments to be put to vote on many occasions before? Accordingly I hope I will not be denied that privilege on this occasion.

**Mr. President :** If in any particular case such a motion was put to the vote of the House, that should not form a precedent. A motion which its mover intends to press to the vote of the House, ought to be worded differently, for instance instead of saying " to raise a discussion for the exemption of sword from the operations of the Arms Act " the mover could have said " to urge the exemption of sword from the operations of the Arms Act." Had he done that, he would have been entitled to press his motion to the vote of the House. But as he has said in so many words that his object is only to raise a discussion and not to urge the exemption of the sword from the operations of the Arms Act, I would advise him to withdraw his amendment.

**Rana Firoz-ud-Din Khan :** Sir, with your permission I want to point out that " to raise a discussion for the exemption of sword from the operations of the Arms Act " is merely a note put at the foot of the amendment. That note does not form part and parcel of the motion itself. It is meant simply to give a clue to the official members as to what the discussion is going to be, so that they may be prepared and may not be taken by surprise. So, I would submit that the honourable member has a right to press his amendment to be put to the vote.

**Mr. President :** If the note does not form part of the motion, I am afraid one honourable member has no right to move two or more motions, of one rupee reduction each, to the same demand. All these motions are quite identical and it is only the notes appended to them, that differentiate them from each other.

**Chaudhri Afzal Haq :** Sir, I have not moved my second amendment.

**Mr. President :** The honourable mover has given notice of two motions. Now whether he moves only one or both of these, is a different question. I would suggest to him to consider the advisability of withdrawing his motion, otherwise I will pass on to the next motion.

**Lala Bodh Raj :** Sir, the honourable mover gave notice that he will move that the total grant be reduced by Rs. 1, and his object in moving that amendment was that he wanted to raise certain discussion for the exemption of sword from the operations of the Arms Act. That motion is before the House and on that we are required to vote. I would submit that votes can be taken on this motion and that action will itself show how we feel on the subject.

**Chaudhri Afzal Haq (Urdu) :** Sir, my submission is that it has been often ruled before that no importance should be attached to the note. How is it then that so much importance is being attached to my note ?

**Mr. President :** As the honourable mover of the motion appears to have drafted the note to his motion with an object different from that expressed by the language of the note, I would give him the benefit of the doubt. In future if his object is to press a motion to the vote of the House, he will draft and word it properly. I will now put the motion to the House.

Demand under consideration, motion moved—

" That the total grant be reduced by Rs. 1."

The question is that that motion be adopted.

The motion was carried.

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, I beg to move:—

“That the total grant be reduced by Rs 1.”

Sir, a few days ago I asked the Government in a question if it is proposed to make enquiries as to whether corruption is rampant amongst the district and tahsil staff. In answer to that question the Government admitted that certain responsible officers had been, from time to time, reporting that this evil does exist in the district and tahsil staff. It was further stated in that answer that the remedies suggested by the questioner are not acceptable to the Government. Not only that. The Police Enquiry Committee has said in its report, the extracts of which are in our hands, that corruption has increased during the last twenty years in various departments of the Government. I know and I am glad to admit that there is a sufficiently large number of high officials who are not corrupt. Out of the others some are without doubt corrupt and the rest are only suspected of this bad habit. But these officials whether they are themselves honest do not check this evil amongst their subordinates. I cannot say whether they dare not do so or they do not care. However the result is that in this department as in other departments the evil is gaining ground. In this connection I may say and openly too that corruption in the Police and Jails departments is not so great as in some of the other departments, although the former two are believed to be more corrupt. If you will turn over the pages of the report referred to, you will find that nearly at every page it is repeated that other departments of the Government are not free from this evil. In support of my statement I wish to inform the House, with your permission, Sir, what a Sikh retired Extra Assistant Commissioner told me the other day. He told me that once he was summoned by a court of law to appear before it as a witness. After his evidence had been recorded, he asked the clerk of the court concerned to pay him his diet money and travelling allowance. The clerk, thinking perhaps that the gentleman was a zamindar, demanded his share before paying him the diet money and the travelling allowance. This is what we deplore. When such persons are treated like that, you can judge for yourself the extent to which this evil is present in this department. Still we find that the high officials do not care to pay their attention to it and this indifferent attitude of these officers is really a problem for us. Perhaps they fear that they might be dubbed as mean officers if they take any action against their corrupt subordinates. Otherwise there is no reason why corruption cannot be stopped. I drew the attention of the Government to this fact and said that if the Superintendent of Police of the Jullundur district, who on taking charge, determined to root out this evil, can succeed in putting a check to corruption, why is it that in other districts the same thing cannot be done? But I am sorry to say that the issue was shelved by saying that because conditions in different districts are different, the same results cannot be achieved everywhere. I do not believe that and I am convinced that if the officers were to try sincerely to stop corruption, it is sure to go.

The Government should know that if corruption is rampant in a country, both the people and the Government, if it is a foreign Government, stand to blame. So was it said by Sir John Maynard in one of his speeches when he

was here amidst us. On that we offered our services to do as much as we can. We are even now prepared to bring to the notice of the Government what we find to be objectionable. But it is for the Government to make enquiries and sift good from bad and if it finds that our grievances are genuine, it should take steps to remove them. Here I must praise Sir Michael O'Dwyer for the drastic step he did take to stop corruption when it came to his knowledge that the officers of the Government were growing corrupt. If on the one hand he sent many of the political leaders into the jails, he did not hesitate to accord the same treatment to those officers who were found to be corrupt. Similarly, at this stage when this evil of corruption has assumed serious proportions in departments under general administration some drastic step should be taken. No half-way remedies will do. Just as the generals on both sides rush in to encourage and help their respective forces when they are equally balanced on the battle-field to save them from giving way, the Government too should come to rescue when the forces of good and evil are not balanced, but the forces of evil are gaining the upper hand. The Government should now cut at the root. The cutting of the branches will not suffice. The Government can do so effectively if it were to adopt the remedy suggested by an Indian brain. That remedy is incorporated in the Police Enquiry Committee Report. In the same report the committee has clearly stated that if that remedy is adopted, the evil of corruption is sure to disappear.

**Mr. President:** Does that report relate to the Police department?

**Chaudhri Afzal Haq:** Yes, Sir.

**Mr. President:** I have already asked the honourable member not to refer to any department but the departments falling under the General Administration.

**Chaudhri Afzal Haq** (continued in Urdu): Sir, if I have mentioned other departments in connection with the department under discussion I have done so by way of reference. I think there is nothing in the way of referring to the report which is now in the hands of the public.

**Mr. H. D. Craik:** On a point of order. The only departments which are included in this department for the General Administration are the Indian Civil Service and the Provincial Civil Service. Is the honourable member at liberty to discuss charges of corruption alleged against any department, other than those which come on this vote?

**Mr. President:** I have already ruled and ruled definitely that the honourable member is not in order in referring to corruption with reference to any of the departments other than those which fall clearly under the head 'General Administration.' I hope the honourable member will observe my ruling and not wander away from the General Administration.

**Chaudhri Afzal Haq** (continued in Urdu): Sir, the observations made by the Police Enquiry Committee with regard to corruption are so general as to be applicable to all departments of Government. As I have said before the remedy suggested is the outcome of an Indian brain and as indigenous medicine is likely to prove more useful to cure a disease from which an Indian may be suffering, this remedy is sure to cure the evil of corruption from which the province is

[Chaudhri Afzal Haq.]

suffering. The officers have done very little so far to check this evil and they are not likely to take any interest in the matter in future too. It is therefore requested that some outside agency may be appointed to which the work of rooting out corruption should be entrusted. Officers come and go. Some take interest, others may not. The circumstances during the term of one officer change when another comes to replace the former. Sir John Maynard had begun to take interest in the matter. It is possible his successor may be busy somewhere else. It is therefore necessary that some permanent agency should be appointed, as has been suggested, which should supervise all the departments to see that no officer is corrupt. No doubt the officers of the Government will oppose such a measure. It is natural. They will not like interference from any outside agency, but I hope the Government will not give way to this opposition. It will accede to the popular demand and try the experiment which, I am sure, will prove successful.

**Mr. President:** Demand under consideration, motion moved :—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

**Chaudhri Yasin Khan** [Gurgaon-cum-Hissar (Muhammadan), Rural] (Urdu): Sir, I think that every honourable member of the House who has some knowledge of the general administration of the province, would certainly support the amendment under consideration. Who can say that the higher authorities are not aware of the state of affairs which the honourable mover of the amendment has described in connection with the General Administration (Reserved)? Sir, corruption is rampant in each and every department of the Government, but we are sorry to observe that the Government has taken no practical steps to check this evil. By this assertion we mean that whatever is being done in this connection amounts to nothing. Take the case of patwaris. A legal fee of annas four is charged for the preparation of *fard* but the patwari extorts 20 or 25 rupees a *fard* from the zamindars. It often happens that the zamindars who cannot comply with these demands of the patwaris fail to institute their revenue suits within time. Sir, even the high officials cannot help complying with the demands of the patwaris. The girdawars, who are their immediate officers, also receive gratifications. The *sadr qanungo* during his annual tour gets Rs. 2-4-0 from each patwari. Out of this sum 4 annas are meant for the *sadr qanungo's* chaprasi. As regards the *takkavi* system which is introduced with a view to benefit the zamindars.....

**The Honourable Mian Sir Fazl-i-Husain:** I have no intention of speaking on this motion; but if the honourable member goes on discussing about the Revenue Department, which is not just now under consideration, it will perhaps be necessary for me also to speak.

**Mr. President:** I have tried more than once to make it clear to the honourable members of the House that when speaking on a motion they would speak only on the items covered by the demand under consideration and not go beyond them.

**Chaudhri Yasin Khan** (Urdu): Sir, I think that a discussion regarding the corrupt practices of the patwaris and girdawars, relates to the General Administration of the province.

**Mr. President :** Order, order. The honourable member is not speaking to the question before the House. The question before the House is Chaudhri Afzal Haq's motion that total grant in respect of General Administration (Reserved) be reduced by Re 1. The object of the motion is to raise a discussion in order to remove the corrupt practices in the administration: while the honourable member is discussing the travelling allowances of certain officers who are not within the pale of General Administration. So I think he is out of order and if he persists in irrelevancy I will have to request him to resume his seat.

**Chaudhri Yasin Khan (Urdu) :** Sir, I leave that matter aside. The gazetted officers of the Government receive large sums of money as travelling allowance. Are the honourable members of the House unaware of the fact that since the time the motor cars have been in vogue the officials travel long distance by night and come back the next morning to their head-quarters? Nobody cares what purpose is being served thereby. Corruption is rampant in every department.

**Mr. President :** Order, order. As the honourable member is again wandering away from the motion before the House, I request him to resume his seat.

(Chaudhri Yasin Khan then resumed his seat.)

**Dr. Gokul Chand, Narang :** Sir, if I may venture to put in a word with your permission, will you be pleased to state how the honourable member is not speaking to the motion? He is speaking, if I understand him rightly, on corruption in the General Administration and when he says that we meet with corruption in every department he means every department of General Administration. That is how I understand him to say.

**Mr. President :** I dare say the honourable member is correct from his point of view. But I judged the last speaker by the language used by him. If I understood him aright he was not discussing the General Administration. He stated generally "wherever we go, whatever department we see it is full of corruption." I have repeatedly explained to the honourable members that they would please confine their remarks strictly to the motion under discussion and not wander away from it.

**Chaudhri Afzal Haq :** I beg leave to withdraw my motion.

The motion was by leave withdrawn.

**Mr. President :** The question is—

"That a sum not exceeding Rs. 87,74,999 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of General Administration (Reserved)."

The motion was carried.

#### DEBT SERVICES GRANT.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** Sir I beg to move—

"That a sum not exceeding Rs. 5,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Debt Services."

The motion was carried.

## IRRIGATION GRANT.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 3,27,09,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Irrigation."

**Mr. President:** The question is—

"That a sum not exceeding Rs. 3,27,09,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Irrigation."

**Sardar Narain Singh** [Rawalpindi Division and Gujranwala (Sikh), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 89,37,000—Total Establishment."

Sir, with regard to this amendment I need not make a long speech. I would make a few observations in connection with the Canal department. Now that the public is perfectly aware of the rules and regulations regarding irrigation, we should curtail all unnecessary expenses. Sir there are thirty-three deputy collectors in the province, on whom about 2 lakhs of rupees are being spent annually. So far as I understand, the deputy collectors have not judicial powers now. They have very little work to do. There are executive engineers who are of opinion that the post of a deputy collector is no longer required. Sir, it is a view held by a majority of the people that the Government is very fond of establishing new departments and when once they are established, it is very reluctant to abolish them even if they are serving no useful purpose at all. The deputy collectors are no longer required. The work that remains with the deputy collectors may be entrusted to either the sub-divisional officers or the zilladars. The saving that would be effected, if the post of the deputy collector is abolished, may very well be used to alleviate the condition of the poor zamindars who have suffered heavily on account of water-logging. The next point which I would urge is that there is absolutely no justification for the presence of two patwaris, one belonging to the Revenue department and the other to the Canal department. Sir, it is an admitted fact that the presence of these patwaris is a nuisance to the zamindars. The zamindar members of the House would bear me out when I say that the patwaris are undoubtedly very corrupt. The presence of two patwaris is as troublesome for the zamindars as the presence of two wives for a husband. In the end I would again submit that the posts of deputy collectors should be abolished and that the services of one patwari should be dispensed with. With these words I commend my amendment for the acceptance of the House.

**Mr. President:** Demand under consideration, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 89,37,000—Total Establishment."

The question is that that motion be adopted.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture): Sir, as a Minister for Agriculture this was a matter which engaged my attention from the very start and as the honourable mover just now pointed out I have always taken interest in the matter and I thought per-

haps a solution could be found on the lines which the honourable mover has indicated. An experiment was made in the southern Punjab and the office of the two patwaris was combined and the deputy collector was abolished. After about two years' experience, it has been discovered that the thing cannot work and the agriculturists have been crying for the restoration of the old system; after very careful consideration and good deal of reluctance Government has been compelled to abandon the experiment. Therefore I wish to inform the honourable mover of the amendment that the experiment has been given a trial and the agriculturists themselves have clamoured against it. So far as I am aware the scheme cannot work, and it did not work because the agriculturists themselves found that they did not get as good a supply of water as they did under the old system. A very careful enquiry was made by the Honourable Sardar Bahadur Sardar Sundar Singh when he was Revenue Member; the matter was again enquired into by the Honourable Sir Fazl-i-Husain, and in the interests of the agriculturists the scheme had to be given up.

**Sardar Narain Singh:** Sir, may I with your permission ask the Honourable Revenue Member whether he has consulted the executive officers as to whether they think that the deputy collector is required or not?

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member):** Sir, I am delighted to be able to give this information. I have come across quite a lot of executive engineers during my recent tours and with the exception of one officer, they all swore by deputy collectors and said: we would rather you did away with one of our hands, than you did away with the deputy collector.

**Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)]:** Sir, I was a member of the committee which was appointed by the first Council to economise expenditure and to save money. Some of the members of that committee were very enthusiastic for reducing expenditure and I miss at present the honourable member for Montgomery who was my associate on that committee. The committee were of opinion that the amalgamation of the revenue and the canal department should be carried out at once in the whole province. I ventured to dissent from them and I suggested that the experiment should be tried in the south-eastern Punjab. The experiment has been under trial for the last three or four years and as far as I have been able to ascertain, opinions are very much divided. Perhaps the majority of revenue officers are not in favour of the experiment. It is very difficult for us outsiders to enter into the details of administration and to suggest schemes of economy. All that we can do is to press upon the House and upon the Government the necessity of effecting economy. The details as to how that economy has to be worked out must be left to the officers who have to deal with the scheme. We have had an experiment with regard to the amalgamation of the revenue and canal departments. Any other experiment which my honourable friend who has moved this amendment suggests will probably meet with the same fate. It is true that the deputy collectors have been relieved of judicial work but they have a lot of administrative work to do

[Diwan Bahadur Raja Narendra Nath]

and as the Honourable Revenue Member has explained, the majority of executive engineers are of opinion that they still form an important part of the machinery of the Irrigation department. So I would ask my honourable friend from Gujranwala to impress upon Government the necessity of effecting economy and not to enter into details but leave them to the department itself. If the departmental officers are themselves to suggest any scheme of economy it should be considered by the House and by Government. Any further details we cannot enter into.

**Mr. President :** Does the honourable mover of the motion wish to withdraw it?

**Sardar Narain Singh :** No, Sir.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member) : May I put in a word before the discussion proceeds any further? The thing is this that, as has been pointed out by Raja Narendra Nath, we want to effect economy in the department, and I understand during the last year or two, as a matter of fact, efforts have been made to effect economy in the matter of establishment. It will be noticed that in 1925-26, the actuals under the head were greater than the budget provision in the year 1926-27 and we are budgetting for next year a sum less than has been budgetted in the past. That would indicate that I am not oblivious of the fact that such economies as can be effected even in an expensive department like Irrigation should be attempted. I believe the honourable members are aware that very considerable economies have been effected in the past in other departments, but the Irrigation department stands really quite apart from many other departments. In the case of schools or hospitals, the question of a little bit of more or less efficiency is difficult to judge, but in the matter of irrigation the results are discerned at once. Is distribution of water proceeding fairly or not?—that is adjudged from week to week and month to month. Either the crop is getting water or it is not getting water. Again is it to become all *kharaba* or is it not to become *kharaba*, with the result that the least defect in the distribution of water is at once detected by the people and a hue and cry is raised. The Telegraph department is flooded with telegrams from all the zamindars to me, to His Excellency the Governor and the Chief Engineer saying : we are all being ruined here and so on and so forth. Therefore one feels very hesitant to take a step which may lead to so much discontent amongst the people. Yet I have made up my mind to leave no stone unturned in trying to economise and it was for this reason I was making enquiries from all the executive engineers, from non-official members and others as to what can be done in the way of either getting rid of deputy collectors or unifying the patwaris or perhaps reducing the number of zilladars, but I must confess that up till now I have not arrived at any decision which I could place before the Council and say that on these lines I hope to effect economy. I cannot say that yet. If this statement is of any use, I am glad I have made it at this stage.

**Chaudhri Baldeo Singh** [North-West Rohtak (Non-Muhammadan), Rural] : Sir, any economy that may be effected in any department is quite welcome. But, in my opinion, the Irrigation department is already effecting too much economy. The amalgamation of the Revenue and the Canal

departments in our district has caused much inconvenience to the zamindars. The people there have, I believe, thousands of complaints against this amalgamation. They are not receiving water in proper quantities, they are not receiving water at the proper time and I am also given to understand that corruption has increased in the department. Lastly, the patwaris have everything in their own hands and the executive officers have not the time to look after and check their activities.

**The Honourable Mian Sir Fazl-i-Husain :** Sir, I am sorry I have to interrupt the honourable member, but under the head "Land Revenue" there is a motion on the very subject the honourable member is broaching, and if the rule of anticipation holds good, I feel that the honourable member is out of order in anticipating a discussion on the subject he is now referring to.

**Chaudhri Baldeo Singh :** If economy is to be at the expense of efficiency, then, I think it would be better not to have any economy at all. In the Irrigation department the economy that has been effected has not done any good. In my opinion the Canal department and the Irrigation department should be separated and if any further funds are required for the purpose they should be immediately supplied. For, I find that most of the zamindars are suffering, their crops are mostly going to dogs, and they cannot find any water at the proper time. Hence in my district this is a most uncalled for experiment and has caused a great deal of trouble to the zamindars. Therefore, I think, that if economy is to be effected in this department it should be such that the efficiency of the department is not in any way curtailed. I therefore think that the motion before the House should not be accepted.

**Pir Akbar Ali [Ferozepore (Muhammadan), Rural] (Urdu) :** Sir, this motion ought to have been made by some honourable members occupying the bench in front of me and not by the mover who represents the zamindars. Sir, so far as the question of curtailing unnecessary expenses is concerned I entirely agree with the honourable mover that all unnecessary expenses should be curtailed at once. But when he says that the post of the deputy collector should be abolished and his work may be entrusted to sub-divisional officer, I cannot see my way to support him. This is the only post to which a zilladar can be promoted. In my opinion this proposal is not feasible, for the sub-divisional officers are not familiar with the work of the deputy collector. If his work is entrusted to the naib-tahsildars and girdawars, I can say without any fear of contradiction that this arrangement would work to the detriment of the zamindars for the naib-tahsildars and girdawars have already sufficient work to do and they would not be able to cope with the work if they are, in addition to their own duties, entrusted with the duties of a deputy collector. In conclusion, I strongly oppose the amendment and advise the honourable mover to withdraw it.

**Sardar Narain Singh :** Sir, after hearing the statement of the Honourable Revenue Member I beg leave to withdraw my motion.

The motion was by leave withdrawn.

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I beg to move—

“That the grant be reduced by Re. 1, with respect to the item of Rs. 1,64,42,500—Sutlej Valley Project.”

Sir, my object in moving this motion is to draw the attention of the Government to the condition of the cultivators and small proprietors of the Hoshiarpur district which I have the honour to represent in this Council.....

**The Honourable Mian Sir Fazl-i-Husain**: May I, Sir, raise a point of order, namely, that the proper place for a cut in the interests of the constituents of the honourable member is under the department of Land Revenue and not Irrigation? The Irrigation department has got absolutely nothing to do with the grant of lands to cultivators or to the proprietors. It is the colonisation department which deals with the grant of lands and there are actually cuts under the head “Land Revenue” in connection with which the honourable member can certainly say what he wants to say. I believe the honourable member will realise that the Irrigation department has no control whatsoever and has got nothing to do with the giving of lands.

**Pandit Nanak Chand**: Sir, I very respectfully beg to submit that I do not agree with the Honourable Member who has just sat down. My motion is perfectly in order. I want that these canal irrigated lands which are in the Sutlej Valley Project should be given to the cultivators and the land-owners of the Hoshiarpur district. Supposing, for example, I accepted the argument of the Honourable Revenue Member, then my point would not be gained, because I do not want the lands in other canal irrigated areas to be given to the people of the Hoshiarpur district. Mine is a definite motion made in regard to the lands which are fertilised by the Sutlej river. I submit that I am perfectly in order, subject to your ruling, in moving my motion.

**Mr. President**: Order, order. I have given full consideration to the reasons advanced by the honourable mover of the motion. I think his motion is out of order. Colonisation is quite separate from irrigation and the two form quite distinct departments. Therefore the motion is out of order and I rule accordingly.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

“That the total grant be reduced by Re. 1.”

Sir, my object in moving this amendment is to bring to the notice of Government the sentiments of those whose grievances have not been heeded so far by Government in connection with the Bhakra Dam scheme and the Thal Project. The former scheme was intended to provide irrigation facilities to the south-eastern districts of the Punjab. The latter was a scheme to irrigate large tracts of land between the Jhelum and the Indus. The Bhakra Dam scheme has been under contemplation for the last fifteen or twenty years and we are still in the dark as to how much more time will be required for actual work to commence. Sir, I cannot state the exact year when the scheme was first conceived but the first public occasion when a mention of it was made was a Durbar held by His Honour the Lieutenant-

Governor of the Punjab in January 1919. It was definitely stated on this occasion that in a short time the jungles of the Rohtak and Hissar districts would be turned into *mangals*, i.e. (smiling fields). This was the assurance given by His Honour the Lieutenant-Governor of the province to the people of those districts. But the jungles of these districts show no sign of the promised *mangal* yet. The scheme under consideration was devised with a view to ameliorate the condition of the poor zamindars of the south-eastern districts of the Punjab. Their condition is most pitiable. Nature itself has been very unkind there. There are no rivers, no streams in those tracts. As regards rainfall the people are as unfortunate as they are in other respects. These conditions produce great suffering and misery, and the Bhakra Dam scheme was designed to relieve these conditions. In spite of the fact that the scheme has been under consideration for the last fifteen years, we are still in the dark as to where we stand in connection with the scheme and what are the actual results of this long deliberation. Let the Government state at what results they have arrived in this connection so that the people of those districts may come to know that the Government is not sleeping over the matter but is anxious to commence it as soon as it is practicable for them to do. This scheme would particularly benefit the district of Hissar, for there is a great scarcity of water. The people cannot dig wells without great expense. Generally speaking water is found at a depth of 120 feet and even that is brackish. Therefore, Sir, I would request the Government to push forward this scheme without further delay. The people are in sore need of irrigation facilities which are provided to the rest of the Punjab. It is sometimes stated that the question of expense stands in the way of pushing forward this scheme. It is said that the scheme would not be a productive one. As regards this objection I would submit that the Government is not a *bania's* shop. The consideration of making profits should not alone weigh with the Government. It should not matter if the Government has to incur some little loss in order to alleviate the condition of its famine-stricken subjects. But even this contingency can be averted because the people of those districts are quite prepared to pay higher rates of *abiana* than those charged on other canals. Therefore the objection that the scheme is not profitable does not hold good and it should not be postponed for any further length of time. If the Government floats loans for the sake of the scheme the zamindars of those tracts are also prepared to pay *abiana* rates which will cover the interest paid on the loan.

The other scheme with which my amendment is concerned is known as the Thal Project. This scheme is also a very old scheme. In 1902 an Act was passed by which the zamindars of those tracts gave up their proprietary rights in three-fourths of their lands in favour of Government in the hope that the Government would commence the Thal Project very soon. The Government undertook at the time to provide irrigation facilities within a reasonable time. The Act was passed in 1902. Twenty-five years have passed since the undertaking was given by the Government but the scheme still stands where it was in 1902. Sir, it is most disappointing to delay such matters for such a long time. The Government should realise their duties towards their subjects and fulfil the promises held out to them. I am at a loss to understand what stands in the way of

[Rai Sahib Chaudhri Chhotu Ram]

pushing forward this project. So long as the Government do not express their difficulties in the matter I am not in a position to say how far they are justified in delaying these schemes. With these words I resume my seat.

**Mr. President :** Demand under consideration; motion moved—

“That the total grant be reduced by Rs. 1.”

The question is that that motion be adopted.

**Chaudhri Baldeo Singh :** My amendment stands as No. 12<sup>1</sup> on the agenda. Will I be in order in speaking on this motion now and move my amendment later on? Or shall I move my amendment now?

**Mr. President :** As the two motions are substantially identical the proposer of the subsequent motion may speak on the motion now before the House.

**Chaudhri Baldeo Singh :** There is a difference between the two amendments. The one is for Bhakra Dam alone and the other is both for Bhakra Dam and the Thal Project.

**Mr. President :** Motion No. 5<sup>2</sup> is wider than motion No. 12. This is the only difference that I can see. There is no other difference. Therefore, the honourable member will not be in order to move his motion separately after its subject matter is discussed in connection with motion No. 5.

**Chaudhri Baldeo Singh :** Money might be forthcoming for one scheme, but it will not be available for both the schemes.

**Mr. President :** If possible, the motion will be divided and put to the vote of the House separately.

**Chaudhri Baldeo Singh** [North-West Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I do not know anything about the Thal Project and therefore I would confine my remarks to the Bhakra Dam scheme. Sir, the condition of the people of the Rohtak and Hissar districts is most intolerable. They have to face many difficulties. The rainfall is scanty in those districts. The tributaries from the Jumna Canal are not working satisfactorily. There is a considerable decrease in the amount of water in the canal. There are very few fertile tracts in those districts. I think that the Government is in duty bound to float loans for these productive schemes. The Government must commence the scheme at once. The scarcity of water in those districts leads to various other evils. Last year plague was raging in my district. Cattle also died in great numbers of a disease peculiar to them. Sir, you can very well imagine that where there are no canals for irrigation, no banks to lend money and sufferings of the people are of the sort referred to above, how pitiable the condition of the people would be? Therefore under such circumstances I would ask the Government to come to the rescue of the people. If the Government executes the scheme the lot of the poor people would be greatly improved. Sir, in the end I hope that no zamindars of the Council would oppose the motion. I, for one, strongly support it.

**Pir Akbar Ali** [Ferozepore (Muhammadan), Rural] (Urdu): Sir, in my opinion, the scheme under consideration would ameliorate the condition of the

<sup>1</sup> That the total grant be reduced by Rs. 1.

(Note.—To ask the Government to take in hand the Bhakra Dam scheme at once.)

<sup>2</sup> That the total grant be reduced by Rs. 1.

(Note.—To protest against the delay in pushing forward the Bhakra Dam scheme and the Thal project.)

poor famine-stricken zamindars of those districts. It is a very useful scheme and I trust that even the non-zamindar members of the House would see their way to support it. The Hariana tract is well-known for cattle-breeding. The people of those *Wagas* are also healthy and sturdy as they get plenty of milk. For all these considerations I support the amendment under discussion.

**Khan Bahadur Mian Muhammad Hayat, Qureshi** [Shahpur West (Muhammadan), Rural] (Urdu): Sir, this is a proposal to which nobody can take exception. A flood of light has been thrown on the conditions prevailing in the Hissar and Rohtak districts. I will, therefore, leave this matter aside and should like to take a few minutes of the Council for the purpose of discussing the Thal Project. In this connection I wish to point out at the very outset that the zamindars of the Thal area have made a sacrifice which is without a parallel in the history of this province. They have surrendered their lands to the Government so that the Government may in turn supply them with water, which is so urgently needed for the development of this tract, and, I may make bold to say that they have every right to the consideration of Government. The Government have no excuse for postponing the construction of the canal. The Government will not be a loser by the bargain. On the other hand, it will reap a rich harvest in the shape of abiana and land revenue. The Government can also sell the land which has been surrendered by the zamindars and thereby obtain lakhs of rupees. I understand that objections have been raised by the Government of Bombay to further withdrawals of water from the Indus in the interests of the Sukkur Barrage Project, and that the matter is now under discussion with the Government of India. If my information is correct, I would urge upon the Punjab Government to do their utmost in the matter. There is enough water in the Indus to satisfy the needs of both the provinces. The Government by constructing the canal would be earning the gratitude of millions of people, who are leading a dreary life in the wastes of the Thal area.

**Mr. J. B. G. Smith** (Chief Engineer, Public Works Department, Irrigation Branch): Sir, I will say a few words on the Bhakra Dam first. We have heard of the Government proceeding in a very leisurely manner with this scheme.

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But if I tell you that the Bhakra Dam is the third scheme which Government has tried to bring about for the relief of these distressed areas, you will believe that, not only have we not moved in too leisurely a manner but we have put every effort and our full resources into it. I quite agree with the honourable mover and his supporter that these areas are distressed. The trouble is that unless water is found for them from a source which is not ordinarily available we can do nothing. Now we started with the idea of bringing water from the Sarda river in the United Provinces. Unfortunately for the Rohtak and Hissar districts, the United Provinces suddenly woke up to the value of that water and naturally kept it for themselves. We then turned to the Jumna river, that being the natural source from which to feed these areas and we tried to have a storage dam. A site was found; it was examined; projects were made and submitted as far as the Government of India; but the Punjab Government and the Government of India finally realised that it would be not only unwise but probably wrong to proceed

[Mr. J. B. G. Smith.]

with that scheme in the interests, not of themselves or of their purse, but in the interests of the people.

**Dr. Gokul Chand, Narang :** Why ? What are the reasons ?

**Mr. J. B. G. Smith :** Because the site was not suitable. If we build a dam on an unsatisfactory foundation and it were to fail with a head of water 300 or 400 feet against it—in this case it was only 200 feet—it would wipe out the whole countryside. We then came to another site, the Bhakra, and we thought that nature had provided us with a most excellent site. We had it examined and re-examined by geologists. Unfortunately quite recently the opinion of the geologists differed. There again we were met with a grave responsibility of proceeding further with that scheme without further examination. In this case if we built a dam on insecure foundation, it would mean a volume of water headed back for 50 miles and 400 feet high. You can imagine the catastrophe that would take place if that dam were to fail. I welcome the honourable mover's suggestion that if current rates cannot make the scheme productive we should proceed either on a protective basis or to increase the (revenue) rates. I welcome that. But before we could go on to take the tax-payers' money to build such a dam or proceed with that scheme, we ought to make sure that it is the best site and that no other better site or scheme is practicable and possible. For that reason we have recently appointed a special officer who will again consider—he is now doing it—whether the site for the dam which is to bring relief to these distressed areas is to be either on the Jumna or on the Sutlej or higher up the Sutlej than the site previously chosen. But, Sir, a matter like that needs the greatest care and the greatest examination before we could come to the House with it. After what I have told you, you will yourself doubtless be satisfied that we are going to build on something certain and not on something which will fail. That is the explanation of the delay, as honourable members term it, of the Bhakra Dam Project.

As regards the Thal, the question is somewhat different. Honourable members have seen what has occurred in the public press. They have heard and read that Bombay has come into this matter to join issue with us. I think if honourable members will reflect they will agree that the action taken by Bombay shows how far this Government has interested itself in, and how much it has done towards the furtherance of, this project. More than that I cannot say except that the Government has steadily, for the past 3 or 4 years, or more, worked towards the furtherance of this object. We are still working and I assure the honourable members that we will do our best.

**Dr. Gokul Chand, Narang :** Sir, when this amendment was moved I was under the impression that the question of selection of a site for a dam to irrigate these districts had been settled and I have really been extremely disappointed to learn from the speech of the honourable member in charge of this department that so far as the Bhakra Dam is concerned it is as they say—

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We are where we were three years ago. It is really heart-breaking to learn that for a long time to come there will be no advance made in the ma-

turing of this scheme. It is a matter really for the specialists, but if laymen can venture an opinion on a matter like this of course it can only be done in general way. I would suggest that the question of expense should not stand in the way. No doubt we should proceed on sound foundations and should provide against the happening of any catastrophe in certain contingencies such as the honourable member on this side has showed. So far as funds are concerned, with respect to the Bhakra Dam, I may assure the honourable mover of this amendment that it will command the sympathy of every one who knows anything about the distress of the agriculturists living in the four districts constituting the Hariana tract. It has even been admitted by the honourable member on this side that their condition is really pitiable and even nature seems to be not very kind to them. Only last year or the year before last—when they had for many years been suffering from scarcity of water—they had water in *excess* with the result that their houses—if they can be termed houses—or huts, their little huts and their little stores of grain and their few cattle were all swept away by the Jumna floods. It is, therefore, absolutely necessary that something should be done to alleviate the misery of the agricultural people living in those districts. I am not an agriculturist, but I have hearty sympathy with this scheme which is calculated to improve the lot of the agriculturists there. I can speak with confidence that if the Government floats a loan for the maturing of this scheme, the non-agriculturists will play their part (*hear hear*) and will contribute liberally towards the loan, so that the scheme may be a success.

With respect to the larger scheme of Thal, no doubt the people living in that tract of the Punjab are also not very prosperous. There is perhaps very little difference so far as the misery or poverty is concerned between the people living in that part of the country and the people living in the Hariana tract; but there is one difference and that is that probably the Thal scheme will entail a much larger expenditure than the Bhakra scheme on this side of the Punjab and therefore if the Government cannot raise sufficient funds to carry out both the schemes it should at least start with one and make it a success and I am sure all classes of Punjabis will play their part in making the scheme a success.

**Khan Sahib Khan Muhammad Saifullah Khan** [Mianwali (Muhammadan), Rural] (Urdu): Sir, I belong to a district through which the Sind Sagar canal will pass, and, I therefore, lend my heartiest support to the amendment moved by Rai Sahib Chaudhri Chhotu Ram.

I submit further that the people of the Thal tract are getting tired. They are sick of procrastination. The matter should either be ended or mended. Either the Government should take immediate steps for the construction of the canal or they should repeal the Sind Sagar Colonisation Act. The Government is in duty bound to take immediate steps in the matter and I propose that the construction of the Bhakra Dam should be postponed for some time to come and that preference should be given to the construction of the Sind Sagar canal.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I wish to assure the House that so far as Government is concerned, the question is not one of lack of sympathy, the question is not one of anxiety to withhold facts from the Council, but the question is

[The Honourable Mian Sir Fazl-i-Husain.]

one, in one case, of expert advice, and in the other case decision resting in the hands of other than this Government. So far as the Bhakra Dam is concerned, I need hardly assure the honourable mover and his supporters of my sympathy, of my desire to see the scheme commenced during my term of office. I can tell him that no money has been spared by Government in satisfying itself as to the suitability of a site for this dam. It should be remembered that this project (Bhakra Dam) is not of the usual sort that have been conceived and executed in this province. It is not a case of digging a canal, taking off water from a river, it is a question of building a dam—a thing which is most beneficial if it remains in order and it is a thing most dangerous if it gets out of order, because the harm done is not only to the people who instead of being irrigated in the normal way are over-irrigated, but this is the case of other people absolutely disconnected with the project being absolutely swamped out of existence. Therefore the honourable members of the Council will realise that no Government can possibly commence a scheme of that sort without getting the very best possible expert advice on the subject and we did pay a good deal to get that advice, and we felt that it would not be wise to be satisfied with such expert opinion as was available here, and on the suggestion of the Government of India consulted another great expert. It was after very careful consideration that with regret we had to abandon the site which was originally chosen. I trust the honourable members will realise that the officers of the Irrigation department who have achieved such a great deal in the past look forward to maturing a scheme which will add to their reputation, and the conception and the execution of a scheme like the Bhakra Dam is one which will enhance their reputation when it is executed. If they did not feel strong enough to recommend it to us, it must be taken for granted by this House that there are very good reasons for their not doing so. I trust the honourable mover of this amendment will believe me when I say that everything that can possibly be done by Government in pushing forward the Bhakra Dam scheme will be done by me.

Coming to the second scheme, the Thal Project, we are ready to commence it to-morrow as one honourable member wishes us to do, but we await the decision of the Government of India and the sanction of the Secretary of State. We cannot very well proceed to execute these projects unless it is in accordance with rules and regulations governing them. The scheme has been submitted time after time to the Government of India and as another government, as has been mentioned more or less publicly, are contesting our claim, the matter has been referred to an impartial committee to go into the respective claims of the two governments. When this committee decides the case and that decision happens to be in our favour, I assure the House that no time will be lost in commencing that project. Government has been most keen in prosecuting this Thal Project, firstly, because the people need it, and secondly, because it is going to be so profitable to Government itself. Is it likely that Government would not push forward a scheme which is so profitable to it, unless there are some very good reasons for Government not doing so? I trust that the honourable members interested in the Thal Project will appreciate that Government is doing all it can to push forward that project and as I said early this afternoon the great thing in such matters

is to be hopeful and persevering and not to be despondent. With luck and perseverance we might yet succeed.

**Chaudhri Baldeo Singh :** Sir, may I enquire how long the experts will take to find out some other suitable site for the dam ?

**The Honourable Mian Sir Fazl-i-Husain :** Is that a fair question to put ?

**Dr. Gokul Chand, Narang :** Probably the question has not been put in the proper way. I say so with due deference to the honourable member who has just asked it. Has the Government fixed any time limit for requisitioning this expert opinion ?

**The Honourable Mian Sir Fazl-i-Husain :** The expert opinion has already been requisitioned. The question is that those who deal with experts know whether it is wise to hurry them.

**Mr. President :** Does the honourable mover of the motion wish to withdraw it ?

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] : I will make a very brief reply. I am very glad to hear that the Honourable Member for Revenue has given an assurance to this House that he will do his level best to expedite the Bhakra Dam scheme during the term of his office, provided Government is sure and convinced that the dam can be built on a sound, reliable and safe foundation. Of course I do not think there is a single member in this House who would care to have a tremendous volume of water headed up if there is the least danger that the water will escape and wipe out a whole district or division, but my real object in putting forward this motion was to find out whether Government was taking any practical steps to expedite the research into the structure of these rocks. The point of complaint was that the Government had been really very slow. I know that Government has tried two or three schemes without much success, but even the Bhakra Dam scheme has held the field for the last ten or twelve years and I think the House could reasonably expect that Government would come to a conclusion as regards the real nature of the rocks that are to be found on the Bhakra site much sooner than it has done. I am glad to hear that the Honourable Revenue Member has not spared any money in order to obtain safe and reliable data and it is a matter of pleasure for me to know that an officer has been specifically deputed in order to obtain these data.

With regard to the Thal Project it is a pity that another Government over which this Government has no control has intervened and spoilt the show. No doubt the Thal Project was immensely profitable from the Government point of view and would add tremendously to the prosperity of the people and also to the resources of Government. Therefore I have no doubt that Government would do its very best to expedite that particular scheme. I was a little doubtful about the Bhakra Dam scheme, particularly on the ground that it was not regarded to be a productive scheme. However, in view of the assurance that has been held out by the Honourable Revenue Member, I do not wish to press my motion to a division. I accordingly beg leave to withdraw it.

The motion was by leave withdrawn.

**Dr. Shaikh Muhammad Alam** [West Punjab Towns (Muhammadan), Urban] (Urdu): Sir, I beg to move:—

“ That the total grant be reduced by Re. 1.”

Sir, the unfortunate district to which my amendment relates is Shahpur, and the sad story of this district is not a new one. Also the question of opening the Shahpur Branch of the Lower Jhelum Canal is not a new one. This question, I am told, has been discussed several times before in this Council, but so far the Government has not paid much heed to the insistent demands of the Shahpur people that the said canal should be opened at an early date. We have been waiting for the opening of the canal for the last so many years. The people of this district are suffering untold misery on account of the refusal of the Government to open the canal. The Government has dug the canal, it has even built bungalows for the use of the officers of the Canal department, but God alone knows when the canal will be opened and water supplied to the poor inhabitants of this district. Generally, when a canal is to be constructed, the Government prepares designs of the same and then invites the criticisms of experts and when they have been obtained, the construction of the canal goes on apace. In the case of the Shahpur Canal all these preliminaries have been gone through. The canal is ready. The Government has only to supply water, but this is being denied to us. Now, the question arises, why the Government is not doing its duty by the people. The reason is not far to seek. The Shahpur district is in the unhappy position of a tract of land, which is ruled not by one God, but by three gods. The first God is the one whom we all worship. The second is Government, which is ruling the bodies but not the minds of the people, and the third god consists of several minor deities, each one of whom assumes the air of an all-powerful Providence. By the last godhead I mean the Tiwana Clan, each individual of which is a god in himself. We can put up with the first two gods, but it is very galling to bow one's head before the third kind of god. We are tired of this multiplicity of the third kind of god whom I would call, the all-powerful deity of water. This deity of water is in the truest sense of the word a deity. Whenever we want water, this deity will deny us the same, but when it is not needed, there is superabundance of water. The Tiwana deity of water has got lands of its own, but unlike the one true God, it does not shower its bounties upon all and sundry. He has his own interests to safeguard and he does it with a vengeance. The Tiwana deity of water is under the law entitled to one-fourth of the gross produce of the lands to which he supplies water, though not at the proper time, and whether this water is supplied or not, he must have an offering in the shape of one-fourth of the gross produce of the land. The Tiwana deity of water is proving a curse rather than a blessing for the agriculturists of the Shahpur district. The agents of this deity are ever ready to have the proverbial pound of flesh. It so happens that this deity, in addition to his powers over water, is in the enjoyment of criminal powers. Many of his agents are honorary magistrates and they are always ready to make an exhibition of their powers. How we wish that we had never owned these lands! We are putting up with god No. 1 and god No. 2 as best as we could, but there is no end to the exactions of the third. We are fed up with the third and pray to be relieved of the presence of the same.

It is a fact that god No. 2 with the ostensible object of relieving the misery of the people has from time to time sent commissions to enquire into the alleged misdeeds of god No. 3, but it has so happened that these commissions have stopped as guests of the agents of god No. 3. These commissions true to the salt they have eaten concoct reports for the benefit of god No. 3 and the net results of these commissions is that the people are no better off, rather they are the worse off for these commissions. If god No. 2 sends a commission to these parts consisting of human beings it is sure to be entrapped by the agents of god No. 3. I do not, however, mean to say that god No. 2 should in future send a commission consisting of devils.

There is no denying the fact that the scheme of constructing a canal for the benefit of the inhabitants of the Shahpur district took shape in the brain of a certain engineer of the Irrigation department, and this scheme was then put in black and white; then the usual preliminaries followed and the canal was dug, but it is said that there is one great obstacle in the way of the opening of the canal, viz., that if this canal is opened, the whole area under its operation will become water-logged and thereby rendered unfit for cultivation. But my reply to this is let the canal be opened, we are prepared for the worst, let the canal destroy our lands. If Government are not in a position to stop water-logging even after spending Rs. 16,50,000 let them auction the lands. The Government have no business to administer an area for the irrigation of which they cannot make adequate arrangements. Here I am reminded of the famous story of Sultan Mahmud and the old woman, who having lost her only son in an encounter with the robbers of Khorasan, chided the King for his maladministration, and when the Sultan replied that Khorasan was too far off from the seat of his Government, the old woman said that the Sultan had no business to call himself the king of a country where he could not exercise efficient control. Our Government are also in a similar predicament, let them either make arrangements for the irrigation of the Shahpur district or let them give up the district and leave it to the tender mercies of the Tiwanas.

It has just been pointed out to me by a friend that there is little or no danger of water-logging in the Shahpur district, and that Mr. Sangster was of the same opinion. If that is so, what is it that the Government is afraid of? Is it that the Government does not want to pick up a quarrel with the Tiwanas? God No. 2 is too submissive to god No. 3. We have been hearing for a long time past in the press and from the district authorities that Government will take certain measures in the near future for ameliorating the condition of the people of the Shahpur district, but so far this has not come to pass. The Revenue Member has also asked us to hope, but I am constrained to say that he is asking us to hope against hope.

ہم نے مانا کہ عدل نہ ہو رہی لیکن  
خای ہو جائیگا ہم تم کو خبر ہوئے تک

With these words I commend my motion for the acceptance of the House. Let the House show by accepting my amendment that if the Government refuse to bend to our wishes, we will teach them a lesson by rejecting all demands put forward by them. We also want to show that we do not only make and pass our demands but that when passed in the House, they should be carried out too.

**Mr. President:** Demand under consideration, motion moved :—

“That the total grant be reduced by Re. 1.”

The question is that that motion be adopted.

The Council then divided : Ayes 24, Noes 27.

**Ayes, 24.**

Dr. Gokul Chand, Narang.  
Pir Akbar Ali.  
Mian Ahmad Yar Khan, Daultana.  
Dr. Gopi Chand, Bhargaya.  
Sayad Mubarik Ali Shah.  
Mr. Din Muhammad.  
Chaudhri Zafrullah Khan.  
Chaudhri Chhajju Ram.  
Rai Shahadat Khan.  
Chaudhri Yasin Khan.  
Malik Khan Muhammad Khan, Wagha.  
Mian Saadullah Khan.  
Mahdumzada Sayad Muhammad  
Raza-Shah, Gilani.

Rana Firoz-ud-Khan.  
Dr. Shaikh Muhammad Alam.  
Sardar Narain Singh.  
Lala Bodh Raj.  
Chaudhri Muhammad Abdul Rahman  
Khan.  
Chaudhri Atzal Haq.  
Sardar Hira Singh.  
Sardar Partap Singh.  
Sardar Buta Singh.  
Sardar Santa Singh.  
Sardar Bishan Singh.

**Noes, 27.**

Lieutenant-Colonel W. H. C. Forster.  
Mr. C. A. Barron.  
Mr. C. M. King.  
The Honourable Malik Firoz Khan,  
Noon.  
Khan Bahadur Nawab Muzaffar  
Khan.  
Mr. H. M. Cowan.  
Sir George Anderson.  
Mr. W. S. Dorman.  
Mr. J. B. G. Smith.  
The Honourable Mr. Manohar Lal.  
The Honourable Sardar Jogendra  
Singh.  
The Honourable Sir Geoffrey deMont-  
morency.  
The Honourable Mian Sir Fazl-i-  
Husain.

Mr. J. G. Beazley.  
Mr. H. W. Emerson.  
Mr. B. H. Dobson.  
Mr. H. D. Craik.  
Mr. F. Keays Byrne.  
Khan Bahadur Shaikh Abdul Qadir.  
Mr. M. V. Bhide.  
Rai Bahadur Lala Rattan Chand.  
Mr. Owen Roberts.  
Rai Bahadur Pandit Daulat Ram,  
Kalia.  
Khan Bahadur Malik Muhammad  
Amin Khan.  
Khan Sahib Khan Muhammad Saif-  
ullah Khan.  
Mr. V. F. Gray.  
Sardar Bahadur Sardar Sheo Narain  
Singh.

The motion was lost.

**Mr. President:** Motion No. 11\* is out of order as it has nothing to do with Irrigation.

**Rana Firoz-ud-Din Khan:** My case is a bit different from that of my honourable friend Pandit Nanak Chand. Here my motion relates to the

\*“That the total grant be reduced by Re. 1.”

*Note.*—To raise a discussion with regard to the grant of proprietary rights to occupancy tenants on the Lower Jhelum Canal Colony (Shahpur district and the proposed terms).

extraordinary receipts to be obtained from the grant of proprietary rights and the proceeds of capital receipts to finance capital expenditure which is included in the major head, Irrigation, as a reference to page 6 of the detailed estimate would show. So I submit that this amendment is quite in order.

**Mr. President :** Is the honourable member referring to any particular item or the whole grant ?

**Rana Firoz-ud-Din Khan :** Total grant.

**Mr. President :** As the grant of proprietary rights has nothing to do with the Irrigation department, I am afraid I must hold the motion to be out of order.

**Mr. President :** The question is :—

“ That a sum not exceeding Rs. 3,27,09,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Irrigation.”

The motion was carried.

#### REGISTRATION GRANT.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government): Sir, I beg to move—

“ That a sum not exceeding Rs. 1,05,000 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Registration.”

**Mr. President :** The question is—

“ That a sum not exceeding Rs. 1,05,000 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Registration.”

**Rai Bahadur Lala Dhanpat Rai** (Punjab Industries): Sir, I beg to move :—

“ That the total grant be reduced by Re. 1.”

Sir, my object in moving this amendment is to draw the attention of the House to the high fees which are levied for the registration of documents. The table of fees is prepared by Government under sections 78 and 79 of the Registration Act. These two sections empower the Local Government to frame rules in order to collect fees. If you look at page 28 of the budget estimates of this year, you will find that Rs. 9,56,000 is the estimated income of the Registration department, while the expenditure is Rs. 1,05,000, so that there is a net saving of Rs. 8,51,000 to the Government. This taxation is levied on the subjects of this province by a mere administrative order of Government. Naturally the first question that arises for discussion on this subject is whether the law under which these fees are levied was intended as a measure for taxation or whether its object was something else. The Law Member, while introducing the Registration Bill in the Viceroy's Council observed :

“ The chief object of the Law of Registration is to give certainty and publicity to titles and to prevent the operation of fraudulent and secret transactions by which a man's right in the property which he had acquired might be defeated.”

[ Rai Bahadur Lala Dhanpat Rai ]

Similarly the various High Courts in India have said :

"The object of the Registration Act is to provide not only a guarantee of the genuineness of instruments but also a record from which any person who may desire to enter into dealings with respect to property may be able to obtain information as to title, i.e., whether or not the property has been previously mortgaged or sold or otherwise alienated."

This was the object with which the Act was passed, but the provisions of the Act were abused to levy taxation. When this Act was passed in 1877 the Government imposed a fixed fee for all documents whatever their value might be. Those documents which were compulsorily registrable were liable to pay Rs. 3. Whatever the value or consideration of the deed may be, whether it was a mortgage deed or a sale deed, and for optionally registrable documents it was only Re. 0-8-0. This state of things continued for more than thirty years and it was only after thirty years that another scale was introduced by the Local Government by which the fee was raised. By that table which was introduced in 1907 the fee for registering deeds of the value of more than Rs. 700 at once jumped up and the taxation was thereby increased. After that in 1923 another table was introduced by which fees levied on certain documents was sometimes 50 times more than what the original fee was. By this device now this department is making nine times more than what it is spending upon it. Therefore we have to consider whether this was a fiscal enactment or it was only an enactment to keep public record of private documents. It is not at all a fiscal enactment as the object has been explained by the Law Member himself. But it is used as such and therefore I submit that we have to see when the stamp fee is also raised whether it should become another burden of taxation laid upon the poor people who have to get their documents registered. Generally speaking it is the poor people who have to mortgage or sell their properties. Besides such high fees of Rs. 3 per cent. on account of stamp duty they have to pay a high fee for registration also. I submit that it is against all canons of taxation that poor people should be taxed so heavily even in their misfortune.

Therefore I would draw the attention of the honourable member in charge of this department to see that no time is lost in reducing the fee because what you want by this is simply to keep the department going.

The Council then adjourned till 1-45 p. m. on Wednesday, the 16th March 1927.

## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

*Wednesday, the 16th March 1927.*

THE Council met at the Council Chamber at one forty-five of the clock. Mr. President in the Chair.

### AMENDMENT OF STANDING ORDERS.

**Mr. H. D. Craik** (Chief Secretary) : Sir, I beg to move—

"That leave be granted to amend Schedule 1 to Standing Order 74-A. as follows:—

'In column 3 of Schedule 1 to Standing Order 74-A. against item 1 'Finance' for the figure '3' substitute the figure '4'."

Under the present rule His Excellency is entitled to nominate only three members to the Standing Finance Committee. It is desirable that all departments of Government should be represented on that committee and it is desirable that all the three Ministers should be on the committee. The Finance Member is not included among the nominated members as he is *ex-officio* Chairman of the Committee. Hitherto we have had the Revenue Member and the two Ministers on the committee. As there are now three Ministers instead of two, it is desirable that all three should be members of the committee. I therefore hope that the House will agree that it is desirable that the change should be made that His Excellency the Governor should have power to nominate four members in all instead of three.

**Mr. President** : Has the honourable member leave of the House to move the amendment?

No member dissenting, leave was granted.

**Mr. H. D. Craik** : Sir, I move—

"That the draft amendment be referred to a select committee."

The motion was carried.

**Mr. President** : Under Standing Order 57 the select committee is to consist of the President who shall be the Chairman, the Deputy President and seven other members of the Council to be elected by means of the single transferable vote. Nominations of candidates for election to the Select Committee should be sent in to the Secretary before 2 p.m. on Monday, the 21st March 1927. The election will take place in this Chamber on Wednesday, the 23rd instant.

**Sardar Buta Singh** : Sir, I beg to move—

"That leave be granted to amend the Standing Orders as follows:—

'Add the following as Standing Order 77:—

The President may, by order in writing, delegate to the Deputy President all or any of his powers under these Standing Orders.'"

**Mr. President** : Has the honourable member leave of the House to move the amendment?

No member dissenting, leave was granted.

**Sardar Buta Singh :** Sir, I beg to move—

"That the draft amendment be referred to a select committee."

The motion was carried.

**Mr. President :** Under Standing Order 57 a select committee has to be appointed for the consideration of each motion to amend standing orders. It is not quite clear whether there should be separate select committees when there are several motions for amending the standing orders. In my opinion one and the same select committee should dispose of the several motions. I hope the House will have no objection to this course. So, instead of two select committees to dispose of the two amendments, I would suggest that only one select committee may deal with both the amendments. Does any honourable member disagree?

No member disagreed.

#### ELECTION OF MEMBERS TO THE NORTH-WESTERN RAILWAY ADVISORY COMMITTEE.

**Mr. W. S. Dorman** [Officer on special duty (Public Works Department, Irrigation Branch)] : Sir, I beg to move—

"That this Council do proceed to the election, in such manner as may be approved by the Honourable the President, of three representatives who may or may not be members of the Council to serve on the North-Western Railway Advisory Committee, representing agriculture, trade and industrial interests, respectively."

Perhaps I may point out that this is the second occasion on which this Council has been invited to elect members to the local Advisory Committee. I think the Council is aware of the functions of this committee, but there is one thing which perhaps I should point out, and it is, that formerly the members of the committee were elected for the life of the Council subject to a maximum of three years, but the Railway Board has recently ruled that the office of each member of the committee should not exceed two years, and if it is considered desirable to retain the same members on the committee during the full tenure of the Council, this can be done by a formal re-election of the members, after two years, for the period the Council has still to run.

**Mr. President :** The question is—

"That this Council do proceed to the election, in such manner as may be approved by the Honourable the President, of three representatives who may or may not be members of the Council to serve on the North-Western Railway Advisory Committee, representing agriculture, trade and industrial interests, respectively."

The motion was carried.

**Mr. President :** I may inform the Council that, for the purpose of election of three representatives to serve on the Railway Advisory Committee, the members should send in nominations for the three different interests, namely, agriculture, trade and industries, not later than 2 p.m. on Monday, the 21st March 1927. Nominations should be in writing to the Secretary and be signed by not less than two members and the candidate nominated must signify his willingness to serve in the committee if elected. The election will be conducted by card vote and will be held in this Chamber on Wednesday, the 23rd March. Cards bearing the names of candidates in three groups will be distributed to the members present and

the members will put a cross mark against one name in each of the three groups. Members will then hand in their cards to the Secretary who will count the votes and inform the result to me and I will announce it to the House. Candidates securing the largest number of votes will be declared elected.

### ELECTION OF MEMBERS TO THE FOREST BOARD.

**Mr. C. A. Barron** (Financial Commissioner): Sir, I beg to move—

"That this Council do proceed to the election, in such manner as may be approved by the Honourable the President, of four non-official members of the Council to serve on the Forest Board."

For the benefit of new members of this Council I may explain that this Forest Board was formed in January 1924. It consists of the Financial Commissioner, Development, as Chairman, a representative of the Finance Department, the Chief Conservator of Forests who also acts as Secretary, the Director of Industries, one non-official member to be nominated by Government to represent the timber trade, and four non-official members of this House to be elected by the Punjab Legislative Council. The Board is intended to act as an advisory committee advising Government on questions of forest policy affecting the public and on projects of new expenditure. The term of office of the members of the late Council, who were elected in March 1924 having now expired, the new Council is invited to elect new representatives on this Forest Board.

**Mr. President:** The question is—

"That this Council do proceed to the election, in such manner as may be approved by the Honourable the President, of four non-official members of the Council to serve on the Forest Board."

The motion was carried.

**Mr. President:** For the purpose of election of four representatives to serve on the Forest Board, the members should send in nominations not later than 2 P.M. on Monday, the 21st March 1927. Nominations should be made in writing to the Secretary and be signed by not less than two members and the member nominated must signify his willingness to serve if elected. The election will be by the single transferable vote system and will be held in this Chamber on Wednesday, the 23rd instant.

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### REGISTRATION GRANT (CONCLUDED).

**Mr. President:** The Council will now resume discussion on the motion\* of Rai Bahadur Lala Dhanpat Rai.

**Rai Bahadur Lala Dhanpat Rai** (Punjab Industries): Sir, I explained yesterday that the Local Government was making a net saving of a sum of Rs. 8,50,000

2 P.M.  
out of the Registration department. Now this raising of the registration fee coupled with the high stamp duty has affected the land market of the province which in its turn has affected the credit of the people. This effect on the credit of the people has, in its turn, hampered the growth of trade and industry of the province. I would submit that there was no justifica-

\*That the total grant be reduced by Rs. 1.

[Rai Bahadur Lala Dhanpat Rai.]

tion for this raising of the registration fees. In the beginning there was a fixed registration fee for all documents and this fee was levied in order to meet the expenses of the department and not to make it a fresh source of taxation. Under these circumstances I would submit that the Honourable Minister in charge of Local Self-Government may take note that in future these fees should not be *ad volorem*, but that they should be fixed and that the fees should besides meeting the expenditure of the department leave a little margin for miscellaneous expenditure connected with it.

**Mr. President:** Demand under consideration, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government): Sir, there is no doubt that the table of rates was increased twice during the last few years. The honourable member has suggested that we had increased the taxation under this head by about 8 lakhs of rupees, because the total income in 1926 was about Rs. 9,43,000 and this year we are proposing to spend about Rs. 1,05,000. Now, the income for the years 1924, 1925 and 1926 is not likely to be maintained in the future, because the income in those years rose a great deal mainly on account of the change in the Loans Limitation Act. Even as it is, there is no doubt that the income from registration has gone up considerably. But on the other hand, the figures of expenditure which the honourable member has given are a little deceptive, because Rs. 1,05,000 is not all that is spent on the Registration department. Besides that money we have to take into consideration the salary and expenses of the Inspector-General of Registration who is also the Director of Land Records and his officers, as far as the registration work is concerned. We should also take into consideration the work that is being done by the tahsildars. We should also take into consideration the money that Government spends on buildings for providing offices for the Sub-Registrars and Registrars, we should also take into consideration the work that the District Registrars in the persons of Deputy Commissioners do for this department. If all these expenses are added to the Rs. 1,05,000, the net expenses will go up considerably. But there is no doubt that I am very grateful to the honourable member for having drawn the attention of the Government to the rates that are now prevailing. But all that I can say at this moment is that the Government will be pleased to consider these rates along with the other suggestions that have been made during the general discussion of the budget for the reduction of taxation. I can give only this assurance to the honourable member that if the other proposals for the reduction of taxation are considered, the desirability of reducing the registration fees will also be considered. With this assurance I hope the honourable member will be able to see his way to withdraw his motion.

**Rai Bahadur Lala Dhanpat Rai:** Sir, when I said that such a fee should be levied as would leave a margin.....

**Mr. President:** Order, order. Is the honourable member prepared to withdraw his motion in view of the assurance given by the Honourable Minister? If he is not prepared to do so, then the motion is before the House for discussion.

**Rai Bahadur Lala Dhanpat Rai :** Sir, I am prepared to withdraw the motion. I only wanted to say that in my speech I said that a little margin should be left which can meet all these expenses of tahsildars and others referred to by the Honourable Minister. I am grateful to the Honourable Minister for agreeing to consider my proposal and I beg leave to withdraw the motion.

The motion was by leave withdrawn.

**Mr. President :** The question is—

"That a sum not exceeding Rs. 1,05,000 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Registration."

The motion was carried.

#### FORESTS GRANT.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 27,06,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Forests."

The motion was carried.

#### STAMPS GRANT.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 1,33,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Stamps."

The motion was carried.

#### EXCISE GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture): Sir, I beg to move—

"That a sum not exceeding Rs. 15,05,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Excise."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 15,05,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Excise."

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadian), Rural] Urdu: Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 4,82,800—District Executive Establishment."

Sir, the object of this amendment is the same as I have already described in connection with some other departments, that is to draw the attention of this House and the Minister for Agriculture to the paucity of agriculturists in the Excise department—(Dr. Gokul Chand, Narang: particularly the paucity of Hindu agriculturists)—yes, particularly the paucity of Hindu

[Rai Sahib Chaudhri Ohhotu Ram.]

agriculturists in this department. The total number of Inspectors and Sub-Inspectors in this department is 168 out of which 60 are Muhammadans including 40 zamindars and 20 non-zamindars, 66 Hindus, including 15 zamindars and 51 non-zamindars and 80 Sikhs who include 14 agriculturists and 16 non-agriculturists. These figures denote that even in this department agriculturists are less than half the total number. 58 per cent. of the total number are non-agriculturists and 42 per cent. only are agriculturists. In other departments the excuse was advanced that candidates of requisite qualifications do not come forward from among agriculturists and that is why there are not enough number of zamindars and that there is no idea of ignoring the claims of zamindars. But, Sir, excise is a department where even this excuse cannot be advanced and the real reason lies somewhere else. As far as I know the majority of men employed in the Excise department are matriculates and there are only a few recent cases of F. A. passed candidates having been appointed to this department. It may even be that 50 per cent. of the total strength are with qualifications less than a matriculation certificate. If my surmise about their educational qualifications is correct then the excuse of suitable candidates not being available from amongst zamindars is a hollow one. Sir, I am sure that my detractors will not, in the present case, have even a semblance of a pretext to suggest that this motion is only a move to secure more posts for Muhammadans. As is apparent from the figures quoted the greatest paucity is among Hindu zamindars. Among Muhammadans zamindars already form 66 per cent. which is a fair representation. But out of 66 Hindus there are only 15 agriculturists while the number of non-agriculturists is 51. The agriculturists form a major portion of the Hindu population of the province and there is no reason why they should not get more posts in this department. Can you say that the zamindars are not fit even for this department where at least 55 per cent. of the candidates are not even matriculates and out of the rest only a very few are undergraduates? Can the Honourable Minister for Agriculture say that he cannot get zamindar matriculates or F. A. passed candidates? If any one is inclined to raise the objection that zamindars who have passed the matriculation or F. A. examination are not available then I submit that for every vacancy to which you appoint an F. A., I am prepared to produce zamindar graduates and for every appointment of a matriculate I am prepared to produce undergraduates and for every second division non-zamindar matriculate I will produce first division candidates. In these circumstances I do not understand why agriculturists are deprived of their fair share of these employments. Government issued a circular and its officers have also expressed their willingness to help the agriculturists but in spite of all this the agriculturists have not got their due share. The reason for this is to be found somewhere else. The clerks in the offices are all non-agriculturists and they do not let the applications of the agriculturists reach the officers. The officers themselves have not time enough to go minutely into every application and the decision generally rests with superintendents while the officers are, more or less, only signing machines. One thing more that I want to submit is that according to the circular of 1919, 66 per cent. was fixed as the share of zamindars in this department but the present ratio of the agriculturists is only 42, that is they are short by 24 per

cent. and this in spite of the circular having been in force for the last 9 years or so, and in spite of the Government having issued two reminders. I therefore, hope that Government will take a sympathetic view of the case.

**Mr. President :** Demand under consideration, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 4,82,800—Total District Executive Establishment."

The question is that that motion be adopted.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, the honourable member for South-East Rohtak has spoken about a department which he himself administered and the present position bears the stamp of his policy. I need hardly assure him, as the Government has already assured him, that the interests of zamindars receive our best attention. I belong to an agriculturist family and must promote the interests of the agricultural classes so far as it is compatible with the interests of others. As the honourable member himself knows the recruitment in the Excise department is made by the Deputy Commissioners and the Commissioners and the promotions to Inspectors are again made from the ranks. There are no direct appointments so far as the Inspectors are concerned and so far as the Sub-Inspectors are concerned, the appointments are made by the Deputy Commissioners in consultation with the Commissioners. The honourable member also knows that Deputy Commissioners and Commissioners take great care in making these selections. I am quite sure that my honourable friend needs no further assurance from me on this point and that he will not press his motion.

**Rai Sahib Chaudhri Chhotu Ram :** I am afraid the answer that has been given by the Honourable Minister.....

**Mr. President :** Is the honourable member prepared to withdraw his motion?

**Rai Sahib Chaudhri Chhotu Ram :** Not before I make my reply.

**Mr. C. M. King** (Financial Commissioner) : Do I understand that the honourable member wishes to reply and then withdraw his motion?

**Rai Sahib Chaudhri Chhotu Ram :** Yes, Sir.

**Mr. C. M. King :** Sir, I wish to say a few words on the points raised by the honourable mover of the motion. Most of the facts have been detailed by the Honourable Minister for Agriculture. There is just one point in the speech of the honourable mover of this amendment to which I should like to draw particular attention and which I wish to repudiate as strongly as I can: that is the statement that heads of departments are only signing machines and that they sign all the recommendations put up by their head clerks and superintendents for appointment to these various offices. I wish as strongly as possible to repudiate that statement. It is incorrect and I am afraid I must say that the honourable member must know that it is incorrect. There is no part of the duties of a Commissioner which is more important than that of selecting from among the very numerous candidates who offer themselves for the various posts under Government service. Any Commissioner, who so far neglects his duties as to become what the honourable member describes as a mere signing machine would be unworthy of his position as a Commissioner. I am sure that when the honourable member reflects on this point

[Mr. C. M. King.]

he must realise that he, in the heat of debate, has gone beyond what he himself would have said had he reflected coolly on this point. He has brought a very serious charge of neglect and lack of interest against officers who are in the position of heads of departments and that charge is entirely unsubstantiated and wholly unnecessary. Honourable members of this House who have anything to do with appointment to Government offices must know that for every appointment which is made there are not very infrequently hundreds of applicants and the work of choosing from among these applicants is a work of very great difficulty and necessitates the very greatest care. It is absurd to say that heads of departments pass every scrap of recommendation that is given to them by their superintendents and head clerks. As a matter of fact the superintendents and head clerks have practically nothing to say to any of these recommendations. There are, however, as a rule scores of persons holding very eminent positions, very often members of the Legislative Council and very often persons of even superior status than that of members of the Legislative Council who come forward personally and by letters to recommend their pet candidates. Head clerks and superintendents are persons of far too low a degree even to venture to make any recommendations. The recommendations come from far higher quarters and it is with very great difficulty that the head of the department is able to keep himself clear of these recommendations and to judge the merits of the candidates as between themselves from their records of education, records of service and the records of service of their ancestors. I can, however, assure the House and you, Sir, that the case of every single candidate is weighed by Commissioners with the utmost care and deliberation and I am convinced that in no case is a candidate selected for appointment who is not in the opinion of the officer selecting him the best among the numerous candidates for that particular appointment.

Now, Sir, I come to the particular charge made by the honourable mover of the motion. Looking at the statistics, he says that the number of zamindars has not come to as high a percentage as that prescribed which is 66 per cent. He says that it is somewhere near 42 per cent. I must remind honourable members through you, Sir, that this Excise department is not a new department which has recently been constructed, but that it is an old department and we have inherited a large number of employees from a preceding state of things. During that state of things the rule was not established that due consideration was to be paid to the claims of zamindars.

If you realise that possibly half, I think I am right in saying half or perhaps I am exaggerating in saying half, it may be a third—but at any rate if you realise that possibly half or a third of the existing holders of the appointments of Sub-Inspectors and Inspectors were members of the Excise department before this rule was established, it will be clear that we had a good many persons who got in under the old conditions and probably they would not have got in under the existing rule. That does not mean that they were not the most efficient and most capable persons to get these appointments, but it does mean that in considering their claims for these particular appointments due weight was not given to the fact that they were or were not members of the zamindar class. Consequently many of these older men may have got

in where they would not have got in now because they were treated as in the ordinary way and that weighting of the balance in favour of the zamindars which is now the rule was not done. That is the position. We have a higher percentage of non-zamindars owing to the fact that most of these men were appointed in the old times, before the existing rule about zamindars was brought in. Since the rule came in I am convinced that full weight has been given to the rule and that wherever possible, when judging between the claims of two persons, one a zamindar and the other a non-zamindar, having regard to the fact that the Excise department have mostly to deal with the zamindar class, the zamindar is given a slight advantage as against the non-zamindar. I do not think that he ought to be given a very great advantage as against the non-zamindar, but he is given that slight advantage which would enable us to get the proportion of 66 per cent. of zamindars against 34 of non-zamindars. That is the position and I am convinced that of all the five Commissioners of this province whose duty it is to select candidates for the post of Sub-Inspectors, there is no one who does not fully realise the importance of maintaining this claim of zamindars to the proper extent.

There is one other point I may make and it is this. The Excise department is, of all the departments of Government, probably the most unpopular. You get many candidates for other offices. There are various candidates who want to become Tahsildars and so on. Probably the order is, Extra Assistant Commissioners, then Tahsildars, then Naib-Tahsildars, then Zilladars, then Canal Patwaris, and then possibly Sub-Inspectors of Excise. The Sub-Inspectors of Excise have a hard time. They have a great deal of touring to do and besides that, they dislike the job. They have not the capacity or the opportunity to do good to the people as a whole which most other departments of Government have. The consequence is that they are generally disliked and the immediate result of that is it is very difficult for us to get candidates for the appointment of Sub-Inspectors. I do not mean that there are not sufficient candidates but I can say this that for the posts of Sub-Inspectors there are not sufficient candidates from whom to pick and choose, quite to the same extent as we do in the case of appointments to Naib-Tahsildar or any other appointments. The result is that frequently zamindar candidates are fewer when it comes to appointments for Excise Sub-Inspectors than when it comes to appointments of Tahsildars and so on. We have a smaller selection from among zamindars for Sub-Inspectors of Excise than we have for Naib-Tahsildars and so on.

I now come back to the main point and that is that we are doing our best to work up to the rule which has been prescribed by the Government. To work up to the rule is necessarily slow as you cannot dismiss the whole of your district staff and get a new set of men nor can you say 'we will not appoint a non-zamindar in the next few years.' We will not get a good class of men in that way. We have to make the selection from among zamindars and from among non-zamindars and try to increase the proportion of zamindars gradually so as in course of time to bring down the proportion of non-zamindars to the prescribed rule. That is the position and I think the Honourable Minister for Agriculture has already explained that. Although we are allowed to make direct appointments to the posts of the Excise Inspectors, in practice we never make any direct appointment.

[Mr. C. M. King.]

The appointments to the Excise Inspector are made from Excise Sub-Inspectors and the appointments to Excise Sub-Inspectors are invariably made by Commissioners and as I have said before, I am absolutely satisfied that the Commissioners in making these appointments to Excise Sub-Inspectorship give full weight to the fact that a candidate is a zamindar.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural]: Sir, I regret very much to say that the answer given by the Honourable Minister for Agriculture and the answer given by the honourable the Financial Commissioner are not very encouraging. The Honourable Minister said in effect that I had been presiding over this department for some time and if I could not do anything I should not expect him to do anything. Now he is very clearly wrong. When I was presiding over that department, no figures were available. I took steps to make these figures available. (*Hear, hear*). The Minister has these figures before him now, let him take the next step. I wonder whether he has ever studied them and whether he cares to study them. (*Hear, hear*). I do not know whether in spite of these figures he is prepared to do anything practical or effective. He has not said anything to assure me that he will take steps to see that the proportion of zamindars is increased in this department. The honourable the Financial Commissioner has contended very earnestly that all his officers give the greatest possible care to the claims of individual candidates. I doubt it; I am very sorry but I do doubt it. There are facts which are known to me but which I cannot disclose. (*Cries of: please do*). No; I cannot. I know facts which show that the officers do not give that care and attention when making the appointments which they really should give. Now, there can be only three possible reasons as to why the proportion of zamindars in this department is not what it should be; either the number of zamindar candidates seeking employment in this department is not sufficient or they are not efficient and being inefficient are rejected by the heads of departments or the officers making the recommendations or making the appointments are not sympathetically inclined towards the zamindar candidates. It is admitted by the Financial Commissioner that there is no dearth of properly qualified candidates. It is also conceded that the zamindars are, if anything, better fitted and more efficient for this department than non-zamindars and I am also assured that Government is really very anxious to see that zamindars secure their due share in this department. Then what possible reason other than lack of vigilance or sympathy on the part of officers can there be for the fact that the proportion of zamindars which was fixed in 1919 has not been reached so far? The Financial Commissioner said that in the case of Tahsildars and Naib-Tahsildars they had got a wider range and officers got probably more candidates from among whom they could make selections for those posts than when they had to make appointments to Sub-Inspectorships in the Excise department. This may be true; probably it is correct. But the reason is not that there are not well qualified candidates who are prepared to accept these jobs, who are even anxious to have these jobs, but the vacancies are never advertised or made known. It is only those who have friends or relations in the offices of Commissioners or Deputy Commissioners that come to know of these vacancies. Can the Financial Commissioner say that he has ever advertised that there

are so many vacancies in any particular division? I think the general practice is for the Commissioner to issue circular letters to Deputy Commissioners who send up a few names from their districts and those few names are the names, generally speaking, of those who are related to men who are already in the office of the Deputy Commissioner. This is the reason. Neither the Minister for Agriculture nor the Financial Commissioner has said anything on the basis of which I could assume that zamindars would get justice done to them in future. If this motion had related to a reserved department I would have pressed it to a division. But I am very sorry I do not like to press this particular motion to a division. However, I must assert and assert emphatically that the reply of the Honourable Minister for Agriculture and the reply of the Financial Commissioner have both been disappointing.

**Mr. C. M. King :** There is one point which I should like to explain, Sir. It is not the custom of the Government to advertise for these appointments in any case that I know of except possibly with regard to appointments for Extra Assistant Commissioners by competition. All other appointments are filled without advertising except any special appointments, such as Engineers and so on; but posts of Tahsildars and Naib-Tahsildars are not advertised for.

**Rai Sahib Chaudhri Chhotu Ram :** Sir, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

**Sardar Narain Singh** [Rawalpindi Division and Gujranwala (Sikh), Rural] Urdu : Some two years back punishment provided for illegal distillation and sale of liquor was enhanced, I suppose it has been doubled.....

**Mr. C. M. King :** I cannot hear. Would he mind talking a little louder.

**Sardar Narain Singh :** I will speak louder. The punishment provided in the act for illegal distillation and sale of liquor has been enhanced and the strength of the staff has also been increased. Well and good. I have no objection to it. I would not oppose even if the punishment is enhanced still further, and detection and supervision too is increased. But I must see if all these measures have served any useful purpose for this province. The distillation and sale of liquor has not decreased and this water of evil has ruined our country.

شر کا ہے آب اسے شر سے کام ہے

اےل خرد پہ نکتہ پہ دفن و تمام ہے

Thousands of homes have been destroyed by this mother of all evils. Temperance movement has failed to root this evil out, but have our benign Government thought of any way to extirpate this curse? I do not want to prolong my speech. But the world knows that if it were possible to collect the figures of the destruction wrought by this drink evil, as we can collect figures for our budgets, how many homes have been ruined, how much money has been wasted and how many persons have lost their health and met a premature death, and how many of our brethren have gone to jail or have been murdered or hanged only due to this drink evil, they will present a horrifying tale of woe and misery

[Sardar Narain Singh.]

before the public. If I am not wrong our benign Government is afraid that if drink trade is stopped to-day, this will cause a great loss of revenue. Where will they get this money from? But we have got the living example of America before us. Where there were jails, lunatic asylums, orphanages and poor houses there now flourish great industries and people live in great happiness. This is the result of one man's labours who was named, I suppose, Pussfoot Johnson who first raised the voice for total prohibition and the result of it was that he carried the whole country with him. The voters refused to vote unless they had got a promise from the candidates that they will vote for total prohibition. The result of this is that in a few years there is only a nominal consumption of drink. But look at our country where when a few zealous young men started preaching against drink they were thrust into jails or they were heavily fined or asked to furnish security for good behaviour. (A voice:—Where?). I know of hundreds of cases in which such young men were made to undergo many hardships. I, therefore, request the Government that if they are really in sympathy with us, not lip sympathy, and if they really have the good of the country at heart, they should either put a sudden stop to this drink trade or if it is not possible to do so immediately, they should adopt some practical measures so that this object may be achieved in a short time. I, therefore, hope that all the honourable members of this House will support my request. With these remarks I beg to move my amendment which runs as follows:—

"That the total grant be reduced by Rs. 1 with respect to the item of Rs. 4,82,800—Total District Executive Establishment."

**Mr. President:** Demand under consideration, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 4,82,800—Total District Executive Establishment."

The question is that that motion be adopted.

**Khan Bahadur Chaudhri Fazl Ali** [Gujrat East (Muhammadan), Urban] (Urdu): Sir, I have had opportunities to say something on this question in previous discussions and to-day again I submit that there can be no one in this House who has anything to say against the spirit of this amendment. I submit, Sir, that even if a man drinks he will never say anything against it. This happened during the last Councils. I do not say anything to ridicule those honourable members. It is the bounden duty of every Musalman to stop this mother of evils, and I will consider it a very fortunate day when this trade is stopped entirely in this country (*Hear, hear*). But the question now before the House is whether it can be stopped by one stroke of pen. It has been stated that drink has been totally prohibited in America. But you forget that illicit drink and smuggling has increased so much in that country that they have to spend a lot on checking it. Illicit distillation is not less in our province. This was the only reason why more Sub-Inspectors and Inspectors were appointed. I live in a place which is adjacent to the Jammu State. A lot of illicit distillation goes on in the State territory as well as in the British territory. They spend only a few annas on a bottle and sell it for a few rupees. I, therefore, consider the first part of the amendment that steps should be taken to stop this evil as early as possible to be very reasonable and I support it. But to say that this should be stopped

immediately even if illicit distillation increased thereby is not proper. This will not stop the drink evil and we will lose our revenue for nothing. Not only that, we will have also to spend a lot of money on increased establishment and poor people will have to be taxed. I do not mean to say that we should benefit by this income but we should not raise our expenditure even without deriving equal benefit. I, therefore, will request the Government to make it dearer still so as to make it beyond the reach of the poor people to buy it. I know that Government has already done a lot by asking the municipalities and the district boards to take steps in the right direction. The municipalities and the district boards should make still greater efforts to stop this evil. Religious bodies and temperance societies should also strive still harder to achieve the object. It cannot be stopped by force. Force is never a way to success. On one side the Government should try to stop this by adopting measures necessary for this and on the other side we should make all sorts of propaganda work to stop it. But the stopping of it immediately will not help us. Illicit distillation will increase and we shall have to waste a lot of money. We should not pass a resolution to make a show and then keep quiet. This is useless. With these words I hope the honourable members will agree to the Government taking necessary steps to stop this evil.

**Mr. E. Maya Das** (Non-official, Nominated) (Urdu): Sir, It goes without saying that there is nobody in this province who would like to see the consumption of liquor increased. Even those who are used to drinking are heard to warn their brothers, relatives and their friends like this 'We have fallen victim to this vice, you please avoid coming near it.' It has been remarked in course of the debate to-day that sufficient attention has not been paid to check illicit distillation. I differ from it. I do not think it is possible for the Government to attach one police officer to every person who may be suspected of illicit distillation of liquor in order that the former may keep the latter under shadow and thus prevent him to commit the offence against the Excise law. And even if it were possible for the Government to take such a step, what guarantee is there that such police officers will not throw in their lot with the offenders. It is no use criticising the Government in season and out of season. I know that in my district certain people have amassed huge fortunes by the sale of illicit liquor which they manufacture. They have bought lands and thus have become zamindars (*laughter*). I meant to convey that those people had become very rich. But all the same they are so clever that they manage somehow or other to escape the clutches of law. It is on this ground that I say that it is no use making prohibitive laws to check the evil of drink. My opinion is that unless the people have realised that it is a vice to drink and they are convinced that liquor is a thing that must be condemned, all your laws will not help to cure this disease. I would, therefore, suggest that in primary schools such courses of study should be introduced in which the evil of drink is condemned in strong words. If that course is adopted to-day I am sure thirty years hence there will be very few persons left who would care to use or buy liquor. And when there will be no buyers, no one will be tempted to commit an offence which is punishable with heavy sentence of imprisonment.

With these few words I oppose the motion before the House.

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan), Urban]: Sir, this is one of the many sores from which the Indian people have been suffering. It is more than a crore of rupees that the Government collects from the people by way of tax under this head and does not give them anything in return except perhaps disease and distress. This source of revenue is being maintained at the cost of the health and morals of the Indian people. Although the subject is a transferred one yet I am sorry to remark that the Ministers are helpless in bringing about any reforms in this direction (*hear, hear*). (*A voice: Why?*) My friend questions 'why?' When this very subject was discussed on the floor of this House and the Government was called upon to adopt certain measures to stop the use and sale of liquor and to announce its policy in the matter of total prohibition, the Home Secretary remarked that the Government had made up its mind and that it had come to a certain decision and that it was not going to budge an inch. Before the House could give its verdict, these words were uttered by the Home Secretary on the floor of this House.

**Mr. President:** Will the honourable member please read the passage he is referring to?

**Lala Bodh Raj** I have been called upon to refer to the proceedings of the debate of this House. I am positive that remarks amounting in substance to what I have said just now were made on the floor of this House. (*A voice: Question*). When the resolution on the total prohibition was discussed in this House, these remarks were made by the Home Secretary. If I am not mistaken even the press commented on those remarks. I shall be glad if the members of Government challenge such remarks. In the days of non-co-operation thousands of people went into jail, many of the political workers suffered on this ground as they wanted to impress on the Government how the people of this province and of this country feel on this question.

Objections are raised every now and then that although the Government is prepared to take certain steps in this direction and has been taking, there are certain difficulties in their way. The formidable difficulty that is pointed out to us is that of finance. If that is the only difficulty, at present there is the opportune moment when we are expecting a remission of the contribution of 86 lakhs of rupees by the Central Government of which 60 lakhs will be a recurring remission. Members of this House will gladly postpone the development of this province in other directions and they would be prepared to sacrifice their interests even in the beneficent departments if the Government comes forward with certain proposals for reaching the goal that we want to reach in the matter of prohibition. Certain provincial governments, for instance Bombay and Madras, have announced their policy and stated that their goal is that of total prohibition. But our Government is wise enough not to make any announcement in this respect.

Another difficulty that has been repeatedly pointed out, and that has been pointed out even to-day by some members here, is that illicit distillation and manufacture of liquor and other drugs is on the increase, and that until and unless illicit distillation is stopped, Government cannot take any steps to frame a legislation on the point. In this connection I am reminded of the homely proverb—

*Na nan man tel hoga na Radha nachegi.*

Government will not be in a position to stop illicit distillation for ages to come. Government has not been able to stop offences that are prevailing in the country. There is the Indian Penal Code and the Criminal Procedure Code and in spite of these penal laws offences are being committed and the Government has taken and is taking measures to trace these offenders and punish them. If the Government is sincere in its desire to stop illicit distillation and to bring about reforms in this connection it has got so many ways of suppressing the offence of illicit distillation. Even granting for argument's sake that these offences cannot be stopped that is no justification for Government to allow the people to use liquor, it is no justification for Government to afford facilities to the poor people to waste their small earnings in liquor while they have not got enough money to support their wives and children. Government might perhaps say that so far as the abuse of liquor is concerned they are one with us. Each and every individual case of abuse of alcohol is an argument in favour of total prohibition. Sometimes the plea is raised 'How can we curtail the individual liberty of those people who drink?' Do we want legislation in the matter of drink and food? If the people feel that the use of liquor is a vice, it must be stopped, no matter by what method. In the public offices, we see notices hung up 'spitting is strictly prohibited.' We don't want to give people liberty to spit because we feel that the habit will propagate disease. If the use of liquor brings ruin and distress to one who drinks and to his family, then there is no reason why individual liberty should be given in such cases. If the honourable members of Government are advocates of liberty, why not give us freedom of speech and writing? (*Hear, hear*) Why should they grudge that liberty and why should they prosecute the people under section 153 of the Indian Penal Code or under section 144 of the Criminal Procedure Code? We want that our voice should be heard. We want that the wishes of the people should be complied with. A line should be drawn between liberty and license. The Government Member may very well say that people do not want total prohibition. He may say that the people have been given the Local Option Act and they are not taking advantage of its provisions. He might remind us of the case of Rawalpindi where the people when called upon to cast their votes on this question did not go to the polling booth. The people of that place made a representation to Government that facilities were not provided for the people to cast their votes. The municipal and district board elections are coming off very soon in many of the districts. If the Government are sincere in their attempts at total prohibition, if the Government want a referendum on the point, I challenge the honourable member in charge of this department to give facilities to the people in the next municipal elections so that they may record their votes on the question of prohibition. Every one of the voter who goes to the polling booth to record his vote in a municipal or district board election or in the council election which is to come off after three years may be asked to express his view in the matter. Their votes can be taken on the question whether they want total prohibition, or they want regulation or the use of liquor and drugs in any quantity whatsoever. So far as the general election is concerned, votes may be cast for one candidate or the other. So far as total prohibition is the question at issue in any of the elections, the people

[Lala Bodh Raj.]

would cast their votes only in its favour and not for regulation or for the use of liquor or drugs in any quantity however small it may be. If any candidate seeks the suffrage of the voters on the question of total prohibition, he would succeed as against another who wants only regulation. If the Government are anxious and sincere to know the wishes of the people in the matter, proper facilities may be provided and then the Government would know how the people feel on this question.

Sometimes another objection is raised that the members of the European community generally use liquor in moderation. If legislation enacting total prohibition is passed, then we would be depriving the European gentlemen also of the use of liquor. Sir, I and other members of this House and even the people outside this House will not grudge if the European gentlemen want to make any racial distinction in this respect. We shall gladly allow them if they so insist but we would like that even they should adopt total prohibition. But for God's sake in their own interests, they should not allow those of us who do not want to use liquor to have recourse to it by giving us facilities for using the liquor or any other excisable article. I would draw your attention to the views of a European gentleman on this point. I am quoting his words from the debates of the Legislative Assembly. They are the remarks of Dr. Palmer, the Bishop of Bombay. The following passage occurs in the speech of Maulvi Muhammad Yakub in the Legislative Assembly :

"What the attitude of Europeans in India should be on this great matter affecting India's destinies has been indicated by one of the greatest of Englishmen in India. Dr. Palmer the Bishop of Bombay, stated a few years ago in his written evidence before the Excise Commission appointed by the Bombay Government :

"If the situation was that the vast majority of responsible people were against the consumption of alcoholic liquors and that large numbers of irresponsible people abstained from them on account of custom or religion and that only a relatively small number of people consumed them.....that was a situation which did not exist in Europe and which provided all the conditions for a system of total prohibition."

The instance of America is before us. Sometimes the opinions of certain doctors and other persons are quoted to show that in America the system of total prohibition has proved a failure. But I would draw your attention to certain figures that even on medical grounds also the system of total prohibition has proved a success. With regard to insanity take the case of New York. Out of a total population of 100,000 in the State of New York in 1909, 6.8 were admitted into the asylums on the ground of insanity; in 1910, 6.4; in 1914, 6 per cent and in 1918, the year when the result of the total prohibition began to appear, it was 3.5 per cent. In 1919, it was 2.6 and in 1920, it was 1.2. If there are proper grounds and reasons before us for saying that the system of total prohibition has proved a success in other countries, how much better results can we not obtain in a country like India where the people are prohibited from the use of liquor or other drugs by their religious tenets? By nature, by temperament and by religion the Indian is a prohibitionist. I would therefore submit that even if there are any grounds for concluding that total prohibition has failed in any of the European countries, at least in the case of India there is no ground for such a failure at all for India is peculiarly suited for total prohibition. Even if there are any apprehensions, let us at least make an honest beginning

and try the experiment and then we can modify our ways in the light of the experiment that we have. With these words I beg to give my hearty support to the motion before the House.

**Mr. President:** Should the honourable members wish to refer in their speeches to any previous statement or speech made in this House they would please read from the official report the passage referred to instead of giving their own version of the same. I hope the honourable members would refrain in future from quoting from memory passages the accuracy of which is doubtful. Before I call upon another member to speak, I would request the honourable Lala Bodh Raj to quote the exact passage to which he had made reference in his speech.

**Lala Bodh Raj:** The exact passage to which I referred sometime ago is the following:—

"I have spoken so far and at some length on the general resolution but I resist equally the proposal to form a committee. I oppose the committee, not only with respect to this particular resolution, but with respect to all committees. What advantage is to be gained by appointing a committee to sit for two years and study a question on which the Government, as far as I can discover, has made up its mind? No such deliberation will change the attitude of Government on this fundamental matter of public policy."

These are the words used by Mr. Dobson while speaking on the resolution regarding excise policy.

**Mr. V. F. Gray** (Punjab Chamber of Commerce and Trades Association Commerce): Sir, one almost looks upon this question as a hardy annual and it always produces a good discussion and in which we invariably have two sides neither of which are ever able to agree. It reminds me of the eternal question of free trade *versus* protection in which it is always impossible to get both sides to see eye to eye. In England we have this movement for prohibition and we, the majority at present at any rate, look upon them as "cranks." They probably think we who oppose prohibition are, but we are at present in a majority in that country. There is very little to add to what one has said in the past. It seems to me even though—and I do not acknowledge that—it is wanted, it is perfectly impossible to have total prohibition in a country like India where illicit distillation is so very easy (hear, hear). That in my opinion is the big stumbling block even if we are all agreed that total prohibition is advisable. That it is probably wise to discourage the drinking of liquor chiefly with the idea of discouraging drinking in excess, I do agree with, and if that were the sole reason, I am sure the Government would give up its revenue from excise willingly; but is that the sole reason? The idea in my opinion of taxing liquor is to some extent to discourage excessive drinking and also to tax what is considered a luxury. But here comes another danger and that is what we have already found in the Punjab has come to pass, that taxing too high encourages smuggling or illicit distillation and to encourage that in any way either by high taxation or in any other form of prohibition would merely make the law useless, for it is no good passing a law unless you are going to enforce it or unless you are able to enforce it. In discussing this subject America is the one country which is always brought in in connection with prohibition. I should like to have a few Americans in this Council and ask you to listen to their views on this matter. Or I would like a few of the honourable members of the Council to meet some of the Americans that come into Bombay, and

[Mr. V. F. Gray.]

talk to them. None of the American people seem to know quite how it happened in America or quite when it happened. It was of course while most of the people were away in Europe fighting but even then they were not thinking so much about the question of prohibiting drinking as they were of the greater evil America was interested in. Prohibition in America was not so much intended to stop drink as to stop the bad influence of the saloons. Saloons in America had got hold of the country absolutely. Perhaps the honourable members would understand it much better if I say that the saloon in America corresponds to the *baniya* in this country. So many people owe money to the saloon owners. Everybody runs into debt by signing for their drink. This was the state of affairs prevailing in America during the days when the saloons were in absolute power. It was with the intention of getting rid of these saloons from the influence of American politics that the Government took special efforts to remove the bad effects of these saloons. It was this which led many people in America to vote for total prohibition there. Now that prohibition is law the American being an obstinate man, does not like to acknowledge the mistake and hates the idea of reversing his law; but now that the saloons are absolutely broken and vanished, he would like to relax the law. I think he will do that before long, but that is of course only my own opinion.

One honourable member said that liquor was a vice. Liquor taken in great quantities might be so, but liquor taken in moderation is not in my opinion a vice. I certainly do not consider it so personally, in fact most drinks that would not come under this class of drinks are rather dull things to say the least, but I do think drink in excess is harmful. What has surprised me most is that the supporters of prohibition in this Council, should come from this side of the House which is always foremost in upholding what they call the freedom of the people. They are loud in their denunciations of any repressive measures at any time passed by Government. They condemn the Government on every conceivable occasion, should there be even a suggestion of such measures. But the moment they talk of prohibition they want any form of repression to be imposed, for after all total prohibition is really a kind of repression which its supporters want to impose upon all people. It must be remembered that you cannot have total prohibition without taking away the liberty of the subjects by repressive laws. It must amount very nearly to persecution by the police and you know, Sir, how these benches maintain the unfair way the police handle the people. You always hear how unfair the police are in interfering with the liberty of the people. It does really surprise me that to meet their wishes to make it illegal to drink, honourable members go to the length of suggesting the enacting of laws taking away the freedom of the people. The Government have in my opinion gone as far as they have any right to go, that is they will allow the people themselves by the Local Option Act to have prohibition in their own districts if they wish to do.

The municipalities have this power; the municipalities are the elected agents of the people. Now you cannot expect Government to go further than that. One honourable member—I do not know from which district he comes (Lala Bodh Raj) said that at the time of municipal elections they were never asked to consider the question of total prohibition. There were

so many issues that this was always shelved. That is probably one of the drawbacks of our present form of electing our legislators. But are you sure the voices of the honourable members in this Council who support prohibition have the support of the country on this subject? I am sure the question never entered the minds of more millions in this country than there are tens of people talking about it. With these words, Sir, I must oppose the amendment.

**Rai Bahadur Lala Ratan Chand** [Non-official, Nominated] (Urdu): Sir, it is an admitted fact that consumption of liquor is detrimental to the welfare of India. No doubt the evil of drink is the worst evil and I am myself anxious that it should be stopped as soon as possible, and my anxiety is apparent from the fact that some time ago I was one of the active workers of the temperance society at Amritsar. This anxiety did not cease when I became the member of the Amritsar municipal committee because since my election as a member I have always been raising my voice against this evil of drink. But all the same I am of opinion that the policy of total prohibition is not the right policy to put an end to this evil. If that policy is adopted, the people will resort to illicit distillation of liquor which is much cheaper than the other. The safest way to check this evil is to place all kinds of difficulties in the way of the people who are given to drinking. I think the Amritsar Municipal Committee did the right thing in removing all liquor shops from the city to a place situated outside the city. The result has been that the facility of getting liquor near at hand having ceased to exist, the number of persons who were addicted to this bad habit has since fallen down. So far as my knowledge goes only people of the lower classes frequent these shops now although we are as much sorry for them as for any other class of people. In warning the hawkers, who used to haunt these shops, that they will be challaned in case they are found to frequent those shops again, the then Deputy Commissioner of the district took away another facility. These are some of the ways which I think will prove more effective in placing a check on the evil of drink.

Besides there is another way to get rid of the evil. The district boards and municipal committees should take special interest in the matter and should start propaganda work on an extensive scale against this evil just as they do against malaria, plague and other epidemics. If criminal tribes can be reclaimed I see no reason why we cannot successfully combat the evil of drink. I am sure propaganda work on an extensive scale will go a long way in purging India of this scourge and it is due to the propaganda work by the Akalis that we now see that the people on the occasion of fairs do not drink and indulge in abusive language as they used to do before. They are now seen singing songs in praise of Guru Maharaj instead.

**Mr. President:** While I have no desire or authority to place any restraint upon the speeches of the honourable members, I may point out that the motion before the House is for the reduction of the grant by one rupee with the object of discussing the excise policy of the Government. No speaker has stated till now what that excise policy of the Government is nor has any honourable member discussed any policy. Some members have made speeches on prohibition; but no one has discussed the real excise policy of the Government.

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, the excise policy of the Government is to obtain the largest revenue from the lowest consumption. Sir, this is the policy which the Government has been following since a very long time in the province the people of which, as my friend on my left side explained, are by their nature and religion total prohibitionists. Now the question before us is whether we should continue to follow that policy or we should take steps to bid good-bye to it. Our answer to it is that the present policy is not at all acceptable to us. It not only ruins the health and character of the people but it is also detrimental to the national efficiency of the province. The honourable member representing the Chamber of Commerce is of opinion that drinking is not a vice. But I may respectfully submit that we cannot attach any value to the opinion of an individual when people of all sections in England are of opinion that it is certainly a vice. Sir, I have got a book here with me entitled "The Control of the Drink Trade." I should like to say that this book is one of its type and as such we can rely on what it says. In paragraph 8 on page 50 of the book the following words are worth your consideration in connection with the subject under discussion:—

"The deputation from the Shipbuilding Employers Federation struck the public as an event of the first importance. The date was March 29th. The chief of shipbuilders of Scotland and the North of England were represented. Their claim was for total prohibition throughout the War."

The concluding words are particularly noteworthy. I will now quote the personal opinion of Mr. Lloyd George who on the 17th of March said:—

"I must say that I have a growing conviction, based on accumulating evidence, that nothing but root and branch method will be of the slightest avail in dealing with the vice. I believe that to be the general feeling. The feeling is that if we are to settle German militarism we must first of all settle the drink. We are fighting Germany, Austria and Drink; and so far as I can see the greatest of these three deadly foes is Drink."

Sir, what better authorities than these can I quote to show that the evil of drink is a bar to fitness, drag on industry and has a very bad effect on workmen. It is further clear that total prohibition is the only remedy to deal with the evil. The honourable member representing the Chamber of Commerce observed in his speech that there are very few persons in England who are in favour of the policy of total prohibition. I can show by facts and figures that people of all sections in England are of opinion that there is no other way to get rid of the evil except that of total prohibition and in view of that in all the labour and industrial centres of England drinking had to be stopped by legislation.....

**Mr. C. M. King:** No.

**Chaudhri Afzal Haq** (continued in Urdu): If the Honourable Financial Commissioner challenges my statement, I can refer him to the pages of the books on which I am relying.....

**Lala Kesho Ram, Sikri:** Sir, the question for discussion is the present excise policy of the Government and not the total prohibition. I would submit through you, Sir, that the honourable member may discuss the present policy of Government and not make his proposals.

**Mr. President:** Will the honourable member please state once more the policy which he is discussing?

**Chaudhri Afzal Haq** (continued in Urdu): Sir, the present policy of the Government is, as I have stated before, to obtain the largest amount of revenue from the lowest consumption and I am trying to show that this policy is no good. We are sometimes warned that if we replace the present policy by the policy of total prohibition, the latter is sure to fail as it has failed in other countries which adopted it.....

**Mr. President:** The policy as stated by the honourable member is to obtain the highest amount of revenue from the lowest consumption. How does prohibition fall within the purview of that policy?

**Chaudhri Afzal Haq** (continued in Urdu): Sir, I bow to your ruling and leave this matter. But I cannot help saying that the present policy cannot suit the condition and the nature of the people of the Punjab. So long as this policy remains in vogue in the province, there will be no end to our sufferings and troubles. A misunderstanding has been created by a remark made in the course of debate that there are very few people in England who are in favour of the policy of total prohibition.....

**Mr. President:** I am afraid I must rule the honourable speaker out of order. It is the revenue policy, that is to say, the policy to obtain the highest amount of revenue from the lowest consumption, that the honourable member is discussing. If the honourable speaker or any other member of the House wishes to discuss the question of total prohibition he may table a resolution. But I will not allow him to discuss that subject incidentally in discussing the motion now before the House.

**Chaudhri Afzal Haq** (continued in Urdu): Sir, I want to emphasise that even a pie of this revenue we do not welcome, not to say of the largest amount of revenue.....

**Lala Kesho Ram, Sikri:** Sir, the honourable member only wants a reduction to the extent of Re. 1. That is his amendment. Let him have Re. 1 reduction and be finished (*laughter*).

**Chaudhri Afzal Haq:** Yes, I will be satisfied.

**Lala Kesho Ram, Sikri:** My submission is that his amendment is that the total grant be reduced by Re. 1. He is not in order when he says that he wants the total grant reduced to nil.

**Mr. President:** I think a motion to reduce a demand by a small amount of Re. 1, Rs. 10, Rs. 50 or Rs. 100, is not considered to be an economic motion. Such motions are moved to discuss among other things the policy of Government. Therefore, so far as the discussion of the excise policy of Government is concerned, the motion is quite in order and may be discussed, but the policy of total prohibition is not the excise policy of the Government and therefore cannot be discussed.

**Chaudhri Afzal Haq** (Urdu): Sir, in discussing the present policy I was saying that we do not care whether the present policy brings us one, two or even twenty crores of rupees because we consider this income as something unclean (*hear, hear*). I will now proceed to place before the House some figures relating to countries which have made attempts to get rid of the evil in order to show.....

**Mr. President :** The discussion of total prohibition, as already declared, is not relevant to the motion before the House. The question before the Council is the excise policy of Government, which is stated to be that the highest revenue should be obtained from the lowest consumption. If

that is the policy of Government, the honourable members would please confine their speeches to the discussion of that policy and not discuss the very general and wide question of total prohibition in this province or elsewhere.

**Lala Bodh Raj :** Sir, on a point of order, cannot a member suggest to Government what should be its policy in this matter?

**Mr. President :** The discussion of a policy is one thing and the abolition of a policy is quite another thing.

**Dr. Shaikh Muhammad Alam :** May I take the opportunity of submitting for your consideration that when the policy is as regards the lowest consumption, cannot an honourable member advocate that instead of the lowest consumption there should be no consumption?

**Mr. President :** What about the highest revenue?

**Dr. Shaikh Muhammad Alam :** I would submit that when the policy of Government is to obtain the greatest revenue an honourable member cannot discuss that there should be any curtailment of any revenue. But when the policy is one of lowest consumption, cannot an honourable member discuss that there should be no consumption whatsoever?

**Chaudhri Afzal Haq** (continued in Urdu) : I take it, Sir, that I can say a few words about the policy of total prohibition.

**Mr. President :** No. No. I am distinctly of the opinion that the wide question of total prohibition ought not to be discussed while the excise policy of the Government is under discussion. The discussion of excise policy presumes the existence of excise. The object of the motion is to mend and not to end the Excise department. A total prohibition is unthinkable without a repeal of the existing Excise Act. While matters involving legislation of any kind cannot be discussed in a Budget debate.

**Chaudhri Afzal Haq** (continued in Urdu) : Sir, I think I must leave that point now. Proceeding further I may say that Government cannot be said to have taken any steps even to reach the goal it has in view. The Local Option Act, which may be said to be a sort of step towards bringing down the consumption of liquor to the minimum, has remained a dead letter so far. And it was sure to remain a dead letter because there are in it certain sections on which it is impossible to act with success. For example according to the Act, the number of voters, that must come to the polling station to vote against the use of liquor within the limits of a particular municipal committee, is fixed at such a high figure that we cannot expect such a large number to attend any polling station under the present circumstances. Last year in the course of debate on the floor of this House the case of Rawalindi was referred to and the honourable Financial Commissioner remarked that the people were themselves indifferent to this reform because they were not taking advantage of the Local Option Act.....

**Mr. President :** Order, Order. Only a few minutes ago I ruled from the chair that whenever any honourable member of this House has to refer to a previous speech made by a member of this House he should read the speech from the official Reports and not give his own version of the speech. There is no objection to the previous speeches of members being read, but the honourable members cannot be allowed to give their own versions of such speeches, nor can they be allowed to give the purport of such speeches from their memories.

**Dr. Shaikh Muhammad Alam :** Sir, on a point of order, if I am to refer to a speech which has not yet been published, how am I to do that ?

**Mr. President :** The honourable member must know that speeches made during the same session cannot be alluded to.

**Chaudhri Afzal Haq** (continued in Urdu) : Sir, without referring to the speech of any member I would say that the Local Option Act has remained a dead letter so far and if any municipal committee has ever tried to make use of the Act, difficulties have been placed in its way.....

**Mr. President :** Order, Order. May I take it that the honourable member has now taken to another line of attack and means to discuss the legislation embodying the excise policy of Government in this province ? I observe that he is going to discuss the Local Option Act. I have already ruled that, matters involving legislation cannot be discussed in a Budget debate.

**Mr. E. Maya Das :** Sir, may I enquire whether there is any rule by which any member may make a request that a certain other member has been speaking for a very long time and that he should be asked to resume his seat ?

**Mr. President :** I am sure the honourable members of this House realise their full responsibility as representatives of the province and will not speak for a minute more than is absolutely necessary. (Hear, hear).

**Chaudhri Afzal Haq :** Very well, Sir, then I will oppose the total grant.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan), Urban] : Sir, in this debate we have at least secured one point. I hope that in future there will be no question of agriculturists and non-agriculturists. If the suggestion made by Mr. Maya Das is adopted, then it will be the nicest way for some people to become zamindars. (A voice : What is the suggestion ?) The suggestion was that a lot of people by illicit distillation become big zamindars.

Now, Sir, the question of prohibition is not a subject which we can treat lightly. The example of America has been referred to, but the example of Norway has not been referred to. Some countries in the world did start prohibition.....

**Mr. President :** Order, Order. I have already ruled that the question of total prohibition cannot be brought in for discussion now. That question cannot be discussed indirectly while the demand for a grant is being discussed. There are several ways in which that very important subject may be discussed and the honourable members are quite welcome to follow one of those ways but they ought not to try to discuss matters which according to parliamentary practice they ought not to.

**Shaikh Muhammad Sadiq :** I was just going to touch on the subject of prohibition but was not going to make a speech on it. First of all, I may start with the excise policy on cocaine. We find that for the last few years cocaine has been playing havoc all over India. This is a thing which we must put a stop to. What I want to discuss in this connection, if I am within my rights in discussing it, is whether the existing law for punishment for illegal possession of cocaine should be changed or not.

**Mr. President :** Perhaps the honourable member was not present in the House when I ruled a few minutes ago that suggestions as to legislation cannot be made in the course of a debate on the grants.

**Shaikh Muhammad Sadiq :** This point also being out of order, I shall proceed to the next point. Now, we find, Sir, in the whole of the Punjab a number of cases promoted by people on account of enmity. We find that cocaine is such a tiny substance that it can be easily slipped into the enemy's pockets and then he comes under the clutches of law. Consequently life in some of the towns becomes impossible. We know of hundreds of false cases brought in the matter of cocaine. I would ask the Government to take proper measures to see that before they challan a case they should fully investigate the case. They should not bring a case simply because cocaine is found in somebody's house.

**Mr. President :** I am afraid the honourable and learned member from Amritsar knows the difference between the administration of justice and the administration of excise. I think he is discussing now an aspect of the administration of justice and not the policy of excise and therefore cannot be allowed to speak in that strain.

**Shaikh Muhammad Sadiq :** Then, Sir, I will proceed to the next point (Laughter). I am not speaking about total prohibition at all, but I want to suggest to Government that they should adopt a policy which would effectively stop the use of alcohol. I know as a rule that prohibition is very difficult. It is very difficult to start at once on prohibition and to enforce it. There are, however, certain steps which we can take as a step in aid towards prohibition and that is we can try and diminish the use of alcohol. There are a lot of people who do not consider it a vice. At the same time there are other people, who drink and yet consider it good to stop the use of it.

**Mr. President :** I am afraid I have to ask the honourable member to resume his seat.

(Shaikh Muhammad Sadiq then resumed his seat.)

**Mr. E. Maya Das :** I beg to move :

"That the question be now put."

The motion was lost.

**Dr. Gopi Chand Bhargava** [Lahore City (Non-Muhammadan), Urban] (Urdu): Sir, the excise policy of the Government as stated before is 'to obtain the largest revenue from the lowest consumption.' Sir, I may say by the way that I will try to avoid the use of the words 'total prohibition' so that I may not also be ruled out of order. I think that the members are aware that the lowest and minimum consumption can mean the zero point which consumption of liquor should reach ultimately, i.e., there should be no consumption of liquor at all in the long run. But in spite of its declared policy and knowing as it does that the prosperity of India depends very much if the consumption of liquor is brought down to the minimum, the Government has taken no steps so far that would warrant that we are in sight of the goal. There can be no two opinions on the question of total prohibition and therefore I will not waste your time by quoting opinions and figures. The consumption of liquor has rather increased as is apparent from increased illicit distillation. Sir, as it has been ruled, we are not allowed to offer any remarks by way of suggesting any legislation or criticising any. I will not, therefore, offer any constructive proposals. However, I may with your permission, Sir, say that if it is really intended to prevent and check the evil of drink some prohibitive laws should have been made. We know that none can buy cocaine unless some registered medical practitioner may have prescribed it as a medicine for a patient. Not only that. So much care is taken to prevent the unauthorised sale of cocaine that the prescription of this nature is not returned to the person presenting it after he has taken once the necessary quantity. Similarly the sale of liquor can be stopped. Only those should be allowed to buy liquor for whom some registered medical practitioner may have prescribed it as medicine. I do not see any reason why such a step could not be taken when we know that the Government of the United Kingdom went so far as to make the importing and wearing of Indian cloth illegal and prohibitive in England when her cloth market was in the possession of India. Some sort of prohibitive taxes must be imposed if it is intended to bring down the consumption of liquor to a minimum. But it would appear that the Government is differently inclined to this important question. In support of my statement I will read a few lines from the Excise Report of 1923-24 and they are as follows:—

"In consequence of representations made by persons interested in temperance it was decided during the year to discontinue licenses for the sale of foreign liquor at bars of cinemas and theatres throughout the province. It was also decided to withhold licences of certain hotels wholly used by Indians and situated in parts of the municipal areas of Lahore and Simla chiefly occupied by Indians. The decision with regard to cinemas and theatres has been subsequently modified so as to permit licenses to be granted to these institutions on the recommendations of the local bodies within whose jurisdiction performances are given."

Soon after that the Lahore municipal committee passed a resolution on the 4th of April 1925 in which it withdraw the recommendations made previously by it. But in spite of the Government's professed desire and the withdrawal of the recommendations by the committees, we find that almost all the theatres and cinemas in Lahore have got licenses for the sale of liquor. It is no secret that most of the students frequent these cinemas and theatres and being young they are liable to give way to temptations of this nature. Under the circumstances we are not prepared to believe that the Government is anxious to bring the consumption of liquor to the minimum as it professes.

[Dr. Gopi Chand Bhargava.]

That is further proved by the fact that the Government is not giving financial help to the temperance societies. From a study of the local Excise reports it will appear that in 1924-25 fourteen offenders against Excise Law were arrested out of which seven were arrested with the help of the Lahore Temperance Society. Similarly in the year 1923-24 arrests of this nature were made and out of these 13 were arrested with the help of the Temperance Society. These figures undoubtedly show that the public at large is in favour of total prohibition. They further show that if private enterprises are financed by the Government they are sure to help the Government a good deal in preventing the evil of drink. The attitude of the Government towards other intoxicants also is not such as it is desired to be. I will make one more observation before I resume my seat. The policy of the Government as stated before is to obtain the largest revenue. But I am of opinion that in this respect too the Government is not following the right course. I think if prohibitive taxes were imposed on the consumption of liquor more revenue will accrue to the Government.

With these few words I support the cut proposed.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, I sincerely sympathise with the object of this motion. If I may say so, no one is more earnestly inclined to bring about the desired result and to introduce true temperance than myself. If I may say so, Mr. King who has been in charge of this department for very many years has been a sincere and a true friend of temperance. The question is not that the will to promote temperance is wanting but the question is how to do so. I can assure the House that I shall welcome any suggestion which the House cares to make to bring about the prevention of excessive drinking in the province. The way in which we are approaching the problem I am sure will meet the approval of the House. If you want to introduce total prohibition you will need a strong Excise Department to be able to give effect to your decision. We have taken the first step to strengthen the Excise Department to control drink and cocaine and other excisable articles. Secondly, we are doing all that we can to give effect to the Local Option Act. If I may say so, the Local Option Act is not a dead letter. The Local Option Act is there and it is for the people to avail themselves of the Act. In the matter of village shops when reviewing the activities of the department, I said that it is for the people of those areas to form temperance societies, to demonstrate by abstinence and prevention of illicit manufacture that the shop is not required. I draw the attention of the House to this. If in any area the people demonstrate by actual stopping of illicit distillation that a shop is not required, I undertake on behalf of the Department that in those areas we will close the shops.

In the towns you have got the Local Option Act. If there is any other remedy which the honourable members can suggest we shall welcome that remedy. As for our trying to raise the largest amount of revenue from drink, if I may say so, we are merely imposing a penalty on those who drink and that penalty is a valid penalty because by imposing this penalty we are again working in the cause of temperance. Sardar Narain Singh in his speech pointed out that the steps taken to reduce the habit of drink are not adequate. We are trying to do all that we can to make those steps adequate by raising

the price of liquor and by limiting the number of shops and by giving local option to people to abolish the shops in places where the people agree that they are no more required. I declare before this House that so far as the revenue question is concerned I am not worried. It is not that Government want to increase the revenue by putting a tax on drink. If I may say so, I should like to declare that I have the goal of total prohibition in view. I know the evil effects of excessive drinking. I know how excessive drinking is bad for the country; but the difficulty is how to proceed. Some of the previous speakers have pointed out that total prohibition had succeeded in America; that is not true, as has been pointed out.

**Dr. Shaikh Muhammad Alam :** On a point of order, Sir; the Honourable Minister is talking on prohibition.

**The Honourable Sardar Jogendra Singh :** I will keep that out. The latest report that I had read is by a Commission appointed in England and that report says that on account of education and better living, the drink habit is declining in England. I think that the Government is doing its duty. It is for the people now to combine and to co-operate with the Government in preventing excessive drinking. My complaint is that people have not thoroughly co-operated in the matter. I have already pointed out that we would welcome the co-operation of the temperance societies all over the country. We are very grateful to the temperance societies which have been helping us in this matter, and I hope that the co-operation between the Excise Department and the temperance societies will continue to grow. Government welcomes the advice and assistance which it receives from these societies though it is not always possible to act upon this advice. I hope the honourable members will see that Government wishes to do all that is possible to further the cause of true temperance. In view of the assurance given about the policy of the Government, I hope the mover will withdraw his motion.

**Sardar Narain Singh :** In view of the statement made and the assurance given by the Honourable Minister for Agriculture, I beg leave to withdraw the motion.

Leave to withdraw was refused.

**Mr. President :** Demand under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,82,800—Total District Executive Establishment."

The question is that that motion be adopted.

The motion was carried.

**Mr. President :** The question is—

"That a sum not exceeding Rs. 15,04,899 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March 1928 in respect of Excise."

[Mr. President.]

The Council divided ; Ayes 37 ; Noes 24.

AYES 37.

Lieutenant-Colonel W. H. C. Forster.	Khan Bahadur Shaikh Abdul Qadir.
Mr. C. A. Barron.	Mr. M. V. Bhide.
Mr. C. M. King.	Diwan Bahadur Raja Narendra Nath.
The Honourable Malik Firoz Khan,	Dr. Gokul Chand, Narang.
Noon.	Pandit Nanak Chand.
Khar Bahadur Nawab Muzaffar Khan.	Mr. Labh Singh.
Mr. H. M. Cowan.	Chaudhri Kesar Singh.
Sir George Anderson.	Chaudhri Baldeo Singh.
Mr. W. S. Dorman.	Rai Bahadur Lala Ratan Chand.
Mr. J. B. G. Smith.	Mr. Owen Roberts.
The Honourable Mr. Manohar Lal.	Dr. Gopi Chand, Bhargava.
The Honourable Sardar Jogendra Singh.	Lala Kesho Ram, Sikhri.
The Honourable Sir Geoffrey deMontmorency.	Sardar Narain Singh.
The Honourable Mian Sir Fazl-i-Husain.	Mr. V. F. Gray.
Mr. J. G. Beazley.	Sardar Bahadur Captain Dalpat Singh.
Mr. H. W. Emerson.	Sardar Bahadur Sardar Sheo Narain Singh.
Mr. B. H. Dobson.	Sardar Bishan Singh.
Mr. H. D. Craik.	Sardar Sahib Sardar Fateh Singh.
Mr. F. Keays Byrne.	Mr. E. Maya Das.

NOES 24.

Lieutenant Sardar Sikandar Hayat Khan.	Khan Bahadur Mian Muhammad Hayat, Qureshi.
Mian Ahmad Yar Khan, Daultana.	Chaudhri Umar Hayat.
Sayad Mubarik Ali Shah.	Rana Firoz-ud-Din Khan.
Sardar Habib Ullah.	Dr. Shaikh Muhammad Alam.
Mr. Din Muhammad.	Razada Hans Raj.
Rai Sahib Chaudhri Chhotu Ram.	Lala Bodh Raj.
Maulvi Sir Rahim Bakhsh.	Chaudhri Muhammad Abdul Rahman Khan.
Chaudhri Chhajju Ram.	Chaudhri Afzal Haq.
Sayad Muhammad Husain.	Sardar Hira Singh.
Chaudhri Yasin Khan.	Sardar Hari Singh.
Risaldar Bahadur Nur Khan.	Sardar Partap Singh.
Malik Khan Muhammad Khan, Wagha.	Sardar Santa Singh.

The motion was carried.

LAND REVENUE GRANT.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member):** Sir, I beg to move—

"That a sum not exceeding Rs. 40,01,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Land Revenue."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 40,01,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Land Revenue."

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadan), Rural] :  
Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 13,340—Total pay of establishment—Reafforestation (including chos area)."

I may, Sir, at the very outset submit that it is not my intention to press this motion to the vote. (Hear, hear). What I wish to submit before this House is to draw once more the attention of Government to the condition of the people in the Hoshiarpur district who have suffered on account of these chos. It was my privilege during the last three years to bring this question many times before the Council, and I am glad to say that Government has shown its sympathy with the wishes of the people of Hoshiarpur. After having spent four months in the Hoshiarpur district and having gone from place to place and after having studied the conditions on the spot and the action which is being taken by the Deputy Commissioner, I can say that Government has started taking a real and genuine interest in this chos question, but the policy that is being pursued in some matters, I submit, is not likely to succeed in stopping destruction which these chos work in the district, and therefore with your permission I would place before this House certain matters for their consideration and the consideration of Government.

Last time, Sir, when an amendment to the Land Preservation Act was made, it was provided in the Act that Government under the Act instead of taking lands of the Hoshiarpur people permanently will take possession of their lands not permanently but for a limited period. This Chos Act is being applied mainly to the place which is called the Siwalik Range of the Hoshiarpur district. There are a large number of proprietors who own a large amount of land in these tracts and Government in order to grow forests on these tracts takes possession of the land which belongs to the people under that enactment, the object clearly being that the people try to cut off the trees growing in those tracts and thus allow the water during the rainy season to flow with great velocity and work destruction in the plains. In taking possession of these areas the intention of Government is to grow forests thereon, and when they have grown and the velocity of the hill torrents is prevented, they will make over those areas to the people again. My submission is that if this thing is done, if after the forests are grown these tracts are made over to the people again, what is there to prevent the people from cutting down these forests and making the land as barren of trees and shrubs as it is to-day. The policy has been pursued by Government for the last twenty-six years. This Chos Act was passed in 1900. Under this Act 130,000 acres of land have been taken away from the zamindars and from the proprietors of the Hoshiarpur district and Government has been trying to grow forests thereon but it was admitted by the Honourable the Financial Commissioner that so far that policy has not been very successful and Government will now try to make it more successful. My submission is that even if Government were to succeed in having these tracts all covered with forests, the policy will fail

[Pandit Nanak Chand.]

when these tracts are made over to the people again. As I submitted in the beginning, what is there that will prevent these people from cutting the forests again and making the hills barren? Government will again be obliged to apply the Chos Act, take back the land, grow forests and then make over the tracts again to them. What is there, I submit, which will prevent this process going on for any number of years? I submit that there is only one remedy and one only and that is that the people should be compensated by a grant of land in other tracts and all their lands should be acquired by Government permanently. The people of the Hoshiarpur district, the viswadars, the cultivators, the agriculturists, will welcome this action of Government, and I can say that they will be very thankful if Government takes away their land and in return for it gives them land irrigated by canals, either in Montgomery or Multan or any other canal-irrigated area. By doing this Government will be permanently solving this problem. It was admitted by Government last time that it was not the intention of Government to take possession of the people's land permanently, that their intention was only to retain these lands for a short time and I submit that the process which I am afraid will continue will not solve this very difficult problem.

Anyone who goes to the Hoshiarpur district and looks round will find that thousands of acres of land is now turned into sand on account of the action of these chos. Just as Government has begun to realise the serious nature of the damage done, it is the duty of Government to make such provision that the people may not destroy these forests again, when the lands are made over to them. That is one of my submissions to the Government Member who is in charge of this department.

Then the Honourable Financial Commissioner was pleased to announce on behalf of Government that in order to induce people to plant trees and reclaim the land which is destroyed by the chos, Government will remit the land revenue on the other cultivated land. Supposing for example, a viswadar or a proprietor owns  $2\frac{1}{2}$  acres of land. One acre of land has been destroyed by the action of the chos. If the proprietor grows trees on that land, Government will remit the land revenue on the other  $1\frac{1}{2}$  acres of land. It was a concession which was gladly accepted by the people and wherever I went I told the people that if they were to demand full benefit, they should co-operate with Government in this matter. But I find that this concession is only granted to the people who live in the plains. If Government is not prepared to accept my first suggestion, then my submission would be that even those proprietors who have got their lands in the Siwalik Range, should be granted this concession, that if they were to make a forest or if they were to grow trees, they will also be similarly treated and will be granted the same concession. If the first proposition which I have submitted before the Government is not accepted, then the people will welcome this second proposal. The concession that was announced by Government last time is granted only to those who live in the plains. I submit that Government should declare that those people whose land lies in the hill tract, that is in the Siwalik Range, they will also be similarly treated if they help in growing forests in their land.

My third submission would be that in order to induce them to part with their lands to Government they should be placed on the same footing as those whose lands are destroyed by the action of the river or of the chos.

It was announced, I think, by the honourable the Financial Commissioner for Development that those people whose lands are destroyed by the chos will have some concession for acquiring lands in the new colonies just as those people whose lands are destroyed by the rivers. I submit that those people whose lands are taken away under the Chos Act by the Government should also be brought into line with the people whose lands are destroyed by the chos. That would be also an inducement to the people to help the Government in its policy of re-afforestation.

Then, Sir, I had an opportunity of observing various places where the chos had made great havoc. There are certain villages which are liable to be swept away in the next rainy season. Here I wish particularly to mention the village of Jajjaon. I had actually seen the place and the heart-rending sight of the village. If something is not done before the next rainy season to stem the tide of the chos, it is possible that a great portion of the village will be utterly destroyed. There are people living there who have got valuable buildings, whose houses are very costly. All these houses will be washed away. In the last rainy season and before that a number of houses had already been swept away. I explained this matter to the Deputy Commissioner, but it is a question of money. If the Government will not come forward with a very generous grant of money to save this village of Jajjaon and other similar villages, I submit that they are bound to be swept away in the next rainy season. At least there would be a great damage done and there is a great apprehension of lives being lost. I will not here mention my own village where the chos are going to enter into the very thick of the population. I will leave that alone. But there are various other villages which are in a similar state and which are bound to be adversely affected and where human lives are bound to be lost and the habitations are bound to be swept away in the next rainy season. Sir, the Hoshiarpur district is a district of small cultivators and small peasant proprietors. There the proprietors, the owners of land, are unable even to make their living. The average holding in that district is four to six acres of land and the lands are *barani*. On the one side the river Beas and the river Sutlej are creating the greatest havoc. On the other side there are the hill torrents which intersect the valuable pieces of land from place to place. Government, I must admit, during the last three years has taken a genuine and living interest in the matter, but I wish to draw the attention of the Government to the dangerous condition in which a number of villages in that tract now are. I would like the honourable the Financial Commissioner to institute an enquiry at once and to make proper provision for the protection of those villages and those small towns which are likely to be affected by these chos or by these hill torrents. Sir, with these few words I wish the question to be discussed by the other members of the House. Otherwise the honourable the Financial Commissioner may explain his policy on this point.

**Mr. President :** Demand under consideration, motion moved—

"That the total grant be reduced by Rs. 1 with respect to the item of Rs. 13,340—Total pay of establishment—Reafforestation (including chos area)."

The question is that that motion be adopted.

**Mr. C. M. King** (Financial Commissioner) : Sir, I understood that Pandit Nanak Chand wanted some other members to discuss this subject and so I waited to see whether any other member would get up to speak. As no one has got up, I rise to explain the exact position of the case.

First I must thank the honourable member for Hoshiarpur for his appreciation of the steps which Government has already taken for mitigating the lot of the people whose lands have been damaged by the chos. Pandit Nanak Chand is not one of those critics of Government whose only way of criticising Government is always to say that Government has done everything bad and nothing good. He has generously appreciated all that has already been done and he in his speech merely suggests certain other steps which he wishes that Government should take. The first point made by the member for Hoshiarpur is the suggestion which he made last time when this question was discussed in the former Council, namely, that the whole of the area of the Siwaliks, or practically the whole area of the Siwaliks should be acquired by the Government in exchange for the lands in the Sutlej and that the area so acquired should be permanently re-afforested and that it should not be temporarily taken charge of and then after afforestation handed over to the people. He thinks that if we hand over the afforested area to the people the result would be that the forest will again be destroyed. Therefore he wishes Government permanently to take charge of the area and grow forest there which will, of course, stop the damage which is being done by the chos. This proposal really amounts to this, that we should acquire six hundred thousand acres of land. Although Pandit Nanak Chand has conceded that it is impossible to acquire this vast area on the acre to acre basis he had not exactly said on what basis it should be acquired. I imagine that the very least would be on a half acre per acre basis. Even that would amount to close upon 300,000 acres. There is only one place I know of where land will be acceptable in exchange for this area and that is the area commanded by the Sutlej Valley Project. If you take away 300,000 acres of the land commanded by the Sutlej Valley Project then the member will realise the diminished prospects of that project. He will also realise at once that the proposition is impossible even on the basis of half an acre to an acre.

There is yet another point that should be considered. The people from whom these lands are to be acquired are not the sole users of the lands. Those lands are very largely used by the inhabitants of other villages, villages to which the lands do not belong, for grazing their cattle. How are you going to compensate those people, the persons who although they are not the actual owners of the lands have yet acquired certain rights over the lands? No suggestion in that respect has been made. Presumably those persons will be left as they are and they will still retain the rights of user over the forest area which is to become the property of the Government. If you once admit that condition, you will then see that the position will be very little better than what it would be if Government only temporarily

excluded from this forest area all grazing animals until the forest was fully developed and then handed the forest area back to the people. Because it is impossible to conceive that Government could exclude from the forest area all those people who have for generations been grazing their animals and for whom the forest is a source of great profit. That is the second point.

Taking these two matters together, it will be seen that the suggestion made by the honourable member for Hoshiarpur is quite impossible. We have to deal with facts as they are. We have here a large area of forests. We are going to do our best to re-afforest that area under certain conditions and after having re-afforested we shall re-admit the people to their rights in the forest. It is probable that we shall not re-admit them to the full rights that they were exercising before. This right will be regulated and restricted in such a way as to ensure that the forest shall not be permanently damaged. I am a little doubtful whether the Chos Act will permit us to impose any restrictions on the rights of the owners of these lands. It is possible that some slight amendment of the Act may be necessary to ensure that the Government having made a very valuable property for the owners of these lands shall not allow the profit of the land to be destroyed in the way in which it has been destroyed in past years. If something is done in this year then I see no reason to anticipate that second complete destruction of the forests which is anticipated by my friend the member for Hoshiarpur. I do not know how long it will take to afforest this area. It may be 10, 20 or 30 years. Meanwhile I hope that the people will be educated in various ways, such as by co-operative societies and by other means which it is impossible at this early stage to visualise, to preserve the forests so that they may be proud of their property and see that it remains intact for future generations. This is the position that we are taking in this matter. I think the honourable member will agree and the whole House will probably agree with me in thinking that this scheme though not so efficient at first sight as to ameliorate completely the condition of these cho areas as the complete acquisition of these lands, at any rate is the more practicable scheme and I hope that it will be accepted by my honourable friend.

The second proposal that has been made by Pandit Nanak Chand is that the concession as regards the remission of land revenue which is being granted with respect to areas which have been destroyed by chos should be extended to these hill areas. I do not know what he meant by that. He, I presume, had the impression that in the hill areas as in the plain areas chos had a destructive effect and destroyed land. That is not so. In the hill areas there is very little land which is actually destroyed by rushing torrents. The destruction all takes place lower down when the torrent debouches on to the plains. In the hills where the river is restricted between solid rocks there is practically no destruction from the torrents, however great the volume of water which it may contain. Therefore there is really no necessity to make any provision for the grant of remissions of land revenue over areas destroyed by chos in the hills. Provision has however been made for the remission of land revenue on the basis, I think, of ten acres to one acre where villagers combine together to protect certain areas in the hills and to plant them

[Mr. C. M. King.]

with forest growing shrubs, such as *sanatha* and other trees. I do not think that is a point which has been understood by Pandit Nanak Chand; at any rate he did not mention it this time. I think the fact that we are making this remission in certain hill tracts under certain conditions which are quite different from those on which we are granting remission of land revenue in the plain areas may have missed his attention.

A third point is the destruction, or the threatened destruction of certain sites of villages in the plains and the honourable member for Hoshiarpur has asked for a definite declaration of policy with respect to that. He asked first that there should be an enquiry. I think the Honourable the Revenue Member will agree that we should certainly ask the Deputy Commissioner to enquire into this matter and see what can be done for the protection of these village sites. No one wishes to see any village site destroyed and if at a reasonable cost, we can temporarily divert the streams so as to save these village sites this year we shall endeavour to do so. But I must point out that any such protection granted to these village sites will be temporary; it must be only temporary in the very nature of things. The permanent danger to these villages is due to the chos and that permanent danger can only be averted when we stop the force of water rushing through the chos and that force of water can only be stopped when we have our forests in the hills. I think it may be advisable to spend a small sum of money to protect temporarily village sites in the hope that this temporary protection may divert the stream to a path where it can no longer threaten the site. Although we can do that and with some hope of success as has been done, for instance for the city of Hoshiarpur itself, yet we can never hope for anything really satisfactory from such protective works. We must look mainly to our re-afforestation in the hills. That then is the position of Government and I hope my honourable friend Pandit Nanak Chand will be satisfied with the explanation I have given and will withdraw his motion.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan), Urban]: Sir, it is curious that I should get up and speak after the policy has been declared by the Financial Commissioner. Although I do not know much about this, after a little conversation with my honourable friend from Hoshiarpur sitting to my right I find that there is something of importance in his speech which deserves attention of this House and particularly the attention of Government. I entirely agree with the Financial Commissioner that the only way in which the havoc threatened by these chos can be prevented is by re-afforestation of the areas which are lying at the foot of the hills. But there is one question which either I have not been able to follow the honourable the Financial Commissioner or he has not answered it. The one thing which I have not been able to understand is this. These people whose lands have been taken by the Government ever for a period of 25 years or so have been deprived of their lands for this period in the interest partly of themselves and mainly in the interests of those whose lands lie next to theirs in various parts of the district in the plains farther away from the foot of the hills. If that is so, I have not been able to follow the gain to the owners of these lands. If I have been able to follow the debate it comes to this: that those people have been temporarily deprived of their lands and those lands will be planted with forests. After

25 years when the woods are sufficiently grown up, lands will be made over to the owners. The only gain that one can see from this arrangement is that whereas they are parting with lands which will not produce anything, they will have certain woods standing on those lands. The difficulty that I find in this arrangement in spite of this is that if they do not touch the forests and do not derive any gain from those forests in the form of timber, etc., they get absolutely no compensation for having been deprived of their lands for 25 years and for the further period during which those forests would stand on those lands. If they do cut the forests, then the very object of re-afforestation would be frustrated because after a long period spent in re-afforestation there will be de-afforestation again and lands lying behind those lands would be again liable to chos action and will be liable to be flooded and in fact corroded by the torrents coming down from the hills. This is the problem which really faces those people who are affected by this compulsory acquisition of land by the Government for the purpose of re-afforestation and I have not been able to see what compensation is being given to those people, if any at all. Keeping this in view, I think the honourable member, Pandit Nanak Chand's suggestion that some sort of compensation should be given to the owners of these lands in the form of land is perfectly reasonable and deserves greater consideration at the hands of Government. If the figure given to me by my honourable friend is correct the area of lands acquired is something like 180,000 acres. He did not seem to agree with the figure quoted by the Financial Commissioner. But if I caught him aright he said something like three lakhs of acres. I do not know now which figures are correct. Both have made a special study of the subject. There is room for correction of the one by the other. It does not really matter whether it is 180,000 acres or whether it is 300,000 acres, if some *modus operandi* can be devised to redress the grievances of these people. There is no doubt that even if it is 180,000 acres, it will be a great problem to give these people an acre for an acre. For one district to find 180,000 acres anywhere in the proper locality would be really very difficult and almost impracticable. But I would suggest that it is not necessary that they should be given an acre for an acre. It is enough if they are given something less in places where lands can be of some use to them. I think my honourable friend's clients ought to be satisfied with that and they would be very grateful to the Government even if they get half an acre for an acre of which they are deprived for the purposes of re-afforestation. I have already explained that they are being practically deprived for ever because for 25 years the little cultivation that they could carry on on these lands will be carried on and after 25 years when the land is planted with shrubs and some sort of trees to keep off the floods or at least to break their force the lands would still be unfit for cultivation: so that they are being practically deprived of these lands altogether. It is only just and fair that some compensation should be given to them either in cash or if the Government cannot afford to give them in cash the best thing, as is sometimes generally found convenient in land acquisition cases, is to give them land for land although the area need not be the same. Fortunately there are certain areas which will be available to the Government for this purpose, for instance in the Nili Bar, and I think it will be good if a certain area, a decent area of land is set aside to be given to these people in lieu of the lands of which

**Dr. Gokul Chand Narang.]**

they will be deprived. My submission is that they should be provided with some lands in the Nili Bar. I do not know whether I have thrown further light on this subject, but certainly the difficulty that I have felt I have put before the Financial Commissioner and before the House. I think myself and particularly my honourable friend to my right would be obliged and the whole House would be obliged if the Financial Commissioner or some other Honourable Member from the Government benches would throw further light on this matter as to how these people are to be compensated for the loss that they are bound to suffer by being deprived of large areas aggregating to 130,000 acres.

**Mr. C. M. King :** Sir, I should like to explain.....

**Mr. President :** The honourable member cannot be allowed to speak a second time. After the mover of the motion has made his reply, the Government member has the right of reply.

**Mr. V. F. Gray** (Punjab Chamber of Commerce and Trades Association, Commerce) : Sir, I would like to make a short comment on the debate. I am afraid my knowledge is not greater than that of the last speaker, but he seems to have misquoted the figures given us by the Financial Commissioner. He talked of 8 lakhs of acres of land, whereas the Financial Commissioner's estimate was 6 lakhs. Now what is in front of us is, whose figures are right, those of the honourable Financial Commissioner of 6 lakhs of acres or those of the honourable member from Hoshiarpur of 130,000 acres? Even assuming that it is 130,000 acres if you are going to give them half an acre per acre of land worth about Rs. 400 an acre, that comes to over 2½ crores of rupees, which is an enormous amount. You may have the land available from the Sutlej Valley Scheme, but we must pause before handing such huge compensation away. As regards the point as to whether they have been totally deprived of their land or can use them conditionally, I too await further enlightening by Government. My only object really was to draw the attention of the House to the fact that the figures used by the last speaker were wrong.

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadian), Rural] : Sir, the first question I wish to answer is whether my figures are correct or whether the figures given by the honourable Financial Commissioner are correct. So far as the position of the Government with regard to these lands is concerned, I will submit at once that I got my figures from a memorandum which was given to us in the session of the Council which was held in last July in Simla. In that memorandum it is stated that 130,000 acres of land have so far been acquired by the Government and taken possession of by them under the Chos Act. What I understand the Financial Commissioner to mean is that 6 lakhs acres of land exist on these Siwalik hills and out of which 130,000 acres of land have so far been acquired by the Government under the Chos Act. These figures I got from the memorandum supplied to us by the Government in last July and if those figures are incorrect they ought not to have been put down in that memorandum.

Then another argument was used that the Government cannot possibly make over land worth 2½ crores of rupees to people of one district. I respectfully submit that this is a very strange argument. Here is a Government which is responsible for the welfare and prosperity of the people at large. Here are the people who have been living on these hills and who are now being deprived of their land not for their benefit, but for the benefit of other people, for the benefit of the whole district and the Government comes and says, "we are going to take possession of your land for over 25 years and in a way permanently, but we are not prepared to compensate you by the grant of lands." This is an extremely strange and ungenerous argument on the part of the Government. Government is bound to compensate those people who have to be deprived of their houses, of their proprietary rights, not for their benefit but for the benefit of others. There is a misapprehension that the lands of these people whose lands have been acquired lie at the bottom of these hills. As a matter of fact their lands lie in the Siwalik mountains themselves where the rain falls and where these people carry on cultivation and grazing and other occupations. I happened to go to one of these hills in the Hoshiarpur district and I was told that in that place Government acquired large areas of land and the people who used to subsist by grazing their cattle on these lands and selling the milk of their cows and buffaloes cannot approach these lands now, with the result that they have now to suffer. They cannot now keep these cattle; they cannot undertake cultivation, because they have no land. What are they to do? They would not have suffered if their lands were allowed to remain with them. As I submitted, it is for the benefit of others that their lands have been taken away from them and then you say 'we cannot spend 2½ crores of rupees for your sake.' It is I submit a very strange argument and coming from the Government benches it is very ungenerous. Now, Sir, my submission is that if the Government were to take over the lands in these tracts realising the full value of these lands, let them do so by granting the people concerned more generous concessions than are ordinarily given. Let them be more generous in taking the price of the lands from these people. Instead of getting the prices of these lands in 3 or 4 years, let them spread them over a number of years, say 20 or 25 years. I really cannot accept the suggestion put forward by my honourable friend, Dr. Gokul Chand, Narang, that they should be compensated in money, because if you give them money they will spend it in a day or two and they will be reduced to beggary. I want they should be given land so that they may be able to live on peaceably and comfortably. This I respectfully submit, is a very reasonable suggestion which I make. (A voice: For more votes?). I do not care if the number of voters is reduced. I have their well-being at heart. I am here to protect their interest and not merely to get their votes. Now, Sir, I respectfully submit that this is really a very serious problem. Last time wherever I went I was surrounded by a large number of these people and they said: "Last time we sent you to the Council, again this time we send you. Here are our grievances; here are our difficulties. What have we gained by sending you to the Council?" Therefore I submit these are the grievances of these people and it is my duty to place them before the Council. When I have done that I have done my duty. The Government as being responsible for the welfare and prosperity of the Hoshiarpur district, ought to consider the problem more seriously. The

[Pandit Nanak Chand.]

Government, I respectfully submit, are increasing the difficulties so far as these people are concerned. They passed an Act 25 years ago the object of which was to grow forests on these lands. For over 25 years the Government have gone on doing this work or rather not doing this work. There are no forests; but even taking into consideration the fact that they will have to wait in another 20 or 25 years, these people do not gain anything. It is no argument saying we have so much, we cannot give anything. If that is so, let them close the book and finish the whole thing. They are responsible for the welfare of this district and unless they make a satisfactory arrangement, I am going to make myself a nuisance in this Council. (*Hear, hear*).

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I had intended to pay a visit to the Hoshiarpur district, especially to the chos area, to familiarise myself with the conditions prevailing there, hoping that when I had seen the place and imbibed the local atmosphere I would be in a position to make a really good and impressive speech in this Council, and to contribute towards the solution of this vexed question. The honourable mover of the amendment, knowing the difficulties of the problem, was very modest in his demand in the speech with which he moved the amendment. But later on the discussion came into hands which were no doubt strong but perhaps not so very well versed in the difficulties of the problem, so in his second speech the honourable mover mustered courage to open his mouth wide and perhaps far too wide for the Punjab to be able to satisfy him. (*Hear, hear*).

**Pandit Nanak Chand**: I opened my mouth wide literally also, but not so very wide.

**The Honourable Mian Sir Fazl-i-Husain**: However, I will try very briefly to place before the Council what the problem is. One might divide the Siwalik ranges which are, I believe, a source of beauty to the district but at the same time a source of considerable annoyance to certain parts of the districts into distinct groups, the upper reaches, the lower reaches, and the plains. The upper and the lower were well wooded before the British administration came into being. We had the good old Sikh Raj, and people were then busy with their pleasant vocations in villages, producing enough to live, but not living to produce. There were not many large cities or towns, and the forests were left unmolested. In that simple life there was not any very considerable demand for fuel supply. Later on, the British administration with its many blessings brought some troubles also. As soon as people got settled, and towns began to grow and the number of people increased in the towns, the demand for fuel and development of industries needing fuel created new problems. When developing the industries these great industrialists proceeded to the woods to cut down the trees and started the industries that one has heard of in and about Hoshiarpur. The cattle, the goat, and the sheep grew in number and played havoc with the lower ranges of the Siwaliks. Towns had to be built, the earthenware oven and the brick kilns had to be fed, and these woods were cut to meet the demand and we are to-day paying the price for that industrial

enterprise in the sixties and the seventies of the last century. The thing grew from bad to worse till in the eighties the local officers from time to time became most apprehensive and said that steps should be taken to protect what has been left of the forests.

**Pandit Nanak Chand :** Will the Honourable Member be pleased to explain what is the industry which has disappeared as a result of deforestation?

**The Honourable Mian Sir Fazl-i-Husain :** It no longer exists. Fuel having gone, the industry has gone.

**Pandit Nanak Chand :** But what was that industry?

**The Honourable Mian Sir Fazl-i-Husain :** Town buildings, timber needed for them, and fuel for brick kilns, and for kilns for the earthenware industry. Thus were the forests ruined with the result that the upper reaches were not able to control the hill torrents. What happened in the eighties and nineties in the lower ranges? They were simply ruined by these hill torrents, and threatened to carry further ruin into the plains. What was to be done? The only thing was to try to reclaim them. It is 130,000 acres of this land which Government has not acquired in any way, but is trying to reclaim not for itself, not for the province as a whole, but for the benefit of the very owners of that land. I have been misunderstood by the honourable members to have said that Government has acquired that land for which the owners have to be compensated. This 130,000 acres of land is the land on the lower reaches in the Siwaliks which has been ruined by the hill torrents and which Government is now trying to reclaim for the benefit of the owners. I fail to see wherein the question of compensation comes in. How does Government render itself liable except that it be that Government did not make a law to prohibit the deforestation of the Siwalik ranges by those who had vested rights in them. Let me assure the House that when I say that Government has no responsibility in the matter of compensating the men whose lands have been ruined by these hill torrents, I do not mean to say that Government is not most sympathetic and is not most anxious to reclaim them and is not prepared to spend as much money as this Council permits us to spend on it in order to reclaim the land. If it cannot reclaim, at all events it will do its best to prevent the area of this land increasing, as it was undoubtedly increasing before 1901.

It has been said that this Act has done no good. If it means that this Act has not succeeded in reclaiming the land that was already damaged, it is perfectly true, but if it means that as a matter of fact further increase in damaged area has not ceased then this criticism is not well founded. As a matter of fact I have got figures to show that since the introduction of the Act the damage that had continued to increase from time to time has come almost to a standstill. That is so much to the good. As the honourable member knows we have taken steps to prevent even these lower reaches from being ruined by the hill torrents. As I have said the problem is an extremely difficult one. There may be several members who later on will say that there are hundreds of villages which have during the last 30 or 40 years been swept away by rivers changing their courses.

**Pandit Nanak Chand :** But these are preventable.

**The Honourable Mian Sir Fazl-i-Husain :** Is there a thing which is not preventible? If money were no consideration, one could prevent a river damaging a village. Engineering skill, money, and stone being available, inroads of a river can be checked, but the question is to be looked at from a practical point of view.

How far can the State accept liability in the matter? One has to see that whatever is done is done in the best interests of the province as a whole. After all Government has not got a private pocket out of which to spend money on any particular scheme or on any particular class of people. If I am to compensate the Hoshiarpur constituents of my friend, I will have to tax the constituents of the remaining 70 members of the Council in order to get together the money which is to be paid to the other people. I am entirely in the hands of the Council. If they want me to give an undertaking that Government will compensate all those whose lands suffer from hill torrents—and they are not only in the Hoshiarpur district but they are also in the Ambala district; they are not only in the Ambala district but they are also in the Jhelum district and the Dera Ghazi Khan district (*A voice : Gujrat ; another voice : Kharian*); they are in Gujrat and Kharian and I can go on multiplying the number of deserving cases to such an extent that all other members will probably say that this is a sort of quixotic venture on which the Revenue Member had better not start. I am afraid the real object of this amendment is being more or less left in the lurch while we are entering upon a theoretical discussion. I assure the honourable member however that this academic question will not make Government modify the policy it has adopted in the matter. Government has made up its mind to pursue the policy of doing its very best to help all those tracts which are suffering from these torrents. Everything that can possibly be done within the money available will be done. The rights of these people to share in *abadkari* grants will be as much recognised as those of the people who are suffering from the attacks of rivers. These men will have their chance along with others.

**Pandit Nanak Chand :** Those whose lands are acquired under the Chos Act?

**The Honourable Mian Sir Fazl-i-Husain :** It is the wish of the State to help to reclaim the land of the unfortunate people who have had their land ruined by hill torrents. The State wants to help the men who have suffered because of this act of the torrents due to the fact that the owners of the upper reaches have denuded their holdings of the forest and the torrents come down and ruin these lands. I have great sympathy for those men because they have suffered not because of their own neglect but because of the selfishness of the man on the top. But I cannot go beyond that and commit the whole province to recouping every man who has suffered because of the mistakes of the man in the upper reaches. The revenues of the province will not permit that.

**Pandit Nanak Chand :** Sir, after hearing the Honourable the Revenue Member, I am convinced that he should pay a visit to the Hoshiarpur district and consult those people and not read something from the novel. I beg leave to withdraw my amendment.

The motion was by leave withdrawn.

**Sayad Muhammad Husain** [Montgomery (Muhammadan) Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 31,700—Total re-settlement of Riverain Estates."

Sir, my object in moving this amendment is to draw the attention of the Government to the question of re-settlement of Riverain Estates, that is, of those parts of Montgomery and Okara, which are situate on the river side and to request that the proposed re-settlement should be postponed. In the past it had been the policy of the Government that an interval of ten years was usually allowed so that the tenants who had come from other parts of the country might be able to clear up the lands and derive certain benefits from the proceeds thereof. Likewise in the districts of Lyallpur and Gujranwala settlement operations of those parts were first held which were first colonized. Sir, the settlement operations of Gogera branch were held last of all. Sir, the settlement operations are going to be held on the Lower Bari Doab tracts on 1st of October 1927. Let us see when these tracts were first colonised, wherefrom the tenants came? How much time has passed since the first settlement took place? The arguments given in the memoranda are not convincing at all.

**Dr. Gokul Chand, Narang**: Will the honourable member please make his point clear?

**Sayad Muhammad Husain**: Very well, Sir. Sir, the Government have always allowed an interval of ten years. I think that my honourable friend the Raja Sahib would support my assertion.

At this stage the Council adjourned till 2 P. M. on Thursday, the 17th March 1927.

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## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Thursday, the 17th March 1927.*

THE Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### LAND REVENUE GRANT (*concluded*).

The following motion which was moved by Sayad Muhammad Husain on the 16th March 1927 was deemed to have been withdrawn as the member who moved it was not present when called on by Mr. President to finish his speech :

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 31,700—Total re-settlement of Riverain Estates."

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,63,000—Colonization operations."

I have tabled this amendment for a dual purpose. One is that the lands should not be sold by auction. My reasons for the same are that the prices obtained through auctions are not always the economic prices of land. As an honourable member of the Council observed the people while purchasing land at auctions are simply beside themselves and pay more than reasonable prices which they have often to collect by mortgaging or selling their old properties or borrowing in some other way. Sometimes when they cannot get money in this way they have to forfeit their advance money. We should, therefore, fix a maximum price for the land rather than let the people raise its value to an inordinate extent. My second reason for moving this cut is that the land should not be sold to capitalists. This is advisable neither from economic nor from political point of view. The experience of other countries should tell us that this will lead to untoward results. The owning of land by capitalists has everywhere led to very undesirable results. Look at Bengal and Oudh. The condition of the people there is really very deplorable. A few millionaires own the whole of the land and the poor tenants sweat and labour for the swelling of the pile of the landlords. The result of all this is that landlords become ease-loving, demoralised and immoral on account of the plenty in which they live while the country benefits in no way by their wealth nor do the poor tenants get enough living. This is the reason why there were agrarian troubles in Oudh during the days of non-co-operation. If you want to create the same state of affairs in the Punjab, you are welcome to sell the land to capitalists. But this will be harmful from the point of view of agriculturists as well as the Government. We must not help in creating profligate landlords who enjoy at the cost of the poor labourers and tenants.....

**The Honourable Mian Sir Fazl-i-Husain :** Does the honourable member include the landed proprietors among the capitalists or not ?

**Rai Sahib Chaudhri Chhotu Ram :** The Honourable Revenue Member has asked whether I include the landed proprietors also among the capitalists, those people who own huge areas of land.....

**The Honourable Mian Sir Fazl-i-Husain :** It is not necessary that they should possess large areas.

**Rai Sahib Chaudhri Chhotu Ram :** I will not include those people in this category who purchase land for love of agriculture or because agriculture is their profession, but I will include those who invest money in land merely for the purpose of obtaining a return in interest for the money they invest. I was submitting that wherever land is in the hands of a few, very undesirable results have always taken place. The honourable members perhaps know that till the middle of the 19th century, Japan was in the grip of landlordism. Its land was held by a few big landlords. But the wise men of the land realised that that was not a very desirable state of things. They, therefore, probably in 1866, decided that the land should be given to those alone who cultivate it and the then existing system should be discarded. The same was the case in Ireland. There even the Government had to purchase lands from big landlords in order to give it away to agriculturists, cultivators. The object of my quoting these instances is to show that a thing which has been the cause of evil consequences in other countries is sure to create the same sort of results in our province as well. It will probably necessitate the same sort of measures as were used in Ireland. Another evil which will follow will be that the capital which should be utilized in expanding trade and industry will be invested in agriculture. We need development of our industries so that we may be able to consume our own raw products, produce our own finished articles and meet the needs of the people. If land is not sold to capitalists they will invest the same money in industry which will provide work for our young men. One more thing to which I want to draw the attention of the House is that if a very large portion of the Nili Bar is sold to capitalists, it will have its effect on the composition of the Council. If the land is in the hands of a few big landlords, who have influence over their tenants, they will not let the votes of the cultivators go to candidates other than those belonging to their own class, however able and patriotic the rival candidates may be. This will have a very bad effect on the constitution of the Council. I, therefore, submit that the lands which are set apart for sale by auction in the Nili Bar should be sold to agriculturists on a fixed price, and the price realised from them by easy instalments.

**Mr. President :** Demand under consideration, motion moved :

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,63,000—Colonization operations."

The question is that that motion be adopted.

**Diwan Bahadur Raja Narendra Nath [Panjab Landholders' (General)]:** Sir, at the very outset of his speech the honourable mover of this motion made a reference to the few remarks which I made in the course of my budget speech when the budget was being discussed. I am afraid he has misunderstood the meaning of what I said or what I intended to convey. I did not mean that

auctions should be stopped altogether or that Government should not sell crown lands by means of auction. What I meant to say and what I did say in clear terms was that an upset price should be fixed by officers conducting auctions and when that limit is reached in the course of bidding, a stop should be put to the auction and bidding. The plan suggested by the honourable mover is impracticable and would land Government in many difficulties. If a price is fixed beforehand and the lands are offered to persons for sale, probably for each square there would be 200 men who would be prepared to offer the fixed price. How will it be possible to select the person who is entitled to get the land? If the sale is confined to zamindars and a certain plot is put up for sale there will probably be 100 men of the same tribe who will be prepared to offer the price fixed by Government. To whom is the Government going to sell the land? Who is to take possession of the land? Then, I think, Sir, he has undervalued the services in the cause of agricultural improvements which capitalist landlords are able to render. Before the Royal Commission for Agriculture many of the witnesses have said that the chief obstacle in the way of zamindars introducing new methods and adopting scientific implements is that they cannot raise money. They have not got sufficient capital and they have to borrow money which they get at exorbitant rates of interest. The capitalist landlord is the only class that is able to introduce scientific experiments and advanced implements of husbandry. To the question put by the Honourable the Revenue Member the honourable mover has given no satisfactory reply. How is this discrimination to be made between a capitalist owning lands and a capitalist not owning lands? The honourable mover hints that capitalists who belong to agricultural tribes should be allowed to bid. Non-agricultural capitalists who have got no lands should not be allowed to bid or should not be allowed to offer price for the purchase of land. In the first place, it would accentuate and carry to extreme limits the caste and tribal discriminations which we already deplore and which exist in the Punjab and nowhere else. In the second place, I do not think that he will be able to save the capitalist landlord class from all the obloquies which he has been able to hurl against the capitalists. If he were to refer to the census reports, he will find that within the last ten years the number of rent receivers has increased as compared with previous years although restrictions on the sale of the lands have been the same within the last ten years as they were before. It is very difficult to distinguish between the well-to-do land-owners who do not till the soil with their own hands and the land-owners who cultivate the soil with their own hands. My honourable friend the mover of the motion will probably confirm me when I say that the moment a man's holding exceeds 50 acres he sits quietly at home and he cultivates his lands through servants employed on fixed salaries. That class of servants is called *kamas*. So the tillers of the soil are very few and it would be difficult for an officer conducting sales at an auction to distinguish between a person who has been tilling land with his own hand and a person who employs *kamas* and servants to till his land.

Then, Sir, how is the Government to pay off the large sum of money which it has raised by means of loans if the price of the land is going to be restricted in the manner that the honourable mover has proposed? I do not remember the exact figures but large sums of money have been raised to

[Diwan Bahadur Raja Narendra Nath.]

finance the irrigation schemes which have been launched into the province and Government has undertaken to pay a certain rate of interest on the calculation that they will be able to raise a certain amount of money by sale of lands. If they were to fix a price and not allow public auction they will not be able to raise the amount of money that they have calculated on the basis of calculation of which they have fixed a certain rate of interest which they have incurred liability to pay. My honourable friend does not realise the consequences of the proposal that he has made which, as I have said, is impracticable. If to every one belonging to the agricultural tribe the land is to be sold at a fixed price it would be difficult to avert nepotism and favouritism. In fact complaint has been made that it is difficult in this province to exercise independent judgment in political matters, that most of the men who come to our councils although sent by their constituents to give their opinion in an independent and bold spirit are easily tempted by the offer of one or two squares. The Honourable the Finance Member—I mean Sir John Maynard—made a remark that he was strongly opposed to the grant of lands being made to individuals. That system of grant created nepotism and favouritism which was very harmful to the political advancement of the people. I endorsed that view and in supporting that view I said that the power which Government had of giving crown lands in the Punjab was taken advantage of by people in a very bad manner. So this evil will become indispensable and will become aggravated if sales of land are not conducted by auction and once they are conducted by auction it will be impossible to exclude capitalist landlords or persons who do not own lands at all.

As to relief for unemployment, I think it would be better if persons who do not own any lands were encouraged to invest their money in lands. Unemployment is more acute among classes that do not own lands than among classes that own lands. Land-owning classes have their lands to fall back upon in cases of necessity, while those who do not own any property in lands have only clerical appointments or some industrial job to look for. With regard to industries, they are in a very nebulous condition and at a very incipient stage of development. It is well for us to say that industries should be encouraged and although Government is doing its best to encourage industries yet as long as there are crown lands and waste lands that have to be colonised, as long as agriculture continues to be the most important industry of the country, so long will it be difficult to take away the people from the industry of agriculture. Besides, industrial development cannot be effected in a day nor perhaps even in a generation. We have got to compete with foreign countries who are far advanced and who are ahead of us a great deal. They have had a good start over us and we cannot overtake them easily within some generations to come. Therefore so far as relief of unemployment is concerned, the bait of industrial development is not sufficient. Unemployment must be relieved to a certain extent by offering lands on sale and on equal terms to those who have got no landed property to fall back upon. I would, on the other hand, go contrary to what my honourable friend has proposed. I say that persons who do not own lands should be encouraged to acquire interests in land because otherwise according to our land laws there are difficulties in our way which do not exist as far as crown lands are concerned. These difficulties which the

Land Alienation Act has created were simply intended to save the small peasant proprietors from expropriation. Where there is no expropriation and where lands owned by the State have to be distributed, I think the policy of Land Alienation Act should not be observed. That policy was intended for a certain specified purpose and that purpose is not served by adopting the policy which my honourable friend wishes to propose. I hope I have explained my meaning fully. I did not mean that auctions should be stopped altogether. I simply meant to say that bidding ought to be controlled and kept within reasonable limits.

**Shaikh Muhammad Sadiq** [Amritsar City (Muhammadan), Urban]: Sir, the effect of the cut proposed even if pressed will be absolutely useless for the simple reason that the honourable mover has not taken the trouble to define who is a capitalist. He leaves it in the hands of the Government. We always object to leaving any power to Government to define a particular term. These things ought to be defined by the Council itself. The Council should decide who is a capitalist and who is not. We are all agreed with the honourable mover of the amendment so far as this, that certain lands ought to be set apart for poor persons and that cannot be done in the way proposed in the cut. We want that auction should take place not to the limit of 2 or 8 squares. Lands should be put to auction in bits of half a square or one rectangle so that poor people may have an opportunity to bid. In that case no rich man would care to bid for half a square or one rectangle. This would be very helpful to poor people. The effect of this would be that only the really poor people would bid at the auction and get the lands. If the lands are put up for auction in big lots, the rich people who have already got large plots of lands would get more lands. Now that we have got nearly a million acres, the Government must be able to set apart at least some portion of the same for the poor people. The question is that these lands should not be given to a rich syndicate at a low price. I am sure many people both within and without the province would be coming forward with several recommendations to the Government to knock away these lands at low prices. Such recommendations ought to be given no weight. Most probably foreigners from the west might come and take away these lands. Unfortunately in this country we have not advanced so far as to form a syndicate which would be able to buy big plots of lands.

The result will be that it will fall into the hands of the foreigners. For this purpose we insist that if land is to be given to syndicates it should be given at the same price as it will fetch if auctioned to the public in this country. I agree with my learned friend that the land should be given to small cultivators. But that has nothing to do with this motion for cut. I hope that Government when selling the land will really look to the interests of the poor peasants. There are really a lot of districts which are over-crowded and the lands should be distributed to the people of those parts. I also suggest that the land may be sold on hire-purchase system, just as in the case of motor cars. I do not think it will be difficult for the Government to do so. In moving motions for cuts I think that we must first decide on the procedure which Government should follow. There is no use asking the Government to do a certain thing unless we can clearly indicate what we want. I think it would have been better if my learned friend came forward with the proper procedure and asked the

(Shaikh Muhammad Sadiq.)

Government to adopt it. In that case we might have also discussed the procedure. Unfortunately as the motion is worded, we cannot support it, because, if adopted, Government will be forced not to sell the land at all. It will be a great hardship. I agree with the Raja Sahib that the land should not be granted to people who do not go and cultivate it. I hope that next time my learned friend will come forward with a resolution with a definite procedure and then we shall be able to support him.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I have intervened at an early stage of the debate just to give a few facts to the Council so that in case the Council decides to pursue this discussion further, it may be so conducted as to be beneficial both to the Government and the non-official members. It has been suggested that certain lands might be sold on hire-purchase system; other lands might be given to big land-owners or small land-owners; others to landless people and so on. Sir, the total area, so far as the figures at present available enable me to judge, is—I will give the figures in round numbers—8 lakhs of acres of perennial land and  $2\frac{1}{2}$  lakhs of acres of non-perennial land. Now, how is it proposed to dispose of this land? First let us take the  $2\frac{1}{2}$  lakhs of non-perennial land. The honourable member from Amritsar will be pleased to know that almost the whole of this area of  $2\frac{1}{2}$  lakhs of acres is going to be disposed of on that very system which he has suggested, the hire-purchase system. The terms of hire are also remarkably fair and generous. The payments in some of the cases are spread over as many as thirty years and more. So honourable members of this Council will readily realise that as regards the non-perennial area Government is certainly not disposing it off in such a way as to place it in charge of those who do not know how to cultivate it, nor is it acting in any *baniya*-like fashion to make much money out of the transaction. The object of colonisation, Sir, is essentially colonisation itself, not making money, not favouring individuals or classes. The first and foremost principle to be borne in mind is that the interests of colonisation itself are served by the scheme which is adopted; that is to say, the whole territory under colonisation is inhabited by the people interested in the land who live there, die there and will be buried there. With this object in view, I trust, the way Government has decided to dispose of this non-perennial area is such to which no objection can be taken.

Now I come to the second lot, the more important lot of the colony area, the perennial land. Out of the 8 lakhs of acres of the perennial area no more than 320,000 acres are intended to be sold by auction. You will realise that as much as nearly 5 lakhs is going to be disposed of in ways other than the auction sale. If we put the value of the non-perennial area at half the value of the perennial area it will be realised that the total area comes to about  $9\frac{1}{2}$  lakhs and out of this only 320,000 acres is intended to be sold by auction; it will come to something like 33 per cent. of the total area. That again, I claim, is a fraction which cannot be said to be unreasonably large so far as either the interests of the colony itself are concerned or the interests of the classes which want to live on the land are concerned. Is this area of 320,000 acres which Government under its existing scheme of colonisation has decided to dispose of, unreasonably large or are the rules regulating these auctions such as unnecessarily exclude certain classes or give a premium to certain classes to the prejudice of others? If so, Government

will be prepared to reconsider their decisions. Now, Sir, what is Government going to do with nearly 5 lakhs of acres which it is not going to sell? Is it going to give them away to men who are not fit to cultivate the land or to men who are most likely to be absentee landlords or otherwise undesirable? It would appear, Sir, that 75,000 acres will go by way of military grants and a large area we are setting aside for those who work in the interests of peace and good order of this province and who help in redeeming its fair name from the severe criticism that ours is the most criminal ridden province in India. Then a fairly large area is being kept for the people who have been under discussion in the Council and are called *Taht Khais*. Then there are the *Junglis* or the local people who also come under this and there is a small grant for those who have claims on the Kitchin canal in the Nili Bar itself. Thus it would appear that quite a large area that I have just mentioned goes to people who have also settled on land for generations, and therefore presumably are suited for purposes of colonisation. Now what is the scheme of Government to sell the 820,000 acres set apart for auction? The scheme is presumably one which, even after hearing the speeches that have been delivered in the House this afternoon, I think, cannot be improved upon. First and foremost, Sir, Government has decided not to place these 820,000 acres of land on the market all at once, but to place them on the market by instalments extending over 20 or 25 years or perhaps a little more or a little less. That again is a measure which, I think, has the approval of the Council. Next, has Government made up its mind to sell the land in large blocks of say 5,000 acres each or 2,000 acres each? I say emphatically no. It is no use here my referring to rules; but anyone who is interested in these auctions, who has seen the various blocks which were put up for sale during the first week of this very month and two or three months before when the first auction was held, might have noticed—I remember myself having noticed it—that there have been blocks of not more than 27 acres in some cases. That again would show that generally blocks are to be found which do not go much beyond one square of land. While I fully realise the importance of putting up land for sale in small blocks, yet, Sir, I must emphasise the fact that it is in the interests of colonies that all land-owners in the colony do not possess very small holdings, holdings of 25 or 50 acres only, because pressure on land is destined to increase in this province and in course of time we will be compelled to have recourse to mechanical processes for the purpose of tillage, etc., and so it will be in the interests of the people themselves that there is a fair percentage of land-owners owning 800 or 400 acres of land—not squares, but acres of land. Therefore, I think, the correct policy would be to put up for sale blocks of land in some cases of 25 acres or thereabouts, in some cases 50 acres or thereabouts, and in some cases as much as 200 acres or thereabouts, so that it may be worth the while of those people who are landed or landless and who have got capital to invest in land to go to the colonies and use their money as well as enterprise there.

Now, Sir, what is the amendment of the honourable member responsible for this discussion? It says it is inadvisable to sell land by auction to capitalists. He tells me that Government policy is defective inasmuch as he considers it inadvisable for Government to sell land by auction to capitalists. Well, Sir, I have tried to understand the proposition and I ventured to interrupt him and specially requested him to define

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the term 'capitalist' but I am afraid that such observations as he made on the term 'capitalist' have not elucidated the proposition to the satisfaction either of me or of the members of the House. If Government is not going to sell land to capitalists, to whom is it to sell? It raises the question, should Government sell land at all? I presume that as he said that it should not be sold to capitalists, he does not object to sale of land at all. If I am not to sell land to capitalists, am I to sell it to those who have no capital? Is it his intention that Government should sell it to men without capital so that they may borrow from capitalists and presumably on terms which capitalists always charge from needy customers, so that Government may sell land to those who are in debt to begin with to capitalists and therefore can have but a poor chance of making colonisation a success? Whether I sell this land in blocks of twenty-five acres or twelve acres, is there anyone who can assure me that one borrowing capital either from a bank or a *sahukar* having purchased that land can make a success of it either to his own benefit or to the benefit of the country? No, Sir, I am afraid there is some confusion of ideas in the mind of the honourable member responsible for this amendment. He did not mean by capitalist, I believe, really capitalists. What he meant was capitalists who are not owners of land. By capitalists he meant landless capitalists. I believe that is what was in his mind. If so, then I do not see that the proposition can hold water even for a moment. If he meant landless capitalists, then again, Sir, I am afraid that unless some very cogent reasons exist, I see no reason to exclude landless capitalists from competing in auction sales. What would be a cogent reason, Sir, one might ask, to enable one to rule out landless capitalists from competing with landed capitalists in auction sale? It might be said that in auction sales the landless capitalist simply sweeps the board, he buys all the land that there is on auction and the landed capitalist is a poor bidder and cannot get any land from the auction sale, and therefore he is a weakling standing in need of some support from Government, if Government believes in the theory that the landed capitalist is a more desirable person to colonise the new colonies than a landless capitalist. Our experience on this point shows that the landed capitalist in these auctions sweeps the board, and the landless capitalist is a poor bidder as against the landed capitalist. As a matter of fact in the last auction sale in the beginning of this month the landed capitalist has simply not allowed the landless capitalist to buy land. He has taken all the land he has wanted and I see no reason why the landless capitalist should be debarred from bidding in auction sales.

There are a good many reasons in support of the position I have taken up. I will mention at least one. We, Sir, do not believe in the rigidity of caste system, and I see no reason why even when caste does exist, there should not be avenues, new avenues available to bring in what I may call fresh blood. We all know that all those tribes who are known as agricultural tribes were not agricultural tribes from the very beginning of the civilization of India. They grew into the status that they occupy at present. I see no reason why it should not be possible in course of time for other people to occupy that status as well. Land has a certain charm about it and I see no reason why in the matter of colonisation it should not be open to

landless people to come and acquire land and show what they can do in that way.

Someone who is an agriculturist himself, a member of an agricultural tribe, discussing this matter with me said that as a matter of fact he was very anxious that in these auctions at least half the land, if not three-fourths, be set apart for landless capitalists to buy. I pointed out to him that it appears that at present they are not willing to buy very much of it and they want to buy it cheaper. I asked him if he thought that even if the landless capitalist did not pay as high a price as the landed capitalist, he should be allowed to buy. To my surprise, he said yes. As I had some respect for his opinion, I took the liberty of asking him to state his reasons. He said, Sir, land may appear to pay, there may be landed men or landed gentry who are doing well and appear to be wealthy but I have no doubt that living on land is not at all an easy affair. It is believed that land impoverishes its tillers and owners, and those who come to it rich within three generations are impoverished, thus it turns a landed capitalist into an impoverished land-owner. Therefore it is quite safe if you allow a landless capitalist to spend his money on land, for you may rest assured that within three generations he will cease to be a capitalist, although he may retain his land for another generation or two.

When I say that I would let the landless capitalist to compete in these auction sales, this is not the reason I have in mind for allowing him that privilege of that right. My reason is to attract people to land, specially men with capital and I see no reason why landless capitalists should not be invited as a matter of fact to share the responsibility of developing a new colony. In view of the figures I have given, Sir, in the beginning of my speech showing that this land that is to be sold is only a small fraction—I think I said not more than 33 per cent. of the total land—is it right, is it wise to press for the exclusion of landless capitalists from competing? If not, and if the honourable mover of this amendment is satisfied that a very large area is being given on hire-purchase system to men who are suited for agriculture and are fitted for the work that is expected of them, I trust he will, having raised the discussion, not press his amendment and withdraw it. I have said a good deal in support of the scheme of colonisation, but I claim no credit for it, because it was prepared not by me. It was really prepared two or three years ago, and it has my concurrence and I do not see how it is practicable for me really to make an improvement on the scheme as it exists.

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadan), Rural] (Urdu): I have heard the speech of my honourable friend from Rohtak with very great attention not only because he is representative of a rural constituency and an agriculturist but because he has been a Minister and has had an insight into the working of the Government. The first thing he mentioned was that many people in the heat of the auction pay more than the proper prices for the crown lands. Sometime back the late Sir Gopaldas Bhandari stated in this House that there can be no law for the protection of fools. Those, therefore, who do not know how to take proper care of their money and spend it recklessly cannot be protected. One should not be sorry if the Government gets this money. The Government makes a better use of it. It starts colleges and schools and opens hospitals and makes canals for

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irrigation purposes. Then the Government spends on these councils where the representatives of the people ventilate the grievances of the public before them and the Government listens to them and remedies those grievances. It is better that no money should be left with people who do not know how to make proper use of it. Chaudhri Sahib ought to have welcomed such a proposal whereby the money comes to the Government. With this money the Government can take steps to introduce total prohibition and compulsory education. I, therefore, consider honourable member's first argument as very weak and of no weight. Then my honourable friend stated that the landlords in Bengal and Oudh are profligate and licentious. The tenants work while they enjoy. We should not try to create a similar state of affairs in the Punjab. If my honourable friend had studied carefully the land tenure system in Bengal and Oudh on the one hand and the Punjab system on the other he would have found that there is a world of difference in the two. The defects in the Bengal system are only due to the permanent settlement. When the British Government came into possession of the province of Bengal, they found in Bengal big farmers of land revenue who owned the land. The Government, therefore, let those zamindars remain in possession of the land on the understanding that they will continue to pay a fixed revenue to the Government. But it is not so in the Punjab. We have here small peasant proprietors. A situation like the one we have in Bengal will never arise by the sale of the 320,000 acres of land in the Nili Bar. Then, Sir, as the Honourable Member in charge of the Revenue Department stated the greatest difficulty in the question is the exact definition of the word capitalist. We must know who is a capitalist according to Chaudhri Chhotu Ram. How much money one must possess in order to become a capitalist? Is a man who owns only two thousand rupees and lends out on interest a capitalist? Sometimes we find a man lending his small capital on interest in order to safeguard it from agriculturist or the non-agriculturist robber in the village. If he buys land with that money and becomes a zamindar what objection does my friend have? He is only increasing the number of landed proprietors. It was the duty of my friend before laying such a proposition before the House to define the word 'capitalist.' He further stated that a zamindar even if he invests money in land in order to obtain profit therefrom, is a capitalist. Now, Sir, there are some persons who call themselves agriculturists, though their profession is law, teaching, trade or lending of money. Now, even if such a man purchases land, my friend objects to his so doing. It is difficult to understand what part of men should be allowed to bid at the auctions. If my friend had demanded that auction should entirely be stopped, his position would have been more intelligible. But his amendment asks that the land should not be sold to a capitalist whether he is zamindar or non-zamindar, whether he is landless or landed proprietor. When land is auctioned only a man who possesses enough capital can buy it. But if we accept the amendment of my friend it will mean that land should not be sold in exchange for money. In other words, he means to say that land should be given away to those who come and sit for days at the bungalows of the officers and put forward their claims on the strength of services rendered to the State in helping the arrest of a few brethren of their own or the arrest of the Babar Akalis. But I hope

the House remembers Sir John Maynard's speech in which he advised the House that land should not be given to anybody except for the highest price. It would be a mistake to give land except to the highest bidder. That these 10½ lakhs of acres of land should be distributed on no principle will be the height of unwisdom. If the Government were to give away lands to its so-called friends, then we all know that a cry will be raised that land has been given to only *jholi chuks*. They will then criticise the Government to the utmost. There is nothing in this proposal to appeal to anybody's reason. Then another argument was advanced by my honourable friend that if money is invested in land, the industrial progress of our country will suffer. This is a very noble thought. But the gentleman has forgotten that the main industry of the province is agriculture. And this is in such a bad state that it does not even pay enough for those who are engaged in its pursuit. I read in a report which was published either by the Director of Information Bureau or by the Director of Agriculture that there are certain agriculturists who sell their dates at 20-30 seers a rupee while there are others wiser who sell the same at much more profit. Thus our agriculturists do not know how to get the maximum profits out of their lands. An American agriculturist will live very happily and in a fair amount of luxury on an acre of land while an Indian peasant cannot even make the two ends meet on two to three acres. He will be under debt to some one or the other. There are so many new inventions and appliances which our agriculturist does not know how to utilize to his own advantage. This is all due to the fact that he has not education enough to make the best use of the things given to him. It is, therefore, a mistake to shut out those who possess money enough and education enough and sense enough to get the best of the land. Is Sir Ganga Ram a better agriculturist or a man who though possessing thousands of acres of land has still failed to get the best out of it? Perhaps some friend of mine will say that he is a *bania* and we cannot see him owning land. But, Sir, we must prefer those who advance the cause of agriculture and introduce modern methods of agriculture. I am one of those who believe that wisdom is not an inheritance of one caste and that opportunities make a man. But if agriculture were to be deprived of the assistance of the capitalists it will become stagnant and die. If the industry of agriculture does not thrive and people do not know how to make the best use of the land, how will our national wealth increase? Mr. Darling has stated that one of the reasons for the stagnant state of agriculture is the lack of interest shown by the urban population and the capitalist classes in agriculture. But when they pay any attention to this and begin taking any interest we find that amendments like the present one are introduced. And this is done in the name of industrial development! They do not want to develop the only industry of the province which is in their hands, but they are very eager to compare the state of the province with other countries. They want that we should take up industries which will bring us into competition with Japan, England, Germany or America, who will never let our industries succeed. I am also a representative of zamindars. Efforts were made to defeat me in the elections. But happily the zamindars are clever enough now to understand their good and to realise who is their best well-wisher. I, therefore, submit that as long as capital and scientific methods are not applied to the industry of agriculture by well-informed people, it will never thrive. Another argument was advanced

[Pandit Nanak Chand]

by my friend which surprised me very much. He stated that if this land is sold to capitalists, it will change the very constitution of the Council, and instead of landlords coming into the Council, tenants will get access to it, or those persons will come into the Council who will be under the thumb of the big landlords. But, Sir, whether they are tenants, landlords or shopkeepers, what we aim at is that people should learn to know their own good and to demand their rights. This can only be done by giving them an interest in land. If landless people are allowed to purchase land, a class of people will come into the Council which will realise the difficulties of the people and will certainly appreciate the difficulties of the agriculturist. Progress is the law of political life. It will ever go on and we cannot stop it. Every class and occupation will demand representation here. If my friend wishes to kill the landed proprietors, the best way is to introduce universal franchise. You will then see that representatives of the landless people will come into these Councils and will abolish all unnatural laws and divisions of classes. Such a thing only can put an end to the capitalist or landed proprietors. Land belongs to the nation, it is the property of the people in general. That is why they say that State is the owner of the land. It is an old theory that king is the representative of the people. Land will belong to the nation even if we find our own men sitting on the official benches. If, therefore, Chaudhri Sahib wants that the Council should not be filled with landed proprietors, the only way to avert this is to give the right of universal franchise to the people.

Now, I will address myself to the speech of my honourable friend the Raja Sahib. Members of our party are free to vote on this question any way they please. I, therefore, submit that I cannot agree to what my honourable friend here has stated about fixing a maximum price at auction sales. If 50 men were to bid for the same land at the maximum fixed price, to whom will you give the land? What method will you adopt to decide who should get it? In an auction the land should go to the highest bidder. We do not want fools here. If they cannot take proper care of their money they should come and bid for the land.....

**Dr. Sir Muhammad Iqbal:** The Government needs them.

**Pandit Nanak Chand:** If you are to impose any conditions even on an auction sale, will you then give land selecting the man by ballot, or will you again make a distinction between an agriculturist and a non-agriculturist? Or will you see who has been the greatest frequenter of the Deputy Commissioner's bungalow? I, therefore, cannot agree to it. The land should go to the highest bidder. If you want to save the people from spending more of an necessary money on land the best way is to go and preach to them against the futility of over-bidding. Making speeches here will not help them. Again, Sir, opinions differ as to the value of a particular piece of land. One man thinks the same piece of land worth Rs. 5,000, another does not mind paying double the price, considering the amount of profit he can derive from the land.

Sir, the Government Member in charge of the department has told us that they are going to sell 2½ lakhs acres of land on hire-purchase system and something like 75,000 acres will be distributed among military grantees. But he did not tell us where he will distribute the rest of the land. He was

only told us that it will go to those who helped in the maintenance of law and order. But this frightens me. We do not know how they will determine whether a man has helped in the preservation of law and order. I know of many persons who claim to have served the Government in the arrest of dacoits, but who complain that they have got no encouragement from the Government. I, will therefore, like to know how the Government is going to distribute this land. Are you going to give it to those who are only *jholi chuks*? This I submit is not a satisfactory way. You must tell us the criterion by which you will judge the candidates for these grants.....

**The Honourable Mian Sir Fazl-i-Husain :** May I explain, Sir, it was not my intention to go into matters which were not relevant to the cut proposed. I did not go into the matter whether we should sell land by auction to capitalists or other than capitalists. If the honourable member raises a discussion on this point as well, I will be very glad to give the information that I have.

**Pandit Nanak Chand :** If it were so, the honourable members would have stopped and not discussed any other question. Since he mentioned this thing I am forced to refer to it. We have come here to discuss about things affecting the welfare of the people. We are not frightened by these challenges. However, if you do not want a discussion on this point at this particular moment I am prepared to stop it. But, since, Sir, you are silent I propose to go on. The country is progressing very rapidly. It should, therefore be clearly stated that the land will be granted to such class of people.

**Mr. Pres'dent :** I do not think the honourable member is in order in discussing this subject. The mere fact that the Government Member stated in his speech that lands would be awarded to certain other persons and services does not bring that matter before the Council.

**Pandit Nanak Chand :** Very well, Sir. This can be discussed later on. But, Sir, I cannot understand how a gentleman like the honourable mover of the motion who has been in the cabinet could have brought forward a proposal of this kind. I oppose the motion.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] (Urdu) : Sir, the time is fast approaching when the guillotine will be applied, that is, at 5 o'clock. Therefore I would simply try to define the word "capitalist" in respect of which much has been said by a certain section of the House. The definition of the word "capitalist" which I am going to give may not be strictly logical but all the same it will fairly serve our purpose. By "capitalist" I mean one who possesses wealth and is accustomed to invest it in some profitable business and who has no love for agriculture as such, no interest in land except that of a profiteer, has no sympathy with the zamindar class and has, consequently, developed a mentality which, out of malice against zamindar classes, will invest the crown with property in land. Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

**Rai Sahib Chaudhri Chhotu Ram :** Sir, I beg to move—

"That the total grant be reduced by Rs. 1."

I understand that this motion or some other similar motion has been considered to be out of order. I wish to know whether the Government would take objection on that ground.

**Mr. President :** Which amendment is the honourable member referring to?

**The Honourable Mian Sir Fazl-i-Husain :** The honourable member seems to be referring to amendment No. 8. Does it mean that he does not move amendment No. 6\*?

**Rai Sahib Chaudhri Chhotu Ram :** I beg your pardon. I shall move amendment No. 6 first.

**Mr. President :** Which motion did the honourable member move when he first got up and asked whether the Government would take objection? Which motion was he referring to? Is it motion No. 8?

**Rai Sahib Chaudhri Chhotu Ram :** I moved amendment No. 8.

**The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :** Motion No. 6 is, I am afraid, out of order.

**Mr. President :** That motion is not now before the House. After having moved motion No. 8, I do not think the honourable member can go back and move motion No. 6.

**The Honourable Mian Sir Fazl-i-Husain :** As regards motion No. 8, it seems to me that the honourable member has made a mistake. After a very careful scrutiny of page 55 of the budget as mentioned by the honourable member, I failed to find the item of Chaukidar dues mentioned anywhere. As a matter of fact it does not go into the budget at all. The honourable member seems to be under a misapprehension.

**Mr. President :** Are Chaukidar dues provided for in the budget?

**Rai Sahib Chaudhri Chhotu Ram :** No.

**Mr. President :** Then motion No. 8 is out of order.

**Randit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] :** I beg to move—

\* "That the total grant be reduced by Rs. 1."

My object in moving this amendment is merely to discuss the question of the pay of the patwaris. In the last Council I discussed the question of providing a provident fund or pension for the patwaris. Now I wish to lay before the Government certain grievances from which the patwaris suffer in the matter of their pay. The pay given to the patwaris, in my humble judgment, is very small. It is so small that a man even with a small family cannot make a decent living. It is impossible for a man who has got children to be educated and who has to provide his family with certain comforts to get on with Rs. 20 or 25 or 26. The maximum pay given to the patwari after a hard service of 20 or 30 years does not go beyond Rs. 26. I, therefore, submit that the patwari as being a very responsible person, occupying a very important position under the Government, should be treated with some sort not of generosity but of justice. You cannot possibly expect a man not to indulge in bribes when he is given not even a living wage. The greatest complaint against the patwaris is that they accept *nazarana* from the zamindars, that they take bribes and that they do this

\* "That the grant be reduced by Rs. 1 with respect to the item of Rs. 2,68,800—Colonization operations."

**Note.**—To draw attention to the claims of the zamindars of *Barani* and *riverain* tracts for land grants.

§ "That the total grant be reduced by Rs. 1"

**Note.**—To urge the remission of chaukidar dues.

and they do that. I do not deny that in some cases it is true. In other cases it is not true. Those patwaris in whose cases it is not true have got certain means of their own or they have no families. I have come across men who have got no families or who have got certain means of living, who are still patwaris on this pay and they do not accept bribes. But to suggest that a man should be paid Rs. 20 a month for doing hard work and that he should be at the beck and call of the naib-tahsildar and tahsildar and other officers, should dress well, appear in decent clothing and so on, is very hard. It is impossible, I submit very respectfully, for any family consisting of even two or three persons to live decently on Rs. 20 a month. It is not a living wage. It is a starvation wage. I therefore submit that Government should give due consideration to this fact and other honourable members also should join with me in this matter. If they want to do away with bribery and corruption in this department and if they want that these people should get a living wage and should not oppress the already oppressed zamindars, they should support this motion. Sir, it is stated many times here that even those people who are in high position have to make their offerings to the patwaris. It has been my good fortune or bad fortune to hear even from important and responsible people that these patwaris will not do the work unless you give them something extra. Now that is a confession of our weakness. Those who want that the patwaris should not indulge in these practices are morally bound to see that the patwaris are given a wage that is sufficient for their living, for the education of their children and for other expenses which are to be incurred by a man in the Punjab. I do not propose to fix any limit, but what I submit is that the Government should give due consideration to this matter. They may appoint a committee or do something else to see that the salary of the patwaris is raised. We are living in the 20th century when we have all these motor cars and other signs of modern civilization and it is really a matter of shame that a man in a decent position should be paid Rs. 20 or 26 a month.

**Mr. President :** Demand under consideration, motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

**Mr. Din Muhammad** [East and West Central Towns (Muhammadan), Urban] : Sir, I rise to oppose this motion, not because it proceeds from that wing of the House but because I believe that no conscientious man can ever advocate the cause of that blackest-knave known as the patwari.

**Dr. Gokul Chand, Narang :** Can anybody in his absence be abused in this House? Is that permissible?

**Mr. President :** Abusive, defamatory or undignified language should not be used in this House with regard to any person.

**Mr. Din Muhammad :** I was under the impression that however black the patwari might be painted, he will not be painted black enough and I perhaps thought that that would be the proper term to be used for him. However I bow to your ruling.

**Pandit Nanak Chand :** He is repeating the thing and in a still worse manner.

**Mr. President :** I invite the attention of the honourable member to Standing Order 30 (2) (v) & (vi) :

- "A member while speaking shall not ;  
(v) utter treasonable, seditious or defamatory words ;  
(vi) make use of offensive expressions."

As the honourable member has repeated the expression objected to, I would ask him not only to withdraw the expression but also to apologise to the House. (*Hear, hear*).

**Mr. Din Muhammad :** I have withdrawn the expression and I have also expressed regret for having used it although I should not have used it. I was only explaining the reasons for having used it and that is all.

I was just going to submit that having no land and having nothing to do with the patwari personally, I bear him no personal grudge. I have, in the course of my profession, come across these patwaris whose cause was being advocated by the honourable member for Hoshiarpur and I have come to know of the ways and means these people employ in swelling the small pittance they receive at present. I dare say that even if the status of the patwari is raised to that of a revenue assistant he would not give up his present ways of swelling his income. Does the honourable member want us to believe that on account of a deficiency of Rs. 5 the patwari is unable to maintain his family, is unable to impart education to his children and if his pay is increased by a small addition of Rs. 5 he will be very much better off, will be able to give education to his children and maintain his status? If my learned friend for Hoshiarpur is under the impression that the patwari gets only Rs. 26, I beg to assure him most sincerely that the patwari makes up the loss through the income which he always makes from the unfortunate persons with whom he comes into contact. Honourable members of the House will be pleased to see that the zamindar has to come in contact with the patwari in many capacities. Whenever he approaches him just to obtain a copy of the

ذہال ناچہہ اور مٹل حقیقت۔ خسرو گردازی۔

The patwari imposes his own terms. The patwari is mainly responsible for involving the poor zamindar into protracted litigation which has actually ruined so many families. (*Hear, hear*). In the background of several criminal cases this patwari would be lurking somewhere or other. Under these circumstances my respectful submission is that if like a professional beggar he exhibits his deformities just to arouse our sympathies, we should not feel any sympathy at all for him. It is better to throw the money to the winds than to spend it in increasing the salary of an official who considers that he is able to hoodwink us. It would be putting a premium on corruption. (*Hear, hear*). The honourable member for Hoshiarpur admits that every person, however high he may be or however low he may be, has to grease the palm of the patwari. He says that it is within the personal knowledge of almost all gentlemen who own lands that unless some offering is given, the patwari is not satisfied. With this knowledge in his possession it is really very strange that he should come with good grace to advocate the cause of that corrupt official. He is the one official who is bringing disgrace on the fair name of the administration and he

is the one person who has not yet been reformed. If the honourable member is sure that this small increment would reform him one might sympathise with the patwari, but as I have already submitted before, it is simply impossible to reform a patwari and in the circumstances by merely increasing his pay we would be encouraging him in his corrupt manners. With these few remarks I take my seat.

**Mr. C. M. King** (Financial Commissioner): Sir, I am glad that the honourable member for Gujranwala did finally apologise, but I confess that I would have been pleased if he had done so with a better grace than he chose to adopt. He has in a way reiterated the charges he made in attacking the character of a large class of public servants who have at the present moment only a few to defend them in this Council and I feel it my duty therefore to say in strong terms, if you would permit me to use those terms, that the picture that he has drawn of the character of the patwari is wholly and grossly exaggerated. There are black sheep among the patwaris. I would not deny that. But then there are black sheep among every class of community, and the patwari is not an exception to the general rule. I do not believe—I have no hesitation in saying so—I do not believe that the patwaris are as a whole as dishonest as the honourable member for Gujranwala makes them out to be. I believe that the patwaris as a whole are hard working officials who do their duty towards Government and towards the people among whom they live. I admit that the worst of them do to a certain extent accept small presents from these people but that there is anything in the nature of coercion or general corruption, I do not for a moment believe. I repudiate with all the force in my power the remarks which the honourable member for Gujranwala has made. In a sense those remarks were anticipated by my honourable friend Pandit Nanak Chand who himself, a zamindar and living among zamindars has far better opportunities of judging the character of the patwaris than my honourable friend the member for Gujranwala who has not the same opportunities, owing to his different profession, of judging the character of the class of public servants whom he has been pleased so wantonly to defame here in this House.

I now turn to the proposal of my friend the member for Hoshiarpur. Pandit Nanak Chand wishes to increase the pay of the patwari. He has not told us exactly the extent to which he wishes us to increase it, but I gather from a resolution which he proposed to move but which has not found a place in the list of non-official business which will come up before this Council—I find from that resolution that he would like the patwari's pay to be raised from Rs. 20 to a minimum of Rs. 25 a month. He also made some remarks about a motor car. I am not quite sure if he meant that all patwaris should be supplied with motor cars (*laughter*). I am a little doubtful as to what he said, but if that was his intention then I can say that we cannot possibly accept that suggestion.

My friend Pandit Nanak Chand in pressing his argument for an enhancement of pay to Rs. 25 does not seem to me to have taken any notice of the extras—I do not mean his illegal extras but I mean his legitimate extras—which the patwari is able to get by the terms of his appointment. Such extras are mutation fees and the fees which he obtains for supplying

[Mr. C. M. King.]

copies of documents which are required by private individuals. These copies of documents were mentioned by the honourable member for Gujranwala who thought it was not legitimate for patwaris to charge anything for them. It is not an illegitimate charge but a legitimate charge. There is a fixed scale laid down for those copies and he is entitled to charge on that fixed scale for copies supplied to such persons as come forward to demand them. It is his right to get fees for those copies and the fees which he receives from those copies form a considerable addition to his emoluments. I cannot at the present moment say what they amount to, but roughly they must come to between Rs. 5 and Rs. 10 a month for copies supplied. Besides that, he gets something from mutation fees. That is again something which varies considerably from village to village and from patwar circle to patwar circle, but on the whole I think that on the average it amounts to Rs. 5 or Rs. 6. Thus the patwari's pay does not amount to Rs. 20 but to something between Rs. 30 and Rs. 32, that is to say, something more than 50 per cent. above what the honourable member for Hoshiarpur thought was his pay. Besides these more or less regular items which the patwari is able to add to his pay, there has recently been sanctioned a fund of Rs. 10,000 for the whole province out of which rewards can be paid to patwaris who have done particularly good work. Those rewards for good patwaris again amount to Rs. 2 or Rs. 3 a month. They again considerably increase his pay. Then again once in three years we have an election to this Council and the patwari has to do a great deal of work in the preparation of electoral rolls and so on. This year the total amount which was sanctioned for patwaris and kanungos throughout the province was Rs. 88,000. Of course a great deal of that goes to kanungos but I imagine the share of patwaris comes to about Rs. 44,000. That again is a considerable addition to the patwari's emoluments.

That is the present state of affairs, but, as I have said, Government has been endeavouring for a considerable time and is still endeavouring to secure for the patwaris a provident fund. I am not able to say exactly when they will be able to join the provident fund, because the scheme is under the discussion of the Government of India and the Secretary of State, but we have asked that the matter should be expedited and I have no doubt that within a very short time a decision will be reached as to the nature of this provident fund and as to the amount of assistance that will be given to patwaris from it.

In considering the question of raising the pay of the patwari we have to consider also the position of the person who is just above him. If we raise the pay of the patwaris, will not the kanungos be to some extent encouraged to bring forward similar demands for an increase in their salaries? The next demand would probably come from the kanungo and then from the person above him, so it will go on right up to probably the tahsildar and the extra assistant commissioner. The result is that the proposal is in the nature of the thin end of the wedge and may involve Government in a very large expenditure. And for what purpose? Will it save us from having a dishonest patwari? I think a man who is out to be dishonest, will be dishonest even if we double his pay. I am afraid that the mere increase of Rs. 5 such as is suggested will not save us from having dishonest men. Then again is there any dearth of candidates for the post of patwaris?

I am glad to say that there is not. We are able to get good candidates for the pay that we already offer and that being so and the fact that the candidates that we now obtain are better educated, that is to say they possess a higher educational standard than the previous candidates, it seems to me that it is quite unnecessary to ask Government to increase the pay of these men. I am confirmed in this when I look back on what has been done for the patwari within fairly recent years. It was only as recently as five or six years back that the pay of patwaris was very considerably increased. Besides that we have also added to their emoluments travelling allowances in their circles. It will perhaps be within the recollection of members of this Council who were also members of the old Council that formerly the patwaris got no travelling allowance at all but that it has now been sanctioned for them. If we make a comparison between the figures of 1918 and 1926 we will find that the emoluments of patwaris have increased by almost 90 per cent. in thirteen years. If you take into account the increase in prices, you will see that the emoluments paid by Government—I am not taking into account the emoluments which he gets by way of copying fees—the emoluments paid by Government have increased 90 per cent. and that surely is more than enough to compensate for any increase in the price of commodities which has occurred during that interval.

Finally, Pandit Nanak Chand, being himself an inhabitant of a rural tract will realise that living is far cheaper in villages than it is in towns. A patwari at Rs. 20 a month plus emoluments amounting to Rs. 10 or Rs. 80 altogether is very much better off than a man with perhaps double that pay stationed at Lahore. I hope this fact will satisfy my friend Pandit Nanak Chand.

**Pandit Nanak Chand :** Sir, I have already intimated to this House that my object was simply to raise a discussion on the subject and that I did not intend to press the motion to vote. I, therefore, beg leave to withdraw the motion.

4 P.M.

The motion was by leave withdrawn.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] : Sir, I beg to move—

"That the total grant be reduced by Rs. 1."

**The Honourable Mian Sir Fazl-i-Husain :** Sir, I am afraid the honourable member is not in order in moving this motion. The honourable member wants to urge that in the assessment of land revenue the principles of assessment of income-tax should be introduced. Surely that cannot be done without legislation and I understood you to rule that the budget demand cannot be used for that purpose.

**Mr. President :** What has the honourable mover to say in this connection?

**Rai Sahib Chaudhri Chhotu Ram :** I am not suggesting any legislation whatsoever. I simply want to draw the attention of this House to the advisability and justice of applying the same principles to the system of land revenue as those which govern the system of assessment of income-tax.

**Mr. President :** I might read the sentence bearing on the point. "The administrative action of a department is open to debate, but the necessity for legislation and matters involving legislation cannot be discussed" in a budget discussion. If it does not involve legislation the honourable member may move his motion.

**Rai Sahib Chaudhri Chhotu Ram :** If the motion as it stands is considered to involve necessarily any question of legislation, definite ruling to that effect may be given.

**Mr. President :** The motion does not appear to involve legislation. But if accepted by the House, it may lead to legislation.

**Pandit Nanak Chand :** If the honourable member can suggest methods by which legislation could be avoided he would be perfectly justified in moving his motion.

**Mr. President :** That is why I am asking the honourable member how he proposes to make his motion in order. Is the honourable member prepared to discuss the motion without suggesting any legislation or discussing any matter which might involve legislation? If he can do so, he is welcome to proceed with his motion.

**Rai Sahib Chaudhri Chhotu Ram :** I am not going to make any reference to any legislation whatsoever.

**Mr. President :** If the honourable member can proceed with his motion without any reference to legislation he is welcome to do so.

**Rai Sahib Chaudhri Chhotu Ram (Urdu) :** Sir, my object in moving this motion is to draw the attention of the Government and of the members of the Council to the invidious distinction maintained in the assessment of income-tax and land revenue. Persons who have income other than income from land are exempt from the payment of income-tax if such income does not exceed Rs. 1,999. But the zamindars must pay something to Government in the shape of land revenue irrespective of whether their income is Rs. 50, or 100 or 500.

**Mr. C. M. King :** Sir, I rise to a point of order. There is a distinct reference to legislation, because section 49 (1) of the Land Revenue Act lays down that all land wherever situated is assessable to land revenue. If we are to exclude land returning less than Rs. 500 income we shall have to alter the Land Revenue Act and that is what the honourable member is referring to.

**Mr. President :** I think an ingenious orator may break through all rules in spirit and yet observe them to the letter. So if the honourable mover of the motion can steer his way clear of all rocks and shoals he may rise and speak. But he must not break through the rule in its letter.

**The Honourable Mian Sir Fazl-i-Husain :** Sir, may I make my position clear. My object is not to have this important discussion stopped. As a matter of fact the subject of discussion is of such vital importance both to the people and to the Government that Government would welcome a discussion on it provided it were to take place on a proper occasion when it can be freely discussed and not under the limitations, Sir, that you suggest members must submit to. That will not be a fair discussion of this difficult

subject, a subject in which both the Government and the people are so vitally interested.

**Lieutenant Sardar Sikandar Hayat Khan:** Sir, may I ask whether there is any provision by which Local Government can exempt any person from the payment of land revenue? I think the Land Revenue Act has got a provision to that effect, if I am not mistaken.

**The Honourable Mian Sir Fazl-Husain:** It is just a matter of legislation that the honourable member is suggesting.

**Lieutenant Sardar Sikandar Hayat Khan:** I am suggesting that it is within the power of the Local Government to exempt certain persons from the payment of land revenue.

**Mr. President:** I am inclined to agree that the subject matter of the motion is of very great importance and if the honourable mover of the motion were to table a resolution and discuss it in proper form, he might achieve his object better than by discussing it now.

**Rai Sahib Chaudhri Chhotu Ram:** Surely, Sir, then I will not press my motion. So, I beg to leave to withdraw it.

**Mr. President:** There is no question of withdrawal as the motion has not been put yet from the chair and, therefore, is not before the House.

(After a pause for sometime, both Chaudhri Baldeo Singh and Rai Sahib Chaudhri Chhotu Ram stood up to move their respective motions.)

**Mr. President:** Order, order. I waited to see if the honourable member, who had given notice of motion 11\* would rise and move his motion. He did not do so and then Rai Sahib Chaudhri Chhotu Ram, the member who had given notice of the next motion, got up. Now I think the member who had given notice of motion 11 has lost his right to move his motion and Rai Sahib Chaudhri Chhotu Ram will proceed to move his.

**Rai Sahib Chaudhri Chhotu Ram** [South-East Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the total grant be reduced by Rs. 1"

Sir, this motion concerns the welfare of that section of the population which is dumb and helpless and is not familiar with the modern ways of ventilating its grievances. My object, therefore, in proposing this cut is to request the Honourable members of this House and the responsible officers of the Government, to consider justly and fairly the question of *chahi* rates and to decide whether the assessment of these rates is in any way justifiable. Sir, so far as I know the *chahi* rates are assessed in two ways. One of these two ways is that a lump sum is proposed to be levied on a well and is then distributed over the area irrigated by that well. This is known as *nāl chah*. The other way of assessment is a little different. The land revenue charged on *barani* area in the neighbourhood of the *chahi* area to be assessed is taken as the basis of assessment and something more than that is fixed for the *chahi* area which is then realised from year to year and from harvest to harvest. I respectfully submit, Sir, that the Government has no right to assess *chahi* rates. The cost of sinking the well and of its working is paid by

\* "That the total grant be reduced by Rs. 1."

NOTE.—To urge that no revenue be charged from Hissar and Rohtak districts till the Bhakra dam scheme is taken in hand.

[Rai Sahib Chaudhri Chhotu Ram.]

the zamindars themselves. The labour that is expended on the land attached to a well is expended by them and if after doing all this the land yields more income, what right has Government to take a share of the enhanced income? Sir, the Government seems to treat the zamindars as beasts of burden and because the zamindars cannot complain, it goes on adding to that burden? But it has never paused to consider that it is just possible that this additional and excessive burden might break the back of these beasts of burden. I do not hesitate to say that the burden of the *chahi* rates is improper and unjustifiable when, as I have stated before, the cost of sinking the well, cost of its working and the brunt of requisite labour are borne by the zamindars themselves. I hope the Government will consider this question in a most dispassionate manner. In considering this genuine grievance of the dumb and helpless people the Government, I am sure, will not be influenced by the effect the remission of *chahi* rates will produce on the finances of the province. If the *chahi* rates have been levied in the past, owing to some mistake or misunderstanding, I hope that will not be taken as a justification for their continuance in future. If *chahi* rates are remitted, I can assure the Government that by so doing it will earn the lasting gratitude of the zamindars.

Mr. President : Demand under consideration, motion moved :

"That the total grant be reduced by Rs. 1."

The question is that that motion be adopted.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) :

Sir, the honourable member for South-East Rohtak has drawn the attention of the Government to the case of *chahi* rates as distinguished from *barani* rates and canal rates of land revenue. It is a subject in which he has been interested for some time and to which he drew my attention more than once and we have discussed it at some length. As he knows that is one of the many subjects which are engaging my attention at the present moment. Also it is one of those subjects about which I have not yet been able either to get all the information I need on them or be in a position to formulate definite opinions upon them. I quite realise that when I look at *chahi* rates as against the *nehri* rates of land revenue I do feel that *chahi* rate is onerous and heavy. But at other times I look at *chahi* rate and I also look at *barani* rate and I feel that *barani* is onerous. Therefore, these three rates, *barani* rate, *chahi* rate and *nehri* rate, represent to me the ascending scale of assessment for which there is something to be said. If there were lots and lots of money to spare and if Government had decided to remit a portion of land revenue, my own inclination would be towards reduction in the *barani* rate rather than in the *chahi* rate or in the *nehri* rate. That again I say is only a matter of inclination and I have not yet been able to formulate a definite opinion on the subject. As a result of the investigations made by Government into the matter of well rates, it appeared to me that it would probably help if those interested in this investigation were to know whether the number of wells has been steadily going down or steadily going up, whether the area under well irrigation has been going up or going down during the last thirty or forty years. It is after all not safe to rely upon one's inclination. It is best to know the facts first. After obtaining that data we have to think and, if possible, try and arrive at a decision. Probably those honourable members of the Council who are interested in these investi-

gations would like me to tell them how the areas and the number of wells stood, not from year to year, but say at different times during the last thirty or forty years. As far back as 1887 the number of wells in the Punjab was 195,099 and the area under irrigation was 3,654,496. I will give after this the figures after five years. In 1892 the number of wells increased to 220,398 and the area irrigated by them was reduced to 3,238,610. That was in 1892. In 1887, the number of wells rose to 244,664 and the area irrigated to 3,777,249. In the last year used according to this system, that is in 1901, the number of wells was 257,810 while the area under irrigation appears to have gone down to something under 30 lakhs. But I am not quite sure as to the correctness of the figures and the area under well irrigation here.

Then, Sir, for 1906-07 to 1910-11, we have got the average for five years. The number of wells was 248,122 and the area irrigated by them was 5,044,822. For the five years from 1911-12 to 1915-16 the number of wells was 242,180 and the area irrigated by them was 4,855,164. For the years 1917-18 to 1920-21, the number of wells was 254,675, while the area irrigated by them was 4,823,854. The figures for the last five years, that is for 1921-22 to 1925-26 are: the number of wells, 271,709 and the area under well irrigation was 4,821,530. From a comparison made of the year 1887-88 with which I began and the last four years' average that I have given it would appear that the number of wells rose from 195,000 to 271,500, an increase of nearly 80,000 wells. The area irrigated by these wells rose from 3,654,000 to somewhere under 4,821,000, also a considerable increase. When one takes into consideration the fact that since 1887 large areas have been colonised in the Punjab and that the colonies have drawn upon the old established villages for their tenants, one might have expected a certain fall in the number of wells and a certain decrease in the area irrigated by wells. But there is no fall. The number of wells and the area under irrigation are not stationary. There is an increase and one is tempted even to go so far as to state that there is a steady increase and the increase would have been considerably greater had it not been for the new colonies drawing upon tenantry and thus taking them away from their wells or from the old villages where more wells might have been sunk otherwise. So far as this cut is concerned, all I can say is I intend continuing my investigations into these difficult and most interesting problems and I believe that is all that the honourable member can at this stage of investigations expect me to say. No decision has been arrived at and it would be hazardous even so far as to say that this particular proposal has my good wishes because that expression would not go very far nor mean anything. Therefore I content myself simply by saying that I am studying these matters and getting all the information that seems to me necessary and any suggestion from any honourable member on the subject will be welcomed by me and also by the Financial Commissioner and we will treat it as a matter of very great importance in arriving at the correct revenue policy of the province.

**Chaudhri Yasin Khan** [Gurgaon-cum-Hissar (Muhammadian), Rural] (Urdu):—Sir, the time at our disposal being very short, I will be very brief in what I have to say on the subject before us. The Honourable Member for Revenue has informed us that the number of wells has increased by 80,000.

[Chaudhri Yasin Khan.]

That may be so and this information can give us no satisfaction and it cannot go to prove that the Government has perhaps begun to take interest in the matter. In the presence of these figures we cannot say that the zamindars do not feel discouraged by the assessment of *chahi* rates. I hope the Honourable Member for Revenue will also feel with us if he were to take into consideration the increase in the population of the province and the vast area that has come under cultivation since 1887, before exulting over the increase in the number of wells. Along with it he should take into consideration another factor which, I think, is responsible for the increase in the number of wells. And that is that the value of land has gone very high during the last two decades. In this connection I may say that in 1860 it was proposed to the residents of a village that if they could pay Rs. 1,287, they could buy the whole of the land attached to that village. At that time they did not agree to pay even that sum. But if one were to think of buying that land to-day, it is sure to cost him not less than 8 or 10 lakhs. Under the circumstances we cannot say with any justification that if the number of wells has increased it is because the zamindars do not feel discouraged by the imposition of *chahi* rates. Of course if we had been told that there is now one well to irrigate each 15 or 20 bighas, we might have thought otherwise.

I will not repeat the argument put forward by the honourable member from Rohtak that the zamindars of the *chahi* areas have to pay from their own pocket the cost of sinking the well, the cost of working it or that if their lands yield more income it is due to the labour that they put on them, but I would say that this is a question which requires immediate attention. The present motion concerns my district more than any other district in the Punjab. In Gurgaon and particularly in Rewari tahsil the revenue rates are higher than they are in Lahore district although the latter can pay more than the former. In Gurgaon the wells must be sunk as deep as 75 feet (50 *hath*s) to reach the water level while in Lahore water level is reached only after about 30 feet. The land in my district is of inferior quality and when irrigated by wells barley can be grown in those lands. That is not all. In certain tracts the *chahi* rates and *barani* rates are exactly the same. I, therefore, request that the matter should be immediately attended to. And if immediate attention is not paid, we will be inclined to say that the nature of our Government has become Indianised because the Indians stick to the old customs much longer than it is necessary. The *chahi* rates fixed at the time of a settlement are continued to be followed for ever and ever. Before I sit down, I may say that the zamindars of such areas are very poor and there are not twenty per cent. amongst them who pay the land revenue out of their savings. I hope the Government will take the first opportunity to oblige these zamindars by remitting the *chahi* rates.

**Pandit Nanak Chand** [Hoshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, I also support the motion before the House wholeheartedly and I do so not because I am a representative of the Hoshiarpur district, which also suffers from the same injustice, but because I have known the conditions of the well-irrigated areas by my contact with Hoshiarpur district. I really do not understand why the Government should charge *chahi* rates when the zamindars spend everything from their own pocket or by taking loans from

the money-lenders to improve their lands. The hardship that the *chahi* rates cause is felt more in the Hoshiarpur district because the zamindars of that ilaqa have got very small holdings, comprising of four to eight acres of area.

With these few words I support the motion under consideration.

**Mr. C. M. King** (Financial Commissioner): Sir, there are one or two points made by the speakers who have spoken in favour of Rai Sahib Chaudhri Chhotu Ram's motion to which I want to refer. It has been stated that the Government is taxing the efforts and the capital of those persons who had the enterprise to sink wells and there seems to be a feeling that in acting in this way Government is not only doing something which is not quite fair but doing something which is absolutely illegal. All the members who have spoken in favour of this motion have used the word *najaz*, meaning illegal.

**Pandit Nanak Chand**: Improper.

**Mr. C. M. King**: All I have to say about this is that there is nothing illegal in this taxation of *chahi* lands. Under the rules framed under the Land Revenue Act, Government is entitled to take a share of the net produce of all agricultural land in the Punjab. Those net profits are very carefully estimated and in the calculation of them regard is paid to the cost of sinking the well, the cost of working the well and the labour of working the well. After deducting all these items the balance is struck and of that balance Government takes its share. It takes its share in exactly the same way from *barani* lands as it does from *chahi*. It takes its share also in exactly the same way from lands which have been manured as it does from lands which have not been manured. Now it would be just as logical to say that it is *najaz* or unlawful or illegitimate or improper for Government to take a share of the net assets of *barani* land because Government is thereby taking a share of the labour which the agriculturist has put into that land, his labour of ploughing, his cost of seed and so on—Government pays for none of these things and yet Government takes its share—it will be just as logical to say that it is unlawful to take a share from *barani* lands as it is to say that it is unlawful to take a share from *chahi* lands. In both the cases a very careful estimate has been made of the net assets of each class of land and after that estimate has been made Government takes a share which is appropriate in each case. I need not remind the zamindar members of this House, but perhaps it is necessary to point out to those members of this House who are not zamindars that the commonest form of rent in this province is the rent by which the landlord takes a share of the produce. It is a rent paid in kind and the division takes place at the harvest time when the landlord takes a share. In calculating the land revenue of an estate the calculation is based on the share of the harvest which each landlord takes; that is the basis of the net assets. But it will be realised that for *barani* lands and for *chahi* lands the share is not the same. In the *barani* lands in a great many cases you go up as far as half; it may even be three-fifths which the landlord takes from his tenant. For *chahi* lands, on the other hand, the landlord takes as little as one-fifth or one-sixth. Thus it will be seen that automatically the landlord himself allows for the extra cost of working the well, extra capital put

[Mr. C. M. King.]

into the well—which is often constructed partly at the expense of the tenant—and the extra cost of seed and also the extra cost of manure.

All that comes into account because the landlord instead of taking from his tenant the same share as in the case of *barani* land takes only one-sixth or one-fifth or at the most one-fourth in the case of *chahi* land. The Government share is based on what the landlord takes from his tenant and therefore equally and automatically, the Government land revenue allows for all these extra costs of cultivation.

Then, Sir, there comes the capital cost of sinking the well. From the speeches made by the members who have supported this motion it would seem that some of them are of the opinion that Government makes no allowance for the extra cost of repairing the well. That impression is wholly incorrect (*Hear, hear*). Government before it applies any assessment on well lands allows the revenue payer who has sunk a well a remission on that well assessed for a period which is not less than 20 years and which may be as much as 40 years. During that time there is no assessment at all on the land revenue payable by the sinker of the well. The whole profit derived from the well for a period of not less than 20 and it may be 40 years goes into the pocket of the person who has sunk it and it is directed that in applying and ascertaining the period which shall be fixed for its 'productive lease' as it is called, the owner of the land and the sinker of the well shall be allowed to recoup himself to the extent of twice the capital cost of sinking the well. Surely, Sir, that is a point which in fairness ought to have been mentioned by members who insisted that Government took no consideration of the capital cost of the well. Government not only takes into account the capital cost of the well, but it has fixed the remission so that the owner does not pay any assessment for at least 20 years or up to 40 years, and it is calculated that that is in effect allowing the owner a complete return of his capital plus interest which varies from 7 to 4 per cent. That that is a generous and liberal allowance is sufficiently proved by the increase quoted by the Honourable Member for Revenue which shows that steady increase in well construction has taken place during the last 30 or 40 years. This then is the position.

There is one other point that I should like to mention which perhaps has not been fully realised. It is a point which strangely enough was mentioned by my honourable friend Muhammad Yasin Khan, the member for Hissar. I do not think he quite realised the significance of it. When the land revenue is distributed over a large number of villages, that is to say all the villages in an assessment circle, the responsibility for making that distribution over individual estates rests entirely with settlement officers. They decide what land revenue should be paid by each estate as a whole. When it comes to payment by individual land-owners they themselves are allowed to decide how that amount shall be distributed among themselves for their various holdings. It may be that they will put more on *chahi* lands and less on *barani* lands, or more on *nehri* lands and less on *chahi* lands and less again on *barani* lands, or they may even decide as the people referred to by the member for Hissar had decided, to have exactly the same rate both for *chahi* and *barani* lands.

It will be seen then that this proposal to reduce the revenue payable on *chahi* land is not really supportable on the ground of the existing system being unjust or unfair. The whole scheme is one which has stood the test of 70 or 80 years, and it seems to have been fully accepted by the people as being a fair and just method of distribution of the incidence on land in the various forms in which that land is irrigated or cultivated. I hope, Sir, that I have been able to explain with sufficient clearness the point which is an exceedingly complicated one. I also hope that having heard the explanation, the honourable member will not press his motion to a division.

**Mr. H. W. Emerson** (Finance Secretary) : Sir, I understand that one ground on which this proposal to remit the wet assessment on well land is put forward is that there is something improper, if not illegal, in taxing the enterprise of the person who sinks the well ; and the assumption appears to be that this is a principle to which effect is not given in any other form of taxation. I find it rather difficult to reconcile this proposition with the one that was put forward on a previous motion, namely, that the principles which are followed in the case of the assessment of income-tax should also be followed in the case of land assessment. So far as I am aware.....

**Mr. President** : Order, order. No such motion was put before the House. It was only in the course of the general discussion of the budget that one of the honourable members touched that point ; while a specific motion on that point was ruled out of order only a few minutes ago.

**Mr. H. W. Emerson** : I am sorry, Sir. At any rate, I find it impossible to admit that either in the assessment of income-tax or in the assessment of any other tax, the principle has been accepted that a man's enterprise, or the fruits of a man's enterprise, should be free for all time from any payment of taxes. Were this so, Sir, the revenue of the province would soon reach a condition of stagnation from which it would never emerge. I imagine, for instance, that only a very few persons would pay income-tax if only those had to pay who derived their present income from some source otherwise than their own enterprise. I therefore do not think that there is anything improper in applying to the taxation of wells the same principle as is accepted in all other forms of taxation.

The second point to which I wish briefly to draw the attention of the House is the cost of this proposal. It is easy to say that all owners of well-lands should be relieved of the burden which they now have to bear ; but somebody has to pay the bill, and the bill is likely to be a large one. Out of curiosity I have looked into the assessment of the Jullundur district, a district that is one of the most important, if not the most important, well districts in the province. So far as I remember, the amount of the assessment imposed at the last settlement was 19 lakhs. If the well rate were reduced to that of the average rate on *tarami* land, there would be a reduction of 7 lakhs, that is, a reduction of about 37 per cent. for the whole of the district. It is not necessary to point out that an average reduction of 37 per cent. for the whole district means that many individuals would gain up to the extent of 50 per cent. while some no doubt would gain to the ex-

[Mr. H. W. Emerson.]

tent of 75 per cent. That is to say, this proposal would at once reduce the assessment of many individuals by as much as 50 per cent. The total assessment of the district, if this proposal were carried out, would then be 12 lakhs, an amount less than the assessment which was imposed in 1846; less than the assessment which was imposed ten years later, and less than any assessment that has been in force since the Jullundur district came under British rule. The proposal thus involves a reduction of taxation of the Jullundur district to a pitch less than what it was 80 years ago, in spite of the increase in the value of agricultural produce that has since taken place. I have no doubt that if similar calculations were made for some other districts, the results would be much the same.

There is one further point, and I think a very important point, which I should like to mention, and that is the assumption that conditions in all districts where wells are situated are the same. Nothing could be further from the truth. We have the conditions in the south-east of the province where the wells are necessary to avoid scarcity, where the rainfall is low and the water level is also very low.....

6 P.M.

**Mr. President:** Order, order. Demand under consideration, motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The Council then divided : Ayes 30 ; Noes 26.

AYES 30.

Pandit Nanak Chand.  
Lieutenant Sardar Sikandar Hayat Khan.  
Chaudhri Baldeo Singh.  
Mian Ahmad Yar Khan, Daultana.  
Dr. Gopi Chand, Bhargava.  
Khan Bahadur Malik Muhammad Amin Khan.  
Sayad Mubarik Ali Shah.  
Khan Sahib Khan Muhammad Saif-ullah Khan.  
Sardar Habib Ullah.  
Mr. Din Muhammad.  
Rai Sahib Chaudhri Chhotu Ram.  
Maulvi Sir Rahim Bakhsh.  
Malik Nawab Major Talib Mehdi Khan.  
Dr. Sir Muhammad Iqbal.

Chaudhri Chhajju Ram.  
Chaudhri Ali Ahmad.  
Chaudhri Yasin Khan.  
Risaldar Bahadur Nur Khan.  
Khan Bahadur Mian Muhammad Hayat, Qureshi.  
Makhdumzada Sayad Muhammad Raza Shah, Gilani.  
Rana Firoz-ud-Din Khan.  
Dr. Shaikh Muhammad Alam.  
Raizada Hans Raj.  
Lala Bodh Raj.  
Chaudhri Afzal Haq.  
Shaikh Muhammad Sadiq.  
Sardar Hari Singh.  
Sardar Partap Singh.  
Sardar Buta Singh.  
Sardar Santa Singh.

## NOES 26.

Lieutenant-Colonel W. H. C. Forster.  
 Mr. C. A. Barron.  
 Mr. C. M. King.  
 The Honourable Malik Firoz Khan,  
 Noon.  
 Khan Bahadur Nawab Muzaffar  
 Khan.  
 Mr. H. M. Cowan.  
 Sir George Anderson.  
 Mr. W. S. Dorman.  
 Mr. J. B. G. Smith.  
 The Honourable Mr. Manohar Lal.  
 The Honourable Sardar Jogendra  
 Singh.  
 The Honourable Sir Geoffrey  
 deMontmorency.

The Honourable Mian Jir-i-Faiz-i-  
 Husain.  
 Mr. J. G. Beazley.  
 Mr. H. W. Emerson.  
 Mr. B. H. Dobson.  
 Mr. H. D. Craik.  
 Mr. F. Keays Byrne.  
 Khan Bahadur Shaikh Abdul Qadir.  
 Mr. M. V. Bhide.  
 Rai Bahadur Lal Rattan Chand.  
 Mr. Owen Roberts.  
 Rai Bahadur Pandit Daulat Ram,  
 Kalia.  
 Mr. V. F. Gray.  
 Sardar Bahadur Sardar Sheo  
 Narain Singh.

Mr. E. Maya Das.

The motion was carried.

**Mr. President :** The question is—

"That a sum not exceeding Rs. 40,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Land Revenue."

After taking the vote of the Council by voices the motion was declared carried. Lala Bodh Raj then claimed a division. Upon this Mr. President asked those who challenged or supported to stand in their places respectively. Nine members stood in support of the division and about 20 members stood against the division.

**Mr. President :** I consider the claim for division as vexatious and therefore I decline to take votes by division.

The motion was declared carried.

The Council then adjourned till 2 p.m. on Monday, the 21st March 1927.

**THE UNIVERSITY OF CHICAGO**

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## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Monday, the 21st March, 1927.*

THE Council met at the Council Chamber at two of the clock.  
Mr. President in the chair.

### STARRED QUESTIONS AND ANSWERS.

#### MARTIAL LAW PRISONERS.

**\*137. Lala Kesho Ram, Sikhri :** Will the Honourable the Finance Member be pleased to state—

- (a) if it is a fact that there are still martial law prisoners undergoing different terms of imprisonment ;
- (b) if the answer to part (a) is in the affirmative, their names, their terms of imprisonment and the names of jails in which they are lodged ;
- (c) if any of these prisoners had at any time suffered from any serious illness ?

**The Honourable Sir Geoffrey deMontmorency :** Information is being collected and an answer to the question will be furnished as soon as possible in due course.

#### MARTIAL LAW PRISONERS.

**\*138. Lala Kesho Ram, Sikhri :** (a) Has the attention of the Honourable the Finance Member been drawn to a resolution of the Amritsar municipal committee passed at its meeting held on the 17th July, 1922, praying the Governor-General of India for the immediate release of the martial law prisoners ?

(b) In view of the aforesaid resolution will the Honourable the Finance Member be pleased to consider the advisability of the immediate release of these prisoners ?

**The Honourable Sir Geoffrey deMontmorency :** (a) No.

(b) Government is not prepared to do so.

#### DEPUTY SUPERINTENDENTS, INSPECTORS AND SUB-INSPECTORS IN THE PUNJAB POLICE.

**\*139. Lala Kesho Ram, Sikhri :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of Hindu, Muhammadan and Sikh Deputy Superintendents, Inspectors and Sub-Inspectors in the Punjab Police, respectively ;
- (b) the number of these officers employed in the Amritsar district ?

**The Honourable Sir Geoffrey de Montmorency :** (a) The honourable member is referred to page 6 of the consolidated statement<sup>1</sup> showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1926. This statement was laid on the table of the House on the 29th June 1926.

(b) The number of these officers serving in Amritsar is as follows :—

	Muslims.	Hindus.	Sikhs.
Deputy Superintendents of Police ..	2	..	..
Inspectors ..	1	2	..
Sub-Inspectors ..	15	11	5

#### HEAD CONSTABLES AND CONSTABLES.

\*140. **Lala Kesho Ram, Sikhri :** Will the Honourable the Finance Member be pleased to state the number of Hindu, Muhammadan and Sikh Head Constables and Constables at present employed in the—

(a) Amritsar district ;

(b) Amritsar City ?

**The Honourable Sir Geoffrey de Montmorency :**

	Muhammadans.	Hindus.	Sikhs.
(a) Head constables	88	18	24
Constables	677	119	107
(b) Head constables	26	8	7
Constables	260	31	30

#### DEPUTY SUPERINTENDENTS OF POLICE AND SUPPRESSION OF BABBAR AKALIS.

\*141. **Lala Kesho Ram, Sikhri :** Will the Honourable the Finance Member be pleased to state if any Hindu Deputy Superintendent of Police was ever placed on special duty in connection with the suppression of the Babbar Akalis in the Doaba ? If so, his name ?

**The Honourable Sir Geoffrey de Montmorency :** Yes. One Hindu Deputy Superintendent of Police was placed on special duty in the Criminal Investigation Department, Punjab, in connection with the arrest of the Babbar Akalis in the Doaba, with his headquarters at Jullundur, with effect from the forenoon of the 27th August, 1923, to the afternoon of the 1st December 1924.

#### REWARDS FOR POLICE OFFICERS EMPLOYED IN THE CAMPAIGN AGAINST BABBAR AKALIS.

\*142. **Lala Kesho Ram, Sikhri :** Will the Honourable the Finance Member kindly state—

- if any awards of land, cash or sanads were made to those police officers employed in the campaign against the Babbar Akalis ;
- the names of those to whom such awards were made ;
- the reason for which the name of the Hindu Deputy Superintendent of Police, employed in this campaign was omitted or ignored from this list of awards ;
- who prepared this list ?

**The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

- (b) } Government is not prepared to supply this information.  
(c) }  
(d) }

**GRANTS-IN-AID TO DENOMINATIONAL COLLEGES.**

**\*143. Lala Kesho Ram, Sikhri :** Will the Honourable the Minister for Education be pleased to state—

- (a) the total amount allocated for purposes of grants-in-aid to the various denominational colleges in the Punjab ;  
(b) the amount of such grants-in-aid to each of the—  
(i) first grade denominational colleges ;  
(ii) Intermediate denominational colleges ;  
(c) his reasons in making such disproportionate grants-in-aid to the various denominational colleges ;  
(d) whether he would consider the claims of Hindu Sabha Intermediate College at Amritsar and give adequate aid to it ?

**The Honourable Mr. Manohar Lal :**

(a) Rupees 1,66,000.

(b) (i) The details are given below :—

	Rs.
(1) Gordon College, Rawalpindi	12,000
(2) Murray College, Sialkot	8,000
(3) Forman Christian College, Lahore	20,000
(4) Kinnaird Girls College, Lahore	4,800
(5) Khalsa College, Amritsar	47,200
(6) Sanatan Dharma College, Lahore	12,000

(To be increased to Rs. 20,000 next year).

(i) Islamia College, Lahore ... 62,000

(ii) Nil.

(c) The grants have been assessed with particular reference to the needs of the several degree colleges.

(d) Grants are not given to privately managed Intermediate Colleges.

ADULTERATED *Ghi*.

\*144. **Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self- Government be pleased to state—

- (a) whether he is aware that large consignments of adulterated *ghi* are being sold in the market in the Punjab ;
- (b) if so, whether the Government is taking any steps to prevent the adulteration ;
- (c) whether the Government would consider the advisability of framing rules with respect to the import and sale of vegetable product in the Punjab so that each importer may have to keep an account of the amount of vegetable product received and disposed of by him ?

**The Honourable Malik Firoz Khan, Noon :** (a) & (b) It is not clear whether the honourable member is referring to the sale of adulterated *ghi* purporting to have been made from milk or to the sale of substitutes for *ghi* made from vegetable products. As regards the former, municipal committees already possess powers under the Punjab Municipal Act, 1911, to deal with cases of such adulteration. Moreover, the standard of butter fat contents of *ghi* has now been worked out and prescribed under section 16 of the Punjab Adulteration of Food Act, 1919, and steps are being taken to make the Act operative in certain areas. As regards the vegetable oil substitutes for *ghi*, the honourable member is referred to the answer given to question<sup>1</sup> No. 3490 of 1926.

(c) It would be necessary to legislate to obtain power to make rules of the description suggested by the honourable member. Government, however, do not consider that any necessity for such legislation exists, as though the substitutes for *ghi* are less nutritive than genuine *ghi* they are in no way deleterious and any one who sells vegetable *ghi* as *ghi* made from milk could be prosecuted under the ordinary law.

**Mr. Labh Singh :** Will the Government please state what experts they have consulted who are of opinion that the imported artificial *ghi* is not deleterious to health ?

**The Honourable Malik Firoz Khan, Noon :** The Chemical Examiner and the Director of Public Health.

**Mr. Labh Singh :** Will the Honourable Member be pleased to publish the information ?

**The Honourable Malik Firoz Khan, Noon :** If a question is put in the usual course, that information will be given.

## PASTURE LANDS.

\*145. **Dr. Gokul Chand, Narang :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether he is aware that since the rise in the prices of land produce the number and area of pasture lands in the province have been very considerably reduced ;
- (b) whether the Government would frame rules directing revenue officers to reserve a definite proportion of *shamilat* land for pasturage when dealing with the question of partition of *shamilat* in each estate ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Government is aware of the tendency in question which affects certain parts of the province ;

(b) In the colonies, pasture lands are provided and are definitely retained for pasture; elsewhere there is no legal provision whereby Government of its own motion can provide for the reservation of a sufficient amount of pasture land. This matter, however, is always carefully considered by revenue officers in partition proceedings in which the question of partition of a grazing ground arises [see section 112, clause (2) (b) of the Land Revenue Act]. Land-owners themselves can also take action under section 150 of the Land Revenue Act when any ground reserved for the common purposes of the co-sharers has been encroached on.

#### DISTRICT BOARD OF SHAHPUR.

**\*146. Dr. Gokul Chand, Narang :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) the number of the members of the district board of Shahpur belonging to each community ;
- (b) the population of Hindus and Sikhs in the district and also the amount of professional tax realised by the district board from the Hindus and Sikhs of the district and the total amount of the professional tax realised from the district ; and
- (c) whether the Government will take steps to increase the representation of the Hindus and Sikhs in the district board of Shahpur either by constituting separate electorates or by nomination ?

#### **The Honourable Malik Firoz Khan, Noon :—**

(a) Muslims	...	...	...	...	32
Sikhs	...	...	...	...	3
Hindus	...	...	...	...	1

(b) Hindu and Sikh population of the area subject to the authority of the district board according to the census of 1921 was 77,380. No figures are available to show the amount of haisiyat tax realised from Hindus and Sikhs; and no such figures can be obtained without great labour and expense. It is, however, estimated by the Deputy Commissioner that eighty per cent. of the total demand of Rs. 37,248 for the year 1926-27 is payable by Hindus and Sikhs.

(c) If the total amount of taxation contributed by different communities, including both local rate and haisiyat tax, were to be adopted as a criterion in allotting seats to the different communities on district boards, Hindus and Sikhs would not be entitled to any larger representation on the district board of Shahpur than they at present enjoy. Government, however, are not prepared to adopt a criterion which is contrary to all the principles of democratic institutions, nor are they at present prepared to permit the introduction of communal electorates in district boards.

## PROFESSIONAL TAX.

\*147. **Dr. Gokul Chand, Narang:** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the scale of professional tax levied by the district board in the Shahpur district has been raised from Rs. 20 to Rs. 500;
- (b) the grounds on which this increase was sanctioned;
- (c) whether any representation was made against this increase;
- (d) if so, whether the objections raised in the representation were taken into consideration;
- (e) if not, the reasons for ignoring the protest; and
- (f) the strength and cost of the staff required for the collection of professional tax in the Shahpur district?

**The Honourable Malik Firoz Khan, Noon:**

- (a) Yes.
- (b) So that persons with larger incomes might be proportionately more highly taxed.
- (c) } Objections were made, but were considered to be untenable.
- (d) }
- (e) }

	Rs.
(f) One haisiyat tax officer on Rs. 200 per mensem plus travelling allowance under the Government Travelling Allowance Rules.	200 per mensem.
One muharrir at ...	25 "
One peon at ...	17 "
Total ...	242

## PROFESSIONAL TAX.

\*148. **Dr. Gokul Chand, Narang:** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) the number of objections and appeals made against the imposition of the professional tax in the Shahpur district;
- (b) the number of objections and appeals accepted;
- (c) whether the Government would be pleased to make arrangements for the hearing of these objections and appeals by judicial officers?

**The Honourable Malik Firoz Khan, Noon:** (a) Four objections to the imposition of the tax were received by the district board of Shahpur, after its proposals for the imposition of the tax had been published.

(b) None of the objections was accepted.

(c) Under the Punjab District Boards Act, 1883, it is for the district boards and for the Local Government to consider objections made in respect of proposed taxes. The suggestion made by the honourable member would therefore involve amendment of the Act; but Government are not prepared to undertake such amendment, as they do not consider that it is within the functions of a judicial officer to decide on the propriety of taxation proposed by local bodies.

**Mr. Labh Singh :** Were only four petitions received or petitions from four persons received?

**The Honourable Malik Firoz Khan, Noon :** One petition signed by four persons.

PROFESSIONAL TAX.

**\*149. Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether he is aware that persons on whom professional tax is imposed are very often those who are already paying income-tax;
- (b) whether the Government would be pleased to take some steps which may relieve the income-tax payers from the burden of the professional tax?

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

(b) The payment of a provincial or central tax does not at present exempt the payee from local taxation, and Government do not consider it desirable that this principle should be relaxed in the case of a particular class.

DRINKING WATER IN PIND DADAN KHAN.

**\*150. Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self-Government be pleased to state:—

- (a) whether he is aware that the residents of Pind Dadan Khan are in great trouble on account of the scarcity of drinking water;
- (b) whether it is a fact that they applied to the Government for help in providing new water works for the town, and that the Sanitary Board made a recommendation for advancing a certain amount of money for the provision of new water works;
- (c) whether any action has been taken by Government on that recommendation of the Sanitary Board;
- (d) whether the Government will be pleased to see that the residents of Pind Dadan Khan are enabled to make adequate arrangements for the supply of pure drinking water for the town?

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

(b) Yes.

(c) & (d) The matter has been referred back to the municipal committee with a view to its providing a larger proportion of the funds for the scheme than it is at present proposing to provide. The Sanitary Board is prepared to make a generous grant.

CANAL SCHEME IN PIND DADAN KHAN.

**\*151. Dr. Gokul Chand, Narang :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that large areas of culturable land near Pind Dadan Khan have been spoiled by the flow of salt water from the salt range?

- (i) whether it is a fact that the Government promised to consider the question of a canal for the irrigation of such areas;
- (c) whether any progress has been made in the canal scheme?

**The Honourable Mian Sir Fazl-i-Husain :** Yes.

#### BEGAR SYSTEM.

**\*152. Dr. Gokul Chand, Narang :** (a) Will the Honourable Member for Revenue be pleased to state whether he is aware that members of the depressed classes in the villages are subjected to a system of forced labour by the zamindars and subordinate Government officials?

(b) If so, will he be pleased to take immediate action for the abolition of the *begar* system?

**The Honourable Mian Sir Fazl-i-Husain :** (a) No, but will be glad if the honourable member brought definite cases of such allegations to the notice of Government.

(b) Does not arise.

#### TREATMENT OF EXAMINERS OF COPIES AS GOVERNMENT SERVANTS.

**\*153. Dr. Gokul Chand, Narang :** (i) Will the Honourable Finance Member be pleased to state —

(a) if the examiners of copies in the copying agency of the Shahpur district are treated as Government servants or otherwise;

(b) by what rules these officials are governed in the matter of leave?

(ii) In case there are no rules applicable to them, will the Government be pleased to frame rules so as to enable them to obtain privilege leave?

**The Honourable Sir Geoffrey de Montmorency :** (i) (a) Examiners of copies are not treated as Government servants.

(b) Government has, however, extended the provisions of rule 16.2 of Punjab Government Financial Handbook No. 2, Volume II—Subsidiary Rules (other than Travelling Allowance Rules) to examiners of copies, and leave may now be granted to them under that rule.

(ii) Does not arise.

#### ELECTION PETITION AGAINST MIAN NASIR-UD-DIN.

**\*154. Dr. Gokul Chand, Narang :** (i) Will the Honourable Minister for Local Self-Government be pleased to state whether he is aware that serious charges were brought against Mian Nasir-ud-Din in an election petition filed by Mohammad Faiq, a candidate for election to the municipal committee of Sahiwal?

(b) If so, what action has been taken by the Government to enquire into those charges?

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

(b) An officer has been appointed under rule 47 of the Municipal Election Rules, 1926, to hold an enquiry into the allegations made in the election petition.

#### SHOP SITES IN THE LYALLPUR DISTRICT.

**\*155. Dr. Gokul Chand, Narang :** (i) Will the Honourable Member for Revenue be pleased to state—

(a) whether he is aware that the shop-keepers in the Lyallpur district have been asked to pay exorbitant prices for the site of their shops for the acquisition of proprietary rights, ranging from Rs. 20 to Rs. 30 per marla, whereas the zamindars were charged about Re. 0-2-0 per marla for the lands in the same localities;

(b) whether it is a fact that the shop-keepers of the Lyallpur district have made representations to the Commissioner and the Financial Commissioner against this exorbitant imposition;

(c) what action has been taken on those representations?

(ii) If no action has been taken so far, will the Government be pleased to consider the advisability of instituting an enquiry into the grievances of the shop-keepers referred to in the representations mentioned above?

**The Honourable Mian Sir Fazl-i-Husain :** The honourable member is referred to the answer given to unstarred question<sup>1</sup> No 60 on 8th March 1927.

#### GOVERNMENT NORMAL SCHOOLS IN RAWALPINDI DIVISION.

**\*156. Dr. Gokul Chand, Narang :** (i) Will the Honourable Minister for Education be pleased to state—

(a) the number of Government Normal Schools in the Rawalpindi division?

(b) the number of Hindu headmasters in the Government Normal Schools of the Rawalpindi division?

(c) whether it is a fact that in the whole Rawalpindi division there is only one Hindu District Inspector of Schools?

(ii) If so, will the Honourable Minister for Education be pleased to explain the reason why the Hindus are practically excluded from the cadre of District Inspectors in the Rawalpindi division.

**The Honourable Mr. Manohar Lal :** The honourable member is referred to the general answer given to Council Questions<sup>2</sup> Nos. 1261 to 1275.

#### AYURVEDIC AND UNANI SYSTEMS OF MEDICINE.

**\*157. Dr. Gokul Chand, Narang :** (a) Will the Honourable Minister for Local Self-Government be pleased to state what steps, if any, are being taken for the propagation of Ayurvedic and Unani systems of medicine in the provinces?

(b) Will he be pleased to take adequate steps for the improvement and popularization of Ayurvedic and Unani systems of medicine?

<sup>1</sup>Page 17a ante.

<sup>2</sup>Vol. VIII-B, pages 1167-81 and page cxli, Appendix VIII.

**The Honourable Malik Firoz Khan, Noon :** (a) No steps are at present being taken by Government, and Government are not aware what steps are being taken by private individuals or bodies.

(b) The matter is under consideration.

**Mr. Labh Singh :** How long will it remain under consideration before any final decisions are arrived at?

**The Honourable Malik Firoz Khan, Noon :** That depends on the intricacy of the question.

**Mr. Labh Singh :** What is the degree of intricacy of this question?

**The Honourable Malik Firoz Khan, Noon :** That can only be explained by going through the whole file.

**Mr. Labh Singh :** When will that file be gone through?

**The Honourable Malik Firoz Khan Noon :** As soon as I have time.

#### POLL-TAX.

\*153. **Dr. Gokul Chand, Narang :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether any poll-tax is levied on the visitors to the annual fairs held at Katas and Choha Saidan Shah?

(b) If so, under what authority is this tax imposed?

(c) What becomes of the money thus collected?

(d) Whether there are any accounts available for the amounts thus collected during the last five years?

**The Honourable Malik Firoz Khan, Noon :** (a) & (b) No, but certain fees are levied under section 83 of the Punjab District Boards Act, 1883.

(c) The money collected is credited to the district fund.

(d) The accounts are included in the accounts maintained under the District Board Account Code.

#### SCHOOLS IN THE RAWALPINDI DIVISION.

\*159. **Dr. Gokul Chand, Narang :** Will the Honourable Minister for Education be pleased to give a list of the schools in the Rawalpindi division which have applied for recognition, but have not been recognised so far, together with the reasons for refusing the recognition up to this time.

**The Honourable Mr. Manohar Lal :** As the honourable member has not named a specific period of time, it is not possible to answer this question. In any case, the Department of Education grants recognition to high schools on behalf of the University. The general conditions regarding the recognition of the middle schools are defined in the Education Code.

**Mr. Labh Singh :** Will the Honourable Minister be pleased to give an answer to this question on the basis of the last two years?

**The Honourable Mr. Manohar Lal :** Yes. I shall be glad to have an answer prepared on that basis.

## COTTON MARKET AT MUKTSAR.

\* 160. **Dr. Gokul Chand, Narang :** (a) Will the Honourable the Minister for Agriculture be pleased to state whether it is a fact that His Excellency the Governor when he paid a visit to Muktsar in the Ferozepore district in December 1925, expressed his approval of the scheme of a cotton market at Muktsar?

(b) If the answer to (a) is in the affirmative, what progress has been made in this behalf up to this time?

**The Honourable Sardar Jogendra Singh :** (a) His Excellency said he would watch with interest the progress of any proposals for the institution of a cotton market at Muktsar.

(b) No proposals have yet reached Government.

## AYURVEDIC DISPENSARIES.

\* 161. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

(a) if he is aware of the fact that in the district of Hissar a few Ayurvedic dispensaries have been started by the local board and that after their start the Government started the allopathic dispensaries at these very places;

(b) if it is a fact that in view of the start of allopathic dispensaries the board was compelled to shift the Ayurvedic dispensaries to some other villages;

(c) if it is a fact that the Civil Surgeon of the district has been given the authority to supervise the Ayurvedic dispensaries, who is not supposed to know much of Ayurvedic treatment;

(d) if it is a fact that the Ayurvedic dispensaries are not being fully equipped;

(e) whether he would consider it desirable to advise the board to appoint an independent superintendent of Ayurvedic dispensaries who may be an expert in the use of such medicines?

**The Honourable Malik Firoz Khan, Noon :** (a) and (b) Yes.

(c) The Civil Surgeon was authorised to inspect and report upon these dispensaries temporarily for six months.

(d) No.

(e) There are only three such dispensaries and the district board does not consider it advisable to appoint a special superintendent for them, and Government are in agreement with this view.

**Lala Bodh Raj :** With reference to the answer to (e) will the Honourable Member be pleased to state if he is prepared to replace the Civil Surgeon by one who is competent in the system of Ayurvedic treatment?

**The Honourable Malik Firoz Khan, Noon :** It will be difficult for me to find such a man.

**Lala Bodh Raj :** May I know whether, if he is able to find one, he will be pleased to appoint him on the Board?

**The Honourable Malik Firoz Khan, Noon :** It is difficult for me to answer that question.

## ASSISTANT SECRETARIES IN THE CIVIL SECRETARIAT.

\*162. **Lala Bodh Raj :** Will the Chief Secretary please state—

- (a) if it is a fact that the pay of the two Assistant Secretaries in the Civil Secretariat has been raised from Rs. 800 to Rs. 1,000 ;
- (b) the duties performed by these Assistant Secretaries, respectively ;
- (c) if it is a fact that Mr. Abbott, late Financial Commissioner, who was put on special duty in the Secretariat some years ago, recommended the reduction of the post of one of the Assistant Secretaries and the amalgamation of the Secretariat establishment with that of the Financial Commissioners' office ;
- (d) if it is a fact that the said report of Mr. Abbott was lost and that nobody was held responsible for the disappearance of the report ; if so, why ?
- (e) if the Government will consider the advisability of appointing a committee to make an enquiry into the alleged loss of the report ?

**Mr. H. D. Craik :** (a) Yes : an incremental scale of Rs. 800—40—1,000 has been sanctioned for the Assistant Secretaries in the Civil Secretariat and the Public Works Departments.

(b) A statement is laid on the table.

(c) No.

(d) Yes : every endeavour was made to trace the report but the loss could not be attributed to any one in particular.

(e) Government does not consider this step likely to lead to any useful result.

**Lala Bodh Raj :** Will the Honourable Member please state if the incremental scale was sanctioned after the Honourable Sir John Maynard handed over charge of the office ?

**Mr. H. D. Craik :** The increase was sanctioned recently, that is, within this year.

**Lala Bodh Raj :** After the Honourable Sir John Maynard left charge of the office ?

**Mr. H. D. Craik :** Yes.

**Lala Bodh Raj :** Is it a fact that the Honourable Sir John Maynard did not approve of this incremental scale ?

**Mr. H. D. Craik :** No, Sir ; I do not think it is a fact.

**Lala Bodh Raj :** Will the Honourable Member please state the source of information for the answer to part (c) of the question ?

**Mr. H. D. Craik :** The source of information is my own personal knowledge.

**Lala Bodh Raj :** Will the Honourable Member please state if he went through the report of Mr. Abbott ?

**Mr. H. D. Craik :** Yes.

**Lala Bodh Raj :** Will the Honourable Member please state what recommendations are made by Mr. Abbott on the point ?

**Mr. H. D. Craik :** I do not remember.

**Lala Bodh Raj :** Is it a fact that he made recommendations to the effect that the posts of two Assistant Secretaries under the Chief Secretary and the one under the Financial Commissioner should be amalgamated?

**Mr. H. D. Craik :** To the best of my recollection that statement is not correct.

**Lala Bodh Raj :** Will the Honourable Member please state if there is any recommendation to a similar effect?

(No answer.)

**Lala Bodh Raj :** Will the Honourable Member please state who is responsible for the loss of the report in the Office?

**Mr. H. D. Craik :** The answer to that question is covered by my reply to (2).

**Lala Bodh Raj :** Will the Honourable Member please state if any subordinate clerk is responsible for the loss of the report?

(No answer.)

*List of duties of Senior Assistant Secretary.*

1. Distribution of the fresh receipts, Council Questions, Council Resolutions, etc.

2. Charge of Library and all cases relating thereto.

3. Charge of the Toshakhana and cases relating thereto.

4. Contingent expenditure and contingent budget of the Punjab Civil Secretariat.

5. Monthly contingent account under 22- General Administration.

6. Examination contingencies.

7. All cases of Secretariat relating to stationery, furniture, typewriters, rents, rates and taxes, newspapers and periodicals, printing at private presses, telephone connection, trunk calls, etc.

8. Estimates relating to improvement of the Civil Secretariat buildings and management of the Civil Secretariat and Council Chamber grounds.

9. Stationery indents and annual budget.

10. Arrangements for wood and coal and *khas tattis* for the office.

11. Arrangements in connection with the various meetings held in the Council Chamber.

12. All requirements of the Keeper of Records.

13. Safe custody of all bonds relating to advances granted to the office establishment.

14. Arrangements for the despatch of Punjab Government dāk of all offices between Simla and Lahore.

15. Arrangements for the accommodation of Committees and Commissions visiting the Punjab.

16. Arrangements for the move of Government from Lahore to Simla and back.

17. Ecclesiastical notifications (transfers and postings of chaplains).

[Mr. H. D. Craik.]

18. Record of action taken by Government on Resolutions of the Legislative Council.

19. Cases relating to European clerks cottages at Lahore.

20. Application for employment from demobilised Indian soldiers.

21. Commutation of pensions of—

(a) Punjab Civil Service Officers.

(b) Officials of the Police Department.

(c) Officials of the Medical Department.

(d) Officials of Accounts offices.

(e) Revenue establishment other than Tahsildars and Naib-Tahsildars.

(f) Civil Secretariat and officials of other provinces resident in the Punjab.

22. Attendance at Typewriter Board and correspondence in connection with typewriters brought before the Board.

23. Notifications of appointment, transfer and leave of medical officers.

24. Extension of the provisions of the Vaccination Act to local bodies in the Punjab.

25. Audit and inspection notes on—

(a) Accounts of local bodies,

(b) Jail factory accounts, and

(c) Cantonment accounts.

26. Application for copies of the *Punjab Gazette* and other official publications.

The Junior Assistant Secretary deals with :—

1. General management of the Civil Secretariat office.

2. All matters connected with the pay, promotion, leave, recruitment, and retirement, etc., of the clerical and menial establishments of the Punjab Civil Secretariat.

3. Applications for additional establishment received from the branches.

4. Examination of service books and leave accounts of the clerical and menial establishments of the Civil Secretariat.

5. Passing of bills relating to the pay, travelling allowance, hill journey and hill allowances, honoraria and other allowances of the establishment and examination of acquittance rolls connected therewith.

6. Applications from the office establishment for the grant of advances for house building and house purchase.

7. Examination of proposals relating to life insurance and general provident fund submitted by the clerical establishment.

8. Expenditure and Budget relating to officers and establishment of the Punjab Civil Secretariat.

9. Schedules of new expenditure, lists of late sanctions and excesses and surrenders relating to the officers and establishment, and their travelling allowance, hill journey and hill allowances, honoraria, and other allowances.

10. Examination of appropriations, re-appropriations, accounts of monthly expenditure under different primary units of appropriation (except contingencies) in the Civil Secretariat budget and applications for additional allotments where required.

11. Questions relating to the grant of local holidays.

12. Responsibility for seeing to the punctual submission of returns from Superintendents, and for the inspection and efficient working of the branches.

#### SUPERINTENDENTS OF SECRETARIAT.

\* 163. **Lala Bodh Raj :** Will the Chief Secretary please state--

- (a) if it is a fact that Anglo-Indian Superintendents are often imported into the Secretariat from the district and other outside offices, and thereby the claims of Indian Assistants in the Secretariat overlooked ;
- (b) if it is a fact that there are capable, well educated Indian Assistants in the Secretariat fit for promotion to the Superintendent's grade ;
- (c) if it is a fact that the reason for such practice is that the number of Anglo-Indians in the Secretariat may not decrease and it has nothing to do with the question of efficiency ;
- (d) if it is a fact that so far no Indian Superintendent has been recruited direct into the Secretariat with the only exception of Financial Adviser's Superintendent, whose work could only be performed by a man from Accountant-General's office ;
- (e) the reasons why such preferential treatment should not be stopped ?

**Mr. H. D. Craik :** (a) In the last 6 years one Superintendent, an Anglo-Indian, has been imported from outside.

(b) There are some.

(c) Does not arise.

(d) Yes.

(e) The fact disclosed in the answer at (a) does not constitute preferential treatment.

**Lala Bodh Raj :** In view of the reply to (b), will the Honourable Member please state the reasons why the Anglo-Indian was imported from outside ?

**Mr. H. D. Craik :** The reason was that the Superintendent in question was more competent to deal with this particular branch than any one in the office.

**Mr. Owen Roberts :** Has it been the policy of the Government to employ the best qualified persons for the appointment ?

**Mr. H. D. Craik :** Yes, so far as the pay offered attracts them.

SUPERINTENDENT IN THE POLITICAL AND GAZETTE BRANCHES OF THE  
CIVIL SECRETARIAT.

\*164. **Lala Bodh Raj :** Will the Chief Secretary please state :—

- (a) if it is a fact that as a rule the Indians have been excluded from appointments of Superintendent in the Political and Gazette branches of the Civil Secretariat and that the Anglo-Indians have monopolised this post;
- (b) if it is a fact that senior Indian Superintendents are available in the Secretariat who are fit to perform the duties of this post;
- (c) if the reply to parts (a) and (b) be in the affirmative, the reasons for not posting Indians to these branches?

**Mr. H. D. Craik :** (a) The two appointments in question are not at present and have not for some time been held by Indians, but Indians are eligible for them.

(b) and (c) Superintendents are selected for these two branches and for all others entirely on grounds of personal competence.

**Lala Bodh Raj :** Will the Honourable Member please state whether he will consider the appointment of an Indian to any of these two posts in the near future?

**Mr. H. D. Craik :** I will not give any definite undertaking to that effect; but I will appoint the most competent man available whether he is an Indian or not.

**Lala Mohan Lal :** Are there no qualified Indians for these posts?

**Mr. H. D. Craik :** I would refer the honourable member to the answer given to Question 169 (b) above.

**Lala Mohan Lal :** May I know why the Indians are not appointed if there are some who are capable?

**Mr. H. D. Craik :** The most competent man available at the moment when the vacancy occurs is selected whether he is an Indian or not.

SALE OF LAND TO S. KIRPAL SINGH.

\*165. **Lala Bodh Raj :** Will the Honourable the Member for Revenue please state :—

- (a) if it is a fact that five acres of land are being proposed to be sold to one Sardar Kirpal Singh in Chak No. 102-15-L, Tahsil Khanewal, while there are other purchasers who gave higher bids and are prepared to pay still higher price for the same;
- (b) if it is a fact that the Sub-Divisional Officer while recommending the sale of land in favour of the said Kirpal Singh did not call the neighbouring grantees and suppressed the fact, that one Bishen Singh who already possessed half of the same square was willing to give a higher bid, and had actually given a higher bid, in his note of recommendation to the Collector;
- (c) if it is a fact that Sardar Bishen Singh called in question the conduct of the Sub-Divisional Officer and his subordinates in the suppression of certain facts;

- (d) if it is a fact that after the conduct of the Sub-Divisional Officer and his subordinates was called in question by Sardar Bishen Singh the Sub-Divisional Officer took steps to have the sale effected in favour of Kirpal Singh without waiting for the orders of Collector in this connection ;
- (e) if the mutation of land has been effected in favour of Sardar Kirpal Singh ; if so, what action the Government proposes to take against the Sub-Divisional Officer for the loss in revenue to the Government on this account ?

**The Honourable Mian Sir Fazl-i-Husain :** The information required is not available at present. A reference has been made to the Deputy Commissioner, Multan, who has not yet replied.

#### IRRIGATION IN MULTAN.

**\*166. Lala Bodh Raj :** (a) Will the Honourable Member for Revenue please state if his attention has been drawn to the remarks made by His Honour the Lieutenant Governor during his visit to Multan in or about the year 1918 in reply to the address presented to him by the Municipal Committee, Multan, assuring the representatives of the town that Multan will have perennial irrigation all round it and the city would be one of the richest centres of trade in the province ? If so, what steps have been taken by the Government for the realisation of that assurance ?

(b) Is the Honourable Member aware of the facts that the zamindars of the district have been complaining against short supply of water which cannot meet their wants for irrigation, and that the trade of the city has been deteriorating on this account ?

**The Honourable Mian Sir Fazl-i-Husain :** The honourable member is informed that the information is not available in the Secretariat. A reference has been made to local officers whose reply is awaited. Further information will follow.

#### REVENUE ESTABLISHMENT IN MULTAN DIVISION.

**\*167. Lala Bodh Raj :** (a) Will the Honourable Revenue Member please state for the non-colony area of the division of Multan according to district—

- (i) the strength of Revenue Assistants, the Tahsildars and Naib-Tahsildars ;
- (ii) how many of them are Hindus and how many Muhammadans.

(b) if it is a fact that in the revenue department in the several districts of the division there is a preponderance of Muhammadan officials, will he please state the reason for it ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) (i) & (ii) A detailed statement is laid on the table. The combined figures for the whole division

[The Hon'ble Mian Sir Fazl-i-Husain.]

show that the Revenue Assistants, Tahsildars and Naib-Tahsildars consist of 20 Hindus, 7 Sikhs, 1 Christian and 46 Muhammadans.

(b) It is not clear why an explanation is demanded.

*Statement showing by religions the number of Revenue Assistants, Tahsildars and Naib-Tahsildars in the Districts of the Multan Division*

Districts.	REVENUE ASSISTANTS.				TAHSILDARS.				NAIB-TAHSILDARS.				REMARKS.
	Hindus.	Sikhs.	Christians.	Muhammadans.	Hindus.	Sikhs.	Christians.	Muhammadans.	Hindus.	Sikhs.	Christians.	Muhammadans.	
Montgomery	...	1	...	...	1	...	1	2	2	...	...	3	Colony Tahsildars and Naib-Tahsildars are excluded.
Lyallpur	1	...	...	...	1	...	...	3	2	1	...	1	
Jhang	...	...	...	1	...	...	...	3	1	1	...	2	
Multan	...	...	...	2	...	...	...	6	5	2	...	8	
Muzaffargarh	...	...	...	1	...	...	...	4	4	2	...	1	
Dera Ghazi Khan.	...	...	...	1	2	...	...	2	1	...	...	4	

*MST. LACHHYA, PRISONER IN LAHORE FEMALE JAIL.*

\* 163. **Lala Bodh Raj:** Will the Honourable Member for Finance please state—

- if it is a fact that *Mustammad Lachhya*, a prisoner confined in Female Jail, Lahore, who was convicted for two years under sections 366, 376/377, Indian Penal Code, by the court of Bawa Nanak Singh, Additional District Magistrate, Multan, was ordered to be acquitted on appeal by the High Court on the 26th of January 1927, but as a matter of fact she was released on or about 19th February 1927;
- the reasons for her being released after about 24 days' delay;
- whether any action was taken against the official responsible for such delay;
- whether it is a fact that the other co-accused also were released from the Central Jail on or about the 15th February 1927? If so, what action has been taken in their case against the officials responsible for their delayed release?

**The Honourable Sir Geoffrey deMontmorency:** Information is being collected and a communication will be made to the honourable member as soon as possible.

**SARDAR NIDHAN SINGH, NAIB-TAHSILDAR, LYALLPUR, AND MUNSHI HASAM DIN, NAIB-TAHSILDAR.**

**\*169. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that Sardar Nidhan Singh, Naib-Tahsildar, Lyallpur, has been transferred to Muzaffargarh on the ground that he holds land in the district of Lyallpur ;
- (b) if it is a fact that Munshi Hasam Din, Naib-Tahsildar, who is at present working as Head Vernacular Clerk to the Deputy Commissioner, Lyallpur, also holds land in the district and is not being transferred ;
- (c) the reasons for such a distinction ?

**The Honourable Mian Sir Fazl-i-Husain :** The Financial Commissioner has no information on the point and the matter is not of sufficient importance to justify a reference to the Commissioner.

**Lala Bodh Raj :** Will the Honourable Member please state if any Naib-Tahsildar who holds lands in a certain district can be posted to that district ?

**The Honourable Mian Sir Fazl-i-Husain :** How can I say that, Sir ?

**GOVERNMENT TANNERY AT SHAHDARA.**

**\* 170. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether the Government Tannery at Shahdara is supposed to be run on business lines ;
- (b) what is the total cost on the buildings connected with the Tannery ;
- (c) what is the total cost on the machinery set up for working the Tannery ;
- (d) what is the total amount of the capital placed at the disposal of this Tannery ;
- (e) what is the annual expenditure on the salaries of officers and establishment and the proportion which it bears to the capital ;
- (f) what is the total expenditure under all heads other than salaries ;
- (g) what is the date on which the Tannery started to work ;
- (h) what is the total income and expenditure up to the 31st December 1926 ;
- (i) what is the present salary of the Superintendent ;
- (j) what salary the Superintendent applied for, what initial salary was granted to him and what increments have been given to him ;
- (k) whether the Superintendent's contract of service expired in December 1926, and
- (l) whether the Superintendent has been re-engaged for a fresh term and, if so, what justification is there for his re-engagement on the grounds of either business or efficiency ?

**The Honourable Mr. Manohar Lal :** (a) The honourable member's attention is drawn to paragraph 3 of Punjab Government's review on the Report of the Department of Industries, Punjab, for the year ending 31st March 1926.

- (b) Rs. 2,02,895-8-0.  
 (c) Cost of machinery set up for the Tannery ... Rs. 1,46,093.  
 Share of Power House and water-supply plants ... Rs. 58,383-9-0.  
 (d) Rs. 2,00,000.  
 (e) Rs. 42,790 which bears a proportion of 10 per cent. to the capital.  
 (f) The total expenditure under all heads other than salaries, from 1st October 1924 to 31st October 1926 is Rs. 3,16,716.

(g) The Tannery was started on 1st October 1924 but it did not commence actual operations till 17th February 1925.

(h) Income	...	...	...	Rs. 1,75,729.
Expenditure	...	...	...	Rs. 3,68,284.

(i) Present salary of Superintendent. } = Rs. 1,500 pay plus Rs. 100 house allowance.

(j) He originally applied for a salary of 2,500 dollars per year. He was engaged in 1920 for a period of two years on Rs. 600—100—700 per mensem. A second agreement was drawn up in November 1922 for a further period of two years and his pay was fixed at Rs. 1,500 plus a house allowance of Rs. 100 per mensem. No further increment was given on extension.

(k) Yes, but under clause II of the agreement he has been retained for a further period up to November 1927.

(l) Vide (k) above, but the whole question of the working and superintendence of the Tannery is now under the consideration of the Government.

**Mr. Owen Roberts :** Does the figure 3,68,284 include any money spent on raw materials such as hides?

**The Honourable Mr. Manohar Lal :** I think that is so. For a more precise answer I require notice.

**Shaikh Muhammad Sadiq :** Is it a fact that the Tannery is running at a huge loss?

**The Honourable Mr. Manohar Lal :** The fullest information is given in answer to this question.

#### PROVINCIAL CADRE IN THE EDUCATION DEPARTMENT.

**\*171. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) what is the total strength of the Provincial cadre in the Education Department,  
 (b) how many in this cadre are Hindus,  
 (c) how many of the Hindus are agriculturists as defined in the Land Alienation Act,  
 (d) what is the total strength of District and Assistant District Inspectors of Schools, respectively, how many of them are Hindus

and how many of the Hindus are agriculturists, as defined in the Land Alienation Act,

- (e) what is the total number of clerks of all grades attached to the Education branch of the Secretariat, how many of them are Hindus and how many of the Hindus are agriculturists, as defined by the Land Alienation Act?

**The Honourable Mr. Manohar Lal :** The attention of the honourable member is directed to the answer given to questions<sup>1</sup> Nos. 1961—1975. Information under these heads has already been given to the Council; and will be revised from time to time.

#### STUDENTS ADMITTED TO THE S. A.-V. AND B. T. CLASSES.

**\*172. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the number of students admitted to the S. A.-V. and B. T. Classes, respectively, in 1924, 1925 and 1926, showing also the number of Hindus, Muslims and Sikhs among them and also the number of agriculturists, as defined in the Land Alienation Act among these Hindus, Muslims and Sikhs, separately?

**The Honourable Mr. Manohar Lal :** The required information is laid on the table:—

Years.	B. T. CLASS.							Total.	S. A.-V. CLASS.							Total.
	HINDUS.		MUSLIMS.		SIKHS.		HINDUS.		MUSLIMS.		SIKHS.					
	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.	Agr.		Non-Agr.	Agr.	Non-Agr.	Agr.	Non-Agr.			
1924	2	22	6	18	4	8	60	3	22	4	18	4	11	62		
1925	6	21	11	9	10	8	60	13	36	17	9	8	9	92		
1926	3	21	16	7	8	1	56	17	51	18	8	18	4	116		

#### MORTALITY IN CERTAIN VILLAGES IN THE ROHTAK DISTRICT.

**\*173. Rai Sahib Chaudhri Chhotu Ram :** (a) Will the Honourable Minister for Local Self-Government kindly state the number of deaths from October to January (both months inclusive) in 1923-24, 1924-25, 1925-26 and 1926-27, in the following villages of the Rohtak district:—

Juan, Rohat and Mahra in Sonapat tahsil; Chhatara, Busana, Kasainda, Mundlana, Kheri Chhichrana in Gohana tahsil; Shanghi Singhpora and Sundarpur in Rohtak tahsil?

(b) Will the Honourable Minister for Local Self-Government kindly state what steps have been taken to improve the drains which, owing to bad state of repairs, caused in 1924 and 1925 floods and consequent increased sickness and mortality in the villages enumerated in paragraph (a).

<sup>1</sup> Vol. VIII.—B. pages 1167-81, and page cxli, Appendix VIII.

**The Honourable Malik Firoz Khan Noon :** (a) The information being lengthy the papers are laid on the table for the honourable member's perusal.

(b) The Rural Sanitary Board has taken over for improvement the following drains that traverse the Rohrak, Gohana and Sonapat tahsils of the Rohrak district, namely :

1. Drain No. 8 and its tributaries.

2. West Juan Drain.

3. Drain No. 6.

On drain No. 8 work for its improvement was started in May 1926 and is in active progress. On the other drains necessary survey work is in hand so that projects for their improvement may be prepared.

All the villages mentioned in paragraph (a) of the question will benefit from the works of the Rural Sanitary Board except Mundiana, Kheri and Chhishrana situated on Drain No. 3 which has not been taken over by the Rural Sanitary Board.

Statement showing mortality in certain villages of the Rohtak district.

Name of villages.	Causes of deaths.	1923-24.				1924-25.				1925-26.				1926-27.			
		October.	November.	December.	January.	October.	November.	December.	January.	October.	November.	December.	January.	October.	November.	December.	January.
Sonapat taluk.	Fever ..	0	4	10	10	7	6	6	3	38	12	22	12	10	8	2	11
	All others ..	2	...	...	2	2	...	...	1	...	1	...	1	...	...	3	...
	Total ..	11	4	10	12	9	6	6	4	38	13	22	13	19	8	5	11
Mahra ..	Fever ..	4	5	1	2	4	2	4	1	18	1	6	2	3	20	6	7
	All others ..	...	...	...	1	...	2	1	1	2	...	1	...	1	...	1	1
	Total ..	4	5	1	3	4	4	5	2	20	1	7	3	4	20	7	8
Roht ..	Fever ..	16	5	10	22	1	4	2	11	8	10	11	6	18	19	17	10
	All others ..	...	1	3	1	...	1	1	1	5	1	...	...	1	...	1	...
	Total ..	16	6	13	23	1	5	3	12	13	11	11	6	19	19	18	10
Rohtak taluk.	Fever ..	6	6	10	6	14	40	20	10	47	14	34	8	9	10	8	9
	All others ..	7	4	5	40	...	1	4	4	...	...	1	1	2	2	1	1
	Total ..	13	10	15	46	14	41	24	14	47	14	35	9	11	12	9	10
Carried over ..		24	25	39	84	23	56	38	33	114	39	71	30	43	59	39	41

The Hon'ble Malik Firoz Khan Noon.

Statement showing mortality in certain villages of the Rohilkhand District.

Name of villages.	Causes of deaths.	1923-24.				1924-25.				1925-26.				1926-27.			
		October.	November.	December.	January.	October.	November.	December.	January.	October.	November.	December.	January.	October.	November.	December.	January.
Rohilkhand District.	Fever	1	2	2	1	5	3	1	...	3	2	...	1	3	1	4	...
	All others	...	1	2	...	...	5	...	...	1	2	1	...	...	...	...	...
	Total	1	3	4	1	5	8	1	...	4	4	1	1	1	1	4	...
	Fever	4	5	6	3	2	3	2	2	12	3	2	6	6	3	1	1
Ganges District.	All others	...	5	11	33	2	1	2	1	...	...	...	1	...	...	...	...
	Total	4	10	17	41	6	4	6	3	12	3	2	9	4	3	1	1
	Fever	16	1	15	...	12	11	10	4	18	2	11	18	7	12	13	8
	All others	8	2	28	196	...	7	3	4	2	...	2	4	3	7	6	6
Chhatisgarh District.	Total	26	3	43	196	12	18	13	8	15	2	13	22	10	19	19	14
	Fever	5	4	3	8	9	3	1	1	6	8	5	3	1	2	1	...
	All others	4	5	4	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total	9	9	7	10	9	3	1	1	6	8	5	3	2	3	4	...

[illegible]

## RURAL AND URBAN SANITATION.

\*174. **Rai Sahib Chaudri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the respective amounts spent on rural and urban sanitation in 1923-24, 1924-25, 1925-26, 1926-27 and also state what steps he proposes to take to have schemes of improvement of rural sanitation prepared?

**The Honourable Malik Firoz Khan, Noon :**

The figures are as follows :—

	Rural.	Urban.
	Rs.	Rs.
1923-24	77,207	8,99,060
1924-25	1,36,074	7,67,237
1925-26	2,63,507	7,34,126
1926-27	4,61,927	4,17,014

The question of public health schemes in addition to the drainage scheme for which the Rural Sanitary Board is responsible, is now under examination.

## LOSS BY FLOODS TO ZAMINDARS IN RIVERAIN TRACTS OF KARNAL, ETC.

\*175. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- whether immense loss was caused by floods to zamindars in respect of their houses, grain stock, cattle and irrigation wells in 1924 and 1925 in the riverain tract of Karnal, Panipat and Sonapat tahsils ;
- whether these tracts are liable to occasional floods ; and
- whether at the time of the distribution of peasant grants due regard will be paid to the claims of the zamindars of these tracts ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes, great loss.

(b) Yes.

(c) These matters are considered, along with others, when the distribution of peasant grants is being made.

## CANAL IRRIGATION IN TAHSILS JHAJJAR AND BHIWANI.

\*176. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- whether practically the whole tahsils of Jhajjar and Bhiwani and a large part of Rohtak tahsil have no canal irrigation and are liable to very frequent famines ;
- whether these tahsils rendered excellent services in the way of supplying recruits during the Great War ;
- whether at the time of the distribution of peasant grants due regard will be paid to the factors mentioned in (b) and (c) above ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) If by famine the honourable member means local scarcity due to failure of rainfall, the answer is 'yes'.

(b) Yes.

(c) These matters, along with others, are fully considered when the distribution of peasant grants is being made.

**Ab-i-zaia OR PUNITIVE WATER-RATES.**

**\*177. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the number of zaildars and lambardars, respectively, dismissed, suspended or otherwise punished in the Rohtak district in 1924, 1925 and 1926, on the charge of failure to give information relating to, or to help in the repairing of, alleged cuts or breaches of the banks of canals or canal minors;
- (b) the amount charged as *ab-i-zaia* or punitive water-rates in the period mentioned in (a);
- (c) the number of punitive posts sanctioned on the ground of the alleged misbehaviour of the villages in the district in regard to offences under the Canal and Drainage Act;
- (d) the number of cases in which *ab-i-zaia* or punitive water-rates have been charged in spite of the fact that real offenders have been criminally punished; and
- (e) the number of zaildars and lambardars punished and the amount realised as *ab-i-zaia* or punitive water-rates for similar neglect of duty or faults in the year immediately preceding the enforcement of the amalgamation scheme?

**The Honourable Mian Sir Fazl-i-Husain :** (a) In the three years from 1924—26, one zaildar was warned, one sufedposh suspended, three lambardars dismissed and 25 lambardars had their *pachotras* confiscated. The details of punishments for each year are as follows:—

Year.	Dismissed.	Suspended.	Other punishment.	Total.
1924	1 Lambardar	1 Suferdposh	..	2
1925	..	..	..	..
1926	2 Lambardars	..	25 Lambardars	27
Total	3 Lambardars	1 Suferdposh	25 Lambardars	29

[The Honourable Mian Sir Fazl-i-Husain.]

(b) The amount charged as *ab-i-zaiia* and punitive water rate from rabi 1924 to kharif 1926 is Rs. 85,023 as detailed below:—

	<i>Ab-i-zaiia.</i>	<i>Punitive water rate.</i>
	Rs.	Rs.
Rabi 1924 ..	93	748
Kharif 1924 ..		
Rabi 1925 ..	7,870	13,822
Kharif 1925 ..	..	..
Kharif 1925 ..		
Rabi 1926 ..	9,647	19,589
Kharif 1926 ..	10,402	22,907
	28,012	57,011

(c) One punitive police post for villages Rindhana and Alladadpur was sanctioned for offences under the Canal Act as well as for other offences.

(d) Seven for the whole period.

(e) "157 zaildars and lambardars were punished in the year immediately preceding the amalgamation scheme and Rs. 16,879 was realised as *ab-i-zaiia* and punitive water rates.

#### APPLICATION OF VILLAGE PATROL ACT TO CERTAIN VILLAGES IN ROHTAK DISTRICT.

\*178. Rai Sahib Chaudhri Chhotu Ram: Will the Honourable Member for Finance kindly state—

(a) whether it is proposed to apply Village Patrol Act to the villagers of Sampla and Kheri Sampla in the Rohtak district;

(b) the number of thefts, burglaries, robberies, etc., in the above two villages Sampla and Kheri Sampla; separately, in 1924, 1925 and 1926;

(c) whether he will countermand the proposal if the figures for relevant offences show no increase or no serious state of things?

The Honourable Sir Geoffrey de Montmorency: (a) No, there is a proposal to apply the Village Patrol Act to Sampla village only.

(b) The number of thefts, burglaries, robberies, etc., in villages Sampla and Kheri Sampla for the years 1924, 1925 and 1926 is as follows:—

	1924.	1925.	1926.
Sampla ..	6	7	14
Kheri Sampla ..	4	2	2

(c) Crime in Sampla has increased and *Thikri Pahra* in this village is necessary.

## CANDIDATES FOR SUB-JUDGESHIP.

**\*179. Rai Sahib Chaudhri Chhotu Ram:** Will the Chief Secretary kindly place on the table a statement showing—

- (a) the names of the candidates recommended for Sub-Judgeship by District Judges in 1924 and 1926;
- (b) the divisions in which these candidates passed their Matriculation, F. A., B.A. and LL. B. examinations;
- (c) how many of these candidates were Hindus, Muslims and Sikhs;
- (d) which of them were agriculturists as defined in the Land Alienation Act;
- (e) the particulars specified in (a), (b) and (c) in respect of those who were finally accepted as Sub-Judges in 1924 and 1926.

**Mr. H. D. Craik:** (a) Government is not prepared to give names.

(b) Government regrets its inability to supply this information as the labour involved would be incommensurate with the results.

(c) In 1924 the rolls of 52 Hindus, 24 Muhammadans, 6 Sikhs and 6 others were received, whereas in 1926 these figures, respectively, were 58, 20, 10 and 6.

(d) This part of the question would involve a reference to District Judges and Government does not consider that the value of the information would justify the labour involved.

(e) In 1924 fourteen candidates were selected, i.e., Hindus 5, Muhammadans 5, Sikhs 3 and others 1. The figures for 1926, respectively, were 5, 5, 3 and 2.

## SUB-JUDGES.

**\*180. Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable Member for Finance kindly state—

- (a) the total number of Sub-Judges in the Punjab;
- (b) the total number of Hindus, Muslims and Sikhs among Sub-Judges;
- (c) the total number of agriculturists as defined in the Land Alienation Act among Hindu, Muslim and Sikh Sub-Judges separately?

**The Honourable Sir Geoffrey de Montmorency:** The honourable member is referred to page 11 of the consolidated statement which was supplied to the House in June 1926 in reply to Council Question No. 3209<sup>1</sup>. A statement corrected upto the 31st March 1927 and including under the heading 'agriculturists' only members of agricultural tribes notified under the Land Alienation Act is under preparation and will, it is hoped, be ready before the next session of the Council.

## CANDIDATES FOR SUB-JUDGESHIP.

\*181. **Rai Sahib Chaudhri Chhotu Ram** : Will the Chief Secretary kindly state—

- (a) whether the High Court has, in its administrative capacity, laid down a rule that the candidates accepted for Sub-Judgeship every time that selections are made must include two men who are sons of judicial officers and whether this rule will not tend to perpetuate the predominance of classes which are already over-represented in the judicial branch of the public service;
- (b) whether he is prepared to move the High Court to make a rule similar to the one referred to in (a) in favour of the sons and near relations of men who have served or are serving in the army.

**Mr. H. D. Craik** :

- (a) No.
- (b) Does not arise.

## ZAMINDARS AND SUB-JUDGESHIP.

\*182. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Member for Finance kindly state whether he is prepared to move the High Court to accept the principle that until the proportion fixed for zamindars in the Resolution of 1919 has been reached, zamindars twenty per cent. in excess of this proportion should be recruited at every selection for Sub-Judgeship?

**The Honourable Sir Geoffrey de Montmorency** : The honourable member is mistaken in thinking that the Resolution of 1919 laid down that any definite percentage of appointments in the judicial service as now constituted should be reserved for zamindars, as since that Resolution was published the Punjab Civil Service has been divided into two branches, executive and judicial, and the Munsif class has been amalgamated with the latter branch. The original order in the Resolution of 1919 was that in the Punjab Civil Service, after excluding European and Anglo-Indian officers, one-half of the remaining strength of the Provincial Service, both in its executive and judicial branches, should consist of zamindars. As regards Munsifs, the order was that a proportion of 66 per cent. of the non-competitive appointments to that rank should be adopted as the ultimate proportion to be held by zamindars. But it was recognised that as changes were about to be made in the method of recruitment, it was not possible to lay down at that time the precise means by which effect was to be given to the standard of 66 per cent. At the time of the enquiry which led up to the Resolution of 1919 the proportion of officers in the Munsif class who were zamindars was only 29 per cent. In the statement for January 1926, the proportion of zamindars in the reorganized judicial branch of the Punjab Civil Service is shown as 39 per cent. The matter will form the subject of consideration in consultation with the High Court.

## SIMULTANEOUS ARREST AND ATTACHMENT OF THE PROPERTY OF JUDGMENT-DEBTORS.

\*183. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Member for Finance kindly state whether the High Court has recently

issued a circular to civil courts regarding the advisability of the simultaneous arrest and attachment of the property of a judgment-debtor in execution of a decree, and if so, will he kindly place a copy of this circular on the table of the House?

**The Honourable Sir Geoffrey deMontmorency :** The Honourable Judges issued a circular letter to all Execution Courts in the Punjab and Delhi on this subject in January 1926. This circular expressed the views of the Judges on the recommendations made by the Civil Justice Committee in serial No. 18, Schedule VI, of their Report. It is regretted that a copy cannot be laid on the table, as it is not customary for Government to make public the circulars for the guidance of the courts.

#### INTEREST ON DECRETAL AMOUNTS.

**\*184. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether there was an old High Court circular advising civil courts against allowing interest on decretal amounts when judgment-debtors happened to be agriculturists ;
- (b) whether an increased tendency on the part of civil courts is now apparent against this advice ;
- (c) whether the High Court has issued any instructions recently on the subject ;
- (d) if the answer to (c) is in the affirmative, whether a copy of the instructions will be placed on the table ;
- (e) if the answer to (c) is in the negative, whether the High Court is willing to draw the attention of all subordinate civil courts once again to the old circular ?

**The Honourable Sir Geoffrey deMontmorency :**

- (a) No.
- (b) Does not arise.
- (c) No.
- (d) & (e) Do not arise.

#### PUBLIC PROSECUTORS.

**\*185. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the total number of Public Prosecutors in the Punjab ;
- (b) the number of Hindus, Muslims and Sikhs among Public Prosecutors ;
- (c) the number of agriculturists as defined in the Land Alienation Act among Hindu, Muslim and Sikh Public Prosecutors separately ;
- (d) the number of Public Prosecutors who have their native home in Rohtak, Hissar, Karnal and Gurgaon districts ?

**The Honourable Sir Geoffrey de Montmorency :** (a) 26.

(b) Hindus	...	...	14
Muhammadans	...	...	9
Sikhs	...	...	2
Christian	...	...	1

(c) There is no definition of an 'agriculturist' in the Land Alienation Act. From the information available, 5 out of the Public Prosecutors appear to be members of agricultural tribes notified under that Act.

(d) One from Karnal.

#### DEPUTY SUPERINTENDENTS AND INSPECTORS OF POLICE.

**\*186. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly place on the table a statement showing—

(a) the number of Deputy Superintendents and Inspectors of Police in the Punjab ;

(b) the number of Hindus, Muslims and Sikhs holding each of these two posts ;

(c) the number of agriculturists as defined in the Land Alienation Act under each of the three groups of Hindus, Muslims and Sikhs ?

**The Honourable Sir Geoffrey de Montmorency :** The Honourable Member is referred to page 6 of the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1926, which includes figures for zamindars as defined in Punjab Government Resolution No. 4572/S., dated the 3rd October 1919. This statement was laid on the table of the House on the 29th June 1926. Statistics for members of agricultural tribes as defined in the Land Alienation Act have not been collected.

#### RESERVATION OF RECTANGLES IN VILLAGES FOR COMMON BENEFIT.

**\*187. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

(a) whether a large number of colony towns have a certain number of squares or rectangles set apart for them and use the income from those squares or rectangles for the common benefit of their inhabitants ;

(b) whether Government is prepared to earmark two rectangles in each village of peasant grantees in the Nili Bar for the common benefit of such villages ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) The question is under consideration.

## ARABLE AND COMMANDABLE LAND IN NILI BAR.

**\*188. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the total amount of arable and commandable land in the Nili Bar ;
- (b) the amount of land set apart for peasant grantees ;
- (c) the amount of land reserved for auction sales ?

**The Honourable Mian Sir Fazl-i-Husain** (a) 804,600 acres perennial and 260,400 non-perennial.

(b) The total area to be given on peasant conditions is 407,500 acres perennial and 280,400 acres non-perennial, in addition to an area of 15,000 acres perennial to peasants on cattle-breeding terms.

(c) 320,000 acres perennial.

## EVASION OF THE LAND ALIENATION ACT.

**\*189. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether any, and if so, what, devices for the evasion of the Land Alienation Act have come to his notice and what action Government proposes to take to checkmate these devices ?

**The Honourable Mian Sir Fazl-i-Husain :** Attempts are frequently made to evade the provisions of the Punjab Alienation of Land Act and such attempts are usually brought to notice by the Deputy Commissioners of the districts, in which they have been made at the time of submission of the annual report on Land Administration. It is not in public interest to publish the various devices used or the methods by which these devices have been defeated. Such a course would only increase the evil and lessen the possibility of dealing with it effectively, but if the honourable member brings to my notice any device to defeat the law which is being resorted to successfully, I will be glad to go into the matter.

## THAL PROJECT.

**\*190. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether the Thal Project is being proceeded with or has been held up owing to unforeseen circumstances ;
- (b) if it has been held up what are the circumstances accounting for the hitch in the progress of the project ;
- (c) the action which Government is taking with regard to the Bhakhra Dam Scheme ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) and (b) As honourable member is no doubt aware from statements made before the Royal Agricultural Commission, and published in the newspapers, objections have been raised by the Government of Bombay to further withdrawals of water from the Indus, in the interests of the Sukkur Barrage Project, and the matter is now under discussion with the Government of India.

[The Honourable Mian Sir Fazl-i-Husain.]

(c) An officer of the Punjab Irrigation Department was sent to America on deputation last autumn to study huge masonry dams and report to Government the names of Engineers who had had most experience in the designing and construction of such works in America with a view to inviting one to come to the Punjab as a consultant in connection with the suitability of the site and details of the design.

It was hoped to have been able to get this specialist from America this spring, but the visit has been deferred till the autumn while further data is being collected.

It is possible that the storage previously proposed will be increased in view of the latest American practice.

The officer sent to America is now engaged on the project with a view to its being submitted to the Secretary of State for sanction.

#### AMALGAMATION SCHEME ON THE WESTERN JUMNA CANAL.

\*191. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it has come to his notice that the amalgamation scheme on the Western Jumna Canal is intensely disliked by zamindars ;
- (b) whether Government has come to any decision on the subject ;
- (c) when the orders on the question are likely to be announced ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes, it has been so represented.

(b) Yes.

(c) Very shortly.

#### BORROWERS' PROTECTION BILL.

\*192. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether any steps have so far been taken to have a new Borrowers' Protection Bill drafted ;
- (b) if so, when will the new Bill be presented to the Council ?
- (c) if not, what are the reasons for the delay ?

**The Honourable Sir Geoffrey de Montmorency :** (a) Yes.

(b) and (c) His Excellency the Governor on February 28th indicated to the Council the reasons of the delay in the completion of proposals. No legislation will be introduced in the present Session. It is not at present possible to state the exact date on which a new Bill will be introduced in Council.

#### GRANT OF LAND FOR BREEDING OF CATTLE.

\*193. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the names of big grantees holding over 25 squares and the extent of land granted to them for the purpose of improving the breed of cattle on the Lower Bari Doab Canal ;

- (b) whether these grantees have been fulfilling the conditions of their grants in respect of maintaining in proper condition the requisite number of approved cattle and bulls, maintaining necessary records, leaving under pasture the prescribed proportion of land, etc.
- (c) if not, whether Government will take steps to see that all the necessary conditions are fulfilled?

**The Honourable Mian Sir Fazl-i-Husain :** The information required is not available at present. A reference has been made to the Deputy Commissioner, Montgomery, and the Director of Agriculture, Punjab, who have not replied yet.

GRANT OF LAND FOR DAIRYING PURPOSES.

**\*194. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state —

- (a) whether he is aware that a large plot of land near Rana Kachha was granted for dairying purposes ;
- (b) whether he is aware that nothing whatsoever has been done to fulfil any of the important conditions of the grant ;
- (c) whether Government proposes to resume the grant, and if not, why not ?

**The Honourable Mian Sir Fazl-i-Husain :**

- (a) Yes.
- (b) Yes.
- (c) The grant has been resumed.

CLOSURES OF CANALS AND INADEQUATE SUPPLY OF WATER.

**\*195. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state —

- (a) whether there are serious complaints on the part of zamindars in respect of frequent closure of canals and inadequate supply of water ?
- (b) how Government proposes to remove these grievances ?

**The Honourable Mian Sir Fazl-i-Husain :** There are complaints against closures, more particularly on the Northern canals, but it is believed they are not serious, and so far as rotational closures are concerned they are unavoidable unless and until the flood supplies are conserved in the hills by means of dams and reservoirs.

REMISSION OF CHAHI RATES.

**\*196. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether Government will consider the claims of the zamindars of chahi tracts for the remission of chahi rates when the question of the remission of taxation next comes under review ?

**The Honourable Mian Sir Fazl-i-Husain :** The claims not only of zamindars of chahi tracts but of all tax-payers in the province will be fully considered when the question of remission of taxation next comes under review.

## UNSTARRED QUESTIONS AND ANSWERS.

PETITION OF APPEALS AND REVISIONS IN THE COURT OF COMMISSIONER,  
MULTAN.

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

- (a) whether it is a fact that in the petition of appeals and revisions, whether judicial or executive, instituted in the Court of Commissioner, Multan, the petitioners are not given any date of hearing at the time of institution and in many cases they have to remain in suspense for a period of more than six months?
- (b) whether the same procedure is followed in the other divisions?
- (c) what are the reasons for the Government approving of such a procedure?
- (d) whether the Government is prepared to change the procedure?

Will the Honourable Member please state the number of petitions of appeals or revisions or other miscellaneous applications that have remained pending for over six months in the courts of several Commissioners and in which even the petitioners have not been called for hearing?

**The Honourable Mian Sir Fazl-i-Husain :** Information is being collected, and the matter raised, if necessary, will be examined.

## SMALL TOWN COMMITTEE OF JARANWALA.

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

- (a) the date when the small town committee of Jaranwala was constituted?
- (b) whether it is a fact that the President of the small town committee has been imposing fines for alleged encroachment on the committee's land in the absence of any authority delegated to him by the bye-laws or before any bye-law on the subject was framed? If so, will the Honourable Minister be pleased to take steps to redress the grievance?

**The Honourable Malik Firoz Khan, Noon :** (a) The small town of Jaranwala was constituted by notification No. 367, dated the 5th January 1924.

(b) Government have no information on the subject, but will be glad to look into cases that may be brought to their notice.

## OPENING OF A MANDI AND A BAZAR AT RENALA KHURD.

**178. Sardar Buta Singh :** (a) Will the Honourable the Revenue Member please state whether it is a fact that the authorities some three years back sanctioned the opening of a mandi as well as a bazar at Renala Khurd in the Montgomery district?

(b) If the answer to (a) is in the affirmative will he please state the cause of delay in opening a mandi there ?

(c) Does Government contemplate taking immediate action in the matter ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) The decision to open a mandi at Renala Khurd was arrived at in 1925.

(b) The cause of delay has been the difficulty of selecting the best site.

(c) Plans are under preparation now.

#### RESERVATION OF A SEAT FOR SIKHS IN THE DISTRICT BOARD, JHANG.

**179. Sardar Buta Singh :** Will the Honourable Minister for Local Self-Government please state—

(a) if it is a fact that there is only one seat reserved for the Sikhs in the district board, Jhang ?

(b) if it is a fact that one seat is always filled up by means of nomination ?

(c) if it is a fact that the Sikhs of the Jhang district submitted a petition to the Deputy Commissioner of that district, praying therein that their seat in the district board might be filled up by means of election ?

(d) if it is a fact that the Deputy Commissioner, Jhang, very kindly promised to consider their claims mentioned in the petition ?

(e) what action does the Government contemplate to take in the matter ?

**The Honourable Malik Firoz Khan, Noon :** (a) to (e) Government have no information as to any representations which may have been made by Sikhs of the Jhang district or as to the reply which the Deputy Commissioner may have made to any such representation ; but communal electorates have not been sanctioned for any district board in the province, and Government are not at present contemplating the extension of the system of communal electorates to district boards.

#### RAWALPINDI RIOTS.

**180. Dr. Gokul Chand, Narang :** (a) Will the Honourable the Finance Member be pleased to state whether the chart annexed herewith showing the name of the case, the provision of the law under which the accused was or were charged, the result of the prosecution, the name of the Presiding Officer of the Court dealing with the case and the date of the final determination of the case is correct ?

(b) If not, will he give the number of various persons who were tried in connection with the Rawalpindi riots of June 1926, the provisions of the law under which each of them was charged and the result of the prosecution in each case ?

(c) Is it a fact that the sufferers at Rawalpindi during the riots of June 1926 were with one or two exceptions all Hindus and Sikhs, and the damage caused to their property was estimated at crores of rupees or in any case was very considerable ?

(d) In view of the circumstances referred to above whether the Government would be pleased to consider the advisability of exempting the Hindus

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and Sikhs of Rawalpindi from payment of any penalty levied upon the residents of Rawalpindi in consequence of the above-mentioned riots? :—

Name of the case.	Provisions of law under which charged.	Result of the prosecution.	Name of the court before which tried.	Date of decision.
Crown v. Nanak Chand ...	453	Acquitted ...	Lala Bhashambar Dyal Singh, Sahib.	28th July 1926.
Crown v. Bawal ...	411	2 months rigorous imprisonment.	Ditto ...	30th July 1926. Acquitted on appeal to Sessions Judge.
Crown v. Jai Ram ...	182	Acquitted ...	Ditto ...	21st October 1926.
Crown v. Tirth Ram, Ram Chand	453	Do. ...	Malik Ladda Ram, Sahib.	26th July 1926.
Crown v. Lala Hari Ram, Kohli.	302	Under section 481 police withdrew the case.	Ditto.	18th October 1926.
Crown v. Santokh Singh ...	182	Under trial ...	Ditto.	...
Crown v. Lal Scavenger ...	457	One year's rigorous imprisonment.	Sheikh Murtaza ...	7th August 1926.
Crown v. Mst. Chano and Mohammada.	193	Under trial ...	Lala Bhashambar Dyal Singh, Sahib.	...
Crown v. Gulab and Alla-ud-Din.	307, 366 and 395	14 years' rigorous imprisonment.	Lala Amar Nath Sahib.	21st August 1926.
Crown v. Abdullah, son of Ahmada.	380	1 year's rigorous imprisonment.	Ditto.	27th September 1926.
Crown v. Abdul Rahman, Abdul Karim, Jumma and Hassan Din.	188	Jumma Rs. 8, Scinnur, Rs. 10	Malik Sher Muhammad, Revenue Officer.	30th October 1926.
Crown v. Allah Ditta, and Mohammad Khan.	188	Acquitted ...	Malik Sher Muhammad Sahib, Revenue Officer.	30th June 1926.
Crown v. Sipi Chand ...	188	Fine Rs. 30 ...	Ditto ...	30th June 1926.
Crown v. Lakh Singh ...	188	15 days' rigorous imprisonment.	Ditto ...	8th July 1926.
Crown v. Jodh Singh ...	188	Fine Rs. 15 ...	Malik Sher Mohammad Sahib, Revenue Officer.	30th July 1926.

Name of the case.	Section of law under which charged.	Result of the prosecution.	Name of the court before which tried.	Date of decision.
Crown v. Gurdas, Ismail and Burkhardar.	188	Police withdrew the case.	Mulla Sher Mohammad Sahib, Revenue Officer.	20th June 1926.
Crown v. Kahar Singh	188	Fine Rs. 15	Ditto	20th June 1926.
Crown v. Abad Hussain and Mohammad Ya Hussain.	188	Acquitted	Ditto	Ditto
Crown v. Natha Singh	188	Do.	Ditto	Ditto
Crown v. Mangal Singh, son of Kirpa Ram, Bhanderi.	119 Arms Act.	3 months' rigorous imprisonment.	Ditto	31st June 1926.
Crown v. Sapt Ram	119 Arms Act.	Acquitted	Ditto	Ditto
Crown v. Manohar Singh	119 Arms Act.	3 months' rigorous imprisonment.	Ditto	1st July 1926.
Crown through Abdul Majid v. Jai Singh, son of Hari Singh, Kirpal Singh, son of Harbans Singh.	326	5 years rigorous imprisonment, Rs. 500 fine. 5 years rigorous imprisonment, Rs. 1,000 fine.	Mr. Keough, Special Magistrate.	18th September 1926. High Court acquitted on 17th December 1926.
Crown through Fazl-ud-Din v. Karam Chand, son of Kesar Mal.	411	Acquitted	Ditto	2nd August 1926.
Crown through Sultan Mohammad v. Doctor Kartar Singh.	302	Do.	Ditto	2nd July 1926.
Crown through Mohammad Anwar v. Doctor Kartar Singh.	307	Do.	Ditto	5th August 1926.
Crown through Harnam Singh v. Karam Shah, son of Mehr, Sakhab, Sharaf-ud-Din, son of Mahinda, Mohammad Salim, son of Imam-ud-Din, Ramzan, son of Ladia.	302	Committed to Sessions Court.	Ditto	28th July 1926.
Crown v. Kharsik Singh, son of Mangal Singh, Madan Singh, son of Mangat Singh, and Soban Singh, son of Kala Singh.	302	Ditto	Ditto	6th August 1926.

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Name of the case.	Provisions of law under which charged.	Result of the prosecution.	Name of the court before which tried.	Date of decision.
Crown v. All-h Ditta, Gabu, Fazl Karim, Abdul Rahim, Abdul Majid, Fazl Ilahi, Abdul Rahman, & abbas Ilahi, Fazl Ilahi.	436	Under section 194. Police withdrew the case and accused were acquitted.	Mr. Keogh, Special Magistrate.	7th August 1926.
Crown v. Fazl Elahi, son of Pir Baksh, Fazl Elahi, son of Nazar Shah, Karam Elahi, son of Fazl Shah.	395 and 436	Under section 494. Police withdrew the case and accused were acquitted.	Ditto	Ditto.
Crown v. Fattu, son of Ditta.	411 and 436	Ditto	Ditto	Ditto.
Crown v. Mira Nand, Balwant Singh, Dheru Mal, Beli Ram, and Amir Chand.	302	Acquitted	Ditto	18th August 1926.
Crown v. Hari Ram, Iabb Singh, Sajjan Singh, Mathra Das, Muhammad Ishaq, Muhammad Ismail, Abdul Rahman and Muhammad.	112 and 107	Hari Ram and Muhammad Ismail acquitted, and from the remaining six accused bail for Rs. 5,000 for one year was taken.	Ditto	31st September 1926.
Crown, through Bazaar Jhand v. Nizam Din, Dand, Muhammad Hussain, Mira, Sher Ali, Ghulam Rasool, Lal, Sharifa, Shamroz, Zarin, Kanoob, Ayub, Abdulla, Majida, Khair Din, Abdul Karim, Muhammad Karim, Rahim Baksh, Mohammad Elahi, Shera, Allah Din, Mukamal Shah Afridi, Hasham, Ditta, 26.	395 and 436	Mira, Ghulam Rasool, Sharifa, Shamroz, Zarin, Abdulla, Majida, Rahim Baksh, Hasham and Ditta acquitted and the remaining 15 accused committed to Sessions.	Ditto	4th September 1926.
Crown v. Shamroz, Khaira, Abdul Karim, Ghulam Mohd-ul-Din, Ghulam Rasool, Majda, Elahi, Mira, Sharifa, Elahi, Amam Din, Ahmad Jan, Ibrahim, Ismail, Abdulla, Zarin, Abdulla, Abdul Karim, Chajja, Lal Shera, Amam Din, Khuda Baksh, Mullan.	395 and 436	Sharifa, Ismail Zarin, Abdul Karim, Chajja, Lal, Amam Din, Khuda Baksh, Mullan acquitted under section 209 and the remaining 15 committed to Sessions.	Ditto	28th August 1926.

Name of the case.	Provisions of law under which charged.	Result of the prosecution.	Name of the court before which tried.	Date of decision.
Crown v. Mukyan Singh, son of Mohan Singh.	302	Committed to Sessions.	Mr. Keough, Special Magistrate.	16th September 1926, acquitted.
Crown v. Fazl Din, alias Fajja Shah, Nur alias Shah Mir.	395 and 486	Ditto ...	Ditto ...	17th September 1926.
Crown v. Jobla Singh ...	188	Under-trial ...	Sessions Judge	On 22nd July 1926, Revenue Officer, fined Rs. 15.
Crown v. Manohar Singh...	19, Arms Act.	Acquitted (On 5th July 1926, Revenue Officer sentenced him to 3 months' rigorous imprisonment.)	Ditto ...	19th August 1926.
Crown v. Labh Singh ...	188	Acquitted (On 5th July 1926, Revenue Officer sentenced him to 15 days' simple imprisonment.)	Ditto ...	Ditto.
Crown v. Mangal Sain ...	19, Arms Act.	Acquitted. (On 31st August 1926, Revenue Officer sentenced him to 3 months' rigorous imprisonment.)	Ditto ...	26th October 1926.
Crown v. Kalyan Singh ...	302	Acquitted ...	Sessions Judge...	14th December 1926.
Crown v. Nisam Din, etc., 15.	395 and 486	One accused sentenced to 14 years' imprisonment and the remaining 14 acquitted.	Ditto ...	17th November 1926.
Crown v. (P) , etc., 15.	395 and 486	12 accused sentenced to 14 years' imprisonment and 3 accused acquitted.	Ditto ...	Ditto.
Crown v. Khanak Singh, etc.	302	Acquitted ...	Ditto ...	12th October 1926.
Crown v. Karam Elahi, etc.	302	Do. ...	Ditto ...	Ditto.

**The Honourable Sir Geoffrey deMontmorency:** (a) Government cannot undertake to check the accuracy of all the entries in the lengthy statement which the honourable member has annexed to his question, but it is certainly not correct in all respects.

(b) Such information as is readily available in the Secretariat regarding persons convicted in connection with the riots is laid on the table. It is hoped that this will suffice for the honourable member's purposes. If further information is required, a reference must be made to the local authorities.

(c) The number of those killed as finally ascertained was 12 Muslims, 2 Sikhs, 2 Hindus, and the wounded were 48 Muslims, 29 Hindus and 13 Sikhs. In all some 182 buildings were burnt, of which the great majority were owned or tenanted by Hindus or Sikhs. The most reliable estimate of the damage done to buildings amounts to Rs. 6 lakhs, while loss by burning of account books and deeds is estimated at about 11 lakhs.

(d) A petition to this effect has been received from the local Hindu Sabha and is under the consideration of Government :—

Number of persons tried.	Provisions of the Law.	Results.
<b>CASES DISPOSED OF BY THE MAGISTRATES.</b>		
8 (4 Muslims, 2 Sikhs and 2 Hindus).	Section 107, Criminal Procedure Code.	3 Muslims, 2 Sikhs and 1 Hindu were ordered to furnish security of Rs. 5,000 each to keep peace. One Muslim and one Hindu were acquitted.
57 .. ..	Various offences	24 persons (11 Muslims, 3 Sikhs and 5 Hindus) were convicted and 33 persons (25 Muslims, 3 Sikhs and 5 Hindus) were either discharged or acquitted.
<b>CASES DISPOSED OF BY THE SESSIONS COURT.</b>		
<b>(Saidpur Village)—</b>		
52, Muslims ..	Sections 395/436, Indian Penal Code.	46 were sentenced to lengthy terms of rigorous imprisonment, and 7 were acquitted.
<b>(Moghal Village)—</b>		
7 Muslims ..	Sections 436/399 or in the alternative 402, Indian Penal Code.	All acquitted.
<b>(Rawalpindi City)—</b>		
32 Muslims ..	395 and 436, Indian Penal Code.	12 convicted to lengthy terms of rigorous imprisonment, and remainder acquitted.
3 Sikhs and 4 Muslims	Section 302, Indian Penal Code.	All discharged.

## PUBLIC WELLS.

**181. Sardar Ujjal Singh :** Will the Hononrable the Minister for Local Self-Government be pleased to state—

- (a) whether he is aware that public wells in municipalities, small towns and villages are meant for the use of all classes of people ;
- (b) whether he is aware that members of untouchable classes like *chamars* and *mazhabi* Sikhs are prevented from drawing water from public wells by people of other classes ;
- (c) whether he is aware that in some cases the untouchables had to move the courts of law for establishing their right ;
- (d) if the answers to parts (a), (b) and (c) are in the affirmative, will the Honourable Minister be pleased to consider the advisability of issuing instructions to the authorities concerned to protect the untouchable classes in the exercise of their right of drawing water from public wells ?

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

(b) & (c) Government have no such information.

(d) If specific instances, in which members of the classes referred to are prevented from using public wells, are brought to the notice of Government, Government will consider what action can suitably be taken in each case.

DISTRICT INSPECTOR OF SCHOOLS AND HEAD MASTERS OF THE GOVERNMENT HIGH SCHOOLS.

**182. Sardar Ujjal Singh :** (i) Will the Honourable Minister for Education be pleased to state whether it is a fact that there is not a single Sikh District Inspector of Schools or Head Master of a Government High School in the whole of Multan division ?

(ii) If so, will the Honourable the Minister for Education be pleased to state if it is his intention to supply this omission ?

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

(ii) Does not arise.

TAXES UNDER SECTION 31 OF THE DISTRICT BOARDS ACT.

**183. Dr. Gokul Chand, Narang :** (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether there are any rules for the guidance and control of the district boards for the imposition of taxes under section 31 of the District Boards Act ?

(b) If not, will the Honourable Minister be pleased to consider the advisability of framing rules so as to fix a maximum limit for the imposition of taxes by the district boards under Section 31 ?

(c) Will the Honourable Minister be pleased to lay on the table a statement showing the scale of taxes imposed by the various district boards in the province under Section 31 of the District Boards Act ?

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

(b) No rules are required, as no taxes can be imposed without the sanction of Government.

(c) A statement of the nature required by the honourable member would involve a great deal of printing. Government are therefore not laying one on the table, but the honourable member is referred to the following gazette notifications from which he can obtain the information he desires :—

Name of district.	NOTIFICATIONS.	
	Halsiyat Tax.	Sanitation Tax.
Hissar	No. 15739, dated 12th June 1924	
Rohtak	No. 1978, dated 20th January 1920. No. 7269, dated 9th March 1922	
Gurgaon	No. 6220, dated 11th March 1925	No. 275, dated 14th November 1911. No. 208, dated 20th July 1914.
Karnal	No. 10675, dated 22nd April 1925	No. 139, dated 4th June 1902. No. 124, dated 14th April 1914. No. 28431, dated 14th November 1921.
Ambala	No. 28872, dated 23rd December 1925.	
Simla	No. 4412, dated 17th February 1925.	
Kangra	No. 26352, dated 25th November 1924. No. 12527, dated 21st April 1926.	No. 26564, dated 1st December 1919.
Hoshiarpur	No. 25547, dated 11th September 1926.	
Jullundur	No. 13162, dated 30th April 1924 No. 3573, dated 7th February 1925.	
Ludhiana	No. 17008, dated 20th July 1925..	
Ferozepore	No. 20258, dated 14th September 1925.	
Lahore	No. 3412, dated 2nd February 1921.	
Amritsar	No. 8661, dated 31st March 1925	No. 17680, dated 4th June 1920.
Gurdaspur	No. 29646, dated 22nd November 1922.	
Sialkot	No. 14672, dated 23rd May 1924	No. 1629, dated 24th January 1917.

Name of District.	NOTIFICATIONS.	
	Halsiyat Tax.	Sanitation Tax.
Gujranwala ..	No. 7461, dated 10th March 1926	No. 306, dated 13th December 1915.
Sheikhpura ..	No. 10639, dated 21st April 1925. No. 6305, dated 1st March 1926.	
Gujrat ..	..	No. 174, dated 8th September 1908.
Shahpur ..	No. 28937, dated 2nd October 1926.	
Jhelum ..	No. 16120, dated 7th June 1924..	
Rawalpindi ..	No. 32941, dated 20th December 1922.	
Attock ..	No. 21414, dated 28th July 1926	No. 10461, dated 2nd April 1921.
Mianwali ..	No. 28905, dated 23rd December 1924.	
Montgomery ..	No. 9049, dated 3rd April 1926 ..	No. 17, dated 17th January 1914.
Lyallpur ..	..	No. 331, dated 12th December 1913. No. 172, dated 10th July 1916. No. 22878, dated 8th December 1917. No. 4746, dated 19th February 1919.
Jhang ..	No. 18123, dated 7th July 1926	No. 5747, dated 12th March 1918.
Multan ..	No. 23447, dated 16th August 1926.	No. 295, dated 4th December 1915. No. 12747, dated 18th June 1918. No. 2482, dated 24th January 1920. No. 18326, dated 21st June 1920. No. 6931, dated 4th March 1921. No. 18884, dated 13th July 1921.
Muzaffargarh ..	No. 22031, dated 19th October 1925.	
Dera Ghazi Khan ..	No. 10680, dated 2nd April 1925	No. 7580, dated 3rd April 1918.

## MARTIAL LAW PRISONERS.

184. Dr. Gokul Chand, Narang : (i) Will the Honourable the Finance Member be pleased to state—

- (a) how many persons convicted by the Martial Law tribunals are still in jail ;
- (b) the names of such prisoners and the jails where they are confined ;

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(c) the period of imprisonment which the various above-mentioned convicts have yet to undergo ;

(d) the names of the martial law prisoners released during the last three months and whether they were released before the expiry of sentences ?

(ii) Does he propose to consider the question of the release of the remaining prisoners convicted by martial law tribunals ?

**The Honourable Sir Geoffrey deMontmorency :** Information is being collected and an answer to the question will be furnished as soon as possible in due course.

#### LIQUOR SHOP IN THE DAK BUNGALOW AT MIANI.

**185. Dr. Gokul Chand, Narang :** (i) Will the Honourable the Minister for Agriculture be pleased to state :—

(a) whether he is aware that according to the provisions of the Punjab Local Option Act referendum was successful at Miani, district Shahpur, for the entire closure of liquor shops in the town, and that as the result of the referendum the authorities were competent to close the liquor shops ;

(b) whether it is a fact that in spite of the result of the referendum and popular wishes a new liquor shop has been opened in the dāk bungalow at Miani ?

(ii) Will the Government be pleased to consider the advisability of ordering the closing of the liquor shop at the dāk bungalow ?

**The Honourable Sardar Jogendra Singh :** (i) (a) Yes. The shop will be closed from the 1st April 1927.

(b) No. There is no dāk bungalow at Miani.

(ii) Does not arise.

#### PASSPORTS.

**186. Dr. Gokul Chand, Narang :** (a) Will the Honourable Member for Finance be pleased to state whether he is aware that there are complaints as to the delay caused in granting passports to persons intending to visit foreign countries ?

(b) Will the Government be pleased to make arrangements for expediting the grant of passports ?

**The Honourable Sir Geoffrey deMontmorency :** Normally where there has been compliance with the proper procedure, no delay occurs in the issue of passports. But in the case of certain countries, notably Afghanistan, reference is sometimes required to the Government of India. In the case of other countries, such as Kenya, Canada and United States of America, restrictions are imposed by the immigration authorities, and this Government has to satisfy itself that travellers from the Punjab proposing to visit these countries have properly complied with the immigration rules. In the case of convicts and undesirable persons, for obvious reasons, enquiry

as to antecedents is necessary, which naturally prolongs the period of suspense. Government is not, however, aware of any undue delay in the issue of passports generally; it has issued orders for expediting disposal of passport applications, and believes that these instructions are generally complied with.

#### COPIES OF REGISTERED DEEDS AND REVENUE RECORDS.

**187. Dr. Gokul Chand, Narang :** Will the Honourable the Member for Revenue please state whether Government is considering the advisability of introducing the system of value-payable parcel for obtaining copies of registered deeds from the registration offices and of revenue records from the tahsil and suddar offices?

**The Honourable Mian Sir Fazl-i-Husain :** Owing to the danger of loss to Government revenues, Government does not consider it advisable to introduce the system of supplying copies of registered deeds by value-payable parcels post. As regards copies of revenue records supply by V.P. P. is already made from district headquarters and such supply can be effected under existing rules at tahsils also with the sanction of the Financial Commissioner.

#### HEAD VERNAICULAR CLERKS.

**188. Lala Bodh Raj :** Will the Chief Secretary please state—

- (a) the total strength of Head Vernacular clerks to Deputy Commissioners in the division of Multan;
- (b) how many of them are Hindus and how many Muhammadans?

**Mr. H. D. Craik :** The Honourable Member is referred to the consolidated statement supplied to the House in reply to Council Question No. 3209<sup>1</sup> asked by Khan Muhammad Abdulla Khan on 29th June 1926 and to the reply given by Sir John Maynard to Council Questions<sup>2</sup> Nos. 1961 to 1975.

#### POLICE FORCE IN FEROZEPORE CITY.

**189. Rai Bahadur Pandit Daulat Ram, Kalia :** (i) Will the Honourable the Finance Member be pleased to state—

- (a) whether he is aware of the fact that the population of the city of Ferozepore has considerably increased since the present number of police officers and men was assigned for its administration, and that the city has much expanded since then;
- (b) whether he is aware of the fact that non-officials and non-official bodies had to assist the police during the last three winters in patrolling the city at night, and that people had to employ chaukidars for the same purpose?

(ii) If the reply to the above is in the affirmative, does not Government intend to consider the advisability of increasing the police force in Ferozepore City.

<sup>1</sup> Vol. IX-B., page 1059.

<sup>2</sup> Vol. VIII-B., pages 1167-1181, and page cxli. Appendix VIII.

**The Honourable Sir Geoffrey deMontmorency :** Enquiries are being made and a communication will be made to the honourable member as soon as possible.

CONSTABLES AT THE FEROZEPORE CANTONMENT JUNCTION.

**190. Rai Bahadur Pandit Daulat Ram Kalia :** Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Ferozepore Cantonment is a big junction station and vehicular traffic outside the station is very large and there are only four constables to look after this traffic and perform the platform duty, and that they have to be on duty for 24 hours ;
- (b) if the answer to part (a) is in the affirmative, whether the Government intends to consider the advisability of increasing the number of constables on duty at this station?

**The Honourable Sir Geoffrey deMontmorency :** Enquiries are being made and a communication will be made to the honourable member as soon as the necessary information is available.

COMMUNAL REPRESENTATION IN SERVICES.

**191. Sardar Ujjal Singh :** (a) Has the attention of the Chief Secretary been drawn to one of His Excellency the Viceroy's recent speeches in which he declared that the Government endeavours to see that a fair share in the services is given to each community ?

(b) Will the Chief Secretary be pleased to state whether it is a fact that the Sikh community has not got a fair share in almost all the services ? If so, is it not the intention of the Government to take steps to ensure a fair share to this community in the various services in the province ?

**Mr. H. D. Craik :** (a) I have seen a report of the speech in the newspapers.

(b) It is not possible to answer this part of the question until the honourable member has explained more fully in what sense he regards the present figures as inadequate.

COMMUNAL REPRESENTATION IN SERVICES.

**192. Sardar Ujjal Singh :** Will the Chief Secretary please state what proportion, if any, has been fixed by the Government for different communities, for recruitment into its various departments both Transferred and Reserved ?

**Mr. H. D. Craik :** Assuming that the honourable member's question refers to religious communities, no proportions have been fixed, but in making appointments Government aims at avoiding an undue preponderance of any one class in the public services to the prejudice of the reasonable claims of other classes of the community.

## SUPERINTENDENT OF DEPUTY COMMISSIONER'S OFFICE, ATTOCK.

**193. Sardar Ujjal Singh:** Will the Honourable Revenue Member please state—

- (a) the educational qualifications, experience of a Deputy Commissioner's English Office, post and pay in Government service of the candidate appointed as Superintendent of the Deputy Commissioner's Office, Attock district;
- (b) similar information about his rival candidates in the Rawalpindi division as well as about those of other candidates who possessed experience of a Deputy Commissioner's English Office;
- (c) whether it is a fact that his post under Government is that of a naib-tahsildar, and that he has never worked on any post in a district English office;
- (d) whether it is a fact that the appointment of naib-tahsildars to such clerical posts is forbidden by a circular issued by the Government in 1922 or thereabout? If so, on what grounds can Government justify this selection, and whether it will call upon the appointing authority to explain its conduct in dis-regarding the orders of Government;
- (e) whether the officer in question will forfeit his rights in the executive line owing to his appointment to a clerical line? If not, whether he will have things both ways?

**The Honourable Mian Sir Fazl-i-Husain:** (a), (b) & (c) All these matters must have been taken into consideration when the Deputy Commissioner made the appointment. It was open to any aggrieved candidate to appeal to the Commissioner, and if necessary to the Financial Commissioners. No appeal has been received by the Financial Commissioner. It will be inadvisable to prejudge any such appeal in an answer to this question.

(d) No. The honourable member is probably under a misapprehension. The second part therefore does not arise.

(e) If a naib-tahsildar accepts a substantive post as a Superintendent of a Deputy Commissioner's office, he will ordinarily not have a claim to appointment in the executive line.

## SUPERINTENDENTS TO DEPUTY COMMISSIONERS.

**194. Sardar Ujjal Singh:** (i) Will the Chief Secretary please state the total number of posts of Superintendents to Deputy Commissioners in the Punjab and how many are held by members of each community?

(ii) Does the Government intend to take some steps whereby a fair share of these posts may be secured to the Sikhs?

**Mr. H. D. Craik:** The honourable member is referred to the consolidated statement supplied to the House on the 29th June 1926 and to the reply given by Sir John Maynard to council questions Nos. 1961—1975.<sup>1</sup>

<sup>1</sup>Volume VIII, page 1167—1181 and page cxli of Appendix VIII.

## SUPERINTENDENTS TO DEPUTY COMMISSIONERS.

**195. Sardar Ujjal Singh :** (a) Will the Honourable the Revenue Member please state whether the rule referred to in paragraph 2 of Chief Secretary's reply to question No. 3531—that "the posts of Superintendents are filled by selection from amongst the best candidates in the division" is rigidly followed?

(b) If so, will he please state whether the recent vacancies in the Shahpur and Rohtak districts were filled by candidates from their respective divisions?

(c) If not, was this rule relaxed in these cases in order to recruit men of a particular community?

(d) Will the Government consider the advisability of issuing instructions that this rule should, if need arises, be also relaxed in the case of Sikhs whose representation in this department is practically nil?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes, as a general rule, an outsider is selected if suitable men are not available locally.

(b) The vacancy in the Shahpur district was not filled by a candidate from the Rawalpindi division as no local official was considered fit. Information regarding Rohtak is awaited from local officers.

(c) No.

(d) Does not arise.

**196. Sardar Ujjal Singh :** (a) Will the Honourable Revenue Member please state whether a Sikh has ever been appointed to any of the posts of Superintendents of Deputy Commissioners' offices in the Rawalpindi division during the last fifteen years? If so, when, where, and for what period?

(b) If not, will he please state whether he is prepared to consider the appointment of suitable Sikhs to any of these posts in case of any vacancies?

**The Honourable Mian Sir Fazl-i-Husain :** (a) No.

(b) There is no reason to believe that the appointing authority has not duly considered the claims of all applicants.

## SIKH REPRESENTATION IN THE CIVIL SECRETARIAT.

**197. Sardar Ujjal Singh :** (a) Will the Chief Secretary please state whether it is a fact that there is no Sikh Superintendent, and only two permanent Assistants out of a total of 34, and only one Senior Grade clerk out of as many clerks in the Punjab Civil Secretariat?

(b) If not, what means is he prepared to adopt in order to ensure a proper share to the Sikhs in this department?

**Mr. H. D. Craik :** (a) There is not at present any Sikh Superintendent in the Civil Secretariat, but there are 3 Sikh assistants, 3 Sikh senior grade clerks and 3 Sikh stenographers and personal assistants, besides junior and officiating clerks.

(b) Does not arise.

## BURALLA PROJECT.

**198. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Revenue Member be pleased to state if the Government have decided to award land in compensation of the lands of the zamindars of Kabirwala tahsil in Multan district which are to be acquired for the Buralla project ?

If not, will he kindly consider the question of enforcing the same terms as those enforced in the Nili Bar ?

**The Honourable Mian Sir Fazl-i-Husain :** The case of zamindars of the Kabirwala tahsil of Multan, whose lands are to be acquired for the Buralla project will be treated under the orders conveyed in Punjab Government notification No. 18895, dated the 21st August, 1925, which will be found in the Gazette of the 28th August 1925.

## JAIL ENQUIRY COMMITTEE.

**199. Dr. Copi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state the action, if any, taken by the Government on the recommendations of the Jail Enquiry Committee ?

**The Honourable Sir Geoffrey deMontmorency :** The honourable Member is referred to Punjab Government Resolution No. 15619, dated the 28th May 1926, which was printed for publication with the Jail Committee's Report. The main lines on which Jail reform has since proceeded are as follows :—

- (1) Government has decided to appoint whole-time Superintendents to each district jail and to limit the duties of Civil Surgeons to the medical charge. This will be done gradually, and a beginning has been made by the appointment of Superintendents in 6 district jails.
- (2) Government has agreed to the adoption of a *pecule* system, whereby a small percentage of the profit arising from the labour performed by prisoners will be credited to them as a reward for good work coupled with exemplary conduct. Prisoners will be allowed to spend the amount earned to the extent of one-half in the purchase of small luxuries, such as fruits, sweetmeats, *gur* and cigarettes, the remainder accumulating for the prisoner's own subsequent benefit and the benefit of his family.
- (3) Government is inclined to the conclusion that the employment of convicts as officials should be brought to an end, and orders have issued experimentally for the reduction of the number so employed to the figure of March 1919. A further reduction will be considered later.
- (4) Government has recognised the necessity of extensive changes in the *personnel* of the executive staff subordinate to the Superintendents, and of bringing under reduction those jailors, deputy jailors, and assistant jailors who are definitely held to be unfit for promotion. An Act amending the Prisons Act has been passed making possible the abolition of jailors, deputy jailors, and assistant jailors and their replacement by Deputy Superintendents and Assistant Superintendents

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- of better status and somewhat higher pay. Those jailors and assistant jailors who are not found fit for promotion to the new rank will be retired under the appropriate provisions of the Civil Service Regulations.
- (5) Government has issued instructions for the establishment of recreation rooms in all jails and of libraries in every jail having accommodation for 500 or more prisoners.
  - (6) A scheme for imparting religious and moral instruction in jails has been initiated, according to which approved representatives of religious societies will be allowed to lecture on purely religious and moral subjects on Sundays and other holidays to prisoners of the same denomination as the lecturer.
  - (7) Government is abolishing the employment of prisoners on certain forms of labour, such as the working of wells by manual labour, and mechanical arrangements are being substituted for the purpose in several jails this year.
  - (8) The attention of Superintendents of Jails has been drawn to the necessity of constant and intelligent supervision over cooking arrangements, and separate kitchens will be gradually provided for Hindus and Muhammadans. The substitution of *toria* for mustard oil has been prohibited for cooking purposes.
  - (9) A Reclamation Officer has been appointed who, in addition to the duty of supervising institutions established for reformatory purposes, will also carry out measures for the removal of well-behaved prisoners from jail influences. Two Reformatory Farms are being started in the Nili Bar for Borstal inmates and adult prisoners, respectively. Building plans are in active preparation, and it is expected that the Farms will be working by October 1927. The honourable member's attention is also invited to the Punjab Borstal Act and the Good Conduct Prisoners' Probationary Release Act, both passed in 1926. The Reclamation Officer will in due course develop plans for prisoners' aid societies and the aftercare of prisoners generally. He is also empowered to initiate and advise on proposals for the premature release of prisoners in deserving cases.

The above list is not absolutely exhaustive, but includes the more important points.

#### POLITICAL PRISONERS.

200. **Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state—

- (a) the names of all political prisoners sentenced by Special Tribunals under the Defence of India Act and in the martial law régime and now undergoing imprisonment;
- (b) the sentence passed against each of them and the period each has served?

**The Honourable Sir Geoffrey deMontmorency:** Information is being collected and an answer to the question will be furnished as soon as possible in due course.

LALA RAMSARAN DAS OF KAPURTHALA.

**201. Dr. Gopi Chand, Bhargava:** Will the Honourable the Finance Member be pleased to state—

- (a) whether one Lala Ramsaran Das, B.A., of Kapurthala was sentenced in 1915 under the Defence of India Act;
- (b) the term of imprisonment to which he was sentenced;
- (c) the period he has served;
- (d) the remission for good conduct he has earned according to jail and other rules;
- (e) when he is going to be released?

**The Honourable Sir Geoffrey deMontmorency:** Information is being collected and a communication will be made to the honourable member as soon as possible.

MINTO PARK, LAHORE.

**202. Dr. Gopi Chand, Bhargava:** Will the Honourable the Minister for Agriculture be pleased to state—

- (a) the initial and yearly recurrent expenditure incurred on the Minto Park outside Rushnai Gate, Lahore;
- (b) the object for which this park was made;
- (c) whether certain restrictions have been put to the free access of the public to the said park;
- (d) whether the use of it is allowed to any club, association or person as play ground;
- (e) if the reply to (d) is in the affirmative, the names of the persons, or clubs and the rent charged for the use thereof?

**The Honourable Sardar Jogendra Singh:** (a) The initial expenditure incurred on the Minto Park was Rs. 75,000 and recurrent expenditure averaged Rs. 8,424 per annum.

(b) The object of the park (a scheme for the lay-out of which is under consideration) is to provide playing grounds as gardens for the city population.

(c) No restrictions have been put to the free access of the public to the park except that the grounds inside the enclosure are reserved for tournaments.

(d) The use of the park as a play ground is allowed to clubs and schools.

(e) The following schools and clubs occupied the play grounds at various periods. Rent is charged at the rate of Rs. 5 per mensem:—

(1) Central Model School, Lahore.

(2) University Oriental College, Lahore.

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- (3) Islamia High School No. I, Lahore.
- (4) Islamia High School No. II, Lahore.
- (5) Dyal Singh High School, Lahore.
- (6) Said Mitha Club, Lahore.
- (7) Muslim Club, Lahore.
- (8) New Friends Club, Lahore.
- (9) Aga Club, Lahore.
- (10) Muslim Sports Club, Lahore.
- (11) Bhati Club, Lahore.
- (12) H. M. Club, Lahore.
- (13) Gulzar Club, Lahore.
- (14) Lahore Club, Lahore.
- (15) Railway Club, Lahore.
- (16) Hockey Club, Lahore.

#### ENCROACHMENT ON MUNICIPAL LAND, LAHORE.

**203. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Local Self-Government be pleased to state whether he is aware of the fact that encroachment after encroachment is being made on municipal or nazul land within the Lahore municipal limits by a certain section of the public?

**The Honourable Malik Firoz Khan, Noon :** Government are aware that many encroachments have been made, but are not aware that any particular section of the public is responsible for them.

**204. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether he is aware of the fact that the Lahore municipal committee had prosecuted those persons who are encroaching upon municipal land in order to remove the encroachment but in spite of these prosecutions the encroachments are being increased in dimensions rather than being removed;
- (b) if so, what steps does the Government contemplate to take to remove the existing, and to stop further encroachments?

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

(b) Does not arise.

#### HANDLOOMS.

**205. Dr. Gopi Chand, Bhargava :** Will the Honourable the Minister for Education be pleased to state—

- (a) whether the Government are distributing handlooms to villagers to help them in weaving cloth;

(b) if so, what kind of handlooms are they distributing and whether hand spun yarn can be woven by them?

(c) what are the initial expenses incurred on each loom?

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

(b) and (c) Do not arise.

#### ERECTION OF BUILDINGS IN THE OPEN PLACES IN LAHORE.

**206. Dr. Copi Chand, Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state :—

(a) whether he is aware of the fact that the Lahore municipality has dug foundations for a building in the open space adjoining the water works reservoir, Lange Mandi, Lahore, that this is one of the open spaces within the four walls of the town which was used by the citizens as a garden and that there were actually grassy plots there;

(b) if so, does the Government contemplate to stop the municipality from erecting any building in any of the open places in the town proper.

**The Honourable Malik Firoz Khan, Noon :** The municipal committee did contemplate the construction of a municipal board school building on the site in question, but the idea of utilizing that site for this purpose was abandoned some time ago.

#### SATTA TRANSACTIONS IN OPIUM AND JUTE IN AMBALA CANTONMENT.

**207. Lala Mohan Lal :** (i) Will the Honourable Finance Member be pleased to state if he is aware of the fact that satta transactions are held in opium and jute in Ambala Cantonment every month and every week?

(ii) If the reply to the above be in the affirmative, will the Government be pleased to take steps to have this satta stopped?

**The Honourable Sir Geoffrey deMontmorency :** (i) No.

(ii) Does not arise.

#### LICENSES FOR MOTOR VEHICLES.

**208. Lala Mohan Lal :** (a) Will the Honourable the Revenue Member be pleased to state if it is a fact that in Ludhiana district licenses for motor vehicles are issued for particular roads and not for all roads?

(b) If the reply to the above be in the affirmative, will the Government Member be pleased to consider the question of directing that licenses for all roads on which motor vehicle traffic can be carried should be issued?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) In the interests of traffic control, and of travellers generally, a limited number of motor vehicles only are permitted to ply for hire upon certain roads in the Ludhiana district. No inconvenience, it is understood, has been suffered by the public on account of these restrictions, which Government is not, in the circumstances, prepared to modify. On the Grand Trunk and Ludhiana-Ferozepore roads no restrictions exist.

**MATES OR KHALASIS TO THE SUBORDINATES OF THE BUILDINGS AND  
ROADS BRANCH.**

**209. Rai Sahib Lala Ganga Ram :** (a) Is it a fact that no mates or khalasis are allowed to the subordinates of the Buildings and Roads Branch in the Punjab, while the same are allowed in the Irrigation Branch and even in the Buildings and Roads Branch in the Simla Provincial Division?

(b) Is it a fact that this grievance of these subordinates was brought to the notice of the Chief Engineer of Buildings and Roads Branch by the Secretary of the Engineering Subordinates Association, Punjab and North-West Frontier Province, through his letter No. 227, dated 16th October 1925, and several subsequent reminders were also sent?

(c) Is it also a fact that a representation by the Ambala Sub-Division Subordinates was made to the Sub-Divisional Officer to grant them mates or khalasis in December last and he referred it to the Executive Engineer, Ambala Provincial Division, with his strong recommendation?

(d) Will the Honourable Minister for Agriculture be pleased to lay the copy of the above mentioned representation on the table?

(e) Will the Honourable Minister please state what duties are performed by the subordinate staff of the Buildings and Roads Branch?

(f) Will he be pleased to consider the desirability of granting khalasis?

**The Honourable Sardar Jogendra Singh :** (a) In the Buildings and Roads Branch mates and khalasis are men whose pay is charged to the estimate of the work on which they are employed, and no connection can be recognised between the employment of such men and that of subordinates. It is a matter for the discretion of the Executive Engineer responsible for the execution of the work whether he engages mates and khalasis for the purpose.

(b), (c), (d) and (f). As no question of grievance in the matter arises, representations on the matter are irrelevant and cannot be taken into consideration.

(e) The duty of the subordinate staff of the Buildings and Roads Branch is to assist the Engineer Staff in the execution of work which is entrusted to the Branch for execution.

**NURSING STAFF IN THE JUBILEE HOSPITAL, AMRITSAR.**

**210. Lala Kesho Ram, Sikhri :** Will the Honourable Minister for Local Self-Government please state :—

(a) what nursing staff is at present employed in the Jubilee Hospital, Amritsar ;

(b) what was the daily average number of in-door patients for 1926 ;

(c) whether there is any provision for nursing respectable Indian patients in the private wards of the Jubilee Hospital, Amritsar ;

(d) whether there is any arrangement for nursing serious cases of illness at night ;

[Lala Kesho Ram Sikhri.]

- (e) whether it is a fact that a case of secondary hæmorrhage occurred recently in the Jubilee Hospital, Amritsar, in which death took place owing to the fact that there was no one in the ward at the time to report the occurrence and to call for help?

**The Honourable Malik Firoz Khan, Noon :** (a) One trained nurse and seven untrained nurse boys, four of whom are employed in the two operation theatres and the others in the dressing and casualty rooms.

(b) 222.

(c) No.

(d) No.

(e) No; the only case which occurred was treated in time. Government are considering the question of providing nurses for the Jubilee Hospital.

### RESOLUTIONS.

#### RESOLUTION re-RELEASE OF GURDWARA PRISONERS.

**Sardar Kundan Singh** [Hoshiarpur and Kangra (Sikh), Rural]: Sir, with your permission I beg to move the resolution that stands in my name :—

"This Council recommends to the Government to forthwith release Sardar Kharak Singh, President, Central Board, and all other gurdwara prisoners."

When the Gurdwara Bill was passed into law in July 1925, the Government promised that all the grievances of the Sikhs will be removed with the passing of the Act. We, therefore, after the passing of the Act quietly waited for the Government to release all the prisoners. We even elected members to the Central Board in the hope that the Government will release the prisoners at least after the election. But though the Government released the first batch of the Akali leaders it did not release those who went into jail only in obedience to the orders of these leaders. Sikhs carried the peaceful battle for the reform of their gurdwaras for a period of five years at the end of which the Government tried to pacify them with the balm of the Gurwdara Act. And the whole quarrel would have been settled amicably only if the Government had also released the prisoners. All the 85 lakhs of Sikhs are anxiously awaiting the release of the Akali prisoners and Sardar Kharak Singh. And if the Government has pacified them with the grant of a suitable law, they should also go a step further and release the prisoners, otherwise the fire of unfulfilled promises will always be smouldering in their hearts and they will not live in peace. As the Punjabi proverb goes, the elephant has passed and there remains only the tail. The release of the prisoners will end the whole affair. The elephant without a tail will not remain quiet and it is very likely that it may create trouble. I, therefore, appeal to my brethren here in this House that they should support my demand for the release of Sardar Kharak Singh and the other prisoners. Without this the settlement will not be complete. Sikhs are in the habit of doing two good turns in return for every one done to them, and I assure you that they will very much appreciate the release of these prisoners at this juncture, but if they are oppressed and annoyed in some

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other way they are not the men to be cowed down by any amount of repression. I, therefore, submit that the Government, if they want that the Sikhs should help them in time of their need in future, should release the prisoners forthwith or they will not do anything for the Government if and when they are asked to help them. With these words I move my resolution.

**Mr. President :** The resolution proposed runs :—

"This Council recommends to the Government to forthwith release Sardar Kharak Singh, President, Central Board, and all other gurdwara prisoners."

The question is that that resolution be adopted.

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan), Urban] :

Sir, I was submitting the other day before the House that the Gurdwara Bill was necessitated to stop the restlessness which prevailed in the province and to pacify the agitated minds of the Sikh community as a whole. The Government yielded to the demands of the Sikhs in certain directions, for instance in the matter of the key affair of the Darbar Sahib, Amritsar, and in the matter of the Guru-ka-Bagh. A Gurdwara Act was once passed in this Council which was not acceptable to the Sikh community as a whole and a necessity was felt for substituting that Act by another which would be acceptable to the Sikhs and which would not encroach upon the rights of the Hindus. A Bill was accordingly introduced into this Council by the representatives of the Sikhs and it was discussed in the cool atmosphere of Simla in July 1925 and all the members of this House expressed a feeling that they hoped that with the passing of the Bill, Sardar Kharak Singh, the head *jathedar* and the other gurdwara prisoners would be forthwith released. His Excellency the Governor while addressing this House also accepted this demand of the House, but he attached one condition to it. What was that condition? The condition was that whichever prisoner would give an undertaking that he would work the provisions of the Gurdwara Act would be released. Now, the question is, why this condition was imposed; how His Excellency the Governor was actuated to impose this condition, whether it was due to considerations of statesmanship, or whether it was due to a desire to humiliate the Sikh community as a whole. It does not matter what feelings actuated His Excellency the Governor to impose this condition. We have to see how the Sikh community took this condition. As has been well said, we are not to see whether justice has been done. We have to see whether the party concerned feels that justice has been done to them. In this respect it is the Sikh community that has to be taken into consideration. We have therefore to see whether the Sikh community took this condition favourably or whether that community took this condition as a humiliation to the whole *panth*. The Shiromani Gurdwara Parbandhak Committee, the registered representative religious body of the Sikhs, did not issue any mandate to the Sikhs to accept this condition, for they considered this condition as an insult to the *panth*.

**Mr. President :** Order, order. I would request the honourable member not to make any reflections—direct or indirect—upon His Excellency the Governor who, according to the statement of the honourable member, had imposed the condition.

**Lala Bodh Raj:** With due deference to your ruling, Sir, I submit that I was not going to make any reflections upon His Excellency the Governor, but I was submitting, Sir, how the Sikh community took this condition, and in which light this condition was taken by the Sikhs. I was submitting to you, Sir, the condition of the minds of the Sikhs when the condition was imposed on the release of the Sikh prisoners. If the condition had been that the Sikh prisoners should not repeat the offence for which they had been incarcerated in jail, then there could be some significance in it, there would be some sense in it. The condition was that when they came out of the jail after release they would work the Gurdwara Act. This Bill was introduced into this House by the leaders and representatives of the Sikh community and as the situation now stands, the Sikh community and their leaders as well as their representatives have shown their *bona fides*; they are working the provisions of the Gurdwara Act, the Central Board and the local boards have been constituted. In other respects also the Gurdwara Act is being worked out by the members of the Shiromani Gurdwara Parbandhak Committee and the leading members of the Sikh community.

In such matters it is the leaders that matter. The poor prisoners who were called upon by their community to plunge into the fire of sacrifice are still rotting in jail for the technical offences which they committed. They did not commit any acts of moral delinquency. They did not commit any acts of violence. Their sole object was to reform the gurdwaras by non-violent methods. They have been crying hoarse up till now that they want to reform their gurdwaras by non-violent methods. These are the facts and I do not see any justification left now why Sardar Kharak Singh, the head *gathedar* who was elected the President of the Gurdwara Board and who is being held in great esteem by his community as well as by his countrymen should not be released. You know, Sir, that before he went into the jail he was the President of the Shiromani Gurdwara Parbandhak Committee and the President of the Punjab Provincial Congress Committee and he comes of a most respectable and leading Sikh family of Sialkot. He is himself a B.A., LL.B. He was leading his life in ease and comfort when he was called upon by his community to plunge himself into the fire of self-sacrifice and he accordingly came forward into the field. Now he is suffering and has been passing his days in jail for the last so many years. He was convicted for offences which cannot be considered in the present light of the day as offences. He was convicted for one year for manufacturing kirpan under Arms Act which I think is no offence under the present rules. I know, Sir, that Government had withdrawn many cases that were pending against other Akali prisoners for the same offences. Sardar Kharak Singh was convicted for three years under section 124-A for using a word which the officers in those days took in the light of exciting disaffection towards the Government. The magistrate who convicted him in his judgment remarked that as those were days of excitement and restlessness, it was not pardonable that a man of the personality of Sardar Kharak Singh should use such a word and so he gave him exemplary punishment of three years. I submit, Sir, that non-co-operation movement, and the Akali movement are in their ebb. They have all subsided, and there is no restlessness in the country now. This is the oppor-

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tune moment when the Government should respect the feelings of the Sikh community. The war between the Sikh community and the Government has concluded with the passage of the Gurdwara Bill. The Sikhs on their side have shown that they have performed their part and are working the Gurdwara Act, while on the other side the Government have not done its part honourably till now. The only part that the Government has to play after the truce has been concluded is that they should release Sardar Kharak Singh, the head *jathedar* and other gurdwara prisoners. When the question of the release of Sardar Kharak Singh was being discussed on the floor of the Legislative Assembly, the present Governor of the Punjab who was then the Home Member while replying to the resolution said that he would consult the Punjab Government and then see whether the Punjab Government was prepared to remit the sentences passed on Sardar Kharak Singh. Now, Sir, that very Home Member is presiding over the destinies of this province. He is holding the reins of Government and it is for him now to decide whether Sardar Kharak Singh should be released or not. If at this moment and in the circumstances the Government is not prepared to release Sardar Kharak Singh and other gurdwara prisoners, there is apprehension of further restlessness being created in the country. You know, Sir, that the Akali deputation had been touring throughout the province. They have been carrying on agitation throughout the province for the release of Sardar Kharak Singh and other gurdwara prisoners. In case these prisoners are not released there is apprehension that unrest would prevail in the province and the poor tax-payer would be called upon to pay money to Government to maintain those prisoners in jails and to stop the Akali agitation. In the interest of the poor tax-payer of this province, in the interest of the revenues of this province, it is necessary that Sardar Kharak Singh and other prisoners should be released. The lives of such patriots like Sardar Kharak Singh and his other co-workers are national assets and their detention in jail and their health are national problems. They have been detained in jail for reasons of State. They have not been detained in jail for any reasons of moral delinquency. If these are the reasons for the detention of Sardar Kharak Singh in jail, and as these reasons do not exist now, I would appeal to the honourable members of the House and to the Government to release Sardar Kharak Singh and other gurdwara prisoners who have been incarcerated in the jails for acts involving no moral turpitude or moral delinquency. With these few words I heartily support the resolution.

**Mr. Labh Singh** [Rawalpindi Division and Lahore Division, North (Non-Muhammadan), Rural]: Sir, I am sorry my honourable friend representing the North-West Towns (non-Muhammadan) Urban, is not present just now to speak in this House on behalf of these benches. He is arguing a case in the High Court and is unable to come here now. But he has requested me to say that he and his party are whole heartedly with the Sikh community in this matter (hear, hear). I have great pleasure in giving this assurance on his behalf and on behalf of the party which takes its seat on these benches. There was no danger of his absence being in any way misconstrued. Nevertheless I take this opportunity of giving expression to his sentiments in this behalf so that no doubt might remain on the point

in the minds of any person or parties concerned. It is too late in the day, Sir, to reinforce this demand of the people by arguments. The House has expressed its opinion on this matter, I believe, more than once and every time absolutely unequivocally. The unanimity of the House in this matter is stronger and completer because of the long lapse of time during which this outstanding grievance of the province has remained unredressed. It does not redound to the credit of the Government that they should mete out such humiliating treatment to their erstwhile comrades in arms. In this case it was to be expected that Government should have behaved with chivalry. On the contrary this inordinate procrastination can be described only as very melancholy. I shall not call it mean. I purposely refrain from using that word not because that the action does not admit of that characterisation, but I do not desire to be offensive. Government should remember that these men have been guilty of no crimes in the ordinary sense of the term. They did not commit offences involving any moral turpitude. These gentlemen were anxious that reform should be brought about in the administration of their gurdwaras and they have succeeded to some extent in securing the desired reforms. Their agitation was more or less in the nature of a religious agitation and was very well founded as the sequel has shown. If their agitation was not well founded, the Gurdwara Bill would not have been passed into law and that enactment would not have come into being. The mere fact that this has been done shows that their agitation was well founded, that their grievances were real and it was necessary that they should be redressed. It would have been an act of magnanimity on the part of the Government if the passage of the Gurdwara Bill into law should have synchronised with the unconditional release of these prisoners. But as things are, that has not been done. The tardiness of the Government in releasing these gentlemen reveals the character of the Government in a progressively sinister light. It is difficult for me to conceive of a case of more egregious flaunting of public opinion than the one which is presented by the problem before us. It was, I submit, in the interest of the Government that this melancholy chapter should have been closed and that this sore should not have been permitted to continue to fester. I have tried hard to understand the psychology of the official mind in this matter, but I confess that I have failed altogether to fathom the mysteries that underlie this action or I should say inaction on the part of the Government. Apparently no conceivable purpose can be served by the continued detention in jail of the universally respected leaders of a law-abiding community. It would appear obviously that the Government is convinced that these gentlemen are in favour of the working of the Gurdwara Act, that they would work it to their fullest satisfaction and there seems therefore to be no reason why they should not be taken out of the jails. The question of gurdwara reform was primarily a question between the Sikhs and one section of the Hindu community and as it has been made apparent by the proceedings of this House on all the occasions on which the Gurdwara Bills came up to be discussed, the Hindu community took up a very broad attitude and their attitude was well considered and well advised. They knew that the grievances from which the Sikhs were suffering were in many cases genuine and real. They knew that some of the big gurdwaras were not really being well looked after. There were good many abuses going on and the

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Hindu community did not succeed in removing them, and was not likely to have been able to remove them. If the Sikhs wanted this internal reform they should have been permitted to bring it about and the Hindus were anxious that the Sikhs should be allowed to remove the abuses and bring the administration of their gurdwaras into line with the requirements of their religion and to place their management on a proper and satisfactory basis. I insist that it is high time that these gentlemen were released from jail. At the same time I would impress upon the members of the Sikh community the necessity of now disbanding as it were the quasi-military organisation which they had been obliged to set up in order to effect religious reform. I hold in my hand a telegram which I have just now received and it speaks of some dispute between the Hindus and the Sikhs at Hazro. I am told that a procession of Hindus was stopped by Sikhs or some misadventure has taken place in Hazro in the district of Campbellpur, in which the Sikhs have been the aggressors.

I would, therefore, very strongly request my Sikh friends and through them the whole Sikh community that it is time now that this organization which was brought into being for a specific purpose, should now be suspended or that at any rate steps should be taken as would obviate .....

**Mr. President :** Will the honourable member please speak to the question ?

**Mr. Labh Singh :** I was answering a side remark and my purpose was to say that although we, Hindus, strongly favour the view that was taken up by the Sikhs in the matter of the gurdwara reform, at the same time we strongly insist that now that the Gurdwara Bill had been enacted into law it is time that all disputes which now arise should be submitted for decision either to arbitration or to the ordinary law courts, and that direct action should not be resorted to, to enforce real or imaginary civil rights.

**Mr. President :** Order, order, I would again request the honourable member to speak to the question.

**Mr. Labh Singh :** I bow to your ruling, Sir ; but I will just make my point clear with your permission. I want to emphasise the importance of settling the disputes through the ordinary machinery of law, and point out that the Hindus, even in the case cited as in all other cases were anxious to compose their differences with the Sikhs by negotiations and compromise.

**Shaikh Muhammad Sadiq :** He is again referring to the same matter.

**Mr. President :** I invite the attention of the House to the fact that I have requested the honourable member to speak to the question but he is persisting in irrelevance. I request him once more to speak to the question.

**Mr. Labh Singh :** I shall not make any reference to any particular question or even to the point that I was raising. I would in the end only strongly support the resolution that has been moved, both on behalf of myself and on behalf of the community to which I have the honour to belong.

**Pir Akbar Ali** [Ferozepore (Muhammadan), Rural] (Urdu) : Sir, the motion before the House is a very useful one, and I wish to speak on it at a later stage. But at this juncture I simply want to remark that some

honourable members of this House, who always side with Government, have declared that their sympathy goes with this resolution and that they share the views of the Sikh community in regard to the imprisonment of Sikh leaders. I have further noticed that an honourable member of that party has sent in a written support through another honourable member. I, therefore, Sir, should also like to express sympathy with my Sikh friends on behalf of those members of this side of the House who are absent.

**Mr. President :** Order, order.

(Then the honourable member resumed his seat.)

**Sardar Narain Singh** [Rawalpindi Division and Gujranwala (Sikh) Rural] (Urdu): Sir, during the last six years the Sikh community has had to bear all sorts of oppression and hardship at the hands of the Government in connection with the gurdwara reform movement. It had to undergo the severest trials and ordeals. All for what? for the noble and righteous cause of the gurdwaras. Notwithstanding that the Sikh leaders in the most unequivocal manner expressed that they simply and solely wanted the reform of the gurdwaras and that nothing could be further from their intention than the establishment of a Sikh Raj in the Punjab, the Government charged them with sedition and gave out that the Sikhs wanted to overthrow the British Government not only in the Punjab but also in India. How ridiculous! No efforts were spared to give this small community a bad name, and thus to degrade it in the eyes of its sister communities. Sardar Bahadur Sardar Mehtab Singh voiced the real sentiment of the community when in his speeches at Simla and Lahore he stated that the Sikhs were undoubtedly for Swaraj but that was the type of Swaraj in which Hindus, Muslims, Sikhs, Christians and every other community would have a voice. This too, however, failed to satisfy the suspicious Government.

As to the view that the community took of the Government's attitude regarding the gurdwara movement it was wittily demonstrated by a Sikh accused youth aged about 18 in the open court when that famous case of keys was being tried. This young lad went round the corners of the court room with a lighted candle in hand. When asked, what he meant by so doing, he very seriously replied that he was searching for justice. This needs no comment.

Now, Sir, when the community became disappointed at the Government's attitude, it decided with a heavy heart and doleful reluctance to enter into an agitation which is too well known to be mentioned here. It invited the Government in the following words:—

*"Idhar ao Sahib hunar azmaen,  
tu tir azma ham jigar azmaen."*

ادھر آؤ صاحب ہنر آزمائیں  
تو تیر آزما ہم جگر آزمائیں

What was the result? I am proud to say that every man and woman, young and old, zamindar and non-zamindar, Barrister and Vakil, merchant and pensioner from each and every corner of the province came forward to

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take part in this struggle. It is a matter of common knowledge how splendidly the community came out of the test.

The jails were filled with Sikh gurdwara prisoners, hundreds sacrificed their lives, several homes and families were altogether ruined, jagirs worth lakhs of rupees and pensions were confiscated, incumbents of Government posts, paid as well as honorary, were dismissed. The sole representative bodies of the Sikhs, namely, the Shrimoni Gurdwara Parbandhak Committee, and the Akali Dal were declared unlawful assemblies. In short every attempt was made to ruin and humiliate the Sikhs. But the result was quite the reverse of what the Government expected. The movement instead of subsiding progressed by leaps and bounds.

Our respected leaders were thrown into jails and they were charged with offenses under the severest sections of the Indian Penal Code. Money was lavishly spent in conducting the case by both the Government and the Sikh community.

Last year when moving a certain amendment I pointed to the House that this poor country was made to incur expenditure on this case, out of all proportion to its slender resources, the Honourable Sir John Maynard replied that when the Sikhs had engaged a Kikar Singh for the conducting of the case the Government must necessarily engage a Ghulam.

Sir, the Sikhs had to suffer because they were under a test to prove the righteousness of their cause but our Hindu and Muhammadan brethren too could not escape being affected. They had to bear additional taxation to meet this expenditure. When the Sikhs showed no sign of wavering even in face of the severest trials, an attempt was made to arrive at a compromise and to formulate a Gurdwara Bill. The Birdwood Committee came into being but with no satisfactory result. Next Mr. Puckell and Mr. Emerson in consultation with five Sikh members of the Council set to draft the Gurdwara Bill. I am in duty bound to acknowledge gratefully the very great sympathy and sincerity which these two gentlemen evinced at that time for the Sikh cause.

During the course of the preparation of the Gurdwara Bill when the Sikh members demanded of the Government officers a promise to release the Gurdwara prisoners the latter simply smiled in reply saying that it was inconceivable to expect that the Government would, after it had admitted the claims of the Sikhs by giving a legislative sanction, keep them any longer in prison.

I confess, Sir, we persuaded ourselves, to rely on these words and it is absolutely true that we gave to our leaders the assurance that with the passing of the Gurdwara Act all the Sikh prisoners would be released without giving any written undertaking whatever.

The longed for Act was at last passed. The Sikh members heaved a sigh of relief that their efforts were crowned with success, that misunderstanding had been removed, that there was an end to the ordeals of the community. We hoped that a new chapter would begin, that the tie of friendship between the Government and ourselves would become still stronger and that the Government would treat us as a brave man treats another brave man. But, alas, the attitude assumed by the Government consequent on the Act threw cold water on all our hopes.

Sir, I really fail to understand why the Government insists on exacting this iniquitous undertaking from the gurdwara prisoners that after their release they would work the Act. Is there any other civilised country in the world where law permits the requiring of such an undertaking from undertrial prisoners? Who can say whether the accused will be found guilty or innocent at the end of the trial? The Gurdwara Act is a regularly passed law like any other law and he who violates it can be dealt with in the ordinary manner. Is it not simply ridiculous, Sir, that an accused who is charged with sedition and waging war against the Government, should be declared innocent on his giving an oral undertaking that he would work the Gurdwara Act, while another who honestly believes that the Act is not useful for his community but who all the same has no intention of opposing it, has to rot in the jail for months together simply because he is not prepared to give such an undertaking?

Sir, the Gurdwara Act, good, bad or indifferent whatever it may be, the Sikh members of the council had it passed unanimously. As such the whole Sikh nation is morally bound by the Act of its representatives. I assure you, Sir, that those who have spurned away the proposal of conditional release have done so simply from a sense of humiliation that they feel such a condition involves. For instance look at Master Tara Singh, B. A. He preferred rotting in jail to giving such an undertaking. But on coming out of jail he is not only whole-heartedly working the Gurdwara Act but is also the acting President of the Shiromani Gurdwara Parbandhak Committee formed under the Act. Similar is the case with several others of his comrades.

This shows clearly that the demand of the Sikhs is purely and simply religious and that the only hindrance in their way to accept the conditions is that they regard them as derogatory to their national honour. As a self-respecting nation, we want nothing more than to lead a dignified and respectable life and if within the British Raj we are not entitled even to this much we would prefer to be blotted out of existence. For, a humiliated nation has no right to live and such a one is simply a useless burden on the mother country.

Sir, my painful story is too long to be told within the short time at my disposal. I shall therefore, cut it short. But all the same, I would submit that now that the Act has been passed and the unlawful assemblies namely the Shiromani Gurdwara Parbandhak Committee and the Akali Dal are no longer unlawful, it is really inconceivable why our venerable leader Sardar Kharak Singh and other forty or fifty persons are still being kept in jail.

It may be under any pretext, but it goes without saying that Government is not justified in keeping them in jails under the circumstances described above. Sardar Kharak Singh has undergone five years' imprisonment already and I think he shall have to remain there for seven or eight months more.

Sir, this state of affairs has created feelings of utter despair among the inhabitants of the province and I should say that it does not redound to the credit and glory of the Government to keep incarcerated in jails these leaders whose acts and doings do not involve any moral turpitude. From our past

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experience we know, the Government does not care much about the resolutions passed by this House, but it is the bounden duty of the Sikh members of this House that they should impress upon the Government members that as long as our respected leaders Sardar Kharak Singh and others are in jail we cannot have a minute's rest. Similarly our sister communities are not satisfied with the present state of affairs and it is but natural that they should feel for it. We do not wish to threaten anybody. Our religion teaches us to be afraid of nobody and intimidate nobody. We simply request the Government to consider over this matter and release our prisoners. As regards Sardar Kharak Singh, I submit, Sir, that he is a graduate and comes of a highly respectable family of Sialkot the members of which have rendered meritorious services to the State, but we do not want his release by way of recompense for these services. We want pure and simple justice.

**Mr. President:** Order, order. The honourable member has already spoken for more than twenty minutes. I would ask him to close his speech.

**Sardar Narain Singh:** Very well, Sir. I shall try to be very brief (continued in Urdu), Sardar Kharak Singh is held in great esteem by the Sikh community. He has already undergone five years' imprisonment, his skin has shrivelled up and he has been reduced to a skeleton. From within the walls of the Dera Ghazi Khan jail he is preaching to the world:—

اس جہان فانی میں ہوں دل کو بہیلا کرین  
آبرو مٹانے سے پہلے آپ مت جا کرین

He cannot endure any insult or humiliation. He is a self-respecting man. The Sikh community loves him and he is their accredited leader. His popularity can be borne out by the fact that he was elected President of Shiromani Gurdwara Parbandhak Committee, the highest honour that the Sikh community can bestow upon any person. The Sikh community is unanimous in its demand that Sardar Kharak Singh and other leaders be released forthwith. Sikhs do not care for any hardship as a well known poet has remarked:—

عشرت قطوہ ہے دریا میں فنا ہو جانا  
درد کا حد سے گذرنا ہے دوا ہو جانا

If Government still wishes to test our love for Sardar Kharak Singh, let it declare that it wants to have 5,000 Sikhs imprisoned as a price of his release and I am ready to undertake that members of the Sikh community would not take more than 24 hours to pay this price. For the release of the prisoners neither do I pray for mercy nor do I claim as a reward for the services of my community, the record of which is so very brilliant.

I simply appeal that in the name of justice and humanity itself my community does deserve that its leaders be released. What is after all the offence of Sardar Kharak Singh for which he is being punished in such a way? His only offence is that he boldly gave expression to his thoughts and sentiments. A poet says:—

شکوہ جو کیا ظلم کا آئینہ نکالی  
کیا حرم دوائے دل بیمار نکالی

I submit, Sir, that for mere honest expression of sentiments and feelings Sardar Kharak Singh who was brought up in the lap of luxury, is rotting in the Dera Ghazi Khan jail. This is not justifiable in any way. In conclusion, I appeal to the Government that they should not lose sight of the fact that there is a superior Government of the Almighty before whom they will have to answer for good as well as bad deeds. With these words, I beg to support the resolution of my friend Sardar Kundan Singh.

**Mr. V. F. Gray** (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, might I say a few words as an independent person without possessing any strong views really on either side. Not being a Government official I do not hold their strong views nor being a Sikh, do I possess the strong views they do. I have great admiration for the Sikh community amongst whom I count not a few as my real friends. Then I have also the highest admiration for Government headed by one of England's most brilliant men and I find both sides opposed on this big point, but here again, I am not quite sure if it is a big point or a trifling point. It looks to me to be merely a question of dignity on the one side and the other. We are told of the humility imposed. But is there any humility in demanding a very small verbal undertaking, everybody will be released on merely saying that they will work the Act or a few words to the effect that they will not continue the agitation that went on before the Act was passed? And I do not know that I can blame Government for expecting that. Government are responsible for law and order. If they let people out without any rhyme or reason, there is every likelihood of big mass meetings, congratulations and troubles all round. Their release will certainly be regarded as a climb down at the end on the part of the Government. I take it that that really is the root of the whole trouble.

We must remember that Government went through a lot of trouble to settle the difficulties and introduced a Bill which was not liked by the Sikh community, and not worked by the Sikhs. Then the Sikhs were asked to bring their own Bill and this Council unanimously passed that Bill in the hope that it would settle the troubles which we all deplore very much, among the Sikhs. There are a few obstinate men left who would not give any undertaking to be peaceful but would rather remain in jail. I cannot myself see where Government is to blame in the matter.

One other point. Are the supporters of Sardar Kharak Singh sure that he wishes them to plead for his release in this way? It seems to me that to spend a full day of this Council's work—when there are so many things to do and so few days for non-official business—to occupy a day to urge and implore Government to release someone who could at any moment be released without lowering his dignity, is wasting time of the Council. We could certainly spend the time in a better way, especially as from my point of view those whose release is advocated will lose less dignity by agreeing to the condition. If they are being humiliated in jail, it is practically of their own seeking. We have yet to hear the remarks by the Government benches, but I may say that although I sympathise very greatly with the Sikhs and if the Government were to see their way to release them, I should be personally very pleased, but if Government cannot, I must oppose the resolution, if it is to be pressed to a division.

**The Honourable Sir Geoffrey de Montmorency (Finance Member) :**  
 Sir, I am very conscious of the great interest which the Sikh community take in the recommendation which the honourable mover of this resolution has moved. I am fully aware how genuinely their sympathies are engaged in this case. Government knows full well the importance they attach to it and I have been also impressed by the views of some other honourable members who have spoken and who do not represent Sikh constituencies.

The position as regards these prisoners is that they have all been convicted of offences against statute law by the ordinary courts. As regards some of them, if we take the view of the situation most favourable to them, they may allege that they had no felonious intention in committing these offences. They may claim to have been misguided or misdirected : they may urge that they were actuated rather by religious zeal than by any desire to break the law. They may also state that their desire was to induce the growth of a sort of public opinion in favour of their views rather than to commit any criminal offence. While one may sympathise to the fullest degree with these features of individual cases, no one, Sir, can shut his eyes to the fact that the acts of these persons individually and in the mass had certain far more serious aspects. They were all apostles of direct action and force in defiance of the civil law which governs the rights of their fellow citizens. In addition to committing offences causing grave disturbance of public tranquility, they also actually committed offences against persons and property involving in some cases violence in varying degrees.

The more difficult stages of the Gurdwara controversy ended, Sir, in the year 1925 with the passing of the Gurdwara Act by this legislature. I read in that event a very clear expression of the opinion of the Punjab legislature that the disputes regarding the gurdwaras should not be settled by direct action, but by recourse to law (*hear, hear*) the law being supplemented in order to make it more expeditious and more suitable for dealing with those classes of cases. It must be remembered that the solution found in the Gurdwara Act was promoted by the leaders of the Sikh community itself. It received the approval of this House and it was generally welcomed by the public outside this House. It was at this moment that the release of the gurdwara prisoners was very seriously and sympathetically considered by the Punjab Government. The decision of the Punjab Government was announced by His Excellency the Governor and the substance of the offer has already been referred to by one of the honourable members who spoke before. I need not recall the precise terms. But please bear in mind that it was then, as it is now, the earnest desire of the Government to compose troubles. It was the earnest wish of Government to ensure the working of the Act ; it was the earnest purpose of Government to take all such measures to remove rancour as might in the general interest seem desirable. The offer of the conditions was made in that spirit. It was fair and just ; it was not as some honourable members have described it, humiliating. It did not involve admission that anything which had been done in the past was wrong ; it did not involve an expression of regret for what had been done. It merely extended a fair and just invitation to those who had been convicted, to abandon direct action in future and to adopt those provisions of the law which had been proposed by their own community which had been also approved by the other community mostly concerned and had

been passed into statute by this legislature. It was also, I consider a special offer. I would recall to the minds of the honourable members the fact that owing to recent communal troubles there are a number of Hindus and Muhammadans at present in jail who in connection with those communal troubles have committed foolish acts or have abetted foolish acts. These men also acted in times of high excitement; they also were actuated by religious zeal not one whit less strong than that which animated our Sikh friends. But let me remind the honourable members that no such offer has been made to them. I, therefore, consider that the offer made to the Sikh prisoners was a very special offer. Immediately on the publication of the offer one of the first results was that a number of prisoners very wisely and in the best interests of their community took advantage of the offer. These prisoners for sometime past have been taking a leading part in the working of the Act. They have been busying themselves in the promotion of the best interests of their community in the Sikh gurdwaras by using the machinery under the Act. They have been blamed in some quarters for accepting the offer; but the more I examine what they have done, the more it seems to me that their integrity of purpose in accepting the offer was beyond all question. They were actuated by the motive, of taking part at the first possible moment in the peaceful and lawful methods which had been offered to Sikhs for the solution of the difficulties regarding the Sikh shrines which had been perplexing their community for three or four years past. Their desire was to come out of the jail as soon as possible to help their community to make the best of this new piece of legislation and the opportunities it offered and to profit by the new era which had dawned and do all they could to promote their interests in these shrines. By accepting the conditions of release they have undoubtedly materially helped in the smooth working of the initial stages of the Gurdwara Act. They deserve all credit for this.

Now, Sir, as regards those who did not elect to take advantage of the offer, the only reasonable inference that could be drawn about them, for they have given no indication to the contrary, is that they have elected to pursue the old and bad way; that they are still apostles of direct action; that they deliberately spurn the new lawful and peaceful methods which have been promoted by the leaders of their own community and which have been accepted by the other community most concerned and which have been passed into law by the legislature and generally approved by the public. They would no doubt like to emerge at once as martyrs in a cause and as persons of a very different calibre to those who have accepted the offer. But, is there really any sound reason why they should be allowed to do so? Sir, I am aware that there is a sentimental inclination towards the principle of amnesty; but people are apt to forget that experience has shown that general amnesties do not always have the beneficial results expected of them. This, I think, is especially the case with the Sikhs. The release of a large number of Sikh prisoners in 1922 in connection with the keys affair, did it bring peace? No, Sir, I think it brought something more like war. Similar action in 1923 after the Guru-ka-Bagh business did not immediately bring improved relations. Nevertheless the mental process underlying the inclination towards amnesty is easy to understand. The thought passes in the mind that there are only a few of these prisoners; if the poor fellows

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did make mistakes, well, pardon them and let them go. To release them will not affect the prestige of the Government, while keeping them in jail will be vindictive. All this sounds very plausible. I admit that prestige of Government will in no way suffer. I admit that there is no question of vindictiveness. Nevertheless the question is whether this act of kindness will be in the general interests of the public and is going to be an act of wise administration. Some others may be less sentimental: they may be more analytical and practical in the way they approach the problem. They will say, there are only 46 of these prisoners in jail; 26 of them will have served out their sentences in the next few months and will emerge in any case. They go on to observe that no doubt it is true that certain of these prisoners committed offences involving violence, such as rioting, criminal trespass, hurt to public servants, house breaking, etc., and abetment of offences of this kind; but there are others who have been convicted only under the Criminal Law Amendment Act. These are mere technical offenders, why not release them? Sir, they will possibly go on to support this view by saying that the Gurdwara Act is working. The elections to the central board are over. The central board has been constituted. The preliminary notifications under the Act have issued. Committees for the management of certain institutions declared to be Sikh shrines have been elected and what is very important for the Sikh community the management and control of those institutions has passed into the hands of these committees. The Gurdwara tribunal is sitting and it is daily going into the claims for rights in property claimed to belong to these institutions. It will be argued that the release of a few prisoners is not likely to disturb the progress and ordered processes under the new Act. All this has a certain amount of substance; but it passes by on one side one very important consideration. In the present case we are dealing with men who still, as far as we know, are unrepentant and who had a predilection for applying the doctrine of direct action and force as a sole solution of questions of civil rights. No Government would be justified in taking an easy going view of such predilections or in glossing over such predilections by amnesties. Government is entrusted with responsibility for enforcing law. I should be the first to admit that this trust should be executed in a broadminded way with sympathy and without undue severity. But Government cannot afford to be thought as ready lightly to condone breaches of the law which ensures the civil rights of citizens. It is also, I may observe, the duty and function of the legislature to make laws. I can hardly believe that any legislature could command real esteem for long, if it came to be thought about it that it encouraged those who broke the law which regulate public tranquillity and protect the life and property. It is the question of principle, not the question of persons that is important.

Everybody has got some rights. The great mass of people may be poor, but the poorest of them have some rights, rights which they value as much as they value their lives. They have their liberty of action under the law; they have their rights in property, such little property as they may possess and they have their family relations. They put their faith in Gov-

ernment to uphold the enactments which protect those rights; they trust Government, to see that no administrative slackness, no undue indulgence, no feebleness and no neglect on the part of Government will jeopardise the respect in which those laws are held or will diminish the deterrent effect of the punishment which the courts impose for their breach. It is those punishments which keep men from lightly stealing or injuring the rights of their fellowmen. Now, Sir, are we to be false to this confidence? Are we to disappoint a great body of men who go about their daily avocations trusting to our firmness in this matter? The answer is no. For, if we choose to please the vociferous few we shall be false to the trust reposed in us by many.

However much one may try to avoid an unfortunate tendency of the human mind, there is a tendency of the individual mind to look at matters not from the point of view of general weal as from the personal point of view. In the present case, I have no doubt that there is at the back of many persons' minds—perhaps sub-consciously, but still in a certain degree of strength—the idea present that the direct action in connection with which these persons were convicted was of a very special nature, and that it was directed only against the rights of Mahants. The next process of the mind is to think: "Well, this was a very special case. Their action was only directed against the Mahants. It is not likely to affect me or my friends or those whom I represent. There is a popular cry to release these prisoners. Well, I do not much mind if they are released or not. Let them be released." That is the tendency of some people's minds. It is a part of human frailty not to face the fact that what has happened to others is not unlikely to happen to oneself at some time or other. Even perhaps the most important and most inevitable fact in life—its end—is seldom honestly faced by people. They think of it as a remote possibility not as an imminent probability.

I should like in this connection to allude to a curious and unprecedented incident which occurred in this province some months ago and which lends a considerable point to what I have been saying. A certain ex-military gentleman at Amritsar took it into his head that a military man had not received nearly enough land from Government. Instead of using legitimate means to try to get his grievances redressed by approaching proper authorities and getting them to examine his alleged grievance he determined to resort to direct action. He hastily collected a *jatha* of his friends and proceeded to Montgomery with the avowed intention of taking forcible possession of the land of an honourable gentleman, a distinguished gentleman well known to honourable members of this House, whom he considered had received too much land by purchase or gift from the Government. His intention became known to the authorities. When he arrived at the station he was met by the police and a magistrate. He and his *jatha* were firmly told that they would not be allowed to disturb the peace, that they would not be allowed to commit criminal trespass, and that they must go away. His little band took a little time to think it over and then wiser counsels prevailed and they finally scattered and went away. Thus, this wild and ludicrous adventure ended in smoke. But the incident, ludicrous though it is, provides food for reflection in two ways. In the first place it shows to what an extent and in what unexpected and dangerous directions the doctrine

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of direct action may spread its infection. I cannot suppose that the honourable gentleman whose lands were the subject of attack, in his wildest dreams or even in his night mares would ever have thought that the lands on which he spent so much money and conducted some very valuable hydraulic experiments would ever be subject to direct action by persons absolutely unknown to him, and yet the unexpected came to pass. This is one aspect of the question, of the danger of direct action, and of why it is necessary to protect society from it.

There is another thought that arises out of the incident. That is what a very different, what a very unfortunate and what a more sinister ending this reckless adventure might have had, had there been at that time in the Punjab a Government which was known to be likely to sacrifice fundamental principles for popularity, which had the reputation of being easy going about breaches of the law and which would lightly let out of prison those who apply the doctrine of direct action and force to other people's property whenever the slightest pressure was brought to bear on it.

Even if Government in spite of these very important principles and in spite of these weighty considerations had been inclined at the beginning of this year to consider this as a very special case, did they receive any encouragement in some Sikh quarters to do so? I am afraid not. The recent marches through the Sheikhpura district, the mistaken attempts to revive *jathabandi* which has brought such troubles to this province and the many very unbridled speeches delivered lately—I take for example in particular, the speeches delivered at Rawalpind—are signs that those unrepentant persons in favour of direct action will, if they emerge from jail, unfortunately still find some elements among the Sikhs prepared to fall in with their views. For this reason, Government must oppose the main part of this resolution.

As regards the case of the prisoner mentioned by name, Sardar Kharak Singh, it falls in a slightly different category. Sardar Kharak Singh finished serving out his sentence of substantive imprisonment of four years in April last. He is now serving sentences under the Prisons Act which will expire about December next. Honourable members will recollect that the actions of Sikh prisoners in jails in those times were a serious menace to the safety and discipline of jails. After numerous offences under the Prisons Act, Sardar Kharak Singh was sent up before a magistrate in February 1923 and he was convicted and sentenced to nine months' imprisonment. A year later.....

**Dr. Gokul Chand, Narang :** What was the offence?

**The Honourable Sir Geoffrey deMontmorency :** Offence under Section 52 of the Prisons Act.

**Dr. Gokul Chand, Narang :** What is that offence?

**The Honourable Sir Geoffrey deMontmorency :** I am afraid I do not carry the Prisons Act about me. A year later, after committing 19 more offences under that Act he was sent up before a magistrate again on 2nd February 1924 and sentenced to five months' imprisonment. He subsequently committed seven more offences and was sent up before a magistrate for the third time in September 1924 and sentenced to six months'

imprisonment. He has now served out the first of these sentences and is serving the second. Jail discipline in the Province has now been restored ; and the Governor-in-Council has decided to release him on the expiry of his second sentence and to remit his third sentence. He will accordingly be released about the beginning of June.

**Dr. Shaikh Muhammad Alam** [West Punjab Towns, (Muhammadan), Urban] (Urdu): Sir, I thought that the resolution under consideration would be carried unanimously without any speeches being made in support of it. It would have been more consistent with our national dignity and self respect. But, Sir, I am afraid lest our silence should be construed to mean something which may be farthest from our minds, that is, that we have no sympathy with the claims and rights of the Sikh community, I wholeheartedly support the resolution on behalf of the Nationalist party of the Council and while doing so I would like to make it clear that the release of the gurdwara prisoners is a question which does not concern the Sikh community alone, but the various communities of the Punjab. From our point of view this is a question which concerns the whole nation. It would have been better if the resolution were moved by some Hindu or Muhammadan member of the House. But, Sir, this did not depend on our own choice. Many Hindu and Muhammadan members of the House sent in a notice of the same resolution but as a result of the ballot my honourable friend Sardar Kundan Singh had the honour to move the resolution. Sir, the next thing which had the effect of inducing me to have my say was the able speech delivered by the Honourable Member for Finance. He has laid down in a remarkable manner the Government's point of view before the House. He has observed only one side of the picture and has totally ignored the other side of it. He has of course given expression to the views of the Government on the subject though along with this he ought to have considered the point of view of the public as well. He and another English member of the House have been pleased to say that they are unable to understand how the required undertaking would amount to humiliation? They are simply asking for an undertaking to the effect that the gurdwara prisoners, if released, would try to work out the Gurdwara Act and would refrain from resorting to any direct action. In reply to this, I would submit that it may not be humiliating for those prisoners but, Sir, it is certainly degrading ourselves and humiliating for the Government if we ask them to give such an undertaking. It is not becoming of a powerful Government to insist on having such an undertaking from prisoners who are at their mercy in jails. Let the Government have this sort of undertaking from their free subjects. Let the Government win over the hearts of the people. If the Government would release these ten or twenty prisoners, it would go a long way in establishing their much talked of prestige. Sir, it is the most deplorable state of affairs that the Government on the one hand attentively listen to the suggestions made by their flatterers even if they tend to their prejudice in the long run, on the other hand they turn deaf ears to what we suggest both for the welfare of the Government and the public. Sir, we are quite in earnest to show to the Government the safest path which they should tread upon. But according to the well-known couplet

بہکاتے والے آپ کے سب نار ہیں گئے  
سجھاتے والے مفت مہین گنہگار ہیں گئے

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the Government pays no heed to our requests. The Honourable Member for Revenue has also remarked that while considering questions like the one under consideration we should always keep in view the best interests of the public. I ask him whether or not it is in the best interest of both the public and the Government to release the gurdwara prisoners? I would say it is the best statesmanship to accede to the wishes of public in this respect. I do admit that there can be no society of people, no organisation whatsoever which can exist without any obligations and limitations being imposed on it. Let the Government impose duties on us but all the same they are also under certain obligations towards us. It is in the fitness of things that in certain matters we should yield and in others the Government should give way. Sir, stubbornness would not help us in the matter. It would break the tie of love and friendship.

کچھ ہم کہتے ہیں کہ کچھ وہ کہتے ہیں  
اس کشمکش میں قوت کا رشتہ چاہا

If you like to inquire into the propriety of our suggestions please appoint a commission as you have already done in connection with some other matters and I am sure that you would come to know the real state of affairs. Sir, it has been said that it is the duty of the Government to protect the weak as against the strong. True, the Government should protect their subjects irrespective of their status. What we want to emphasise is that the law which is meant for the people should be amended if the people so desire. The gurdwara prisoners have not committed offences involving moral turpitude. They have gone to jail simply for the sake of their religion and as such they should not be treated like ordinary criminals. From our point of view they have committed no offences against the community at large. It has also been contended that if the Government would yield to-day in this matter it may be urged to-morrow that those persons who might have committed offences arising out of communalism should be released because their offences also do not involve moral turpitude. Sir, that is a different point. We have not asked the Government to release such offenders. We have asked them to release those prisoners who have gone to jail only for the sake of their religion. The principles of prevention and punishment have no application in this case which according to all jurists form the only basis of sentence. The Government may think that the Akali movement is gone, but I am very much afraid that it would rise in full swing, if the Government persist in this coaxing attitude.

It has also been said that the fact that a *jatha* went to Sheikhupura shows that there is a section of the people amongst Sikhs who are inclined to take direct action and under such circumstances it is impolitic on the part of the Government to release those prisoners who refuse to give the required undertaking. On the one hand you expect sympathy from public and on the other hand you displease the people by disregarding their genuine wishes. Disregard of people's legitimate wish I am afraid would always lead to such consequences and the responsibility lies with the Government. Another very plausible argument has been advanced against the resolution under consideration, that is, that a military man came out with a *jatha* in order to assault a landlord.

**The Honourable Sir Geoffrey deMontmorency :** It has happened.

**Dr. Shaikh Muhammad Alam :** I am sorry. I thought it was a hypothetical case. When did that happen?

**The Honourable Sir Geoffrey deMontmorency :** In the month of either August or September.

**Dr. Shaikh Muhammad Alam** (continued in Urdu) : Anyhow even if it had so happened it cannot be said that there was something else behind the whole show than some personal considerations or enmity. This much is certain that there was nothing which can be attributed to religious motives. It was not a religious or a moral question at all. To be brief, Sir, I would say that it is not a question of two or three months' imprisonment, but the point under consideration is how the Government can possibly reconcile their vindictive attitude with their much boasted love and friendship with the Sikh community. The Sikh community have rendered conspicuous services to the Government and let us see how they are going to play their part. Sir, the question of two or three months' imprisonment carries no weight with us. Let the Government release these few prisoners and thus win over the hearts of millions of people. In the end, I hope that neither the Government nor any member of the Council would oppose the resolution under consideration. It is not a question of a few months for some persons in jail, but the question is that the Government is on trial for its love to its subjects and let me hope that the Government would rise to the occasion and seize this opportunity of giving way to the united national demand.

**Dr. Gopi Chand, Bhargava** [Lahore City (Non-Muhammadian), Urban] (Urdu) : Sir, I had some idea of the attitude which the Government would adopt in connection with the resolution under consideration. I have very attentively listened to what the Government has said on the subject. The Government has as usual played on the words "law and order" and prestige. The Government established by law in this country is irresponsible and in the words of as non-violent a person as Mahatama Gandhi is a satanic Government. The Government first decides whom to deprive of his liberty and to put into jail and then starts a case against him and prosecutes him before a Court. We cannot have justice from its courts because they are not independent. They have to abide by the dictates of the Government. When such is the case we, the subject nation, have only two other methods to adopt for the realisation of our birth-rights. I mean by them the methods of non-violence and civil disobedience. In my opinion both the methods are legal and justified, legitimate and peaceful because there is no other alternative to solve our national problem. Sardar Kharak Singh adopted these very methods. He wanted to achieve his object through love and forbearance. There is a great difference between the case of a person who commits violence and uses force and that of a person who resorts to civil disobedience and other non-violent methods as the proper means to achieve his object. The one offends the majesty of law and as such he must be punished. The other wants to reach his goal peacefully and for that purpose he is prepared himself to undergo any hardships that may be attendant on his way. Thus Sardar Kharak Singh and his colleagues adopted this method of non-violence for the sake of gurdwara reform. They underwent hardships. They received inhumane treatment at the hands of jail autho-

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rities, but they showed no weakness and persevered. Sir, the Government cannot win over the hearts of the public through prosecutions and terror. That can only be done through better statesmanship. When some compromise has to be arrived at between the subjects and the Government, it can only be done by a Round Table Conference. And whenever a Round Table Conference is held the first step that is usually taken is the release of the prisoners who are concerned with the matter which is talked over in the conference. The Government ought to have released the gurdwara prisoners before the passing of the Gurdwara Act. If the Government had done so, they would have achieved an unqualified success in the matter. If on the other hand the Government are not prepared to release Sardar Kharak Singh and others even now being suspicious of them, I submit that the public is justified to suspect the *bona fides* of the Government. Sir, if you want to make the Gurdwara Act a success you should release these prisoners. I claim the privilege of personal acquaintance with Sardar Kharak Singh. We both worked in the Punjab Provincial Congress Committee. He was the President of the said committee and I worked as a member of the working committee of the Punjab Provincial Congress Committee. Sardar Sahib is a man of principle. He is truthful. He never minds even to sacrifice his life for the sake of truth. He and his colleagues never tried to offend the jail authorities and there was never any case of breaking of jail law by the prisoners in the Dera Ghazi Khan jail where Sardar Kharak Singh is. On one occasion, the political prisoners were asked by the jail authority to abandon the use of the Gandhi caps but the prisoners refused thinking that it was the right of the political prisoners to wear any clothes they liked. The cap was taken off by force and Sardar Kharak Singh out of sympathy put off his clothes and is without clothes till now. That is his only offence for which he is in jail now. Sir, we all have as much regard for Sardar Kharak Singh and his fellow prisoners as the Sikh community has for them. Mahatama Gandhi was released on the pretence of his suffering from appendicitis. But when his release did not affect the law and order in the least degree, I am at a loss to understand why the Government hesitates to release Sardar Kharak Singh and his colleagues. I think that the Government is moved by a desire of humiliating them. I am sure that even if you keep Sardar Kharak Singh in jail for his life, he is not going to degrade himself by giving the required undertaking. He is not very anxious for his release. Sir, Sardar Kharak Singh is confined in a solitary cell in the centre of which is a *tharra*. The window and the door are so made that there is a draught of air in every season of the year and the prisoner in the cell has to pass the night lying in that draught of air. He has got four old worn out blankets even worse than those used for the protection of animals from cold in the winter season.

**Mr. President :** Order, order. I think the honourable member is not in order. He ought to speak to the question and not to describe the inner condition of jails.

**Dr. Gopi Chand, Bhargava :** Sir, I was pointing out the trouble to which Sardar Kharak Singh was put and bring him down to sign the required humiliating declaration. And with your permission, Sir, I beg to say that a person without sufficient clothes cannot pass a winter night

comfortably. Generally speaking, in the winter the prisoners are not provided with sufficient clothes and therefore they cannot protect themselves from cold. They have to keep awake the whole night. The food that is supplied to them is admittedly bad. Sir, it would have been better for us to agitate for the release of the gurdwara prisoners outside this Council than to have moved this resolution. I would not have supported it but for the unfavourable atmosphere prevailing now-a-days in the province. In the end, I would advise the Government to display statesmanship and release the gurdwara prisoners lest it should become too late for them to do so. It is not yet too late and in case the Government does not see its way to release them and a non-violent campaign is again started by the Sikhs and as a result of that if the mind of peaceful citizens is disturbed it is the Government which always harps on the theme of law and order which shall be responsible for this disturbance of law and order and not we.

**Sardar Buta Singh** [Multan Division and Sheikhpura (Sikh), Rural] (Urdu): Sir, as has been said by my honourable friend Dr. Muhammad Alam, I had also thought that the resolution under consideration would be accepted unanimously. We are surprised to observe the obstinate attitude of the Government in this respect. Sir, every member of the Sikh community is very very anxious to see Sardar Kharak Singh and his colleagues out of jail. It has been said that it is the duty of the Government to maintain law and order in the country and to protect the weak as against the strong. That is true but my submission is that the Gurdwara Act was passed in 1925 with a view to put an end to the Sikh trouble. Then, the Government asked the Sikh community to refrain from taking any direct action. May I ask the Government to point out a single instance of direct action, since the date of the passing of the Gurdwara Act? With the passage of the Act we were quite satisfied because we had succeeded in proving our *bona fides*. Our principle was recognised. Therefore no untoward event happened since the day when the Gurdwara Act was passed. Sir, it had been said that a *jatha* was sent from Sheikhpura district to Nankana Sahib. I think you must have inquired into the intentions of the said *jatha*. Sir, in the old days when there were no railways and motors in vogue, the people used to visit gurdwaras like Nankana Sahib on foot. The said *jatha* only did what our forefathers used to do. There was absolutely nothing behind all this. I think that some Criminal Investigation Department man might have reported against the said *jatha*. I am glad that the Honourable the Member for Finance has made a mention of the *jatha* but has not been able to say anything definite against the said *jatha*. It has also been said that a military man organised a *jatha* and proceeded to take possession of the lands of a certain landlord, but on the appearance of the police they took to their heels. This clearly shows that this *jatha* had nothing to do with the religious reform because the *jathas* which were sent in connection with the gurdwara movement could not, as the Government has experienced, be so easily subdued and put to flight, in spite of the fact that such *jathas* were severely beaten by fists and sticks. Once there was a great agitation against Mahants like the one at Nankana Sahib. That movement was quite justified because certain Mahants possessed a very loose character, and the Sikh community could not put up with their licentiousness in places of worship. Therefore these *jathas* are quite different from those referred to by the

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honourable members on the official benches. The Government have also alluded to their experience gained by the release of the prisoners in connection with the keys affairs and the Guru-ka-Bagh. At that time no Gurdwara Act was given to the Sikh community. But, now, we have got one and thus, the principle, for which our community was fighting is recognised by the Government. For the sake of gurdwara reform, there was no other alternative for us than to agitate against the Government, otherwise we are as peaceful citizens of the Empire as other people are. We also earnestly desire to live in peace. Here, I am reminded of the story of a wolf which was drinking water from a certain stream and lower down the stream a lamb was also drinking water from the same stream. The former chided the latter not to pollute the water. The latter replied how could he do that because he was drinking water down the stream. Thereupon the wolf said that if the lamb did not commit any fault never mind, all the same he could chastise him. Likewise our benign Government tries to find out pretences not to release the gurdwara prisoners. During the Birlwood negotiations there was an implied promise on the part of the Government that all prisoners except those confined in the Lahore fort would be released. Sir, my submission is that all our actions and movements are governed and controlled by one or the other section of the Gurdwara Act. We are working the Act. Now, our only desire is to see the gurdwara prisoners out of jail. I do not threaten the Government that if they do not release the gurdwara prisoners, we shall have to resort to direct action. Sir, I am in favour of reciprocal friendship. We have proved ourselves a friend in need. Let the Government prove the same. I am a member of the Gurdwara Board as well as the Shiromani Gurdwara Parbandhak Committee and so far as I know it is the genuine wish of all those whom I represent that Sardar Kharak Singh and Sardar, Kartar Singh Jhabar should be released forthwith. Sir, we have rendered meritorious services to the Government and I do not see any reason why the Government should hesitate to accede to our most genuine wishes.

Speaking in 1917, Sir Michael O'Dwyer said :—

"In the Great War the number of Sikhs in the army is now believed to exceed 80,000, a proportion far higher than in the case of any other community....."

"The Sikhs have always been particularly famous in arms; the battlefields of Mukhl Ferozshahar and Sabraon are there to remind you of the gallant struggle which the Khalsa fought against the British 70 years ago. In the Mutiny ten years later there are the traditions of the splendid service of the Sikhs on the British side. Since the Mutiny there have been campaigns in all quarters in which the Sikhs have taken their part; and there are the traditions come down through the Second Afghan War of 1879-81, through Egypt and Sedan to the Tirah campaign of 1897 and we have the Saragarhi memorial to remind us of the splendid heroism of the 36th Sikhs on the Samana. That glorious episode has now been surpassed by the immortal record of the 14th Peshawar Sikhs at Gallipoli in June 1915....."

Not only this, we have always responded to the clarion call of duty. We always did what we could in all emergencies. But, Sir, I do not like that the well-known Punjabi maxim that "everything is at your disposal, but there is no room for you inside the house" should apply to our case? Our earnest desire is that our old friendly relations which have been maintained for the last 70 or 75 years should be re-established and maintained.

**Mr. President :** Order, order. I hope the honourable member will not repeat his own arguments nor those of others in his speech.

**Sardar Buta Singh :** I do not propose to go any further into the details.

**Mr. President :** The honourable member has already exceeded his time limit.

**Sardar Buta Singh :** I shall be able to finish my speech if you would kindly give me five minutes more.

**Mr. President :** I do not propose to give him any further time.

**Sardar Buta Singh :** Not even five minutes, Sir ?

**Mr. President :** I am afraid I cannot.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadan) Urban] : Sir, I am extremely sorry that owing to circumstances over which I had no control I was not present in the beginning of the debate and I am therefore deprived of the advantage of having heard the speeches of some of the honourable members. If, therefore, I either repeat what has already been said by some speakers before me or I say something which does not appeal to any one, I hope I would be pardoned and if I am repeating, I hope I would be pulled up by you.

The debate so far as I have heard it really reminds me of some incidents in Sikh history which have a bearing on the resolution before this House. When the fifth Guru of the Sikhs was imprisoned and was fined a sum of about one lakh of rupees, no deputation waited upon the Government ; no appeals were addressed to the Government for either releasing the Guru or for the remission of the fine. In fact, some people offered to collect the money and pay the fine which had been imposed upon the fifth Guru, but the Guru as soon as he came to know of this sent them a message not to do any such humiliating thing. When the sixth Guru was taken to Gwalior and was there kept for 12 years no deputation so far as my knowledge of Sikh history goes waited upon the Government of those days, nor was any resolution or *Gurmata* passed anywhere and no attempt of the kind which is being made to-day was made to my knowledge. In the same way whenever the Sikh Gurus or their leaders of the 17th or the 18th century were placed in similar circumstances was any such attempt made. But times have changed. I am not blaming the gentlemen who have brought forward this resolution. I myself would have brought it forward. I am sure the gentlemen on whose behalf this resolution is brought forward to-day are not at the bottom of this resolution. I am sure, at least, I ought to be sure for the good name of the prisoners for whose release the appeal is being made here, if the proposition were put before them they would have emphatically refused to give their approval to such a resolution being brought to the Council, because I am sure they have before them the examples of their glorious and illustrious ancestors and leaders. Therefore, they would not have even thought for a moment of applying for their release to the Government. I think they were not consulted in the matter of tabling this resolution. It is the anxiety of their friends and their followers, I hope I am not mistaken in this, which is at the bottom of this resolution. It is the anxiety of their friends

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and their followers and the well-wishers of the country and I may also say the well-wishers of the Government that is responsible for the resolution, because those who have decided to move this resolution here have done so not so much in the interests of the prisoners themselves as for the good governance of this country, as for the improvement of the relations between the rulers and the ruled. So far as the prisoners themselves are concerned, I hope they are entirely and absolutely above any such aids or intercessions. The question, therefore, is now that the resolution has been moved in this Council what attitude the Government should adopt with respect to it. I have had the advantage of hearing the Honourable the Finance Member partly and I regret to say that I do not agree with him in the views he has expressed. There are really two or three questions only which can arise in connection with the resolution. One is primarily the question of the prestige of the Government. There is no doubt, strong Governments do not readily yield either to agitation or importunate requests and in order to maintain their prestige they want to stick to their decisions and want even to justify the steps that they have taken. Our Government is no exception to this general policy. But as I said about a year or two ago in this very House itself strongest Governments are the least mindful of their prestige because they know that little acts of clemency and little acts of indulgence do not have any adverse effect upon their prestige and I would, with your permission, say the same thing over again to-day. I have not the slightest doubt that if these prisoners were released, the prestige and power of the Government will be as sound and safe as they are to-day, or as they have been at any time before in this province. In fact, I sincerely believe that this little act of clemency will enhance not only the reputation of the Government, but it will increase also its prestige and power. The weak can never afford to show clemency and it is only the strong, the well established and those who are sure of their power who can and are in a position to show clemency. I, therefore, think that if these prisoners are released and the Government accept this resolution, it would enhance the prestige and also the power of Government.

The second question that can arise in connection with the resolution is whether the law should not have its course. I am a member of the legal profession, and though I plead very often for those who have broken the law, I am not the last in maintaining the prestige of law and in the maintenance of order in this province as well as in other provinces. I have always done my best for the maintenance of law and order and I think every true citizen of every country, whether it is self-governing or otherwise, must do all that he can for maintenance of law and order. The question therefore is whether by the release of these prisoners the prestige of law would suffer so much as to stand in the way of the release of these prisoners. There are laws and laws, there are criminals and criminals and prisoners and prisoners and the Honourable the Finance Member would, I am sure, agree with me that so far as these prisoners are concerned no charge of moral turpitude as generally understood can be brought against any of them. I speak subject to correction and I hope some honourable member who knows more of the case would throw further light on this. It has been said that there are some

against whom even charges of moral turpitude had been brought. I presume the Honourable the Finance Member would say if that is right. But in any case, with very few exceptions—and I hope the exceptions are few—these persons have not been charged with any offence involving moral turpitude, and that is a fundamental difference between ordinary criminals and criminals who are only technically called so, who are guilty of having done acts which involve no moral obliquity and who are sentenced only because they offend against certain technical rules or technical legislation that is in force in the country. That is the reason why in the name of law and order this resolution should not be opposed by the Government. The prisoners have already undergone considerable terms of imprisonment and I think in the interests of justice and for the vindication of law what they have already undergone should be considered sufficient. The law becomes lawless, I make bold to say, when like the *baniya*, the much maligned *baniya* it insists on its pound of flesh. Sometimes justice is better served by not insisting upon the pound of flesh. I think even law will be better vindicated and justice will be better upheld if the Government in this respect does not demand its pound of flesh.

The third question that may arise is this, whether it will not be detrimental to the future peace of the country if these gentlemen were released. So far as I have heard the speeches that have been made in this House they are a sufficient assurance of the fact that the release of these gentlemen will not jeopardise the peace and order of the province. It is not likely that any of them will resort to direct action which alone is calculated to disturb the peace of the province. I assume that none of these gentlemen is a dacoit or a house-breaker or a kidnapper. They are all gurdwara prisoners. What we want is the release of the prisoners who have been sent to jail in connection with gurdwara agitation. Otherwise there are thousands and thousands of Sikhs who are in jails, who have been convicted of burglary, of dacoity, of murder and other things, just as there are thousands of Muhammadans and thousands of Hindus in the country convicted of similar offences. We are not asking for the release of these thousands of Sikh prisoners, who form the bulk of population of prisons in the Punjab. We are only asking for the release of gurdwara prisoners, who were sent to jail because they took part in the gurdwara agitation. We are asking for nothing more in this resolution and I hope I am right in interpreting the resolution that has been moved in this House in this way.

Therefore, the question of those who have been guilty of dacoity or murder or arson or house-breaking and such other offences involving moral turpitude does not arise in connection with this resolution. I am really very sorry how the Honourable Finance Member could have referred to those prisoners who were sent to jail for those offences. It is only the release of those prisoners who were sent to jail in connection with the gurdwara movement which we are asking for in this House now and I am sure that if they are released, there will be absolutely no danger to the peace of the province. The most important thing to be considered in connection with this resolution is that His Excellency the Governor was pleased to announce his decision in Simla the year before last that since the Gurdwara Bill had been passed into law the gurdwara prisoners would be released under certain conditions. The hope which this announcement inspired was that those

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conditions which were imposed would be insisted upon only in the spirit and not in the letter. That is at least what everybody present at the time of the announcement and who took any interest in the gurdwara movement thought at the moment. No doubt many people—and I was one of them—wished that even those conditions had not been imposed and there should have been nothing but pure milk given to these people. But even those who did not disapprove of these conditions were of the opinion that these conditions would only be insisted upon in the spirit and not in the letter and I beg to submit that those conditions have really been carried out in the spirit. A large number of prisoners have actually come out and the Sikh community as a whole have manifested their readiness to carry out the provisions of the new law without taking any direct action. As a matter of fact the large list of the gurdwara cases now pending before the Gurdwara tribunal is a standing proof of the fact that the Sikh community has abandoned the policy of direct action at least at present. Thousands of cases have been instituted at the instance of the Shiromani Gurdwara Parbandhak Committee and by other Sikhs under section 7 of the Gurdwara Act in various parts of the province, and that clearly shows that direct action is not being thought of. It is not at all being resorted to and the Sikhs are prepared to abide by the law which the Government and this Council have enacted. As long as the Sikhs are prepared to abide by the provisions of this law, it does not seem to be necessary at all that these conditions should be insisted upon in the letter. I, therefore, trust that the hope which was inspired by the timely announcement of His Excellency the Governor at Simla would be fulfilled and this remaining batch of 40 or 45 gurdwara prisoners would also be released and the Government would not insist upon humiliating them by making them sign a pledge or even by making them say that they would abide by the provisions of the Act. Sometimes silence is more eloquent than speech and in this case the silence of these persons, as I interpret it, is more eloquent than anything they might have said orally or in writing before the Superintendents of the various jails where they are located. Those prisoners, if I am not mistaken in interpreting their views, are at one with their community. The mentality of these prisoners and the attitude which they are likely to take up must be judged by the mentality of the community outside and the attitude that the community has already taken up. There is absolutely no danger of any difference of opinion between the community at large or the Shiromani Gurdwara Parbandhak Committee which is the guide, philosopher and friend of the community and the Sikh prisoners whose release is being now agitated in this House. Before I sit down, I must say a word with respect to certain complaints which have been made in various parts of the province with reference to the fears or apprehensions of direct action being taken by Sikhs in connection with gurdwaras or Mahants of certain places of the Hindus. Some of those complaints are genuine; but it is a matter which has absolutely nothing to do with the present resolution. That is a matter entirely between the Sikhs and the Hindus and the Sikhs and the Mahants.

**Mr. President:** The honourable member is not speaking to the question. Besides, he has already spoken for more than 20 minutes and I must ask him to resume his seat.

**Dr. Gokul Chand, Narang :** I shall certainly respect your wish and I have already submitted that I was going to close; but I would respectfully submit that the reference I have made is perfectly legitimate.

**Mr. President :** I have ruled that the reference was not relevant to the question immediately before the House and I hope the honourable member will respect the ruling.

**Dr. Gokul Chand, Narang :** I did not think that you gave it as a ruling. I have said what I wanted to say and....

**Mr. President :** Order, order. There should be no discussion upon a ruling.

**Dr. Gokul Chand, Narang :** I may assure you, Sir, that I was not saying anything against your ruling. I may conclude by saying that this question has not only been moved in this House, but is agitated by people outside this province also and I assure the Government that if this resolution were accepted by them and these prisoners were released, the decision of the Government will be hailed with approval all over the country, not only in the Punjab but in such out-of-the-way places as Bengal, Madras, Bombay and other parts of India and I hope that the Government will rise to the occasion and enhance its prestige by not insisting too much on its preservation.

**Mr. H. D. Craik (Chief Secretary) :** Sir, speakers on behalf of the Government in this debate are at a somewhat obvious disadvantage. But I should like, before going further, to congratulate the House on the tone of the speeches which we have listened to. Although the subject is one which, I know, arouses keen interest and high feeling on the part of the Sikhs, I do not think there is anything that has been said this afternoon to which objection can fairly be taken. Sir, it is one of the greatest qualities of a controversialist to be able to see his opponent's point of view and I think the speakers this evening have shown that quality; but I often think that this long drawn out controversy which has resulted in the passing of the Gurdawara Act might have been considerably shortened if that quality had been more conspicuous during its early stages. I think the Sikhs will admit that Government has done its best to appreciate their feelings in regard to this matter. It has recognised that most of them, though not all of them, have been actuated by genuine religious feeling, and that their actions, if from our point of view occasionally misguided, have been for the most part well-intentioned. On the other hand, it has occurred to me more than once that the Sikhs have not always appreciated the standpoint of the Government. They have considered this question as one between Government and themselves and not, as it actually is, between Government and the province as a whole. Perhaps, Sir, those very qualities of courage and tenacity which have made the Sikh famous on so many battle fields do not always qualify him for the more difficult and delicate art of negotiation; but at the same time I do think they will admit that Government, by the frequent occasions on which it has made concessions to Sikh opinion, have done their best to realise the Sikh point of view. There is, however, one point which I admit I have never been able to appreciate, and that is, that the conditions by accepting which any of these prisoners now under

[Mr. H. D. Craik.]

discussion could have got themselves released any time during the last 18 months have been described as humiliating. Now, Sir, it is not even as if we asked these prisoners to express regret for their past actions. No such demand has been made. All we ask is that they shall give an undertaking that they will abide by the conditions of a certain law and that law, let me remind the House, is not a Government-made law; it was a private member's Bill introduced by the elected representatives of the Sikhs themselves and passed in this House unanimously by the elected representatives of the province as a whole. If, Sir, it is humiliating to ask that anybody, any citizen, should express his intention of obeying a law of that nature, then I cannot understand the mentality which considers that humiliating. I cannot understand how anyone who appreciates the duties and obligations of citizenship can refuse to give such an undertaking.

Now, Sir, as regards the Government point of view. Government is asked to release before their time certain prisoners who have been convicted by the courts of certain offences, that is to say, it is asked to interfere with the ordinary course of justice. Government would be prepared to do that if it were convinced that such action was in the public interest, but it must be fully convinced that it is in the public interest to act in the way in which the mover of this resolution desires us to act. But Government will not be compelled to act in that way by threats of the consequences that will happen if it refuses to do so. To approach Government from that point of view argues an imperfect knowledge of the psychology of Government, and though I have noticed only in one of the speeches made in this House any reference to the terrible consequences that will ensue if Government refuses to accept this resolution, such talk has, I deeply regret to say, been far too common outside this House. During the last two or three months there has been a sort of peripatetic circus of Akali speakers touring the province. The speeches made by these gentlemen were to my mind in a tone which can hardly be distinguished from the advocacy of violence and revolution, and I would have been glad to learn from speakers on that side of the House to-day that they dissociated themselves entirely from that form of agitation and from that method of trying to influence the actions of Government. It is not only those speakers who have indulged in vile threats of violence, but within the last few months there has been a development of agitation in the press, increasingly violent, increasingly anti-Government and more specially increasingly anti-British. I do not wish to weary the House with quotations or to place before it the more sordid specimens of that type of writing or speaking, but there are one or two very short sentences I would like to quote from speeches quite recently made, which I think will astonish certain members who have not followed closely the development of this agitation. Speaking in Rawalpindi less than one month ago one speaker observed that "Guru Gobind Singh had given the Sikhs the kirpan to cut off the head of the tyrant if he failed to impart justice, and the kirpan included aeroplanes, swords, pistols and machine-guns... They were at present acting in accordance with the advice of Mahatama Gandhi to remain non-violent but one of their Gurus had told them to use arms when the necessity arose." "The time shall come," the speaker went on, "when the present Government would go bag and baggage, and it will be asked to take its law with it."

The Sikhs on account of their weakness have to follow the law but the English will soon wish good-bye to this country." The speaker concluded by saying that "those days had gone (that is, the days when Government and Sikhs were on friendly terms) and now we pray to Almighty God, that Great Britain might be doomed."

There are various other sentiments of that kind I could quote, but I think that is enough to show the tone of the speeches in question. Only yesterday a meeting was held in this town—to which, I understand, a number of members of this Council were invited and which a very few attended—at which the principal speaker admitted openly that this agitation "had raised hatred against Government from one end of the province to the other" and that he had preached revolution and meant to stir up revolution. Now, Sir, that is not the way to approach Government on this question, and I am glad that nothing of that sort has been said in this House this afternoon, but I should have been glad to hear some repudiation by members who have spoken to-day of that tone of speaking, and I would in all seriousness venture to advise those who guide the destinies of the Sikh community to be chary of entrusting those destinies to the leadership of men who speak and write in this tone.

**Sardar Habib Ullah** (Lahore (Muhammadan, Rural) (Urdu): Sir, I perfectly realise that the question before the House is an extremely difficult one and is very important. On the one side our brethren, I mean the Sikhs, are unanimous in their demand of the release of the gurdwara prisoners and on the other the Government as expressed by the Honourable Finance Member is anxious to preserve law and order and its prestige. While myself and the party to which I have the honour to belong are sincere supporters of the preservation of law and order, we sincerely desire that the relations between the rulers and the ruled and particularly between the Government and the zamindars should continue to be as pleasant as they are. It will, therefore, appear that we are in a sort of fix because in spite of our best and anxious consideration of this question, we have not been able to arrive at a decision which we may call to be a correct one.....

**Mr. President:** The honourable member is not speaking to the question.

**Sardar Habib Ullah** (continued in Urdu): Sir, I was trying to show that the question before us is extremely difficult one and that, therefore, we have had some difficulty in deciding what attitude we should adopt with regard to this question. Sir, if you will allow me to do so I will proceed further.....

**Mr. President:** The honourable member is requested to speak to the question.

**Sardar Habib Ullah** (continued in Urdu): Sir, now that by a lucky chance the present Ministry has been formed on communal lines and a Sikh gentlemen is one of its members, we wish that this leader of Sikhs would give us a lead in this difficult matter (*laughter*) and I can assure him that if he would do so, we would gladly accept his advice. But if we are deprived of this much needed advice and lead we would decide the question and vote after hearing the honourable member of the House.

**Sardar Ujjal Singh** (Sikh, Urban): Sir, there was a feeling that with the passing of the Gurdwara Act, all the prisoners connected with the gurdwara movement will be released. The community did not press for the release of the gurdwara prisoners as a condition precedent to the passing of the Act because they thought that Government would not like to keep prisoners in jail unnecessarily, but to our great disappointment they were asked to make a statement before being released. Some of the leaders took no objection to make an oral statement and were released, but others of the same batch took serious objection to it and interpreted that statement as an humiliating undertaking. That was an honest difference of opinion, but Government drew an inference and Sir John Maynard while making a speech in this Council last March said in these words and put forward as one of the chief arguments. I will quote his own words:

"What are we to say about those who still obstinately decline to give that assurance? Is it not a perfectly reasonable inference that those other persons do really intend in some way or other to behave in a manner different from those who have found it possible to give the assurance?"

Now, Sir, does that argument still stand? Government had to make an experiment. The results were astonishing, far beyond the expectations of Government. The Akali leaders that were released on a verbal undertaking from the jail proved to the hilt that they were prepared to work the Gurdwara Act more sincerely than Government would have liked them to do.

Sir, the second argument that is put forward is that if those prisoners who have not so far given the assurance that they would work the Act, were now released without the assurance, they would come out with flying colours. The fact of the matter is that those who were supposed to pose as superior beings have already been released and those remaining in jails are the sincere, quiet workers who had been obeying the commands of their leaders in blind faith and who have made heroic sacrifices for the cause that was dearest to their heart. Why is the Government then so callous? Why is it not moved? It may be said that Government does not like to give in to popular outcry. Is it right that Government should take advantage both ways? If people are silent on any question of vital importance, then that silence is misconstrued and Government says that there is no public opinion behind it. But if people express themselves strongly on that point, Government comes forward and says that it is not prepared to give in to popular clamour so that it may not be misunderstood as a concession made in weakness. But can a charge of weakness be laid against Sir Malcolm Hailey's Government? The prestige of Government is as high as it ever was, but I submit that Government should not want too much of it, for too much of everything is bad. They should not make a fetish of prestige. By releasing the prisoners they will indicate their strength and not weakness.

What is it that we ask the Government to do? We are only asking them to release four dozen prisoners. Some of them will earn their release in the ordinary course by the end of this year.

**Mr. President:** The honourable member is repeating the arguments of the previous speakers. He has not put forward any new argument. He would either advance new arguments or resume his seat.

**Sardar Ujjal Singh:** Sir, it has been suggested by the Chief Secretary that strong speeches have been made intimidating the Government.

I regret that some members lately in their public speeches have made use of some words which they never meant to use and which they ought not to have used. (*Hear, hear*). But I submit that that should not be made an argument for tightening the chains of the prisoners. The Sikhs are feeling impatient over this question. You have given the Gurdwara Act, but you are refusing to create the atmosphere for the proper and successful working of the Act. The Sikh community is feeling that Government is not dealing fairly and squarely. The Sikhs are also feeling that by not releasing the prisoners Government wants to humiliate them. Sir, if such a feeling is allowed to lurk in the hearts of the community, is it conducive to the happy relations between that community and the Government which we are all anxious to establish?

**Mr. President:** The honourable member is again repeating the arguments used by other speakers.

**Sardar Ujjal Singh:** I would only appeal to His Excellency Sir Malcolm Hailey and the Honourable Finance Member not to treat the question with indifference, but to meet the demand on which every member of the Sikh community from one end of the country to the other, high or low, extremist or moderate feels alike and speaks with one voice.

**Mr. President:** The resolution proposed runs—

"This Council recommends to the Government to forthwith release Sardar Kharak Singh, President, Central Board and all other gurdwara prisoners."

The question is that that resolution be adopted.

The motion was carried.

#### RESOLUTION RE COMPULSORY PRIMARY EDUCATION.

**Sardar Partap Singh** [Jullundur (Sikh), Rural] (Urdu): Sir, as the Honourable Minister for Education has given me an assurance that he will give his best consideration to the question involved in my resolution, I do not propose to move my resolution.\*

#### RESOLUTION RE ABOLITION OF THE INSTITUTION OF HONORARY MAGISTRATES.

**Chaudhri Afzal Haq:** [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, I beg to move:

"This Council recommends to the Government to take necessary steps with a view to stop the institution of honorary magistrates within the period of the next three years."

\*This Council recommends to the Government—

- (a) that primary education should be made compulsory in all rural areas;
- (b) that a new curriculum of compulsory primary education suitable for peasants and rural labourers should be prepared;
- (c) that the language of the proposed curriculum should be the mother tongue of the people of the province;
- (d) that the script of the proposed curriculum should be adapted to the needs of the people;
- (e) that a committee of official and non-official educational experts be appointed to draft the proposed curriculum at an early date;
- (f) that as long as the proposed curriculum is not made ready the existing curriculum should not be introduced and made compulsory in any of the rural areas.

[Chaudhri Afzal Haq.]

Sir, in 1928 an admitted leader of the zamindars and a representative of our constituency moved a resolution in this Council to the effect that the malpractices prevailing amongst the honorary magistrates should be put an end to. Then, in January 1926, another honourable member of this House brought forward another resolution of the same kind in which it was recommended that the institution of honorary magistrates should be abolished. Sir, as every one knows, the first reformed Council consisted of members who were very moderate in their views, and as such whatever opinion may have been expressed by that Council must carry some weight with the Government. I need not remind the Government that that Council proposed that a committee consisting of lawyers of at least ten years' standing should be appointed to investigate and to make suggestions for the improvement of the institution of honorary magistrates. But, as I have said before, because that Council consisted only of such members as were of moderate views, it expressed its satisfaction on the Government promising to appoint a committee consisting of members to be proposed by the Government itself. Accordingly a committee was appointed which consisted of the following members:—

Mr. H. P. Tollinton, Commissioner, Lahore.  
Mr. A. L. Gordon-Walker.  
Mr. Miles Irving, Finance Secretary  
Mian Beli Ram, Pleader.  
Maulvi Muharram Ali, Chishti.  
Honorary Lieutenant Sardar Raghubir Singh.  
Khan Bahadur Raja Muhammad Akbar Khan.

Sir, the findings of that committee are incorporated in the debates of the Council. I may say that my ground of attack against the institution of the honorary magistrates has been suggested to me by the findings of that committee. I will not say that because the honorary magistrates are dishonest, it behoves the Government to abolish this institution. Nor do I ask the Government to abolish this institution because the educational qualifications of the honorary magistrates are generally very poor as is their knowledge of law, although that is no less important ground on which we can ask the Government to abolish the institution of the honorary magistrates. But my ground of attack is that the honorary magistrates on their appointment as such prove as angels of hell to the party belonging to the opposite camp. It is evident from the reports of the Government that there is no village in this province which does not suffer from local feuds and jealousies. In support of my statement I will read a few lines from one of the reports of the Government which are as follows:—

"In some cases it was found necessary to abolish the panchayat as there was no one qualified by ownership of land for election as a panch: in others, local feuds and jealousies made the working of the panchayat impossible."

That is not all. The committee to which reference has already been made said in its findings more than once that the whole of the province was victim to party-feelings and party-feuds and in one place it said:—

"The committee finally recorded a guarded opinion to the effect that it is difficult for honorary magistrates to be thoroughly impartial. That is not the same thing as saying that honorary magistrates and judges are as a class given to favouritism and partiality. But just for the very reason that the honorary agency

RESOLUTION RE ABOLITION OF THE INSTITUTION OF HONORARY  
MAGISTRATES.

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do live and move among those whose cases they have to decide, to that extent they are more liable to be approached by friends and relations than are stipendiary Indians who are usually not posted to their own district...."

The same committee further said :-

"Impartiality is a virtue difficult of attainment amid the circumstances and surroundings in which these magistrates sometimes work. Ordinarily they do not succumb to the weakness of partiality but it cannot be said that they are always found to be above this reproach."

Sir, it is on these grounds which are too apparent from the reports of the Government that I make this demand that the institutions of the honorary magistrates should be abolished as soon as possible. Under the circumstances when there are undoubtedly parties amongst all the villages and consequently there are party feuds and jealousies, it is dangerous to appoint any one from amongst them as an honorary magistrate because by so doing you equip him with a dangerous weapon which he might use against the opposite party. Although the committee referred to above had not before it this definite question as to whether the institution of the honorary magistrates should be abolished, it went to the length of saying in its findings that.....

At this stage the Council adjourned till 2 p. m. on Tuesday, the 22nd March 1927.

FOR THE  
GOVERNMENT OF THE  
UNITED STATES OF AMERICA

## PUNJAB LEGISLATIVE COUNCIL.

1ST SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, the 22nd March 1927.*

The Council met at the Council Chamber at two of the clock.  
Mr. President in the chair.

### STARRED QUESTIONS AND ANSWERS.

#### GOVERNMENT OFFICIALS AND CORRUPTION.

\*197. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Revenue Member kindly place on the table a statement relating to his departments showing—

- (a) the number of officials dismissed in 1926 on the charge of corruption ;
- (b) the number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption ;
- (c) the number of officials punished otherwise for corruption or suspected corruption ?

**The Honourable Mian Sir Fazl-i-Husain** : The statement showing the action taken against officials found to be corrupt, is not due in the Secretariat till April next. As soon as the information is available it will be communicated to the honourable member.

#### GOVERNMENT OFFICIALS AND CORRUPTION.

\*198. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Member for Finance kindly place on the table a statement relating to his departments showing—

- (a) the number of officials dismissed in 1926 on the charge of corruption ;
- (b) the number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption ;
- (c) the number of officials punished otherwise for corruption or suspected corruption ?

**The Honourable Sir Geoffrey de Montmorency** : The information asked for by the honourable member is being collected, and will be communicated to him by the end of June next or earlier, if possible. It should be explained that these returns are compiled regularly, but for the year ending March 31st, and not for calendar years.

GOVERNMENT OFFICIALS AND CORRUPTION.

\*199. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Minister for Agriculture kindly place on the table a statement relating to his departments showing—

- (a) the number of officials dismissed in 1926 on the charge of corruption ;
- (b) the number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption ;
- (c) the number of officials punished otherwise for corruption or suspected corruption ?

**The Honourable Sardar Jogendra Singh** : The information required is not available at present. A requisition has been made to the Director of Agriculture, Punjab, and Registrar, Co-operative Societies, Punjab, who have not yet replied.

GOVERNMENT OFFICIALS AND CORRUPTION.

\*200. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Minister for Education kindly place on the table a statement relating to his department showing—

- (a) the number of officials dismissed in 1926 on the charge of corruption ;
- (b) the number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption ;
- (c) the number of officials punished otherwise for corruption or suspected corruption ?

**The Honourable Mr. Manohar Lal** : A statement is laid on the table—

*Education Department.*

(a) None.

(b) 1.

(c) 2.

*Industries Department.*

(a)

(b) } Nil.

(c)

GOVERNMENT OFFICIALS AND CORRUPTION.

\*201. **Rai Sahib Chaudhri Chhotu Ram** : Will the Honourable Minister for Local Self-Government kindly place on the table a statement relating to his departments showing—

- (a) the number of officials dismissed in 1926 on the charge of corruption ;

- (b) the number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption ;  
 (c) the number of officials punished otherwise for corruption or suspected corruption ?

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

*Statement showing the number of officials punished on the charge of corruption during the year 1926.*

Name of Department.	Number of officials dismissed in 1926 on the charge of corruption.	Number of officials compelled to retire before time, in 1926, on the ground of proved or strongly suspected corruption.	Number of officials punished otherwise for corruption or suspected corruption.	REMARKS.
1. Medical ..	..	..	1§	
2. Registration ..	..	..	..	
3. Public Health ..	..	..	1†	

§One Sub-Assistant Surgeon was reduced from Rs. 86 to Rs. 74 per mensem.

†One Sanitary Inspector was punished for suspected corruption.

#### HAISIYAT TAX.

**\*202. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state whether his attention has been drawn to a civil judgment declaring illegal the imposition of haisiyat tax by the district board of Sialkot? If so, does he, after consultation with the law officers of Government, propose to direct an appeal to be instituted in the High Court, or, if the notification under which the tax was imposed is found to be defective, take early steps to get the defect removed?

**The Honourable Malik Firoz Khan, Noon :** The honourable member is referred to the reply to question<sup>1</sup> No. 133.

#### AGRICULTURAL COLLEGE AND THE LAHORE VETERINARY COLLEGE.

**\*203. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly lay on the table a statement showing—

- (a) the number of Indians on the teaching staff of the Lyallpur Agricultural College and the Lahore Veterinary College and the number of those among them who belong to statutory agricultural tribes ;  
 (b) the number of students admitted to the Agricultural and Veterinary Colleges in 1926 and the number of those among them who belong to statutory agricultural tribes ;

[Rai Sahib Chaudhri Chhotu Ram.]

- (c) the number of statutory agriculturists, i.e., agriculturists as defined in the Land Alienation Act, who were admitted to the Agricultural and Veterinary Colleges, respectively, and came from the Ambala division;
- (d) the number of statutory Hindu agriculturists employed in the office of the Director of Agriculture;
- (e) the total number of Hindu Agricultural Assistants and Veterinary Inspectors and the number of statutory agriculturists under either head?

**The Honourable Sardar Jogendra Singh: (a)—**

Name of Institution.	Total number of Indians on the teaching staff.	Number of Indians on the teaching staff belonging to the statutory Agricultural tribes.
Agricultural College, Lyallpur ..	29	13
Veterinary College, Lahore ..	14	6

**(b) & (c)—**

Name of institution.	Number of students admitted in 1926.	Number of students belonging to agricultural statutory tribes.	Number of statutory agriculturists who came from Ambala division.
Agricultural College, Lyallpur ..	74	47	8
Veterinary College, Lahore ..	44	22	2

**(d) None.****(e)**

	Total Number.	Number belonging to statutory agricultural tribes.
Hindu Agricultural Assistants ..	47	13
Hindu Veterinary Inspectors ..	3	1

**ROHTAK-BHIWANI RAILWAY.**

**\*204. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state when the construction work is likely to commence on the Rohtak-Bhiwani Railway?

**The Honourable Mian Sir Fazl-i-Husain :** Sanction of the Secretary of State for India in Council has been accorded to the construction of the Railway on 5'—6" gauge as an integral part of the North-Western Railway system, subject to a satisfactory settlement being arrived at with Southern Punjab and the Bombay-Baroda and Central India Railway Companies.

Construction work will not be started until such a settlement is reached.

**ENGINEERS ON THE MANDI HYDRO-ELECTRIC SCHEME.**

**\*205. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the number of Engineers engaged so far on the Mandi Hydro-Electric Scheme and how many of them are Indians?

**The Honourable Sardar Jogendra Singh :** The number of engineers engaged up to the 28th February 1927 on the Mandi Hydro-Electric scheme is 26, of whom 6 are Indians.

**AGRICULTURAL ASSISTANTS AND CLERKS ATTACHED TO THE HANSI FARM.**

**\*206. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the number of agricultural assistants and clerks attached to the Hansi Farm and to the office of the Deputy Director of Agriculture there ;
- (b) the number of agriculturists as defined in the Land Alienation Act among the officials referred to in (a) ;
- (c) the number of Hindus, Muslims and Sikhs among them ?

**The Honourable Sardar Jogendra Singh :**

(a) *Hansi Farm—*

(1) Agricultural Assistants . . . . . 8

(2) Clerk . . . . . 1

*Office of Deputy Director of Agriculture—*

Clerks . . . . . 5

(b) *Nine (8 Agricultural Assistants and 1 clerk)—*

(c) *Agricultural Assistants.*

*Clerks.*

Hindu. Sikh. Muslim.  
3 3 2

Hindu. Sikh. Muslim.  
4 2 .

## RASUL SCHOOL OF ENGINEERING.

\*207. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the number of Indians on the teaching staff of the Rasul School of Engineering, the number of Hindus, Muslims and Sikhs and also the number of statutory agriculturists among them ;
- (b) the number of students admitted to the above school in 1925 and 1926 and the number of statutory agriculturists among them ;
- (c) whether the qualifying standard for admission to the school for agriculturists is not different from that for non-agriculturists ; and, if it is different what is the difference ?

**The Honourable Sardar Jogendra Singh :** (a) The number of Indians on the teaching staff of the Government School of Engineering, Rasul, is 16, of whom 5 are Hindus, 9 Muslims and 2 Sikhs. Of these 7 are statutory agriculturists.

(b) The number of Punjab students admitted during 1925 and 1926 is 55 and 58, of whom 17 and 24 are statutory agriculturists respectively.

(c) The qualifying standard in the examination for admission to the school is the same for both agriculturists and non-agriculturists.

## PENSIONS OF MILITARY PENSIONERS.

\*208. **Sardar Partap Singh :** (i) Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that in connection with the Gurdwara movement the pensions of a number of military pensioners were either withheld from them or stopped altogether ;
- (b) whether his attention has been drawn to the fact that after the passing of the Gurdwara Act, His Excellency the Governor was pleased to announce in the Legislative Assembly Chamber at Simla on 9th July 1925 that the ban imposed on the pensions of military pensioners will be raised ?
- (ii) If the answers to (a) and (b) above be in the affirmative, will he be pleased to state—
  - (a) whether the announcement made by His Excellency the Governor has been given effect to or not ;
  - (b) the number of pensions from which the ban has not been removed giving the following particulars in regard to each (i) name of pensioner, (ii) amount of pension, (iii) date of withholding or forfeiture of pensions, (iv) reasons for not removing the ban, and (v) probable date by which the ban will be raised ;
  - (c) if it is a fact that the ban upon pensions has been removed under certain conditions ? If so, what are those conditions and what are the reasons for the imposition of the same ;
  - (d) whether the Government propose to do away with the conditions under which the ban upon pensions has been raised ; and
  - (e) whether the Government propose to restore all pensions unconditionally ?

**The Honourable Sir Geoffrey deMontmorency :** (i) and (ii) (a) and (c). The honourable member is referred to the answer given to Council Question No. 122.<sup>1</sup>

(ii) (b) Government is unable to give this information ; the pensions are military and have been withheld by the military authorities.

(d) and (e) The Punjab Government have no intention of recommending this step.

#### SYSTEM OF REFUNDS OF OCTROI.

**\*209. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) if it is a fact that since the introduction of terminal-tax the system of refunds of octroi on the export of goods from municipal areas has been abolished ;
- (b) whether he is aware that this abolition of refund system is standing very much in the way of commercial development of various towns, and is causing great hardship to the commercial class ?
- (c) whether the Government intends to allow municipalities to introduce a system of refunds in the case of those municipalities where terminal-tax is imposed ?

**The Honourable Malik Firoz Khan, Noon :** (a) Yes, in municipalities where terminal-tax has been imposed but refunds are still given where octroi is in force.

(b) Government are not aware that the abolition of refunds has had any such result. On the contrary, terminal-tax has been substituted for octroi in many places in compliance with the wishes of the commercial community which complained frequently and bitterly of the trouble involved in the refund system.

(c) The essential difference between terminal tax and octroi is that with the former no refunds are given, but the rates at which the tax is imposed are lower in order that the burden on trade as a whole may be no greater. Government therefore do not propose to permit refunds in places where terminal tax has been imposed, but there is nothing to prevent committees from re-imposing octroi in place of terminal-tax if they wish to do so.

#### SYLLABUS OF A & B CLASS STUDENTS OF MACLAGAN ENGINEERING COLLEGE.

**\*210. Lala Gopal Das :** Will the Honourable Minister for Education and Industries please state whether it is a fact that the Railway Board does not consider the syllabus of A and B Class students of the MacLagan Engineering College at par with similar colleges at Sibpur, Poona and Guindy (Madras) ? If the answer be in the affirmative, what steps do they propose to take in the matter ?

**The Honourable Sardar Jogendra Singh :** Government is not aware of the opinion of the Railway Board in regard to the syllabus of the MacLagan Engineering College as compared with those of the Sibpur, Poona and Guindy colleges.

SCHOLARSHIPS TO 'B' CLASS STUDENTS OF THE MACLAGAN ENGINEERING COLLEGE, MUGHALPURA.

\*211. **Lala Gopal Das :** Will the Honourable Minister for Education and Industries please state if it is a fact that the rate of scholarship awarded to B Class students of the MacLagan Engineering College, Mughal-pura, is less than what the North-Western Railway allows to its own apprentices? If so, is the Honourable Minister considering the desirability of making their scholarships equal in value to what the Railway gives to its apprentices?

**The Honourable Sardar Jogendra Singh :** No scholarships are awarded to "B" Class students of the MacLagan Engineering College, but if the honourable member has in mind the rates of pay and allowances drawn at present by "B" Class Indian students which are less than those drawn by Railway apprentices, Government has taken action and there will be no difference in the rates after 31st March 1927.

HAVELIAN PROJECT.

\*212. **Lala Gopal Das :** Will the Honourable Member for Revenue please state—

- (a) whether the Havelian Project has been completed;
- (b) when is it likely to be sent up for formal sanction;
- (c) if the project is not yet ready, when is it likely to be ready?

**The Honourable Mian Sir Fazl-i-Husain :** (a), (b), (c). The Project is being re-cast owing to some changes proposed in its scope. A special officer is working on it and it is expected to be ready for submission to the Government of India by the end of the current year.

EXPORT DUTY ON PRODUCE EXPORTED TO PLACES OUTSIDE THE PUNJAB.

\*213. **Lala Gopal Das :** (a) Is the Honourable Member for Finance and Industries aware that the mineral oil companies in this province base roughly the prices of their crude oil and liquid fuels produced in the Punjab on f. o. r. Karachi price, plus railway freight for various stations in the Punjab?

(b) If so, is the Government considering any proposal to levy an export duty on these products exported to places outside the Punjab in order to reduce the prices in this province?

**The Honourable Sir Geoffrey deMontmorency :** (a) Government has no direct information on the subject.

(b) Accepting the statement in part (a) of the question as correct, the Local Government has no power itself to impose an export duty and is not prepared to recommend its imposition to the Government of India.

ADULTERATION OF ARTIFICIAL GHI.

\*214. **Lala Gopal Das :** Will the Honourable Minister for Local Self-Government please state what action has been taken or is proposed to be taken to put a stop to the adulteration of artificial ghi with pure ghi?

**The Honourable Malik Firoz Khan, Noon :** The attention of the honourable member is invited to answer given to starred Question No. 144.<sup>1</sup>

ARTIFICIAL FLOUR.

**\*215. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether he is aware of the artificial flour marketed for food in place of wheat flour ;
- (b) what action does he propose to take to put a stop to it ?

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

(b) The provision of the Punjab Adulteration of Food Act, 1919, permit of official standards being promulgated. The standard in respect of atta is under consideration and will be notified in due course.

REMISSION OF SENTENCES OF THE MARTIAL LAW PRISONERS NOW IN THE ANDAMANS.

**\*216. Dr. Gokul Chand, Narang :** Will the Honourable Member for Finance be pleased to state—

- (a) whether according to the Jail Manual the ordinary period of confinement which a convict sentenced to transportation for life has to undergo is 14 years after excluding the remissions ;
- (b) whether this applies to the Martial Law prisoners now in the Andamans ;
- (c) whether he is aware of the fact that an announcement was made at Port Blair that all prisoners will get a remission of one-third of their unexpired sentences ;
- (d) whether it is a fact that in the case of the prisoners, whose names are given below, the period of sentence has been fixed at 25 years :—

(1) Mahasha Rattan Chand, (2) B. Sandhi Khan, (3) L. Karam Chand, (4) Jalal Din, (5) Sardar Manohar Singh, (6) S. Jai Ram Singh, (7) Mian Dina, (8) Muhammad Sadiq, (9) Muhammad Sufi, (10) L. Walaiti Ram, all of Amritsar, and (11) Nadar Ali Shah and Din Muhammad, of Kasur, and Harnam Singh of Sangla and B. Raja Ram, B.A., of Malakwal.

- (e) The reasons why an extraordinary treatment is being meted out to these men ?

**The Honourable Sir Geoffrey deMontmorency :** Information on these points is being collected and a communication will be made to the honourable member when it is ready.

HOUSE SURGEON AT THE VETERINARY COLLEGE, LAHORE.

**\*217. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state—

- (a) the name of the person recently appointed as House Surgeon at the Veterinary College, Lahore ;
- (b) if it is a fact that another officer is performing the actual duties of the post ;
- (c) if so, will the Honourable Minister please state the reasons for this ?

**The Honourable Sardar Jogendra Singh :** (a) Lala Durga Dass was promoted to the Provincial Service.

(b) The duties of the House Surgeon are performed by the officer who performed these duties before.

(c) The question does not arise.

**Shaikh Faiz Muhammad :** Is the officer performing the duties of the House Surgeon, Lala Durga Dass or somebody else ?

**The Honourable Sardar Jogendra Singh :** The officer who used to perform those duties before is now performing them.

**Shaikh Faiz Muhammad :** Is it Lala Durga Dass or somebody else ?

**The Honourable Sardar Jogendra Singh :** Lala Durga Dass is doing the work which he was doing before.

**Shaikh Faiz Muhammad :** I should like to have the ruling of the Chair whether part (c) of my question arises or not ?

**Dr. Gopi Chand, Bhargava :** Is the Government aware of the fact that certain interested persons are carrying on agitation in papers regarding part (a) of the question and if so, what steps is the Government going to take ?

(No answer.)

#### WARDEN OF FISHERIES.

**218. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture please state—

(a) if it is a fact that the Warden of Fisheries has proceeded on leave ;

(b) what are the name and educational qualifications of his successor, and what salary was the latter drawing in his substantive post ;

(c) if it is a fact that the claims of a Muhammadan officer in the department who has superior educational and technical qualifications and is in the grade higher than the officer appointed as officiating Warden of Fisheries have been overlooked ?

(d) Will the Honourable Minister kindly give reasons for this decision ?

**The Honourable Sardar Jogendra Singh :** (a) and (b) The Warden of Fisheries is proceeding on leave at the end of this month. Lala Devi Ditta Mal, Personal Assistant, who has several times officiated during Mr. Donald's absence, will officiate. He is drawing at present Rs. 210, and he is not a graduate.

(c) The Muhammadan officer in question is required for more important work of research, and his claims have not been overlooked. He has been selected for the Provincial Civil Service.

(d) Does not arise.

**A MECHANIC FOR WORKING THE ROCK BORING MACHINERY OF THE  
DEPARTMENT OF AGRICULTURE.**

**\*219. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that it is proposed to import on a huge salary a mechanic for working the rock boring machinery of the Department of Agriculture ;
- (b) whether the Honourable Minister is aware that similar machinery is being worked by Indians ?

**The Honourable Sardar Jogendra Singh :** (a) It is proposed to appoint a rock driller on Rs. 900—50—1,200 per mensem in 1927-28 to be in charge of the rock drilling plant recently purchased for the department of Agriculture.

(b) No.

**Lieutenant Sardar Sikandar Hayat Khan :** Is the Honourable Member aware that the North-Western Railway has got a rock drilling plant and it is efficiently worked by Indian mistries ?

**The Honourable Sardar Jogendra Singh :** I think no one is better acquainted with the thing than the Attock Oil Company which has imported 20 Americans whom they are paying more than Rs. 1,000 a month ; and if Indians were available, I am sure they would have appointed them.

**Lieutenant Sardar Sikandar Hayat Khan :** They deal with oil boring and not with water-boring as is the case here.

(No answer.)

**COMMUNAL REPRESENTATION AMONG OFFICERS, SUPERIOR PROVINCIAL SERVICE  
IN THE PUNJAB AGRICULTURAL DEPARTMENT.**

**\*220. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state—

- (a) the number and names of Imperial and Superior Provincial Service officers in the Punjab Agricultural department in January 1926 and January 1927 ;
- (b) if there are special reasons for favouring a particular community, and whether it is the intention of the Government to continue doing so ?

**The Honourable Sardar Jogendra Singh :** (a) The names of Imperial Service Officers in the Agricultural department will be found in the Punjab Civil List at pages 57 (b) and 58. There is as yet no Superior Provincial Service.

(b) No. Government has no intention of favouring any particular community.

**Shaikh Faiz Muhammad :** Is it a fact that appointments were made during 1926 out of which 2 went to Sikhs, 3 to Hindus and none to Muslims ?

**The Honourable Sardar Jogendra Singh :** It is not true.

**Mr. Din Muhammad :** Will the Honourable Member be pleased to give the exact figures ?

**The Honourable Sardar Jogendra Singh :** Six Muhammadans were put in the Agricultural Service and three in the Veterinary and there was no Muhammadan candidate for the post of fruit expert or bacteriologist. Dulip Singh was appointed as Chemist as he was the best Chemist as can be seen from the list.

**Mr. Din Muhammad :** The question related to the Imperial Service.

**The Honourable Sardar Jogendra Singh :** There is no Imperial Service.

#### NEW POSTS IN THE SUPERIOR AGRICULTURAL SERVICE.

**\*221. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state —

- (a) how many new posts in the Superior Provincial Agricultural Service have been created since January 1923 ;
- (b) how many of these posts were advertised ;
- (c) what are the names of the persons appointed to these posts ?

**The Honourable Sardar Jogendra Singh :** (a) The Superior Provincial Agricultural Service has not yet been constituted.

(b) and (c) Do not arise.

**Lieutenant Sardar Sikandar Hayat Khan :** Under what service does the Fodder Specialist come in, under the superior or provincial ?

**The Honourable Sardar Jogendra Singh :** He is a specialist officer.

#### TRANSFER OF A TEACHER FROM THE AGRICULTURAL COLLEGE, LYALLPUR, TO THE EXECUTIVE SIDE AS A DEPUTY DIRECTOR OF AGRICULTURE.

**\*222. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture be pleased to state —

- (a) whether it is a fact that officer of the Indian Agricultural Service with 18 years' experience as a teacher is being transferred from the Agricultural College, Lyallpur, to the executive side as a Deputy Director of Agriculture ;
- (b) the name of this officer and that of his successor and the qualifications of the latter ;
- (c) what is the position of his successor in the matter of seniority in the P. A. S. and the length of service as a gazetted officer ;
- (d) whether it is a fact that a Muhammadan graduate of Agricultural College, Lyallpur, with a degree in Agriculture from a British University and a diploma in teaching Agriculture was also a candidate for the post ?

**The Honourable Sardar Jogendra Singh :**

(a) Yes, at his own request.

(b) **Sardar Sahib Kharat Singh.** His successor is **Sardar Lakh Singh**.  
His qualifications are—

(a) L. Ag. (Lyallpur) with honours in Botany.

(b) 'Sir Denzil Ibbetson' scholarship for practical agriculture.

(c) B. Sc. Ag.

(d) Postgraduate course at Pusa and Bangalore.

(e) Has had practical experience at Lyallpur and Montgomery since 1912.

(f) Ninth. He has 6½ years' service as a gazetted officer.

(g) Yes. This officer only joined in August 1926 and is twenty-fifth on the list.

**Lieutenant Sardar Sikandar Hayat Khan :** May I ask whether these appointments of teaching specialists are made by selection or by seniority?

**The Honourable Sardar Jogendra Singh :** There is no question of any promotion, it is a transfer from one place to another.

COMMUNAL REPRESENTATION AMONG THE STAFF OF THE MACLAGAN  
ENGINEERING COLLEGE, MUGHALPURA.

\*223. **Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state—

(a) if it is a fact that there are 3 Europeans, 16 Hindus and Sikhs and only 3 Muhammadans on the staff of the MacLagan Engineering College, Mughalpura;

(b) what steps do Government propose to take to increase the Muhammadan element on the staff of this College?

**The Honourable Sardar Jogendra Singh :** (a) The following shows the communities employed in the MacLagan Engineering College:

	Teaching staff.	Mechanics.	Clerks.	Total.
Europeans and Anglo-Indians	4	..	..	4
Hindus	13	..	1	14
Muhammadans	5	4	4	13
Sikhs	2	..	..	2
Parsi	1	..	..	1
Total	25	4	5	34

[The Honourable Sardar Jogendra Singh.]

(b) The College being a technical institution the teaching staff is appointed from the open market by selection of the fittest irrespective of the community to which an applicant belongs, and any departure from this principle in favour of any particular community would not be in the best interests of the College.

**Mr. Din Muhammad :** This is not an answer to the question asked. It is merely a justification for the existing state of affairs.

**Mr. President :** That is not a supplementary question.

**Mr. Din Muhammad :** We want a reply to the question put, not a justification for the state of affairs that exists.

**The Honourable Sardar Jogendra Singh :** The question has been answered.

**Mr. Din Muhammad :** In yes or no ?

**The Honourable Sardar Jogendra Singh :** The number is given which means the true statement of accounts.

COMMUNAL REPRESENTATION AMONG STUDENTS OF THE "A" CLASS OF  
MACLAGAN ENGINEERING COLLEGE AT MUGHALPURA.

**\*224. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state—

- if it is a fact that there are 22 Hindus, 4 Sikhs, 8 Christians and only 4 Muslims studying in the 'A' Class of the MacLagan Engineering College at Mughalpura ;
- the figures for the various communities represented in the 'A' Class students separately for the last 3 years ;
- what steps do Government propose to take to improve the representation of Muslims in 'A' Class ?

**The Honourable Sardar Jogendra Singh :** (a) The number of Punjab Government 'A' Class students studying in the College is 2 Europeans and Anglo-Indians, 25 Hindus, 17 Muslims, 5 Sikhs and 1 Indian Christian.

(b) The communities represented by admissions of Punjab Government students of 'A' Class of the College at the beginning of each of the 3 years 1924, 1925 and 1926 were as follows :—

		Europeans and Anglo- Indians.	Hindus.	Muslims.	Sikhs.
1924	.. ..	2	2	1	2
1925	.. ..	..	5	2	..
1926	.. ..	3	7	1	1

(c) There are 6 ordinary vacancies in each year for Punjab Government students and candidates who produce a medical certificate and a testimonial of good character are selected on the result of an open competitive examination and a test of physical fitness.

In addition to the ordinary vacancies the Punjab Government (Ministry of Agriculture) has in the past sanctioned a special admission not exceeding three in any one year. The candidates for special admission are required to have reached certain educational standards, and the selection is made so as to secure as far as possible the representation of classes and tracts which are found to be unrepresented by the candidates admitted to the ordinary vacancies.

So long as the ordinary Punjab Government vacancies are filled by open competition, and the special admissions are limited to three, it is not possible materially to affect the numbers of one community as against others.

COMMUNAL REPRESENTATION AMONG THE 'B' CLASS STUDENTS OF THE  
MACLAGAN ENGINEERING COLLEGE, MUGHALPURA.

\*225. **Shaikh Faiz Mohammad:** Will the Honourable Minister for Agriculture kindly state—

- if it is a fact that there are 53 Hindus, 27 Sikhs, 69 Christians and only 43 Muslims studying in the 'B' Class of the MacLagan Engineering College, Mughalpura;
- the figures for the various communities represented in the 'B' Class students separately for the last three years;
- what steps do Government propose to take to improve the representation of Muslims in the 'B' Class?

**The Honourable Sardar Jogendra Singh:** (a) The number of Punjab Government 'B' Class students studying in the College is 3 European and Anglo-Indians, 34 Hindus, 22 Sikhs and 36 Muslims.

(b) The communities represented by admissions of Punjab Government students in the 'B' Class of the College at the beginning of each of the 3 years 1924, 1925 and 1926 were as follows:—

		Europeans and Anglo- Indians.	Hindus.	Muslims.	Sikhs.
1924	.. ..	1	8	8	3
1925	.. ..	..	8	9	5
1926	.. ..	2	11	3	11

(c) There are 20 ordinary vacancies each year for Punjab Government students and candidates who produce a medical certificate and a testimonial of good character are selected on the result of an open competitive examination and a test of physical fitness.

[The Honourable Sardar Jogendra Singh.]

In addition to the ordinary vacancies the Punjab Government (Ministry of Agriculture) has in the past sanctioned special admission not exceeding five in any one year. The candidates for special admission are required to have reached certain educational standards, and the selection is made so as to secure as far as possible the representation of classes and tracts which are found to be unrepresented by the candidates admitted to the ordinary vacancies.

So long as the ordinary Punjab Government vacancies are filled by open competition, it is not possible materially to affect the numbers of one community as against others.

PRINCIPLE IN MAKING ADMISSION TO THE MACLAGAN ENGINEERING COLLEGE.

\*228. **Shaikh Faiz Muhammad:** Will the Honourable Minister for Agriculture kindly state—

- (a) what principle or procedure is followed in making admission to the MacLagan Engineering College;
- (b) whether it is a fact that the tests held are purely academic and no regard is paid to the mental and physical aptitude of the candidates for engineering;
- (c) what steps do Government propose to take to make the tests really practical in order to secure a more equitable representation of communities in the two classes in the college?

**The Honourable Sardar Jogendra Singh:** (a) The rules governing the admission of students to the MacLagan Engineering College are contained in the prospectuses of the A and B courses, respectively. A copy of each prospectus has been laid on the table.

(b) Rule 5 of these prospectuses shows that the tests are not purely academic, and that regard is paid to the mental and physical aptitude of the candidates. Government is not aware that this rule is disregarded.

(c) Does not arise.

## RESOLUTIONS.

RESOLUTION <sup>72</sup> ABOLITION OF THE INSTITUTION OF HONORARY MAGISTRATES—(concluded).

**Mr. President:** The Council will resume discussion on the resolution<sup>1</sup> re abolition of the institution of honorary magistrates moved yesterday by Chaudhri Afzal Haq.

**Chaudhri Afzal Haq** [Hoshiarpur-cum-Ludhiana (Muhammadan Rural)] (Urdu): Sir, I want to make a particular mention of one thing in the report to which I referred yesterday. In that report the committee has said that it is very difficult for the honorary magistrates

<sup>1</sup> "This Council recommends to the Government to take necessary steps with a view to stop the institution of honorary magistrates within the period of the next three years."

to be thoroughly impartial. The word 'difficult' in this connection has been italicised to show that the committee wanted to lay special stress on this word. The fact that the honorary magistrates cannot be impartial is too evident to require any further proof. However, I will read a few words which occur in that report and which throw a flood of light on the point. They are as follows :—

"Further there is evidence to show that there are instances of honorary magistrates and Judges having used their official position in their personal interests and having shown spite or favour in their decision."

Sir, I was warned by some of the honourable members that my proposal, if adopted, would involve huge expenditure. The committee to which I have referred so many times before, also said while dealing with this point that about Rs. 7,20,480 would be required to replace the honorary magistrates by stipendiary magistrates. If I am not mistaken, this calculation was arrived at by a comparison between the judicial cases decided by honorary magistrates and those decided by the other magistrates. But I submit, Sir, that this calculation is not correct because the executive work that the stipendiary magistrates have to do besides their judicial work has not been taken into consideration in arriving at this figure. Besides, the report says that this much of money will be required if 50 first class magistrates and 130 second and third class magistrates are appointed in place of the honorary magistrates whose strength at present is 63 first class magistrates and 250 second class and third class magistrates. Now if that is done a lot of money that is being spent on the subordinate staff of the courts will be saved. If that saving is also taken into consideration I am sure much less money than that estimated by the committee will be required to carry out the proposed reform. I have dealt with this point to dispel the fears of some of the members who think that something about thirty lakhs of rupees will have to be spent to give effect to my proposal.

Then the appointment of honorary magistrates is against the present policy of the Government. Even Deputy Commissioners who are mostly recruited from abroad are not ordinarily allowed to remain at one place for more than three years. So is the case with Provincial Service men. As regards police department we know that Sub-Inspectors of police are not posted to their home districts, and the Council appears to be so keen about this matter that it demanded last year that Inspectors of Schools should invariably be transferred from one division to the other after a period of five years. About Jailors, we decided that they too should not be ordinarily allowed to remain posted to one jail for more than three years. Government appears to be not less keen in this matter because we see there are orders to the effect that if possible patwaris too should not be posted to the villages they come from. When so much care is being taken in regard to even petty officials, I wonder why similar care is not taken in the case of honorary magistrates who are not only the residents of the places where they are posted but who have also got their friends and foes in that locality. Besides, it is further the policy of the Government that no official invested with any powers can acquire property in the place to which he is for the time being posted. But it is a wonder of wonders that the Government is refusing to take notice of the fact that the honorary magistrates are acquiring property worth lakhs by the influence of their official position

[Chaudhri Afzal Haq.]

although this fact has been brought to its notice many a time by the members of this Council. It was pointed out by one honourable member in the last Council :—

"The benign Government in its extravagant kindness towards them has not only vested them with judicial powers, but also allowed them the privilege of contesting elections as representatives of the people for municipalities, for district boards, for the Punjab Legislative Council and for the Legislative Assembly."

Under the circumstances may I request the Government kindly to let us know what is the object with which these appointments are made. Unless we know that, it is very likely that some of us may doubt the *bona fides* of the Government in this matter. It is really a strange thing that the honorary magistrates who are invested with so much powers should be allowed to contest seats in the Legislative Council and Assembly, while paid servants of the Government are not allowed to do so, however impartial and honest they may be.

I have read the report of the Civil Justice Committee in this connection. To be frank, I may say it was with a heavy heart that I began its study, but I am glad to tell you that the honorary magistrates appear to have not found favour even with this committee. The committee which was entrusted with the task of proposing measures to be adopted to decrease the judicial work, suggested only one remedy and that is that the *panchayats* should be invested with more powers. It has not suggested anywhere in its report that honorary magistrates can be employed with advantage to help the disposal of judicial work. I would, therefore, request the Government to take steps with a view to abolish the institution of honorary magistrates. I would further request that the consideration of additional expenditure that the Government will have to incur should not be allowed to stand in the way of our wish being carried out. Even admitting that the figure of additional expenditure arrived at by the Government is correct, it is no reason why justice should be sacrificed for the sake of a few lakhs of rupees. And the consideration of additional expenditure has never weighed with the Government whenever it has once decided to do a thing. Do we not know that expenditure on police department has increased very much during the last few years, simply because the Government happened to think that it was necessary to increase this expenditure? I say we expect the Government to give us good Government if not self-government, and if Government incurs any additional expenditure to accede to our wish in that way, I can assure it that we will not grudge that additional expenditure. We believed formerly that there could be only one God, but we were told the other day in some other connection by an honourable member that there are three gods instead of one. Similarly I am also inclined to think that so far as the administration of justice is concerned, we have got three gods. But, Sir, that is more than we can put up with. We can put up with the second god, i.e., god on earth in the shape of Government, but we cannot put up with the third god created by the Government, i.e., the black god consisting of so many honorary magistrates because it is a matter of common knowledge that if a person is bitten by a black (serpent) he dies at once.

RESOLUTION RE ABOLITION OF THE INSTITUTION OF HONORARY 647  
MAGISTRATES.

**Mr. President:** The resolution proposed runs:—

"This Council recommends to the Government to take necessary steps with a view to stop the institution of honorary magistrates within the period of the next three years."

The question is that that resolution be adopted.

**Sardar Bahadur Sardar Sheo Narayan Singh** (Non-official, nominated) (Urdu): Sir, the honourable mover of the resolution wants that steps be taken to abolish the institution of honorary magistrates within the next three years. Before I say anything with regard to the main question I may submit that it is but natural for a man, who has happened to meet every time with honest and excellent men of a class, to say that such a class is praiseworthy as a whole. On the other hand, the man who has met with only dishonest and corrupt persons of a class is sure to deery that class as a whole. It appears to me that our friend has come across only such honorary magistrates as are not performing their duties as desired, and it is why he has condemned the institution as a whole. I may say that I do not at all agree with him. The question to be considered is whether the work which the honorary magistrates are doing is essential or not. If that work is essential and must be done by one agency or the other, we must either continue to employ honorary magistrates or employ stipendiary magistrates in their place to cope with that work. If we adopt the latter course as is suggested, it goes without saying that we will be increasing the burden on our finances, and that I think no member would like.

This question of the institution of honorary magistrates was considered in this Council in 1928. The institution was then attacked on the grounds that most of the honorary magistrates were ignorant of law and procedure and that their educational qualifications were very poor. Therefore, they were so many puppets in the hands of their clerks and police officers who extorted money from the litigant public to their heart's content. As a result of these attacks, a committee was appointed to go into the matter and to suggest remedies to put an end to the alleged malpractices. The committee so appointed recommended certain remedies on the basis of which revised rules for the appointment of honorary magistrates were framed. These revised rules were issued to the authorities concerned under Government letter No. 1564-S., dated Simla, the 7th July 1929. A study of these rules will show that they are both sound and strict. They require that appointment of honorary magistrates should be made solely for the benefit of the public and not for the sake of rewarding the persons appointed. They further require that the persons appointed should possess a sense of justice and sufficient knowledge of law and procedure. Their general character and reputation should be above reproach, and that they should be free from pecuniary embarrassments. It appears to me that the honourable mover of the resolution has not had the occasion to study these rules before proposing the abolition of the institution of honorary magistrates. Otherwise he should have hesitated to move the resolution or he should have told us that these rules were unsatisfactory. I admit that there may be some districts in the Punjab where there may be a dearth of capable men to work as honorary magistrates, and I think Kangra is one of them as was said by Lala Moti Lal in this Chamber when he was a member of the Council. But, to say that all honorary magistrates

[Sardar Bahadur Sardar Sheo Narayan Singh.]

are worthless is what passes my comprehension. When capable men are willing to serve as honorary magistrates and when we know from the statements that the number of such judgments by the honorary magistrates as are set aside on appeal is not larger than the number of such judgments by the stipendiary magistrates, there is no reason why we should ask for the abolition of the institution of honorary magistrates. Then the honorary magistrates do not possess uncontrolled powers. They are answerable to the District Magistrates and also to the High Court. Not only that. The court of every honorary magistrate is inspected at least once a year by an experienced judicial officer. Under the circumstances, we can feel safe that there will be no high-handedness by these honorary magistrates of which the mover is apparently so frightened.

Among other objections raised by the honourable mover, one was that the honorary magistrates being ignorant of law could not be expected to do justice to the parties. He should have known that if such had been the case, the number of cases filed in the courts of honorary magistrates would have been very small. But contrary to that we find that more cases are filed by the public in such courts of their own accord. Then my friend the mover said that because there was party-feeling everywhere in the Punjab, it was not safe to entrust the administration of justice in the hands of honorary magistrates. In reply to that, I will content myself with reminding him that on an application to the District Magistrate concerned that in a certain case the honorary magistrate concerned is personally interested, the case is at once transferred to another court. The applicant can go up to the High Court in this matter if he is not satisfied with the decision of the District Magistrate. Another objection raised was that the persons who are appointed as honorary magistrates live and move among those whose cases they have to decide and therefore they cannot be impartial. I think the case is rather quite the reverse. The stipendiary magistrates who do not belong to the place to which they are posted do not care for the bad name they might earn for not doing their duties properly. On the other hand, the honorary magistrates, who know that they have to live with the people, with whom they are dealing, try to be as impartial and just as possible. The institution of honorary magistrates has one more advantage. The courts of such magistrates being near at hand, the litigant public is saved the trouble of travelling long distances to reach the courts situated at the head-quarters. One thing more in this connection and that is that no honorary magistrate has so far been prosecuted for bribery, while we cannot say the same thing with regard to the stipendiary magistrates.

With these words I oppose the motion before the House.

**Mr. Din Muhammad** [East and West Central Towns (Muhammadian), Urban]: Sir, there is some force in what the honourable mover has said but he said that somewhat more forcibly than was necessary. It is no doubt true that some honorary magistrates are not as efficient as they should be. They also cannot be expected to show such independence as the administration of justice requires. They also exhibit partiality in some cases in which they ought to be absolutely impartial. But in my humble judgment the remedy does not lie in the abolition of this institution but in the reforma-

tion thereof (*hear, hear*). It is no doubt true that in 1928 certain rules were framed by Government just to silence some of the objectors of this institution. But even the last Gazette shows that the appointments are not being made in consonance with the rules in force. It appears from that announcement that a sarbara zaildar, a full-fledged zaildar, and a retired military jamadar have been appointed as honorary magistrates. It cannot be argued by honourable members of Government that a sarbara zaildar who takes part in the police investigations or who frequently appears in courts of law as a witness for crown acquires so much knowledge of law as to be able to administer it sitting as a presiding officer of court. Nor, I believe, will it be argued by honourable members of Government that during the course of military service, this military jamadar acquired such legal knowledge as to be able to utilise it as an honorary magistrate.

**Mr. H. D. Craik :** On a point of order. Is the honourable member in order in talking of individual honorary magistrates ?

**Mr. President :** I would ask the honourable member not to bring individuals in the discussion.

**Mr. Din Muhammad :** I have mentioned no names at all. I have only placed the case of certain individuals, without giving out their names to demonstrate that the administrative rules referred to by the honourable members are not being followed in actual practice. I do not single out anybody by name. To me, however, it appears that the resolution is a bit unconstitutional. Honorary magistrates are not the creation of the Punjab Government, nor is the Punjab Government responsible for bringing them into existence. An honorary magistrate is created by the powers which are vested in the Local Government under the provisions of the Code of Criminal Procedure. To ask the Local Government to abolish the institution of honorary magistrates would be asking them too much. It would amount to asking them not to exercise the powers which are vested in them under section 14 of the Code of Criminal Procedure. This would further mean that we would be condemning ourselves and asking the Local Government of the Punjab alone not to exercise those powers for this province which are vested in them, along with other Provincial Governments under certain Government of India enactments. It is no use, therefore, asking Government to abolish this institution altogether. I would have gladly supported the honourable mover if he had brought forward a resolution to the effect that so far as the powers of honorary magistrates were concerned, they should be curtailed, and that they should not be invested with first class or second class powers without undergoing any departmental test or examination which, as I have been informed, has already been recommended by the Tollinton committee which sat on the question of honorary magistrates.

It is true that, there are certain difficulties in the way of the honorary magistrates administering independent or impartial justice which is usually expected from a presiding officer of a court. They no doubt belong to the place. They no doubt live and move and have their being among those whose cases they hear. But the resolution moved is a harangue against self-government. If the honourable mover's contention is countenanced, it would mean that we admit that the people of the

[Mr. Din Muhammad.]

Punjab cannot administer justice between man and man, simply because they happen to belong to the place to which the parties belong (*hear, hear*). I do not think this can be the intention of the honourable mover because it is decidedly against his own creed. We cannot condemn our own brethren simply on this account—simply on the accident of locality we cannot say that they are unfit to govern their own people or that they are unfit to administer law between them. On these grounds, therefore, I would, though most reluctantly, oppose the motion. I would not support the motion of the honourable mover simply because in some cases efficient people or impartial people or independent people could not be appointed. But, I would urge most emphatically that the Government should make the rules strict. Let them use better discrimination in the appointment of honorary magistrates. Let them not be liberal in the conferment of powers upon every person who falls in their way. Let them first satisfy themselves that all the tests which these appointments require are fulfilled by the candidate before them and then let them confer third class powers only in the first instance. Let them give additional powers only when they are satisfied that the gentleman in question has acquitted himself well in the job, and if these precautions are taken, all objections will be removed. When in the case of a stipendiary magistrate high tests are laid, when the best men in England and the best men in India are chosen to interpret and administer English law or Indian law in India, how can it be expected that some illiterate or half-literate people would be able to wade through the intricacies of law and follow intelligently what is being mentioned in the law books? The law is being added to every day by the Honourable Judges of the High Court, and it is simply impossible for a magistrate of ordinary education to appreciate the law or follow its niceties. It is all the more necessary, therefore, that better discretion should be used in the selection of honorary magistrates and their number should not be increased to the extent and in the manner in which it is being done at present.

**Mr. E. Maya Das** (Nominated non-official): Sir, I must say that I have been disappointed with the speech made by the honourable member who has moved this resolution. I really thought that he had some good arguments to give in support of his resolution. He supported his resolution by saying that honorary magistrates are not educated. Well, if they are not educated, the remedy for that is already down in the rules. If there are some who are not educated, his contention should have been that these men do not fulfil the requirements of law.

Then he says that they do not understand law. That again is on the same footing as the previous objection. Rules require that honorary magistrates should be able to understand law.

Then he went on to say about party feelings. That has already been met by one honourable member. My submission is that these men are men of influence, and before they are made honorary magistrates they have on several occasions been consulted and people go to them to solve their difficulties and they often decide and arbitrate cases. Therefore, these men are not unfit to work as honorary magistrates.

Then, it is said that these men are more easily approachable than stipendiary magistrates. Well, it may be that some men whose reputation was good, after having been appointed honorary magistrates fall into bad ways. That may be so, but that is no reason for saying that all are like that. If there is a case of one or more honorary magistrates, that evil can be remedied in other ways.

Then, it is said that they are not always found to be above reproach. About this if we examine deeply, there are many others in other departments of life about whom we can say that they too are not above reproach. Then, are these people to be turned out on that score? Just the other day we were discussing about patwaris. If some of the patwaris are corrupt, are we to turn out the whole class of patwaris?

The honourable mover also went on to say that if these honorary magistrates are sent away it would mean creating a new machinery which would require over 7 lakhs of rupees. The question is whether it is advisable to spend so much money.

Then he went on to say that these men should not be kept for more than 3 to 5 years in one place. Rather he said that he did not favour the principle of all men dispensing justice being kept longer than three to five years in one place. The remedy for that also is to be found in the rules

3 P.M. because the rules lay down that at the end of every three years the matter is to be reconsidered, whether the man is fit to be reappointed or not, so that I do not see any force in any of these arguments. Lastly, he says that they purchase property. I think this is perhaps the weakest argument because men of substance alone can be appointed honorary magistrates. If the man is a landowner owning property and if he makes more money, what is he to do with it? Would it be fair to debar him from investing it by purchasing property. The honourable mover seems to favour the idea of more expenditure, if necessary, and he wants that the work should be done by stipendiary magistrates, and he wants to dispense with these honorary magistrates some of whom are bad. But he has not said that he is opposed to the retention of magistrates that are good. At the most all he might have said was: 'The rules are not being observed; and the door has been left open too wide.' But he never referred to the rules, had he done so, he would have found that these rules were framed in 1923. Since then, have any new factors come into existence which induced the honourable member to bring forward this resolution? If any new facts have come into existence, why has he not placed them before the House? Now, Sir, as we all know there are a large number of magistrates who when they retire require some occupation. What better occupation can there be for them than to serve as honorary magistrates? But according to the proposal of the honourable member these retired magistrates should not be made use of at all.

The resolution put forward has three main defects. One is, it involves waste of energy; the second is, it raises difficulties in the way of any one wishing to do public service. It is a waste of energy in that the retired and experienced magistrates are not given the opportunity to serve and their energy is wasted. Thirdly, it involves extra avoidable expenditure. For these reasons, I oppose the resolution.

**Shaikh Muhammad Sadiq :** (Amritsar City, Muhammadan, Urban) : Sir, my honourable friend has brought forward this resolution in a wrong place. This House, full of honorary magistrates, sons of honorary magistrates (*hear, hear*), brothers of honorary magistrates, fathers of would-be honorary magistrates and candidates for honorary magistrates, is hardly a place where this resolution could be discussed. (*Hear, hear and laughter.*) I am not against the institution of honorary magistrates (*hear hear*), knowing that a lot of honorary magistrates do honest good work. But, Sir, there are some honorary magistrates who do work in such a way that sometimes one feels that the whole system might be abolished at once. I know what has prompted my honourable friend, the mover of this resolution. I am sure it is not his idea not to have the honorary magistrates at all. But he thinks that the system is such that it is impossible to reform it and that the Government will never reform it. That is why my honourable friend has come forward with this resolution. I remember when I first returned to this country after being called to the bar I had the fortune or the misfortune to attend certain courts of these honorary magistrates. What did I find? Near the building where the court was held there was a cow tied down and also a buffalo and a horse. As the case was proceeding a hen wanted to take exercise in flying and flew over the head of the magistrate, lawyer, and perched itself on a prisoner. It was a hot day, so the dog in order to cool himself took a bath near at hand, and then thinking since it had not rained for a long time wanted to give a specimen by shaking its body of superfluous water. This was what actually occurred. The court looked like a poultry yard. However, there are some honorary magistrates who are better and more honest than the stipendiary magistrates. Unless and until the Government promises us that they are going to deal with this problem seriously, it will be our duty to urge the Government to reform the system, and either mend it or end it.

The question is, who are the men appointed as a rule? They are supposed to be men who have rendered political service or who have rendered service in the war. But why do you not make such men Sardars or Colonels or give them titles such as C.I.E., or C.S.I.? Why do you inflict them on the poor people? Why do you entrust the destinies of the poor people in the hands of these men who do not know A. B. C. of law. I am not in favour of its abolition, because this is a thing which gives us a lesson in self-government. In England and France there are honorary magistrates who are doing good work. But the question is when the system is so badly administered that we know it cannot be replaced with advantage, what are we to do? So, what has my learned friend done? In sheer disgust, he has brought forward this resolution. If the system is properly worked I know that not a single member would say that these magistrates should go because the system is cheaper in a way and the honorary magistrate is supposed to work for the good of the public. In many cases where the stipendiary magistrates unsympathetically imprison the persons, the honorary magistrates try to bring the parties round and pacify them. Surely, it is not the object of justice to fill the jails with prisoners. I know the honorary magistrates can be useful; but what I say is the present system must be either mended or ended. One of my

honourable friends has asked, 'what are these retired Extra Assistant Commissioners to do?' Gandhi has prescribed charka and they can take to it. When the man has become old to work as a stipendiary magistrate and has retired, how can he work as an honorary magistrate? When he retires that means that Government does not think that he is fit to work. When that is the case, how will he be able to work as an honorary magistrate? If you adopt this system of appointing retired men as honorary magistrates, it means that there will be as many honorary magistrates as there are retired officers. I do not object for their being appointed in certain cases. An honourable friend says that there are rules for proper appointment. But the rules are broken. The fact is that in many cases we have got a lot of touts who go and get money from would-be candidates and tell the magistrate that he is a good man. They have taken money in many cases; it has come to my notice. But I am sure that the officer does not know anything about it. What I impress upon the Government is to appoint a special officer to be in charge of the honorary magistrates and who will work in regard to these honorary magistrates. It is no use entrusting this work to the already overworked secretaries. There is no harm if a special Secretary is appointed to see, in addition to some other work, to the work of superintending the honorary magistrates. Sometimes the honorary magistrates sit 80 miles away and when the lawyers and other persons go there they will say 'it is *chhutti*.' They think "we are only honorary magistrates, we are not paid." Sometimes the lawyers and other persons will be waiting outside the court and they will be told that the honorary magistrate is taking bath "ashnan." They must know that every client cannot afford to bring a lawyer for 80 miles, without incurring great pecuniary loss and the object of justice is absolutely defeated. I have heard some of my magistrate friends saying 'what is the use of having these lawyers?' I have heard the police saying.....

**Mr. President :** Is the honourable member speaking to the question? I think he is wandering away from it.

**Shaikh Muhammad Sadiq :** Really I was wandering away. (*Laughter*) The object of my wandering away was to show what all things are done in the name of justice. Now I may say that being one whose family has been holding the honorary magistrateship for the last 70 years — there is none now—I appreciate the work that many of these honorary magistrates have been doing. There are some magistrates who are doing the work honestly and conscientiously. It is the present system of recruitment which has brought the whole thing somehow into contempt. I may tell you one incident. There was a district magistrate in a certain district. The people of a certain village invited him to an entertainment. To express the whole thing better I will give it in my own vernacular

(Urdu) : When the District Magistrate reached the village, the village *thands* were playing a farce. And as is usual with them one of them was beating the other with the dummy skin flog and was trying to drag the man to the magistrate—of course this was a part of the farce. But, the man was refusing to accompany him and when he was asked about the reason of his not accompanying the other to the magistrate, the man replied that he was

[Shaikh Muhammad Sadiq.]

afraid that he would be created an honorary magistrate. (*Laughter.*) Now, Sir, this story is significant of the mushroom growth of these honorary magistrates. The Government very rarely appoints graduates or other educated people to this post, although they are the best fitted for it. The Government should make the rules more strict and the system amenable to the popular wish. If these rules are being paraded only because a resolution has been tabled, then I submit that this would not serve our purposes at all. This system if not reformed will create contempt for justice in the minds of the people. You must strictly watch the conditions yourselves and should not sign the reports sent up by Deputy Commissioners only because they are forwarded by Deputy Commissioners.

(Continued in English): What is our object? We know that after some years the government of this country is going to fall into our hands. There is no doubt about that. Not a single man will deny that. I don't think we will abolish it, but then it will be our duty to improve the system. If I were sitting in place of Sir Geoffrey deMontmorency, I would certainly not abolish it. I am not in favour of abolishing this system altogether, but I want to see to it that justice is administered properly and strictly. No doubt some Deputy Commissioners will raise a hue and cry, but I would tell them to mind their own business. If the Honourable Finance Member before appointing honorary magistrates would ask the police about those whom he wishes to appoint as honorary magistrates, I am sure that in many cases the police will say: "for God's sake do not have them." I can give many such examples. I am not attacking the institution; I am attacking the method in which appointments are made.

Then there is another reason. These honorary magistrates stand as candidates for election to a municipal committee or district board or to the Legislative Council. If a man votes against them, he can hardly expect justice done to him if his case goes to any of the honorary magistrates for decision.

I do not want that the institution of honorary magistrates should be abolished. I am sure that the object of the debate has been fulfilled, and I would ask the honourable mover to withdraw his resolution. We should not do away with the institution altogether, but we should try to improve the system of appointment of honorary magistrate.

**Rai Bahadur Lala Rattan Chand** [Nominated, Non-Official] (Urdu): Perhaps, Sir, the experience of the honourable mover was confined to the ilaqa which unfortunately can boast of only the sort of honorary magistrates that he has described to-day in the House. (*Hear, hear.*) If he had gone to other parts of the province and found out the real good work these honorary magistrates are doing, I am sure he would not have been forced to give expression to the opinion he has expressed. *Panches* existed even before the advent of the British Raj and these honorary magistrates are only *panches* in another form. These people were ever an object of great respect among the people. In cities they command the respect of their brethren among whom they live, and I am sure the same is the case with those of the rural ilaqas. That these people do their duty very honestly

is proved by the fact that the people love them and honour them. These are days of great awakening among the masses and if there had been any cause of complaint against these honorary magistrates, we are sure the people would have clamoured and created a great fuss in the papers. And since there has been no complaint against these gentlemen, I submit that there is nothing wrong with them. The honorary magistrates think it their duty to help the people in time of their need, and they try to have every case compounded to the great relief and satisfaction of the parties. This averts a great mischief and the parties who, but for the intercession of the honorary magistrates would have been implacable enemies of each other develop into friends and live as brothers. They, then, thank the honorary magistrate for his sound advice, and through him they thank the Government and try to help the State at the time of its need. These honorary magistrates are also a source of propagating the views of the Government among the people and *vice versa*. This was done so usefully during the days of the Great War when the people offered themselves so gladly and so cheerfully for the war (*Hear, hear*).

**Raizada Hans Raj :** And also during the non-co-operations days.

**Rai Bahadur Lala Rattan Chand :** Sir, it is my belief that non-co-operation movement was confined to a few and it has passed away after a short existence while Government, like truth, exists for ever. Honorary magistrates do every service to the people. Look at the case of those old women who have to take their pensions. These magistrates treat these old ladies with every respect and even often go to their houses to sign these papers about life certificates and even to sign powers-of-attorney. Without these honorary magistrates, the people would have to suffer great troubles. The opinion of the honourable mover is based on one report where I am sure even the advantages of having honorary magistrates would be mentioned, though I have not gone through that report. But even if there is no mention of them, I am afraid that only people opposed to this system would have appeared as witnesses before the committee. Or perhaps it is like the inspecting officers who only note the objections and shortcomings of a particular thing. During my short life in the Council I have come to know that the House has criticised many departments and perhaps in some cases with great justification. But in no case has the House advocated that the department should be abolished. Why then have these people been singled out? If we were to follow the principle, then we should abolish the police and do away with the education department and close all the courts of justice. I am afraid the honourable member had had something to do with a bad honorary magistrate and that is perhaps why he has condemned the whole class of them (*Hear, hear*). Another proof of the popularity of the honorary magistrates is that people even entrust these magistrates with their civil suits. If they had been bad, the people would not flock to them and entrust them with arbitration. This shows that they are popular, and that is why the people and the Government both respect them and encourage them by grant of titles and other honours. I, therefore, am opposed to the resolution, recommending the abolition of this institution of honorary magistrates, but if you want to have some improvements effected in the system you are welcome.

**Khan Bahadur Chaudhri Fazl Ali** [Gujrat East (Muhammadan), Urban] (Urdu): Sir, I rise with mixed feelings of resentment and shame. My resentment is against the wanton attack of my friends on the whole class of honorary magistrates. It is a different thing to malign an individual for his wrong doings, but to beat the whole class with the same stick. I submit, is an act of great and wanton impudence. This attack is more regrettable, because it is on a very respectable section of society. It is an attack on Hindus, Muhammadans, Sikhs and Christians, for honorary magistrates hail from all these communities. If it had been stated that there are a few evil persons in this class, I would not have taken so great an objection to this, but a sweeping statement like the one will certainly appear most obnoxious to any just and fair minded person. To say that a class is as a whole unfit and given to feuds, is worthy of those only who boast that they will go on disclaiming everybody whether their voice is heard by any one or not.

Is this the first step to Home Rule? If these people, these honorary magistrates are really so bad as you depict them to be, are you not giving an argument against the extension of the reforms, and the grant of Home Rule? If you cannot find a single man who is capable of administering the powers of a second class honorary magistrate, how can you say that you are fit for Home Rule? If there is not a man who can decide a few cases honestly and with due regard to canons of justice, how can you prove your ability for Home Rule? But, Sir, the magistrates' addiction to factions and feuds has not produced the same bloody results as the actions of these detractors to this great and ancient institution have done. Have the feuds of these honorary magistrates resulted in murders, and other similarly serious acts of lawlessness, as we find everyday happening in the cities and being done by the followers of these great advocates of Home Rule? Some time, we hear that they have fallen out with each other at Multan and another time news comes of their rioting at other places, with the result that they have to increase the strength of the police, build more jails and take other similar measures to deal with the overzealous advocates of Home Rule? But if you people with all this patent inclination towards lawlessness are fit for higher posts and even for self-government, how are these honorary magistrates not fit for their jobs? If it is in your power and if you are true to your word, you should pass a resolution stating that the country is not fit for Home Rule. I shall, in that case, certainly cast my votes in your favour. But, Sir, the trouble is that as long as these people are paid, they are fit, but as soon as they get out of service and are prepared to do honorary work, they become highly unsuited for the same work which they had been doing in their paid capacity. How is my honourable friend, Nawab Talib Mehdi Khan now unfit for the work which he could discharge so efficiently in the capacity of Deputy Commissioner? Similarly, my friend Raja Narendra Nath was a good judge as long as he was paid a few thousand rupees, but as soon as he retired and was willing to work honorary, he became highly unfit for the work. This is no argument. The honourable member ought to have raised his objection against any rule or the application thereof. Again, Sir, how are the honorary magistrates worse than other paid magistrates? We daily hear cases of corruption being instituted against paid members of judiciary, but have you ever heard

that an honorary magistrate was tried for corruption or otherwise? For a dishonest member of the judiciary you have to appoint a commission, try him and observe various other formalities before you can get rid of him, but in the case of an honorary magistrate, if he is dishonest and corrupt, you have only to write to the authorities and after three years, if he is not removed from his office in the meanwhile his period of office expires. This is really a funny argument that a man is fit if he is paid, but he is unfit if he is willing to work honorary. Even before the advent of the British Raj we had our *panches* who decided such cases and if we abolish these honorary magistrates, we shall be proving our incapacity to discharge the duties of a judge without partiality. If a magistrate is biased and is likely to side with a party, the ordinary course is to apply for the transfer of the case to some other court. This is done almost every day, and that without any great expense or inconvenience. Why then should we use this argument against the very institution of the honorary magistrates? Appoint first class magistrates in a place where they have no relations or where they have not any party to favour. These are the ways of improving the institution. You must suggest some constructive criticism and not seek to destroy an institution which is hallowed by ancient custom and remembered for the useful service rendered to the people. If the honourable member had levelled his criticism against the rules or their application, I would have found some cause for supporting him but to denounce the whole class of honorary magistrates as such can never have the support of any reasonable and fair-minded man in the House. Is there any class of public servants who as a class are above reproach. Are the barristers all good men? Have they no black sheep among them? We know what sort of men these barristers are. If we do not move for their condemnation, why should they ban the honorary magistrates as a whole for the faults of a few?

**Mr. President:** Order, order. The honourable member will please speak to the question and not wander away from it. (A voice: He is an honorary magistrate himself).

**Khan Bahadur Chaudhri Fazl Ali:** I was submitting that every class of public servants has a few black sheep and so do the honorary magistrates have a few. We should, therefore, use some means to eliminate such evil doers and create a very healthy class of men. If we succeed in so doing, we shall see that we have created a most useful class of men. But if some honorary magistrate has done you some harm and you want his sins to be paid for by others, then I must resist any such attempt.

[At this stage the honourable member resumed his seat and Mr. President called upon Raizada Hans Raj to speak. But the honourable member (Khan Bahadur Chaudhri Fazl Ali) again stood up and began to continue his speech].

**Pandit Nanak Chand:** Sir, who is in possession of the House? Raizada Hans Raj has been called upon by you to speak.

**Mr. President:** After the honourable member (Khan Bahadur Chaudhri Fazl Ali) resumed his seat I called Raizada Hans Raj to speak.

**Khan Bahadur Chaudhri Fazl Ali :** I sat down because I saw you rising. May I continue my speech ?

**Mr. President :** Raizada Hans Raj.

**Raizada Hans Raj** [Jullundur-cum-Ludhiana (Non-Muhammadian) Rural] (Urdu) : Sir, there are two classes of honorary magistrates. Those who work in pairs on a bench and those who work singly. In towns and cities they generally work in pairs, and the sort of justice that they administer will be clear from the story I want to relate before you. Once a small suit was going on before a bench of honorary magistrates, in which the parties were men of substance. Both of them engaged very good lawyers, one of them engaging a European and the other a Rai Bahadur, a leading lawyer of the town. When the two had argued the case, the honorary magistrates fixed a date for orders. When the parties and their lawyers withdrew, the two honorary magistrates sat discussing which way to decide the case. One of the magistrates said " Now, look here, here is a European saying one thing; he could not have told a lie, so the case must be decided for him ;" while the other said, " True, the European could not have told a lie but the other is a Rai Bahadur and a leading lawyer. He could not have told a lie either." They, therefore, were at a loss to come to some understanding. This, Sir, is an example of the justice done by these honorary magistrates. They decide cases with reference to the personalities of the parties. Now we come to the case of those who sit in villages. As we all know they hold their courts in their villages which are generally situated at a distance of a few miles from the tahsils. They have no time fixed for holding courts and if they are inclined to annoy a party, they can and often do so very easily. For their courts, lawyers have naturally to be brought from long distances, and charge heavy fees. Now, if the honorary magistrate takes it into his head to annoy a party, he postpones the hearing of the case from 10 A.M. to 8 P.M.; and the result is that either the lawyer has to go back or he charges still higher fees. Moreover, if the lawyer reaches late in such cases, he is told that the case was taken punctually at 10 A.M. and was heard in his absence. Ordinarily we have a bar room and a shed for litigants attached to every court; but in the case of honorary magistrates sitting in villages who hold their courts in their own houses there is neither a bar room, nor any shed for litigants so that the lawyers and their clients are put to great inconvenience. These honorary magistrates have a munshi, who is a very important item in the whole show. He is the "*charge de affairs*" of the court and the philosopher, guide and friend of the magistrate. Because of his wielding such a great influence over the magistrates, the litigants are anxious to purchase his advice.

The honorary magistrates have also a very peculiar way of patronising the lawyers. They choose one favourite, who makes his relations with the magistrate known to the public. The magistrate shows him every courtesy, and accommodates him in every way to the exclusion of others. The result is that generally that lawyer alone is seen appearing in the court of the magistrate for one side or the other. Besides, he can be easily traded because he generally appears in the private law suits of the magistrates, in addition to rendering other kinds of personal services also.

If the institution of honorary magistrates is to continue at all, I would strongly urge that they should be made to hold their courts in tahsil headquarters instead of holding them in their houses in the villages.

It has been said that these honorary magistrates do not accept bribes. But, Sir, I submit that injustice is not done through the acceptance of bribes alone. There are other ways of doing injustice as well. Generally, these magistrates look for some indication from the Deputy Commissioner or the police for the decision of their cases in the same manner as their honourable brethren who happen to get elected or nominated to this Council look to the Government Benches for recording their votes. They are mortally afraid of the displeasure of these demi-gods. That is why all the cases in which Akalis were prosecuted for keeping a kirpan or for entertaining a *jatha* were decided in a particular way.

According to the new rules, the honorary magistrates are appointed for three years only, so that in the interest of their reappointment they cannot afford to ignore the wishes of the district authorities.

I would have no quarrel with these magistrates even if they accepted bribes, provided that they did not ignore the claims of justice. This reminds me of a tahsildar who would not decide any case against the law even though he did accept bribes. He argued that his pay was not a sufficient price for the justice that he was required to administer; so he fixed his own living wage, and made it up from the proper persons as opportunities arose. He took care that he took money only from those who were on the right side, and who could afford to pay. Such instances of regulated bribery are rare; but one can sympathize with the economic pressure which forces them. People in these cases, are sure that they can get justice even though they have to spend a little extra. But our honorary magistrates neither do justice for its own sake, nor do they sell it. They simply administer justice according to the dictates of the police officers or the Deputy Commissioners. This, I submit, is more harmful than taking bribes and is also more dishonest.

Some of the honourable members have stated that there were *panches* before the advent of the British. Quite so, but those *panches* were quite different from these honorary magistrates. They were elevated to their position as *panchēs* by virtue of the services that they had rendered to the community for a very long time. They had also unblemished characters. They were never appointed by the Rajas nor were they appointed by any officer. They attained to the position through honest service. They were not appointed because they were rich, nor because they were influential in the way in which these honorary magistrates are. There is, therefore, a lot of difference between the *panches* of those days and the honorary magistrates of to-day.

**Mr. President:** I will ask the honourable member to speak to the question. I do not think he is discussing the appointment of honorary magistrates.

**Raizada Hans Raj:** I was submitting that in reply to the point raised by some other speakers. However, I shall not refer to it any longer. Another speaker said something about Home Rule and the honorary magistrates. These honorary magistrates, I submit, are not at all helpful in the

[Raizada Hans Raj.]

cause of national progress. On the other hand they are a great hindrance to any progress in that direction. These people mislead the officers and Government. If these honorary magistrates are to be helpful in the cause of Home Rule, I submit that they should be appointed by election. It would not be fair on my part if I do not acknowledge that there are many honorary magistrates to whom my foregoing remarks do not apply in any degree. They are a source of pride to their community, and an ornament to the bench. But they are exceptions rather than the rule. We cannot accept the present system, and I therefore support the resolution.

**The Honourable Sir Geoffrey de Montmorency** (Finance Member) : Sir, a similar resolution to that which the honourable mover moved just now was moved on the 18th January 1926 by the member representing East and West Central Towns, non-Muhammadan constituency. After a few speeches the House appeared to be somewhat languid, and on an enquiry from the Honourable the President it was ascertained that the wish of the House was that the discussion need no longer be continued. I am somewhat surprised in view of the past history of the case in this House to which I shall refer again later that the honourable member has moved this resolution again. I may first of all briefly state what our honorary magistrates' agency is and what work it does. There are in the province 389 honorary magistrates of whom 88 only exercise first class powers sitting singly. Of the remaining 326 more than three-fourths sit on benches and exercise second and third class powers. In 1925 which is the year for which the latest figures are available the amount of work done by them was as follows :—Honorary Magistrates of second and third class sitting singly or on benches disposed of 26,959 cases. Honorary magistrates of the first class sitting singly disposed of 15,713 cases. Honorary civil judges disposed of 21,149 cases. Now, Sir, if these cases had been removed from the honorary agency and made over to the stipendiary agency to dispose of, I reckon that the change in the agency would probably cost the province about 9½ lakhs of rupees recurring. The honourable mover of the resolution has cast some doubts on the manner in which the financial effect of such proposal has been arrived at in the past, but after looking into it, I admit that this forecast might be wrong by some thousands of rupees, but I do not think it would be seriously wrong. If there is anything radically wrong fundamentally with the system or if there was serious injustice or inconvenience to the litigants and the public, no doubt 9½ lakhs recurring would be a small sum to pay to get rid of this; and perhaps this House if the proposition was put to them would in those circumstances be only too glad to agree to the proposed expenditure in such circumstances. The question really is whether there is anything fundamentally wrong with the agency from the general point of view or fundamentally wrong with the way in which it is worked. Some honourable members may have the idea that the whole system of honorary agency is time-worn and antique and it is only fit to be scrapped. They may think this is a rapidly developing country and the whole system of an honorary agency is old fashioned and ought to be done away with. But as some honourable members remarked, honorary agencies exist even in the most democratic countries. It has always been considered in countries with representative institutions that in certain matters the people should assist

the Government to some extent in the work of governing and should govern themselves. In my country, for example, the Irish Free State which in administrative details since it became a Dominion is more democratic than the demos itself the honorary agency flourishes, and it is being expanded from day to day. In my country town the Mayor, certain members of the Corporation, certain leading merchants and certain other citizens of position have honorary powers. In the rural tracts also some leading farmers and other persons who are locally respected have powers. These persons acting singly dispose of a lot of miscellaneous work, such as issuing warrants and summonses for the police and taking down depositions and affidavits. Sitting together as a bench they dispose of criminal cases and also perform certain functions under the licensing law.

Now, Sir, it is considered essentially fitting that persons of this kind of standing who possess proper qualifications should undertake public responsibility of this nature and relieve the State of the expenses of increasing the stipendiary agency. The State in Ireland provides petty sessions courts in which this agency hears cases, and also provides them with clerks. I will not pursue the subject in other western and democratic countries; all I want to make clear is that there is nothing incongruous or retrograde or old fashioned about the existence of an honorary agency of this kind even in the most democratic countries.

India aspires to full responsible self-government. India is beginning to work representative institutions. I cannot believe, as the honourable mover who introduced this resolution apparently would like me to believe, that the Punjab is unfit to work this very ordinary concomitant of representative institutions. I do not believe that this is the general opinion of honourable members in this House. In the Punjab there is even a stronger reason for the existence of the honorary agency; for in certain parts of the Punjab, as for example, Dera Ghazi Khan, Kangra, the local Tumandar or the Raja respectively had this kind of power before the advent of the British rule. The investment of such persons, where qualified to decide petty cases in their tribes or in their estates, is only a continuance of an old ancestral and historical privilege.

Now, Sir, let me refer to the more recent history of the honorary agency as is known from the proceedings of this House. As several honourable members have stated, a resolution to appoint a committee was moved in 1922 by Mian Beli Ram and the resolution was accepted and passed. His main object was that a committee should be appointed to make recommendations to bring the honorary agency more in accordance with modern needs and conditions. I think this honourable member in supporting his resolution at that time laid his finger on what was a weak point in the system.

He stated that many persons sought these appointments more with a view of enhancing their own status and position than with the purpose of doing really useful work to the public. He went on to say that in some cases these persons were poorly qualified to exercise judicial functions. To sum up, his criticism was that while he had no complaints against many of the gentlemen exercising the powers of honorary magistrates, he thought there was a tendency

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to stress too much the honorific side of appointments of honorary magistracy at the expense of the question of efficiency and public utility. After the committee's report was received by the Government, a set of rules was evolved and issued in 1923. The honourable member who moved the resolution seemed to think that if a different kind of committee had been appointed perhaps the agency might have been abolished altogether or we might have had a better set of rules. Several honourable members have referred to the rules. I think the rules, if they are examined, make a very adequate and very reasonable provision, for an efficient agency. A copy of these rules was laid on the table of the House, and so I am referring to them. The first rule is that appointments should be made solely for the benefit of the public and not for the sake of rewarding the person appointed. The rule goes on to state that among the qualifications for the appointment are, that persons appointed must possess ability, common-sense, a sense of justice and a sufficient knowledge of law and procedure. Other qualifications are stated to be—

- (a) general character and reputation ;
- (b) feudal claims in the areas where they exist ;
- (c) loyal service ;
- (d) influence and popularity.

But loyal service and popularity alone without other qualifications give no claim. No one should be appointed who is not free from pecuniary embarrassments such as would lead to temptation or who is unable to read and write the vernacular fluently. Other important stipulations are that proposals for reappointments are submitted through the District Magistrate and the Commissioner to the High Court and are submitted by the High Court to the Government. Now, Sir, another rule is that the original appointment should be for three years with a proviso that it may be terminated or suspended by Government at any time. This, I think, meets the case to which the honourable mover of this resolution referred when he expressed his apprehension that when a man is once appointed an honorary magistrate he is to have it as a *jagir* for his life, and you could never get away from him or escape from his clutches. Another important point was that the honorary magistrates should be encouraged to pass the Extra Assistant Commissioner's departmental examination by the lower standard. Another important point was that the limits of age were 30 and 65 years, though neither limit should be regarded as hard and fast. Another important rule was that the court of every honorary magistrate should be inspected at least once a year by an experienced judicial officer whose report should be submitted by the District and Sessions Judge through the High Court to the Government. Another rule to which, no doubt, the honourable member from Amritsar would attach good deal of importance, is that honorary magistrates and subordinate judges should sit at the tahsil head-quarters or in towns and should hold their courts in fixed places not used as residential quarters, and they should observe regular court hours. Now, Sir, these rules were subsequently supplemented by a letter issued by the Government to all Commissioners in December 1923 to the effect that when it was proposed to appoint an honorary magistrate if he had not any previous know-

ledge of law, he should ordinarily be required to study certain portions of the Indian Penal Code and the Criminal Procedure Code, and to satisfy the Deputy Commissioner that he had done so. It was also laid down that such a person should be required to attend the court of a magistrate for at least 15 days in order to familiarise himself with the ordinary procedure; and it was stated that in future whenever an application or recommendation for an appointment was forwarded to the Government, the Deputy Commissioner should definitely state whether this course of instruction had been followed. Now, Sir, these rules and instructions have since then been carefully enforced and insisted on. They have been very rigidly applied in all cases of new appointments. They are now beginning to operate in the case of renewals. The reason of that is that under the previous rules many honorary magistrates were appointed for longer periods such as five years and their periods are only beginning to expire now; and as they expire, in the case of proposals for their renewal with powers, the new rules come into force and are very strictly enforced. Renewals of powers do not take place now as a matter of course; but both the basic qualifications of the person whose powers it is proposed to renew and the reports of the inspections of his court are very carefully examined both in the High Court and by Government before orders for the renewal of three years are issued. This rigid scrutiny has caused some heart-burning in the case of gentlemen whose powers we have found it inadvisable recently to renew; but Government's intention is to work these rules strictly (*hear, hear*) and try and improve the agency from the point of view of the quality of work as far as it possibly can. The tendency as regards new appointments will be rather in the direction of adding to benches in the case of honorary magistrates with second and third class powers, and not in the direction of creating many new magistrates of this class to sit singly. As regards the working of the agency, from what Government hears and from a perusal of the inspection reports, Government is of the opinion that a good deal of very efficient and careful work is being done, and that there are ample prospects of real utility in the agency in future. Government believes that the agency, especially in small towns, does constitute a real convenience to the people, and it is also satisfied that it dispenses substantial justice. The honorary first class magistrates, who sit singly, are chosen with the greatest care and include among their ranks many experienced Deputy Commissioners, senior Sub-Judges and other retired Provincial Civil Service men and others who by long years of work as honorary magistrates have displayed a capacity equal to, if not better than, that of the average Provincial Civil Service Officer. For all the reasons I have stated, Government is of the opinion that the agency performs a really useful function; that its existence is constitutionally justifiable, and that it should be continued; and I give honourable members an assurance that the rules which I have explained will be very strictly adhered to and followed. For these reasons, Sir, I hope the honourable member will see fit to withdraw his resolution that the agency should be abolished in three years' time. Only, it seems to me, on one ground, supposing the agency continues to work well, would Government be justified in even considering the abolition of this agency? If a day ever came when the panchayat movement took a really strong root in the province (*hear, hear*), if it extended and if we saw the growing up in the rural areas

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strong, impartial and honest panchayats; if that day ever came, Sir, I think Government might then examine whether it should not do away with some, at any rate, of the honorary magistrates and entrust to the grey-beards of the panchayats in the village *chauk* the settlement of many of those disputes which now occupy the work of the honorary magistrates. (Loud *hear, hear*—and applause).

**Chaudhri Afzal Haq :** [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural (Urdu) : Sir, while moving my resolution I was very careful in making my remarks about the agency of honorary magistrates because I thought my honourable friends would get annoyed if I indulged in some realities relating to the miscarriage of justice. In spite of this, I am sorry to note that one of my honourable friends has made some undesirable remarks. I wish he could have known that I had only mentioned those facts and points which are amply corroborated by the official reports of Government. In this connection I may be allowed to quote the exact words of the committee which was appointed by the Government in this behalf. The report says :—

"Further there is evidence to show that there are instances of honorary magistrates and judges having used their official position in their personal interest and having shown spite or favour in their decision."

These remarks need no comment on my part, and I venture to say that those persons who have made adverse criticism of the resolution under consideration belong to the category mentioned in the passage I have just quoted before you.

Sir, a reference was made that I had not gone through the latest instructions on the subject. I beg to assure my honourable friends that I had carefully gone through the instructions and had further made enquiries as to whether they were being carried into effect or not? I am sorry to confess that the result of my enquiries disappointed me, and I was obliged to bring forward a resolution of the type I have presented before the House. My honourable friend from Gujranwala (Urban) has very rightly remarked that the instructions of the official report have not been acted upon in the right spirit. I am also of the same opinion that nobody ever cared to act according to the instruction laid down in the report. It has been suggested by my honourable friend from Amritsar (Urban) that a sort of controlling board might be established to guide this agency of honorary magistrates. I submit, Sir, that the committee had also made a reference to this effect, but Government has done nothing so far in this direction. The committee had further pointed out that some sort of provincial board might be constituted, but in this respect also Government has not done anything. Had these boards been constituted, I would have never moved this resolution. Sir, we have often seen that the instructions of Government are not generally carried into effect, but they remain a dead letter. The committee recommended that the appointment of *zaildars* as honorary magistrates was undesirable, but in spite of this, Government has been appointing *zaildars* and *lambaridars* as honorary magistrates. It was clearly defined by a high British officer that :—

"Appointment should be made solely for the benefit of the public and should not be made with the object of benefiting or rewarding the person so appointed."

Sir, if Government gives an assurance that these zaildars and other military persons would be removed from this agency, I shall withdraw this resolution. Now, Sir, it has been argued that at present the appointments are renewed after every three years, but I must explain that this condition is not conducive to any public good. It only obliges the incumbents to go and prostrate before the District Magistrates after three years to get the coveted boon. Formerly, they had to try once for all but now they have to make frequent requests. That does not help much, and the present situation remains unchanged. Sir, it has been remarked by the Honourable Finance Member that in European countries such agencies are administering justice to the public. I am ready to concede it, but at the same time I would submit that in England although this agency does exist in villages, yet in cities and towns there is nothing like these institutions. In this connection, I would also point out that there is a world of difference between England and this country. Here we have got an alien Government which has no real sympathy with the aspirations of the public. In fact Government applies this agency to put a stop to all the national movements just as my friend from Amritsar has stated in the House. When such honorary magistrates who are created by Government are vested with judicial powers they misuse them right and left, and overawe the public in various ways. This is a great injustice to justice itself. These men are appointed because they are strong supporters of Government.

Then, Sir, some of the honourable members have urged that this institution is economical, and that the removal of this agency will entail a considerable amount of expenditure. I think, Sir, only a small amount of seven lakhs or nine lakhs should not stand in the way of justice. But if Government is really desirous of curtailing the expenditure of justice, the Honourable the Finance Member should stand up and declare that Government want to decrease the number of magistrates, and that he is desirous of having officers with similar smaller salaries. I assure him that in that event many of my friends will come forward to work not only honorary, but also they will be prepared to pay something for the high posts. I submit, Sir, that it does not behove Government to put forward such a flimsy argument. It ought to have been advanced on behalf of the honorary magistrates. Ordinarily Government appoints a big zamindar or a big rai of his Ilaga as honorary magistrate and he practices his high-handedness upon people of lower status. This means that a big tree is planted to impede the progress of smaller plants or Government arms big people with the powers of magistrates to molest harmless men. This agency is cruel and practices tyranny on poor people of the province. It is a matter of regret that in our country no such movement is set up against this agency. This is deplorable.

Sir, I do not propose to go into further details of this matter, although I have received a number of complaints against honorary magistrates which are distressing. Lest some of my honourable friends should be annoyed, I would leave this matter aside and only emphasise that in the presence of this agency the honour of the public is at stake. I am not going to press this motion to a division. I moved this resolution simply to know what attitude Government takes in this important matter, and at this juncture I would like to postpone it for a year or so, so that I may be able to study

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the situation in the light of further experience, and if the Honourable Finance Member desires that I should withdraw this resolution I beg leave to withdraw it with pleasure.

The resolution was by leave withdrawn.

RESOLUTION RE ACCOMMODATION OF POLITICAL AND MARTIAL LAW PRISONERS IN THE PUNJAB JAILS.

**Chaudhri Afzal Haq :** [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural], (Urdu) : Sir, I beg to move—

"This Council recommends to the Government to take necessary steps to accommodate in the Punjab jails all the political prisoners of this province including the martial law prisoners who are serving their terms of imprisonment in the jails of other provinces."

Sir, the system in vogue in the Punjab jails is that a convict, sentenced for transportation for life, is sent to Port Blair penal settlement provided his health is good and no defect in his body is detected, otherwise he is kept here to serve his sentence in the Punjab. In the Andamans, at present, there are about 7,000 men among whom the Punjab constitutes a share of 2,000. An effort was made to establish a Moplah colony there, but owing to the agitation against the colonisation scheme Government has decided to give up that idea. In fact this step was taken in pursuance of the recommendations of the Jail Commission of 1919 which submitted its report in 1922. The commission laid down that a sentence of transportation was inadvisable because the climate and locality of the penal settlement at Port Blair was not agreeable to Indians. This was also admitted by Provincial Governments, and some provinces have since refrained from sending their prisoners to the Andamans, but the average share of the Punjab is about three-fourths. Efforts are being made to create a Punjabi settlement in the Andamans so that convicts might be sent over there and arrangements be made for the conveyance of their wives and children and their other relatives choosing life in the Andamans. In this connection, Sir, I wish to invite the attention of the Government to three main objections that can be raised against the proposal. The first objection is that according to the rules of the Andaman settlement, a convict shall have to live there for 20 or 25 years, and moreover if the superintendent finds that he is a dangerous criminal he can further enhance this term, and the convict can be detained there for an immeasurable length of time. The second objection relates to a remission of sentence. Here in the Punjab, prisoners are entitled to a remission of one-fourth of the period while in the Andamans no remission is granted. My third point is that if these prisoners are kept in the Punjab jails they will receive remissions and will come out of jails after serving 11 or 12 years only. For these three reasons, Sir, none will like to go to the Andamans.

The second part of my resolution relates to the martial law prisoners. It seems, Sir, that Government, up till now, has been acting against these prisoners with some sort of vengeance. Its present treatment is uncalled for. There are some convicts, who have not been transported and are serving their sentences in the Punjab, but Government has issued instructions that they should not get even jubilee remission, i.e., 14 months' remission in the course of 14 years. In its instructions dated the 20th May

1920, Government has laid down that this remission should not be granted to martial law prisoners, although the convicts who committed offences amounting to murder and arson are entitled to it. It clearly shows that Government has issued these orders under the influence of a revengeful spirit.

**The Honourable Sir Geoffrey deMontmorency :** Is the honourable member in order in referring to the question of remission while recommending that political prisoners including martial law prisoners should be brought back to the Punjab jails ?

**Mr. President :** I think the honourable member is giving reasons why the martial law and political prisoners should be brought back to the Punjab jails. He says that remissions are given in the Punjab, while remissions are not given elsewhere. I think he is in order.

**Chaudhri Afzal Haq** (continued in Urdu) : I have already explained, Sir, that these concessions are not allowed in other provincial jails as well as in the Andamans. This can be illustrated by the fact that those prisoners who were kept in the Punjab will be released within a year, while those who were sent abroad to the Andamans will have to serve another period of 7 or 8 years in accordance with the rules which are observed in the Port Blair settlement. It seems, Sir, that Government has not cared to go into this matter. It is laid down in the correction slip No. 81, Jail Manual, paragraph 516-B :—

"516-B.—(1) The case of every convict sentenced under sections 221, 222, 302 or 311, Indian Penal Code, to transportation for life and every convict sentenced to cumulative period of rigorous imprisonment aggregating more than 14 years who has undergone a period of detention in jail amounting together with remission earned to 14 years shall be submitted through the Inspector-General for the order of Local Government.

and the second part of the paragraph runs thus—

"(2) The cases of all convicts sentenced to transportation but confined in jail without a commutation order in default of transportation as required by paragraph 726-A., excepting those specified above shall be referred to the Local Government after 10 years including remission instead of 14 years."

Sir, my submission is that if these prisoners were incarcerated in the jails of the Punjab they would have been released after serving 11 or 12 years, and, under paragraph 2 of the slip I have referred to, they would have been let out of the jail even before ten years. I do not make an appeal for mercy. I wish that justice be done to the martial law prisoners. Government should reckon them as ordinary prisoners so that they may also earn the remission provided for under the rules.

Now, Sir, I would like to point out that by sending ordinary prisoners to Port Blair, Government, in a way, is enhancing the term of their imprisonment which is quite unjust and improper. The honourable the Home Member of the Government of India, Sir Alexander Muddiman, in the course of his speech in the Legislative Assembly, which was delivered on the 21st August 1926, declared that "a remission of one-third of the period was sanctioned." It has been assured that in Port Blair convicts shall also have a remission of one-third of the period. I confess I am unable to understand the significance of this assurance. May I know whether Government will sanction one-third remission of the term of 14 years or that of 25 years which is in

**Chaudhri Afzal Haq.]**

vogue in the Andamans? If by that period Sir Alexander means the period of 25 years then I would submit, Sir, that the period of imprisonment will never be decreased. But if this remission of one-third is allowed out of the 14 years in the Andamans I am ready to withdraw my resolution. I once more urge that Government must give its close consideration to the pitiable condition of these prisoners. It may be due to some negligence on the part of some officers, but the fact is that the complaint is there and Government should lose no time to remedy it. Besides this, Sir, our prisoners are kept in other provinces and no heed is paid to the climatic conditions of those places which may not agree to the health of the prisoners and in addition to this no remission is allowed in other provincial jails as they do here. I can quote the instance of Gutta Singh who was sentenced to 5 years along with other convicts, but was sent to another jail out of the province. Those prisoners who were kept here have been released long ago, but Gutta Singh is still rotting in jail. In the end, Sir, I shall only ask the Honourable the Finance Member as to whether the remission referred to by Sir Alexander Muddiman relates to the term of 14 years or it is granted in the case of 25 years.

**Mr. President :** The resolution proposed runs :—

"This Council recommends to the Government to take necessary steps to accommodate in the Punjab jails all the political prisoners of this province including the martial law prisoners who are serving their terms of imprisonment in the jails of other provinces."

The question is that that resolution be adopted.

**The Honourable Sir Geoffrey de Montmorency :** (Finance Member):

Sir, as far as I have been able to discover, no martial law prisoners are confined in jails in other provinces. Up to a short time ago nine martial law prisoners were confined in the penal settlement of the Andamans. I am quite willing to send for the rolls of these prisoners and to see how the case stands as regards these prisoners. There are, however, 85 convicts confined in jails in other provinces. These are not martial law prisoners, but perhaps the honourable mover of this resolution would class them as political prisoners. I prefer to class them as persons convicted under Chapter 5-A and Chapter 7 of the Indian Penal Code, that is, persons convicted of serious criminal conspiracies against the State and of offences against the army and the navy. With one exception these prisoners were convicted during the war and in between the years 1915 and 1917.

They were convicted of one of the following offences or more usually of one or more of the following offences, conspiracy to wage war against the King, waging war against the King, abetment of mutiny, attempt to murder, dacoity with murder and abetment of dacoity. These offences, as honourable members will recognise, fall into very serious categories. They were all the more serious in that they were committed in times of war, at a time of great danger to India and the Empire. There is unfortunately proof that the leaders of these conspiracies in some cases received assistance from sources outside India and were instigated in the foolish acts which they committed by those sources. It should also be borne in mind that all these prisoners were convicted by ordinary courts under the ordinary law and they were not convicted by any special courts or under the Defence of India

Act or other war time temporary legislation. Most of them were sentenced to transportation for life or long terms of transportation for life such as 25 and 20 years. In the ordinary course all of them would have been transported to the Andamans. But at that time the Government of India considered that in view of the insecurity of the seas and the pressing need of troops for purposes other than that of guarding the convicts, it would be unsafe to transport a number of such dangerous conspirators at that time to the Andamans. It was considered at the same time dangerous and undesirable to continue to confine these dangerous conspirators in the Punjab jails. After discussion with the Punjab Government, therefore, it was finally decided that the gangs should be split up, that they should not be transported, but that they should be incarcerated in jails in other provinces. This was accordingly done; and the wisdom of this step became almost immediately apparent because of the very dangerous mutiny organised by a few of these prisoners in the Hazaribagh jail. At present there are 85 of these convicts of whom 34 were convicted in circumstances above mentioned. They are confined in jails in other provinces in the following detail :—

Twelve in Central Provinces, 14 in Bombay, one in Bihar and Orissa, 7 in Madras and one other prisoner, convicted in 1922, in Burma. Sir, in addition to the resolution which the honourable mover has brought before the House, the Government have from time to time received representations that these convicts should be brought back to the jails in our province. It has been represented that the climate of other provinces in some cases does not suit them, and that the distance is great if their relations wish to go to get first hand knowledge of their health and condition. Sir, after giving the most careful consideration to these points Government have come to the following conclusion. Firstly, that it would be highly undesirable to bring back at once the whole of these prisoners to the Punjab jails. These are conspirators of a very dangerous kind, and our jails are still overcrowded and congested and the supervision of all these convicts, if all of them came back, would offer at the moment insuperable difficulties. But Government have decided that owing to the changes in the atmosphere it may now be possible to consider the return to the Punjab jails of some of the convicts, if carefully selected. With this object in view Government will now carefully scrutinise the lists and consider the history and circumstances of each individual case and after this check, Government will take steps to secure the transfer to the Punjab of as many of these convicts as it considers in the public interest and having in mind the security and peace of the province can safely be transferred forthwith to the jails in the Punjab (*hear, hear*).

**Sardar Santa Singh** [Amritsar (Sikh), Rural] (Urdu) : Sir, the resolution before the House is that the Punjab prisoners be accommodated in the Punjab jails and those who are incarcerated in other provinces should be brought back to the jails in the Punjab. It has been stated, Sir, that these prisoners were conspirators, they perpetrated offences amounting to arson and murder and that they waged war against the Government. I make bold to say that this is not correct. Sometimes back when the Sikh community set up a movement regarding gurdwara reform their leaders were also arrested and hauled up before courts under sections 121A and 124A, etc., of the Indian Penal Code. How strange it is that these sections relate

to the conspiracy against the State, but the accused were demanded to give an undertaking to work out the Gurdwara Act for their release?

**Mr. President :** The honourable member would please speak to the question before the House and not wander away from it.

**Sardar Santa Singh** (continued in Urdu) : Sir, my submission is that we were also charged under the same sections which were brought against martial law prisoners. I wanted to explain how these accusations of dacoities and conspiracies are often brought against the patriots of India by the Government. I beg to point out that martial law prisoners did not partake of any conspiracy against the State but, on the contrary, their motives were honourable and patriotic. They loved their country and wanted to serve it. And this was the offence they committed.

**Mr. President :** The honourable member is again not speaking to the question. I would request him once more to speak to the question before the House.

**Sardar Santa Singh** (continued in Urdu) : Sir, I bow to your ruling and leave aside what I was saying. In conclusion I would point out that Government is keeping these prisoners out of this province under false pretences, while the public of this province wants that they must be accommodated in the Punjab jails. They have undergone several hardships, and now they should not be deprived of the facilities and concessions which are granted to the prisoners of this province.

**Sardar Hira Singh** [Lahore (Sikh), Rural] (Urdu) : Sir, the resolution before the House relates to the martial law prisoners, and I think every member of the House will agree with me that these men should not be sent over to other provinces in view of the fact that there the climate will not agree with the health of the Punjab prisoners. Besides this the relatives of prisoners feel it very difficult to keep in touch with them on account of long distance. This is quite unjust and improper. Moreover, Sir, these prisoners are deprived of the remissions that are allowed in the Punjab. This means they would never come back to this province. What I beg to say is that while martial law prisoners have returned to their home province these ordinary prisoners be also allowed the benefit of the remission.

**Mr. President :** The honourable member is repeating the arguments advanced by the mover of the resolution.

**Sardar Hira Singh** (continued in Urdu) : Sir, I beg to say that these prisoners may also be accommodated in the Punjab jails so that they may be able to receive the same remission which are allowed in the Punjab jails under the rules.

**Mr. President :** The resolution proposed runs :

"This Council recommends to the Government to take necessary steps to accommodate in the Punjab jails all the political prisoners of this province including the martial law prisoners who are serving their terms of imprisonment in the jails of other provinces."

The question is that that resolution be adopted.

The motion was carried.

**Rana Firoz-ud-Din Khan** [South-East Towns (Muhammadan), Urban]  
(Urdu) : Sir, the resolution that stands in my name runs as follows :—

"This Council recommends to the Government to constitute a Board of Industry to encourage and improve Indian manufacture in the Punjab."

Sir, at the very outset I am really sorry to observe that contrary to the general practice of European countries our Government has not kept any facts and figures regarding the number of the unemployed people in this country. There may be some justification for the neglect on the part of the Government and they may say that it is not possible for them to do so because the number of such people in this country is enormous. There may be some other ulterior motive as well for doing so because where there are such facts and figures available, it becomes the duty of the Government to try their utmost to remove unemployment. Look at the case of England. Whenever there is a small increase in the number of the unemployed, people begin at once agitating both in the press and on the platform and thus compel the British Government to take necessary steps for the removal of unemployment. So far as my knowledge goes, I understand that the Government has never shown any sympathy with the unemployed in this country. No efforts are ever made to solve the problem of unemployment. Sir, the majority of the population of the province is comprised of zamindars. About 70 per cent. of the whole population is comprised of zamindars and the remaining 30 per cent. are non-zamindars. Out of these 30 per cent. of people 10 per cent. at the most carry on some business and the remaining 20 per cent. are practically without any work. Out of the 70 per cent. of the zamindars the majority has got very small holdings, the produce of which is quite insufficient to maintain them and their families. Therefore, Sir, for these people there is no alternative other than to enter into some private service or leave their country for good. Being compelled by circumstances, the majority of such people go abroad where they have to put up with various sorts of insults and inhumane treatment at the hands of the foreigners. This disgrace is not theirs so much as of the country to which they belong. Sir, under such circumstances it is the duty of the Government to solve this problem so that the unemployed people in this country may be able to get some work to do and thus be able to earn their livelihood and reform their habits. By giving an ordinary instance I would refer the Government to the lines by adopting which they may be able to solve the problem. Outside this Chamber, there is a map hanging against the wall with numerous black dots which show the number of dispensaries established in the country. It is hoped that in future with the progress of civilization there would be a proportionate increase in the number of diseases and naturally the number of dispensaries will have to be increased. Sir, besides medicines a good many other things are required for the use of these dispensaries, such as surgical instruments and various kinds of cotton goods. I request the Government to adopt such methods as we may be able to manufacture these things in this country. Such steps, if taken would greatly help to remove unemployment from the country and make it self-supporting. Before the outbreak of the great war various medicines were imported into this country from Germany. After the outbreak of the war the importing of the German goods into this country was

[Rana Firoz-ud-Din Khan.]

stopped and both the medical men and the patients have to face difficulties for want of medicines. Therefore, Sir, in order to avoid reappearance of such a state of affairs, I strongly advise the Government to devise certain means for encouragement of Indian industries. Sir, is it not the most deplorable state of affairs, that certain raw materials are exported from here which, after being converted into manufactured goods, are re-imported into this country and sold at prices which bear no proportion at all with the original prices? Take the case of cotton. India grows the largest amount of cotton in the world. It is exported to Europe and is re-imported in another form into India for medical usage. Sir, this can be done here. The Government may start a factory for the purpose of manufacturing such goods in this country. Leaving aside the question of medicines, medical instruments can be made here. For example, dental instruments are made in Jullundur, Kotli and Sialkot. They are nicely finished and are as durable as those of foreign make. The Government should encourage such industries. If they accept my proposal I am sure that on the one hand the double benefit of labour and capital would not go to foreign countries, and on the other hand our own country would grow rich. The steps that I have proposed for the encouragement of native industries are considered always essential for self-governing institutions. For self-Government, it is a condition precedent that a country should be self-supporting. It is fatal if we should remain looking to others for our necessities of life. You can manufacture goods of all kinds in your own country. In this resolution, I have asked the Government for quite an ordinary thing, that is, that they should constitute a Board of Industry to encourage the Indian manufacture in the Punjab. The Board if constituted can notify where a particular article is manufactured, wherefrom it can be had and at what prices? You have got an Information Bureau and these things can be done very easily. This problem is becoming very acute every day. Politics are closely connected with the economic question of a country. The problem now before the House is very much complicated and difficult. Therefore, it is in the interest of the public, in the interest of the unemployed, in the interest of law and order and in the interest of the Government itself that this problem of unemployment should be solved once for all. We realise that the Government is paying attention to the development of agriculture. We are thankful for it. But it does not suffice because the Government is ignoring other industries of the province. We do not aim at partial success. We want complete success. I cannot say anything definitely with respect to agricultural development but there may be some ulterior motive of the Government in the development of agriculture. About the time of the appointment of the Agricultural Commission, I read from an English paper that the industry of agriculture was being developed only with a view to increase the average income of the zamindars, so that he may be able to purchase English manufactured goods in more quantity than before. It is one of my objects in moving this resolution that the Government should devise certain means to ensure that the money may not be taken out of the pockets of the zamindars by foreigners and that it may be usefully spent here in our own country. If no attention is paid to this request of mine, the zamindar would fall into bad habits. He would squander away his money and become immoral.

This would mean a double loss to the country, loss of wealth and loss of character. In conclusion I would request the Government that just as in matters of taxation they try to keep up the balance between the zamindar and the non-zamindar, they should do so in matters industrial as well. Where they are trying for the welfare of agricultural tribes, they should not ignore the welfare of non-zamindars. Let industries other than the agriculture be developed side by side with the latter. With these words I commend my resolution for the acceptance of the House.

**Mr. President:** The resolution proposed runs:—

"This Council recommends to the Government to constitute a Board of Industry in order to encourage and improve Indian manufacture in the Punjab."

The question is that that resolution be adopted.

**Dr. Gokul Chand, Narang** [North-West Towns (Non-Muhammadian), Urban]: Sir, I congratulate the honourable mover of this resolution which really betokens a marvellous change in the attitude of the members of this Council. It is really most refreshing that a proposal like this should come from a representative of the zamindar community. He is a representative of the zamindar community because he is a zamindar himself in one sense or another, though he is a member of the same noble profession to which I have the honour to belong. You will remember, Sir, that during the first session of the Council of 1924, the last Council, I moved a resolution calling upon the Government to make all its purchases from Indian markets and supply all its needs by purchasing Indian manufactured goods. The result of that resolution was a very heated discussion in this House and I was obliged to withdraw my resolution because from almost every quarter of the House I was opposed. I am, therefore, doubly glad that this proposal has come from Rana Firoz-ud-Din Khan, who is a representative, as I said, of the zamindar community. As he has explained, the real good of the zamindars as well as of the non-zamindars lies in the combination of capital and labour and if capital and labour are judiciously combined, there is no reason why unemployment should not disappear from this country. It is really unfortunate that India which grows probably the largest amount of cotton should have to depend upon foreign countries for its supply of cotton goods whereas the country which does not grow an ounce of cotton, an ounce of *kapas*, should be the biggest manufacturer of cotton goods. It is really a matter which ought to put the Indians to shame, and I am sure if they were free agents they would feel ashamed, and it also must impress upon those who are in charge of the destinies of this country the importance of their duty in this direction. Unfortunately it so happens that the country that has the destinies of India in her hands is a manufacturing country and its prosperity, greatness and glory depend mainly upon its industrial superiority. It is, therefore, unfortunately not in the interests of that country to develop the industries of India. However, as they are in charge of the destinies of the teeming millions of this country, I am sure even if they have to do it to a certain extent at the expense of their own country, they will do their duty by India also. My learned and honourable friend has moved for the constitution of a Board of Industry which would see to the manufacture of various articles of necessity in this country and to encourage their manufacture in this country. That board may or may not be constituted,

[Dr. Gokul Chand, Narang.]

but if the Government were more sympathetically inclined, I think the machinery that exists at present can be exploited to carry out the object which the honourable mover of this resolution has at heart. We have a Minister who is in charge of industries and to that extent, we have got self-Government. No doubt the Minister has not got all the powers that he would like to have for the improvement of industries in this province, still to a certain extent he has it in his power to give an impetus to the manufacture of articles of necessity in this province within the limited means that are at his command. There is also the Standing Committee for Industries attached to this Council, although I am afraid no meetings of that committee have ever been called or if they have ever been called they have been very rare, extremely rare, probably not even at the rate of once a year. I should like to be corrected if I am wrong in that respect. But even if meeting once a year or twice a year the Standing Committee for Industries cannot do very much, and the pace at which the development of industries is taking place in this province is really very, very slow. I assure the honourable members on the Government benches that I am not speaking in any spirit of carping criticism or in a complaining or condemnatory manner. I am only stating a fact when I say that the state of industries in this province does not do credit either to the people or to the Government in this province and it is time that both the Government and the people wake up to the poor state of industries in this province.

As my honourable friend remarked the attention of Government has been absorbed only by one branch of industry, namely, the agricultural industry. I, on behalf of this province, if I may say so, thank the Government even for this small mercy. Agriculture is also an important industry on which the living of this province depends. It is a different matter if the Government is taking particularly keen interest in the development of agriculture in this province with another motive, that does not matter in the least so long as at least one industry of the province is being developed, but I would like to point out that agriculture would not be complete and would not be a success unless there are factories which can utilise the raw products of the country in the country itself. The zamindars who have to export their raw material to foreign countries will certainly get greater value for their produce if they had factories near at hand to which they could carry their produce without the slightest trouble. The expenses of cartage, of railway, of steamship freight, of middlemen and the manufacturer's profits abroad would all be saved and the agriculturists would share in those savings just as those who actually convert their raw material into manufactured goods. I see also another advantage which will be for the benefit of the country if greater attention were paid to industry. This sharp division which has been created between the rural and the urban, the zamindars and the non-zamindars, will also disappear to a very great extent and the gulf will be abridged over if the producers, namely, the agriculturists made common cause with the manufacturer. The zamindars contribute their labour and their raw material and the capitalists contribute their capital and stand together to the benefit of both the parties, namely, of the agriculturists and of the manufacturers. I see this additional advantage in paying greater attention to the development of industries.

I once suggested several methods by which the industries of this province could be encouraged. I do not want to repeat them. I think it was in my speech made on the occasion of the Budget in 1925. If the Honourable Minister for Industries at all feels interested, he will be pleased to take the trouble of looking into what I said in my speech in 1925 and not only look at it from mere curiosity but also try to carry out the suggestions if he thinks that those suggestions are worth carrying out.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture): Sir, I heartily join Dr. Gokul Chand, Narang, in congratulating the mover of this resolution. I am really glad that interest in matters industrial is awakening in this Council as also outside this Council. I firmly believe that the work before this Council in the matter of industry and economic development of this province is of very great importance and perhaps of greater importance than the House has hitherto attached to it. If the honourable members of this House would study what happens in the House of Commons in England and other countries, they will find that the social and economic problems of the country attract more attention of the House than anything else. We, Punjabis, I am glad to say, are awakening to our economic needs and I am quite sure that once we set our hearts towards the development of industries we will attain a fair measure of success. If the members will remember, on the 18th March 1926 while speaking in this House I mentioned that the Government was proposing to form a development board. I am rather surprised that well-informed members of this House are not yet aware that this board has been formed. A joint board of both agriculture and industries has been formed. This board fulfils the purpose which the two speakers who have preceded me have explained.

**Dr. Gokul Chand, Narang:** We have not heard anything of the Development Board in this Council at least.

**The Honourable Sardar Jogendra Singh:** This board of industries and agriculture has been formed, and this is in a large measure due to Mr. Barron. If I am intervening in this discussion now, it is as President of the Board. I think the members will be glad to hear that the first meeting of this board is going to be held on the 12th April and we are placing before this board some of the most important problems of which I have spoken in this House before. We are going to invite the attention of this board and seek its advice as to how to make the best commercial use of the hydro-electric power which will be available in 1930. We are also going to ask how we can promote the manufacture of cloth and help such centres as Jalalpur Jattan and others where weaving has flourished for many centuries.

**Rana Firoz-ud-Din Khan:** May I know the constitution of the Board, Sir?

**The Honourable Sardar Jogendra Singh:** I am coming to that presently. We are going to place before this board the report of the sugar expert who was invited to investigate the sugar problem in the Punjab and whose report is now in print. We are also going to ask the board to look into the question of oil refining. The honourable member who first spoke mentioned that it would be of great advantage if the cotton seed could be

[The Honourable Sardar Jogendra Singh.]

debated. If he would come and call on me I would be pleased to show him the correspondence that has passed on the subject. We have also sanctioned the building of a gallery in the museum to display our goods. So, the honourable member will agree that the Government have anticipated to a greater extent the wishes of the Council. If I now read to the honourable member the notification announcing the formation of this board I think he will be satisfied.

The notification runs as follows :—

"In accordance with the announcement made by the Honourable Minister for Agriculture at a meeting of the Punjab Legislative Council held on the 18th March 1926, certain leading industrialists and gentlemen interested in the promotion of the industrial and commercial welfare of the province were requested to submit suggestions and concrete proposals for the formation of a Board of Trade for the Punjab and also to attend a meeting held for a discussion of the subject. The Punjab Government (Ministry of Agriculture) have after a careful consideration generally accepted the recommendations of this meeting and have accordingly decided to constitute an advisory body to be called the "Joint Development Board" for the purpose of studying, and from time to time advising Government as regards measures which can most suitably be adopted for the economic development of the agricultural and industrial resources of the province. In particular the functions of the Board will be—

- (a) to advise Government generally as regards matters as may be referred to it for opinion ;
  - (b) to suggest lines of investigation into the causes of the decline of industries and for the encouragement of new industries, and
  - (c) to advise Government regarding applications for assistance.
- (2) The following are nominated by the Punjab Government to serve on the board :—

#### PRESIDENT.

- (1) The Honourable Minister for Agriculture .

#### VICE-PRESIDENTS.

- (2) The Honourable Minister for Education.
- (3) The Financial Commissioner and Secretary to Government, Punjab, Development Department.

#### MEMBERS.

#### OFFICIALS.

\* \* \* \* \*

## NON-OFFICIALS.

*Representative of industrial interests.*

- (1) Lala Harkishan Lal, Bar-at-Law, of Lahore.
- (2) The Honourable Rai Bahadur Lala Ram Saran Das of Lahore.
- (3) Sir Daya Kishen Kaul of Lahore.
- (4) Mr. Lewis of Dhariwal.
- (5) Lieutenant Sardar Sikandar Hayat Khan, M.B.E. of Wah.
- (6) Rai Bahadur Lala Dhanpat Rai, of Lahore.

*Representative of agricultural interests.*

- (1) Mr. W. Roberts, British Cotton Growing Association, Khanewal.
- (2) Colonel Cole, Coleyana Estate, District Montgomery.
- (3) Diwan Bahadur Raja Narendra Nath, of Lahore.
- (4) Khan Bahadur Sir Sayad Mehdi Shah, of Gojra (Lyallpur).
- (5) Sardar Gurbachan Singh, Reis, of Alawalpur (Jullundur).
- (6) Khan Bahadur Chaudhri Fazl Ali, M.B.E., of Gujrat."

This was notified in the Gazette on the 22nd February. I think it is not necessary to go into the details of the Development Board. It is the intention that this Development Board should hold frequent meetings, appoint sub-committees and take up any questions that are brought to it for consideration. In view of what I have said, I am quite sure the honourable member will not press his resolution, as his resolution has already been accepted and action is being taken thereon.

**Rana Firoz-ud-Din Khan :** In view of the remarks of the Honourable Minister I do not wish to press the resolution. I accordingly beg leave to withdraw it.

The resolution was by leave withdrawn.

RESOLUTION RE ADMISSION OF PUNJABI STUDENTS INTO THE  
ENGINEERING COLLEGE, ROORKEE.

**Lala Bodh Raj** [West Punjab Towns (Non-Muhammadan), Urban]:  
Sir, I beg to move—

"This Council recommends to the Government to bear the educational expenses of all Punjabi students admitted since 1924 to the Civil Engineering classes of the Engineering College, Roorkee, and of those who may be admitted in future."

Sir, out of the nine thousand students now on the rolls of our University and intermediate classes over seven and a quarter thousand are taking the arts and science courses, five hundred are taking law, the same number medicine, while the engineering and agriculture each claim between one hundred and two hundred scholars. That gives at once the measure of predominance of the arts and science courses and the low proportion occupied by purely professional and vocational training. In the year 1924 the Punjab Government when called upon by the United Provinces Government to contribute towards the maintenance of the Engineering College at Roorkee announced that they would contribute one lakh of rupees towards the maintenance of the college at the rate of Rs. 10,000 per student. This

[Lala Bodh Raj.]

was in or about the month of April 1924 when the students coming up for the competitive examination had spent a year or two for the preparation of their examination. When the results of the competitive examination were announced, some 17 students from the Punjab were declared successful. The Government had agreed to contribute towards the maintenance of the college up to the amount of one lakh of rupees and the rest of the students, that is seven in number, could not be admitted into the college unless some one would come forward to contribute on their account. These boys were given the option either to contribute towards the maintenance of the college at the rate of Rs. 10,000 per student from their personal purses or not to join the college at all. It was too late for them. These boys had to incur heavy debts and some of them had to part with their property in order to raise the money for the contribution. Over and above this contribution, they had to incur their personal expenditure in order to prosecute their studies in the college. Representations were made by those students to the Punjab Government, to the United Provinces Government—and to the Central Government—but on account of the financial stringency then prevailing in the province, the Punjab Government did not come forward to pay on their behalf. I do not know any other institution in the world where the students have been required to contribute towards the maintenance of the college besides incurring personal expenditure for the prosecution of their studies. Just as I said before, as much attention has not been paid as it should have been paid by this Government for the vocational teaching of the people of this province. Out of one crore and more than fifty lakhs of rupees that are being annually spent by the Government of this province for the educational department, only a lakh of rupees has been set apart for this department of education. With your permission, Sir, I will just read a few lines from the speech which His Excellency the Governor made at the time of opening the Commercial College on the 4th March 1927:—

"The highly trained experts whom the industries of a country can support must always be relatively few in number; on the other hand commerce and industry, especially when these are entering on a period of expansion, need a large number of men who are intelligent and educated; just as society at large needs men who are educated and intelligent, but not necessarily expert in only one science or line of thought. There must be many here (and I certainly am one) in whom it would be unfilial to depreciate the value of a general education in literature or science. But when all that has been said, one fact remains equally true at the end; and the fact that we cannot, if we are to do our own duty in education, leave untouched any single branch of professional or vocational education; it is all the more necessary to see that this duty is not neglected where you have society demanding development on new lines, and where vast number of educated are clamouring for new avenues of employment. To neglect any possible line of help to them is more than a dereliction of duty; it is almost a cruelty."

Sir Ganga Ram has magnanimously given a building for the starting of a Commercial College and this has met our wants in one direction. The other want of having an Engineering College still remains unfulfilled. In reply to question<sup>1</sup> No. 1727, put on 1st May 1925 by Malik Firoz Khan, Noon, now holding the reins of Government as one of the Ministers, the Honourable Minister then in charge of the department said :—

"The advisability of training engineers in the Punjab on the lines of the Roorkee College is under consideration."

Sir, I do not know how far the Government has advanced in that consideration. But the fact remains that so far, we have not got any college of the status of the college at Roorkee.

Again in reply to Question<sup>2</sup> No. 1792 asked on the 5th May 1925, the Minister said :—

"The contributions that will be paid by the Punjab Government towards the expenses of training Punjab students at the Thomason Civil Engineering College, Roorkee, are during :—

						Rs.
1925-26	::	::	::	::	::	1,29,000
1926-27	::	::	::	::	::	1,25,000
1927-28	::	::	::	::	::	99,000

If we turn to page 424 of the Budget Estimates for 1927-28, we find that the actual amount of contribution is as follows :—

						Rs.
For 1925-26	::	::	::	::	::	1,30,000
For 1926-27	::	::	::	::	::	1,70,000
For 1927-28	::	::	::	::	::	1,30,000

From the facts that I have placed before the House, from the figures that are given in the budget and from the decision that the Government arrived at in February 1925 that they, in future, would contribute towards the cost of training successful Punjabi students up to a maximum of 15 in order of merit, we find that it is only some of those students who were admitted to the Thomason Engineering College at Roorkee in 1924 that have been deprived of this contribution. The only offence of theirs was that they appeared in 1924 and that they were Punjabis. The United Provinces Government besides maintaining the college is also giving a large number of scholarships to their own students. The Punjabis who are larger in numbers in that college and who are keeping up the credit of this Government by giving good promises of their ability are not being given any impetus that they need.

Now that the financial condition of the province has improved and it is still improving it will not be an unjust demand on my part, who am speaking here on behalf of those poor students who kept up the credit and reputation of the Punjab Government when it was in financial embarrassment, if I ask the Government to refund the money which these students were required to pay then. Justice demands that the Government should at least return the principal if not the interest thereon to those students. That is a fair, just and equitable demand. I hope the Government as well as the House would not grudge to give back the money to these poor students. It is clearly the duty of Government to pay the money. If Government is

[Lala Bodh Raj.]

not in a position to maintain a college of the status of the Thomson Engineering College at Roorkee, it should at least not grudge to contribute about 2 lakhs or thereabouts towards the education of the Punjabi students in that department. For those students who may be admitted in future the Government have decided that they will contribute towards the expenses of students up to a maximum number of 15 in order of merit. It may be that in one year some 17 or 18 students may be admitted to the College and in another year it may be that 12 or 13 students will be admitted into the College. On an average the Government will not be a loser. If the Government should stick to the maximum number of 15 students only, it may affect prejudicially those students admitted over and above 15 in any particular year. The Government should not make such an inelastic rule.

With these remarks I commend the resolution for the acceptance of the House. As there are only a few minutes left for the Council to adjourn I hope the Government member would say what he has to say and finish the debate in time so that we may take the view of the House.

**Mr. President :** The resolution proposed runs :

"This Council recommends to the Government to bear the educational expenses of all Punjabi students admitted since 1924 to the Civil Engineering classes of the Engineering College, Roorkee, and of those who may be admitted in future."

The question is that that resolution be adopted.

**The Honourable Sardar Jogendra Singh (Minister for Agriculture) :**

Sir, I am again in the happy position of saying that we have already anticipated what the honourable mover of this resolution is recommending. The Punjab Government have agreed to defray all the expenses of the students that will be sent to the Roorkee College and their number has been limited to 15 because the Roorkee authorities are not prepared to take any more students. This part of the resolution, so far as the Government is concerned, has already been given effect to.

The resolution has another recommendation that is that the Government should give retrospective effect to this grant and pay all the students that have entered this college since 1924. So far as this part of the resolution goes, I should like to place before the House for consideration that it would be a very bad precedent to give retrospective effect to any such grant. All the new students that are coming will be paid for. All the students that went into the college without this guarantee, have no claim now on the Government to ask that their expenses should be met. They went to the college without any such undertaking on the part of Government and they took all the responsibility of defraying their own expenses when they joined the college. Under these conditions, so far as the second part of the resolution is concerned, Government cannot accept it and must oppose it. If the honourable mover looks into the question more seriously, I think he ought to be satisfied. Government is doing more for training engineers than it is doing for training, for instance, medical men or anything of the kind, spending nearly Rs. 10,000 on students every year. I do not think we would be justified in going any farther and give retrospective effect and pay those who went into the college without any guarantee on behalf of the Government.

I should like to mention just one more point. The honourable mover of the resolution asked what we had done in the matter of establishing an Engineering College in the Punjab. The Government has been considering that scheme very very seriously. We have appointed a committee which has held two or three sittings and it has considered the whole question. We have been in correspondence with the Government of the United Provinces and we have put before them our proposals which are still under consideration and a meeting of this committee is going to be held in Simla to consider further whether it is desirable to have an Engineering College in the Punjab. As you know, the Engineering College is a very expensive affair and one cannot lightly pass over the traditions which Roorkee has so far inculcated. I think honourable members of the House ought to be gratified that now the Roorkee Engineers are considered equal to practically any engineer who is trained outside. So far as the engineering opinion in the province is concerned it is not in favour of breaking away from Roorkee and starting a new institution where it would take a long time in building up traditions which are associated with the great College at Roorkee. So far, the question before the Government now is to consider the whole problem carefully. In all likelihood we expect to come to some kind of workable arrangement with the authorities at the Roorkee College for the next two or three years. If at the end of two or three years we find that the demand for engineers in the Punjab is so great that the Roorkee College cannot cater for us and if we also find that it is possible to establish a college of engineering in the Punjab which would in course of time attain the same traditions and the same facilities of training which the Roorkee College has, I think, the Punjab Government would be prepared to consider the question of establishing a College. But at the present moment the whole matter is under consideration and as I have already explained we have made satisfactory arrangements for training our students at the Roorkee College and paying for them.

I think this ought to meet the demands of the resolution and I hope the honourable mover will withdraw his resolution.

**Lala Bodh Raj** [ West Punjab Towns (Non-Muhammadan), Urban ] : Sir, the Honourable Minister for Agriculture has been pleased to agree to one part of the resolution, but he is not prepared to agree to the other part of the resolution. The reason that he has given for the non-acceptance of the second part of the resolution is that the students joined on their own responsibility without any undertaking given by this Government that they would contribute towards their expenses. I do not know if it is an offence on the part of the students not to have taken any guarantee from the Government. The Government failed to help those students at the right moment and so the students paid their own expenses. It was not the function or the duty of the students to pay their own expenses. It was the duty of Government to pay for those students and to arrange for the education of those students. If the Government failed to do its part of the duty, I cannot understand how the students can be mulct with the expenses. It is very curious to treat it as an offence for students to pay their own expenses.

As to the other point with regard to the establishment of a College, what the Government has done is that they have appointed a committee.

[Lala Bodh Raj.]

When this question was raised once before on 7th May 1925, the Honourable the Minister said :—

"However, I may tell the House that in consultation with His Excellency the Governor I am seriously considering the proposal of having a Civil Engineering College of our own, some preliminary enquiries are being made and the Chief Engineer, Mr. Astbury, has already paid a visit to Roorkee to find out details of the expense and the details of the training that is given there. It is quite possible that in November session I may come before this House with a demand for a good sum of money in order to enable us to start this college."

Well, Sir, November 1925 is gone, November 1926 is over and still the starting of a college is in the air without coming to fruition. If Government is anxious and liberal to contribute all the expenses of the students who are to be admitted in future, there is no reason why they should not pay the students who have already paid their own expenses and undergone their training. There is no reason why they should not be paid back the money that they spent. With these few words, I request the House to record their views on the resolution.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) :  
Sir, I do not think that the honourable mover of the resolution has really understood the great effort that the Punjab Government is making in training engineers. Besides sending these 15 students to the Roorkee College, we are training up overseers at Rasul which is a very big and promising institution. Besides, the Mughalpura College is attracting a large number of students and we give the students there training under very efficient conditions.....

At this stage the Council adjourned till 2 P.M., on Wednesday, the 23rd March, 1927.

## PUNJAB LEGISLATIVE COUNCIL.

1st SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

*Wednesday, the 23rd March 1927.*

The Council met at the Council Chamber at two of the clock.  
Mr. President in the Chair.

### STARRED QUESTIONS AND ANSWERS.

CONFIRMATION BY DEPUTY COMMISSIONER OF CERTAIN RESOLUTIONS  
PASSED BY THE MUNICIPAL COMMITTEE OF MONTGOMERY.

\* 227. **Lala Badh Raj** : With reference to answer to starred question No. 14 asked on 25th February 1927, will the Honourable Minister for Local Self-Government please state—

(a) whether the resolution referred to in part (a) of the answer stands in the minute book and, if not, why;

(b) whether the municipal schools and offices were closed in compliance with the resolution? If not, why?

**The Honourable Malik Feroz Khan, Noon :**

(a)

{ Yes.

(b)

CONSTITUTION OF THE LUNDIANA MUNICIPAL COMMITTEE.

\* 228. **Lala Badh Raj** : Will the Honourable Minister for Local Self-Government please state—

(a) if it is a fact that the Ludhiana municipal committee as constituted in February 1925 comprised of 31 elected members and only 2 nominated ones;

(b) if it is a fact that after its supersession in August 1925 the Government changed the constitution by raising the number of nominated members from 2 to 7, without giving a notice inviting objections by the people as required by law and without even publishing the intended new constitution; if so, what are the reasons?

**The Honourable Malik Feroz Khan, Noon :** (a) Yes.

(b) It is a fact that the constitution was altered as indicated by the honourable member, but no provision of the law requires that any notice should be given.

**Lala Bodh Raj :** Will the Honourable Minister state the reasons for the change in the constitution ?

**The Honourable Malik Firoz Khan, Noon :** The change took place before my time and I am afraid I shall require notice of that.

**Lala Bodh Raj :** I think the notice is in part (b). It is already there.

**The Honourable Malik Firoz Khan, Noon :** The answer is given. The law does not require the Government to give any notice.

#### SUPRESESSION OF THE LUDHIANA MUNICIPAL COMMITTEE.

\* 229. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state the causes that led the Government to supersede the Ludhiana municipal committee in August 1926 ?

**The Honourable Malik Firoz Khan, Noon :** The Ludhiana municipal committee was superseded because it had proved itself incompetent to perform the duties imposed upon it by the Punjab Municipal Act, 1911. To mention in detail all the instances of inefficiency, maladministration and corruption in the administration of the committee's affairs which came to the notice of Government would take too long and would serve no purpose; but I may mention for the information of the honourable member that the conclusions at which Government arrived in August 1926 were shared by many prominent citizens and associations of Ludhiana, and were loudly voiced at a public meeting held in June 1926 under the joint auspices of the Congress and Khilafat committees.

**Lala Bodh Raj :** Is the Honourable Minister aware that similar instances of maladministration and corruption exist in some other committees also ?

**The Honourable Malik Firoz Khan, Noon :** If the facts are similar, other committees will also receive similar attention.

#### LUDHIANA MUNICIPAL COMMITTEE.

\* 230. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state :—

- (a) if it is a fact that the Ludhiana municipal committee as constituted in February 1925 in its general meeting held on or about 23rd February 1925 passed a resolution that Rs. 65,000 reserved for building a hall, the foundation stone of which was laid by Sir M. O'Dwyer, late Lieutenant-Governor of the Punjab, be removed from the budget sheet of the committee, and in view of the condition of city roads, its sanitation and the financial condition of the committee it was further resolved that the idea of building the hall be abandoned permanently;
- (b) if the said committee also passed the resolution that the pillar containing the foundation stone of the hall be removed and that it was accordingly removed;
- (c) if the Governor of the province visited Ludhiana next morning after the removal of the pillar.

- (d) if it is a fact that the Deputy Commissioner of the district after the removal of the pillar recommended the removal of four members from the committee, two of the said four members being those who had opposed the welcome address to the Governor and the other two being neutral in the matter?

If so, will he please lay on the table the ground stated by the Deputy Commissioner for the removal of the said four members?

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

- (b) Yes, but this resolution was subsequently cancelled and the pillar restored.

(c) Yes.

- (d) No such recommendation was made.

**MIAN ABDUL HAYE, AN ELECTED MEMBER OF THE LUDHIANA MUNICIPAL COMMITTEE.**

**\*231. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state :—

- (a) if it is a fact that the Ludhiana municipal committee passed in a general meeting that Mian Abdul Haye, one of the elected members of the committee, be considered as removed from the membership under section 12 (a) of the Municipal Act for his not having taken the oath of allegiance within the period required by law, and that Maulvi Hidayat Ali the next candidate be made a member in his place ;

- (b) if it is a fact that the Deputy Commissioner and the Commissioner interfered in the said matter ;

- (c) if it is a fact that the Deputy Commissioner sent a letter to the committee that he would attend the committee to administer oath to the said Mian Sahib, and that the committee denied the right of the Deputy Commissioner to do so ;

- (d) if it is a fact that the committee by a resolution passed in its general meeting held on or about 18th June 1925, strongly protested against the unlawful interference of the above-mentioned executive officer?

If so, what action did the Government take on the passing of the said resolution?

**The Honourable Malik Firoz Khan, Noon :** (a) Yes, but it may be observed that no period within which the oath of allegiance must be taken is prescribed by the law.

- (b) } Yes.

- (c) }

(d) The committee protested, but Government do not admit that interference was unlawful, and as Mian Abdul Haye took the oath and his seat on the committee, no further action was necessary.

**RESTRICTION ON HONORARY MAGISTRATES TO STAND FOR ELECTION FOR LOCAL BODIES AND DISTRICT BOARDS.**

**\*232. Raizada Hans Raj:** Will the Honourable Minister for Local Self-Government please state—

- (a) if his attention has been drawn to the fact that permission to honorary magistrates to stand for election for local bodies and district boards has prejudiced the right and fearless exercise of votes in many cases;
- (b) what distinction he makes between the honorary magistrates and the stipendiary magistrates who cannot stand for election;
- (c) if he is prepared to consider the desirability of amending the rules for election so as to debar the honorary magistrates for offering themselves for election and from taking active part in favour of any candidate?

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

(b) Stipendiary magistrates are debarred from standing for election not because they are magistrates, but because they are Government servants.

(c) The necessity for the course proposed by the honourable member has not as yet made itself apparent to Government.

**SITE FOR THE RAILWAY STATION OF RUPAR.**

**\*233. Raizada Hans Raj:** (a) Has the attention of the Honourable Member for Revenue been drawn to the grievances of the inhabitants of Rupar regarding the selected site for the railway station appearing in the *Milap* of the 8th December 1926?

(b) Does he propose to take steps to remove their grievances?

**The Honourable Mian Sir Fazl-i-Husain:** (a) and (b) The attention of the Railway Board was invited to the matter by the Local Government in September last, and Government understands that the site originally chosen for the railway station of Rupar has been discarded in favour of a site more convenient for the inhabitants of the town.

**SPEECHES DELIVERED BY MAULVIS IN DIFFERENT WARDS OF RAWALPINDI CITY AND CANTONMENT.**

**\*234. Dr. Gokul Chand, Narang:** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that during May 1926, a month previous to the communal disturbances of Rawalpindi, certain Maulvis from Lahore and Amritsar were delivering fiery speeches in different wards of Rawalpindi City and Cantonment;
- (b) whether it is a fact that the police kept the authorities informed of the above by submitting daily reports of those meetings;
- (c) whether it is a fact that the President of Hindu Sabha, Rawalpindi, in his letter of 30th May 1923 to the Deputy Commissioner warned the authorities of the harmful effect of those speeches;
- (d) what action, if any, was taken by the authorities to stop the inflammatory speeches referred to above?

**The Honourable Sir Geoffrey de Montmorency :** (a) Yes.

(b) This is probably correct.

(c) Government have no knowledge of this.

(d) The question of taking action against certain speakers was under consideration when the riots of 14th June occurred.

#### COMMUNAL RIOTS AND POLICE ARRANGEMENTS IN RAWALPINDI.

**\*235. Dr. Gokul Chand, Narang :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that on the afternoon of 14th June 1926, practically eight hours before the communal riots broke out in Rawalpindi that day, extra police force was summoned by the City Police Inspector ;
- (b) whether it is a fact that the Deputy Commissioner, Rawalpindi, and Superintendent of Police, Rawalpindi, were informed by phone at Murree by the City Police Inspector, Rawalpindi, of the grave situation over there, many hours before the disturbance took place ;
- (c) whether it is a fact that an order under section 144, Criminal Procedure Code, was drafted at Murree on the evening of 14th June ;
- (d) whether it is a fact that a deputation of certain Congressmen waited upon the City Police Inspector on the afternoon of that day and made him aware of the serious situation ;
- (e) whether it is a fact that the President of the Singh Sabha invoked police help at 8 p.m. that day on account of an attack on the Singh Sabha, but no police force was sent before 10-30 p.m. that night ;
- (f) whether it is a fact that the extra police summoned during the day was sent back in the evening of 14th June, although the situation was becoming more grave ;
- (g) whether it is a fact that the Ganj Mandi, the scene of loot, arson and rioting of 14th June is situated at a distance of about 2 minutes' walk from a police station and about one minute's walk from another police post ;
- (h) whether it is a fact that the police blocked all passages to Ganj Mandi from Hindu residential quarters, thereby preventing Hindu owners of the property from extinguishing the fires, while it posted no force at those passages which lead into the Mandi from neighbouring villages ;
- (i) whether it is a fact that more than 200 carts were allowed to pass out of the Ganj Mandi that night laden with looted property although the exit was controlled by a police post near the bridge on river Leh ;
- (j) whether it is a fact that none of the rioters were arrested that night by the police ;

[Dr. Gokul Chand Narang.]

- (k) whether it is a fact that no efforts were made by the police to extinguish fire, although property worth about a crore of rupees was on fire ;
- (l) whether it is a fact that no looted property was seized at night by the police ;
- (m) whether it is a fact that no complaint of any aggrieved Hindu was recorded by the city police before 17th June 1926 ;
- (n) whether it is a fact that on the morning of the 15th two Hindus were arrested by S. Muhammad Sadiq, City Police Inspector, for alleged theft of a pair of shoes, while the complainant says in his evidence that he gave first report of the case on 17th June ?

**The Hon'ble Sir Geoffrey deMontmorency :** (a) Yes, the first armed reserve was called to the City, in readiness for an emergency.

(b) No. A telephone message was sent to the Superintendent of Police in camp which reached him at 2-30 P. M., and he immediately proceeded to Murree to discuss matters with the Deputy Commissioner and Deputy Inspector-General, Police. After consultation he left Murree immediately arriving at Rawalpindi at 9 P. M., having been delayed on the road by an accident to his car.

(c) Yes, a provisional order was prepared.

(d) The information available shows that a conference of some of the leading Sikhs and Muslims of Rawalpindi was called for by the Deputy Superintendent of Police and the City Inspector at 10 A. M. on the 14th June to discuss the situation.

(e) The President of the Singh Sabha has alleged that he sent a written message asking for police assistance at 8-45 P. M., but a careful investigation made after the riots failed to establish that any such message was received at the police station.

(f) Yes : as the police officers were definitely informed some time during the afternoon that the Sikhs had no intention of taking out a procession that day.

(g) Two police stations are situated in close vicinity to the Ganj Mandi.

(h) The police blocked some of the side streets leading to the Mandi and Raja Bazar in order to prevent the access of fresh crowds to these quarters. In the general turmoil it was difficult to distinguish house proprietors from rioters. Owing to the small number of the police force available at the time it was not possible to close all the passages.

(i) It is alleged that on the evening of the 14th there were something like a hundred carts in the mandi, and that in the morning nearly all had gone. It has not been proved that any quantities of stolen goods was carried away in these carts. The cartmen would naturally leave the city as soon as possible. After the police had taken full possession of the mandi by about 2 A.M. the systematic removal of plunder was not possible.

(j) No. Some arrests were made.

(k) No ; much property was saved from damage by fire through the efforts of the police.

(b) No information is available on this point. The small police force available was mainly occupied with quelling the riot and extinguishing fires.

(m) and (n). Government has no information as to these points.

**THROWING OF STONES ON A PROCESSION OF THE SIKHS.**

**\*236. Dr. Gokul Chand, Narang :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that Muhammadans threw stones from the roof of Jama Masjid at Rawalpindi on a peaceful procession of the Sikhs passing on the King's highway on 18th November 1926 ;
- (b) whether it is a fact that certain Muslims were arrested on the spot by Mr. Bennett, S. P., and other police officials ;
- (c) whether it is fact that criminal proceedings were taken against the culprits ;
- (d) under what circumstances has the prosecuting authority withdrawn cases against the culprits ;

**The Honourable Sir Geoffrey de Montmorency :** (a), (b), (c), (d) Arrests were made and prosecutions instituted in consequence of stone-throwing from the mosque at Rawalpindi on 18th November 1926. The local authorities subsequently decided in the exercise of their discretion to withdraw the prosecution, in the hope that this action would tend to allay communal tension. They took into consideration the fact that a subsequent and similar Sikh procession had been conducted without disturbance of the peace.

**LOSS SUSTAINED BY HINDUS, MUSLIMS AND SIKHS DURING THE COMMUNAL RIOT AT RAWALPINDI.**

**\*237. Dr. Gokul Chand, Narang :** (i) Will the Honourable Member for Finance be pleased to lay on the table the following information :—

- (a) the estimate of loss sustained respectively through arson or loot by the three communities, Hindus, Muslims and Sikhs, during the communal riot of 14th June 1926 at Rawalpindi ;
- (b) the number of persons arrested for arson, loot and abduction according to each community ;
- (c) the number of those convicted ;

(ii) Will the Honourable Member for Finance be pleased to state —

- (a) what steps Government is going to take for protecting the life and property of Hindu and Sikh residents of the place ;
- (b) what was the extra expenditure incurred in deputing the C. I. D. for investigation of riot cases ;
- (c) what is the number of cases investigated by the C. I. D. ;
- (d) how many of those accused were convicted ?

**The Honourable Sir Geoffrey de Montmorency :** (a) The following is a rough estimate :—

(a)

	Due to burning.	Due to looting.	Total.
	Rs.	Rs.	Rs.
Hindus ... ..	14,61,720	4,890	14,66,610
Sikhs ... ..	1,41,190	6,800	1,47,990
Muslims ... ..	36,000	39,500	75,500

(b) and (c) Number of persons tried and convicted for various offences in connection with the Rawalpindi riot is as follows :—

	No. of persons tried.	No. of persons convicted.
Muslims ... ..	76	26
Sikhs ... ..	16	10
Hindus ... ..	12	6

(d) (a) An additional force of police consisting of one Deputy Superintendent of Police, 4 Sub-Inspectors and 126 Head Constables and Constables has been quartered in the Rawalpindi town.

(b) Rs. 3,122-3-3.

(c) Rs. 47.

(d) 36 and 6 were required to furnish security of Rs. 5,000 each for good behaviour.

#### CANAL DEPUTY COLLECTORS.

238. **Sardar Narain Singh :** Will the Honourable Revenue Member please state—

(a) the number of Canal Deputy Collectors in the province ;

(b) the total annual expenditure incurred by the Government in connection with this service, with details, say, as to salaries of these officers, their clerks, chaprasis, khalasis, pankha coolies, camelmén, travelling allowances, fuel, etc. ;

- (c) whether it is a fact that the Deputy Collectors no longer exercise magisterial powers which they used to exercise previously ;
- (d) the main duties that these officers have to discharge now ;
- (e) whether the Government proposes to consider the desirability of abolishing the posts of Deputy Collectors ?

**The Honourable Mian Sir Fazl-i-Husain:** There are 27 Deputy Collectors, and though they are no longer exercising magisterial powers, still their duties are numerous and onerous (Chapter III, Revenue Manual of Irrigation Branch, Punjab) and include supervision of zilladars. Their abolition is not contemplated, and it will serve no useful purpose to collect the information mentioned in clause (b) of the question.

#### PENAL POST AT MURDWAL IN SHAHPUR DISTRICT.

**\*239. Dr. Shaikh Muhammad Alam:** Will the Honourable the Finance Member be pleased to state—

- (a) if it is a fact that a penal post was established at Murdwal in Shahpur district in the year 1923 ;
- (b) whether it is a fact that this penal post was established as reprimand against the residents taking part in the Khilafat agitation ;
- (c) if the answer to (b) above is in the negative, what was the reason of the imposition of this penal post ;
- (d) whether it is a fact that the penal post was originally meant to be kept for three years only ;
- (e) if so, why the time was extended till April 1927 ;
- (f) when it is intended to remove the said penal post ?

**The Honourable Sir Geoffrey deMontmorency:** (a) Yes.

(b) No.

(c) The general lawlessness of the villagers.

(d) Yes.

(e) The continued lawlessness of the villagers.

(f) The additional police post will be withdrawn with effect from the 1st April 1927 unless again extended.

#### INUNDATION CANALS IN THE SHAHPUR DISTRICT.

**\*240. Dr. Shaikh Muhammad Alam:** Will the Honourable Revenue Member please state—

- (a) whether the inundation canals in the Shahpur district have ceased to do any appreciable amount of irrigation ;
- (b) whether the zamindars of the said lands are in sad straits because their lands cannot be properly irrigated ;
- (c) whether it is a fact that it was proposed to irrigate the said lands by opening a new branch of the Lower Jhelum Canal, but the proposal is not yet carried out ;
- (d) if it is possible to irrigate any part of the said area by opening a new branch of the Lower Jhelum Canal ;
- (e) whether the Government will take any steps to alleviate the suffering of the zamindars of the Shahpur district ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) and (b) Government is not aware of this.

(c) and (d) Therefore do not arise.

(e) The honourable member's attention is drawn to the statement made by me<sup>1</sup> (Simla, 1926).

**Dr. Shaikh Muhammad Alam :** Is the honourable member prepared to answer (c) and (d) independent of any reference to (a) and (b) ?

**The Honourable Mian Sir Fazl-i-Husain :** (c) No.

(d) Quite possible.

#### REMISSION OF KHARIF ABIANA IN THE SHAHPUR DISTRICT.

**\*241. Dr. Shaikh Muhammad Alam :** Will the Honourable Revenue Member please state—

- (a) if it is a fact that a part of the kharif abiana was remitted in the Shahpur district by the orders of the Government ;
- (b) whether it is a fact that the remittance has been upheld in the case of lands irrigated by permanent canals but not in the case of lands irrigated by inundation canals ;
- (c) whether it is a fact that lands irrigated by inundation canals yielded poorer crop than the lands irrigated by permanent canals ;
- (d) whether the Government would consider the desirability of ordering the total or partial remittance of the abiana imposed upon the lands irrigated by inundation canals ?

**The Honourable Mian Sir Fazl-i-Husain :** (a) Yes.

(b) The remission was only given on perennial canals.

(c) Not known.

(d) No. The Government inundation canals in Shahpur district have lower rates of abiana fixed for them than those prevailing on the perennial canals.

#### BHERA MUNICIPAL COMMITTEE.

**\* 242. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Local Self-Government please state—

- (a) if the Government are aware that the required number of elected members of the Bhera municipal committee has been duly elected ;
- (b) if the Government are aware that no new members have so far been nominated to sit in the committee ;
- (c) if the Government are aware that it is proposed to elect a president by the votes of the newly elected members and the old nominated members ;
- (d) if the Government are aware that such a procedure is *ultra vires*, irregular and unconstitutional ?
- (e) whether the Government will take any steps in this connection, if so, what ?

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

(b) The Commissioner was directed some days ago to publish the names of the members appointed as soon as possible and it is probable that by this time he has sent the notification to the press for publication.

(c) Government have no information.

(d) Government are not aware of any provision of the law which should make such a procedure *ultra vires* or irregular.

(e) Government have instructed the Commissioner not to confirm the election of any person as president unless he is elected after the newly appointed members have taken their seats.

**LAND RENDERED UNCULTURABLE BY THE INDUS OR HILL TORRENTS.**

\* 243. **Shaikh Faiz Muhammad :** (i), In continuation, of question No. 2529<sup>1</sup> asked by me in the last Council, will the Honourable Revenue Member be pleased to state—

(a) where the zamindars, whose lands have been rendered unculturable by hill torrent or river action, have gone to;

(b) whether the Government has granted the sufferers any relief;

(c) if not, whether the Government proposes doing so?

(i) Will Government be pleased to consider the desirability of giving them land in the Nili Bar Colony?

**The Honourable Mian Sir Fazl-i-Husain :** A reference has been made to the local authorities and their reply is awaited.

**COMMUNAL REPRESENTATION AMONG SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES IN THE MULTAN DIVISION.**

\* 244. **Shaikh Faiz Muhammad :** (i) Will the Honourable Revenue Member be pleased to state whether—

(a) it is a fact that out of six posts of Superintendents of Deputy Commissioner's office in the Multan Division, three are held by Hindus, one by a Sikh, two by Anglo-Indians and none by Musalmans;

(b) it is a fact that the Muslim population of the division is over 78 per cent., and that of Hindus, Sikhs and Jains combined under 22 per cent.?

(i) Will the Government be pleased to take steps to ensure that the interests of Musalmans in this respect are suitably safeguarded?

**The Honourable Mian Sir Fazl-i-Husain :** (i) May be so.  
(ii) No new steps are in contemplation.

MONEY SPENT IN GURGAON DISTRICT ON FEMALE EDUCATION AND ON THE EDUCATION OF THE DEPRESSED CLASSES.

\*245. **Rao Bahadur Lieutenant Balbir Singh** : Will the Honourable Minister for Education be pleased to state what amount of money has been spent in Gurgaon district—(a) on female education, and (b) on the education of the depressed classes, as compared with that spent on the education of boys in that district?

**The Honourable Mr. Manohar Lal** : The honourable member has not specified the period of time for which this information is required; nor has he named the agency by which the money has been spent. It is not possible to give such information as the children of the depressed classes are not excluded from the ordinary schools, nor are girls excluded from boys' schools.

AMELIORATING THE CONDITION OF THE PEOPLE OF THE GURGAON DISTRICT.

\*246. **Rao Bahadur Lieutenant Balbir Singh** : Will the Honourable Member for Revenue please state whether it is intended to provide the Deputy Commissioner of Gurgaon with funds to carry out the schemes initiated by the Deputy Commissioner for ameliorating the conditions of the residents of that district?

**The Honourable Mian Sir Fazl-i-Husain** : If the honourable member will place limitations of time and subject on his enquiry, efforts will be made to supply the information.

GRANT OF LAND TO AGRICULTURAL CLASSES OF GURGAON DISTRICT IN THE NILI BAR.

\*247. **Rao Bahadur Lieutenant Balbir Singh** : Will the Honourable Revenue Member be pleased to state whether any grants of land have been made to the agricultural classes of the Gurgaon district who are admittedly poorer than those of the new colonies in the Punjab?

If such grants have been made, what is the total area so granted and, if not, why?

Do Government intend to grant any land to the poor agricultural classes of the Gurgaon district in the Nili Bar to be irrigated from the Sutlej Valley Project?

**The Honourable Mian Sir Fazl-i-Husain** : The information asked for is not available. Claims of Gurgaon zamindars to peasant grants in the Nili Bar will be considered along with others.

IMPROVEMENT OF HYGIENE AND SANITATION OF GURGAON DISTRICT.

\*248. **Rao Bahadur Lieutenant Balbir Singh** : Will the Honourable Minister for Local Self-Government be pleased to state the amount of money spent during the years 1920-25 on the improvement of hygiene and sanitation so far as the district of Gurgaon is concerned? And whether it is a fact that some other districts of the Punjab have been granted more money during these years for the purpose? If so, will the Honourable minister see that this district receives its due share in future?

**The Honourable Malik Firoz Khan, Noon :** The sum of Rs. 1,49,065 was spent during the years 1920—1925 on the improvement of hygiene and sanitation of the Gurgaon district. It is not a fact that some other districts have been granted more money for this purpose during the period noted.

The last part of the question does not arise.

PROVISION OF FUNDS FOR THE SCHOOL OF RURAL ECONOMY IN GURGAON DISTRICT.

**\*249. Rao Bahadur Lieutenant Balbir Singh :** (a) Will the Honourable Minister for Education be pleased to state whether he is aware of the fact that there is a school of rural economy for teachers and village guides and another of domestic economy for women in Gurgaon, and that both these schools have proved most useful to the district?

(b) Is he also aware that for lack of sufficient funds, the progress which they intended to make is very slow?

(c) If the answers to the above be in affirmative, will he be pleased to state whether he intends to provide these schools with sufficient funds in the near future?

**The Honourable Mr. Manohar Lal :** (a) Yes. The reports on the former have been satisfactory. The report on the latter is awaited.

(b) The school of rural economy has made good progress.

(c) Does not arise.

METAL INDUSTRY IN GURGAON DISTRICT.

**\*250. Rao Bahadur Lieutenant Balbir Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware that Rewari in the Gurgaon district was once famous for its metal industry;

(b) whether he is also aware of the fact that those who are even now engaged in that industry are poor and therefore cannot replace the old crude methods by the improved methods;

(c) if the answers to the above be in the affirmative, will he please state whether he intends to revive and encourage that industry by means of granting loans to those who might be anxious to improve the industry?

**The Honourable Mr. Manohar Lal :** (a) and (b) The answer is in the affirmative.

(c) The Department of Industries is prepared to consider applications for loans under the Punjab Industrial Loans Act.

MUNICIPAL ADMINISTRATION OF BHIWANI.

**\*251. Lala Boddh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if he is aware of the remarks made by the Deputy Commissioner, Hissar, against the municipal administration of Bhiwani? If so, will he please state what steps he proposes to take to remedy the evils?

(b) Is it a fact that the Bhiwani municipal committee has totally ignored the suggestions of Mr. Kirpalani, made in his inspection note as Deputy Commissioner, Hissar? If so, will he please state what steps he intends to take in the matter?

**The Honourable Malik Firoz Khan, Noon :** Enquires are being made, and the results will be intimated to the honourable member in due course.

THEFT CASES REGISTERED AT THE CITY POLICE STATION OF BHIWANI.

\*252. **Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (i) the number of theft cases registered at the city police station of Bhiwani in 1925-26 and 1926-27 ; and
- (ii) the number of cases traced out of the same ?

**The Honourable Sir Geoffrey de Montmorency :** Information is being collected and will be communicated to the honourable member in due course.

RECOVERY OF THE AMOUNT PAID ILLEGALLY TO NASIRULLAH, CONTRACTOR, OF BHIWANI.

\*253. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Deputy Commissioner, Hissar, asked the Bhiwani committee to recover the amount of Rs. 2,233 paid illegally to one Nasirullah, contractor? If so, what steps were taken by the committee in the matter?
- (b) whether it is a fact that the committee has allowed the period of limitation to pass and not recovered the money? If so, what action the Honourable Minister proposes to take against the member for this default or against the officials concerned?

**The Honourable Malik Firoz Khan, Noon :** (a) There was some doubt as to whether the contractor referred to by the honourable member had actually supplied the amount of *kanhar* for which he had been paid, and the Deputy Commissioner directed that further enquiries should be made and that if it was found that any overpayment had been made to the contractor, the amount should be recovered from him. The legal adviser of the committee, however, advised that a suit for recovery was unlikely to succeed ; the idea of taking action against the contractor was therefore dropped.

(b) The first half of this part of the question has been answered above. As regards the second half, Government, after careful examination of the matter, are of opinion that though the circumstances of the payment to the contractor indicate some negligence on the part of the president and two other members of the committee, there are not sufficient grounds for proceeding against them under section 50 of the Punjab Municipal Act, 1911.

NOTICE ISSUED UNDER THE MUNICIPAL ACT OF 1911 AGAINST THE MEMBERS OF THE BHIWANI MUNICIPAL COMMITTEE.

\*254. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state the number of notices issued under section 16-F of the Municipal Act of 1911 against the members of the Bhiwani municipal committee with reasons thereof? Will he also please lay on the table the final results in each case?

**The Honourable Malik Firoz Khan, Noon :** None that Government are aware of.

IRREGULARITIES IN THE BHIWANI MUNICIPAL COMMITTEE IN THE MATTER OF OCTROI REFUNDS.

**\*255. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether he is aware of the representation made to the Deputy Commissioner, Hissar, by the Merchants' Association, Bhiwani, against the hardships and irregularities in vogue in the Bhiwani municipal committee in the matter of octroi refunds?
- (b) what action has been taken thereon?
- (c) whether it is a fact that the same trouble exists in Multan and other municipalities of the province?

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

OFFICE HOURS FIXED FOR THE POLICE SUPERINTENDENTS AT THEIR HEADQUARTERS.

**\*256. Lala Bodh Raj :** Will the Honourable Member for Finance please state if any office hours have been fixed for the Police Superintendents when they are at their headquarters of the station?

If so, do they observe these hours?

**The Honourable Sir Geoffrey deMontmorency :** Office hours are from 10 A.M. to 4 P.M., and Superintendents of Police observe these hours in so far as they are permitted by other duties which require their attendance elsewhere.

CONSTITUTION OF THE GOJRA MUNICIPALITY.

**\*257. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) if any representations have been made by the Hindus and the Sikhs of Gojra to change the constitution of the Gojra municipality according to the principle of strength of the population as modified by the voting strength? If so, what action has been taken thereon?
- (b) whether it is his intention to postpone the coming election, pending the decision of these representations? If not, why?

**The Honourable Malik Firoz Khan, Noon :** (a) Yes, and the Deputy Commissioner has been requested to report the population and voting strength of the different communities as soon as the new electoral rolls have been compiled.

(b) The action to be taken will be considered when the revised figures are available.

DISPROPORTION IN THE WARDS OF THE GOJRA MUNICIPALITY.

**\*258. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that in the non-Muhammadian wards of Gojra the division is disproportionate, and that the present strength of voting in the three wards is 800, 400, 300, respectively?

If so, will he please consider the question of issuing instructions to change the wards in such a manner as to make the proportion equal in all the wards?

**The Honourable Malik Firoz Khan, Noon :** The question raised by the honourable member will be considered when the revised figures are available.

## UNSTARRED QUESTIONS AND ANSWERS.

"HAI SIAT" TAX INTRODUCED BY THE DISTRICT BOARD AND QUALIFICATIONS TO BECOME A VOTER FOR ELECTION TO THE DISTRICT BOARD.

**211. Sardar Ujjal Singh :** (i) Will the Honourable Minister for Local Self-Government please state :—

(a) the names of districts in which "Haisiat" tax (professional tax) has been introduced by the district boards.

(b) the amount of income realised by each district board from such tax.

(c) the minimum amount of such tax which qualifies a man to become a voter for election to the district board.

(d) the minimum amount of local cess for such qualification.

(ii) If the difference between the amounts in (c) and (d) is to the disadvantage of the professional tax-payer, what steps does the Honourable Minister propose to take to remove such distinction?

**The Honourable Malik Firoz Khan, Noon :** (i) (a) and (b) :—

Name of district.	Amount of haisiat tax realised in 1925-26.
	Rs.
Rohtak	16,869
Gurgaon	5,907
Karnal	32,104
Ambala	19,994
Simla	862
Kangra	7,994
Hoshiarpur	20,908
Jullundur	47,659
Ludhiana	4,753
Lahore	18,485
Amritsar	4,155
Gurdaspur	20,554
Sialkot	48,650
Gujranwala	27,256
Attock	18,251
Mianwali	12,711
Shahpur	22,017
Thelum	16,064
Rawalpindi	4,576
Jhang	2,551
Dera Ghazi Khan	18,114
<b>Total</b>	<b>8,51,274</b>

(c) Rs. 4.

(d) Re. 1-14-0 except in the non-colony portion of the Multan district where it is Re. 1-9-0.

(ii) The point has not previously been brought to notice but will now be examined in connection with the revision of the district board election rules which is in progress.

#### IMPRISONMENT OF SUNDAR SINGH OF MARI THAKRAN.

**212. Sardar Narain Singh :** (i) Will the Honourable Finance Member be pleased to state whether—

(a) he is aware that one Sundar Singh of Mari Thakran, district Gujranwala, was sentenced to 2 years imprisonment and fine in connection with Bhai Pheru affair and that in default of payment of fine he was to undergo 2 months' further imprisonment;

(b) he is aware that the said Sundar Singh did undergo 2 months' further imprisonment in default of payment of fine;

(c) it is a fact that notwithstanding that he has undergone imprisonment in default of fine, the fine has been realised from him?

(ii) If the answer to (a), (b) and (c) above be in the affirmative, will he please state why the said Sundar Singh has been subjected to this hardship?

**The Honourable Sir Geoffrey deMontmorency :** Enquiries are being made from the district officers concerned, and on the receipt of reports a communication will be made to the honourable member.

#### CRIMINAL CASE UNDER SECTION 384, I. P. C., AGAINST ISHER SINGH, HEAD CONSTABLE, AND ARJAN SINGH, FOOT CONSTABLE.

**213. Sardar Narain Singh :** (i) Will the Honourable Finance Member be pleased to state whether he is aware—

(a) that a criminal case under section 384, I. P. C., was instituted against Isher Singh, Head Constable, No. 554, and Arjan Singh, Foot Constable, No. 356, of the Sialkot police in the court of Rai Sahib Lala Hukam Chand, B.A., Magistrate, 1st class, Gujranwala (*vide* case No. 124/2, dated 4th November 1925);

(b) that the learned court in its judgment dated 24th August 1926 arrived at the following finding:—

“It is abundantly clear from the file that atmosphere (reference is to the police of Sialkot district) against the accused was inimical, rather it was actually and manifestly hostile and it is established beyond doubt that some of the officers of Sialkot police were bent upon bringing trouble on the accused. . . . . The complaint was false, frivolous and vexatious and is a concoction pure and simple” and acquitted the accused honourably.

(c) that the Deputy Inspector-General of Police also endorsed the same opinion?

[ Sardar Narain Singh. ]

(ii) Will the Honourable Member please state—

(a) what action has been taken or is intended to be taken against the officers of the Sialkot police who are guilty of misconduct;

(b) what compensation has been given to the accused who have suffered hardship in this matter?

(iii) If the answer to (ii) (b) above be in the negative, will he state whether Government intends to take immediate steps to compensate them?

**The Honourable Sir Geoffrey deMontmorency :** Information is being obtained and will be communicated to the honourable member in due course.

ACQUISITION OF LAND CONTAINED IN NOS. 367 AND 368 OF VILLAGE KHORI, DISTRICT GUJRAT.

**214. Sardar Narain Singh :** (i) Will the Honourable Minister for Local Self-Government please state—

(a) whether the Government has acquired or is contemplating to acquire 9 kanals and 11 marlas of land contained in Nos. 367 and 368 of village Khori, district Gujrat, for the site of the local school building;

(b) what is the area occupied by the present school building;

(c) whether the land proposed to be acquired is a *chhappar*, commonly owned by all the communities, i.e., the inhabitants of the village, proprietors and non-proprietors and that there is no other *chhappar* in the village;

(d) whether a petition signed by more than 300 inhabitants of the village protesting against the proposed acquisition has been submitted to Government;

(e) whether just near the land proposed to be acquired there is a plot of land belonging to the district board?

(ii) Will Government please consider the advisability of giving up the idea of acquiring this land and arranging to acquire some other suitable land for the purpose?

(iii) If the answer to (ii) above be in the negative, will Government please consider the desirability of giving in exchange equal area of land to serve as a *chhappar* for the common use of all the inhabitants of the village?

**The Honourable Malik Firoz Khan, Noon :** (i) (a) Yes.

(b) About 10 marlas.

(c) The land proposed to be acquired is a part of the *shamilat dek* owned by proprietors only of the village. There are other *chhappars* in the village.

(d) A petition signed by 168 persons was received by Government.

(e) The district board owns land in the village.

(ii) The site which it is proposed to acquire for the school is the most suitable one, and was selected by the District Inspector of Schools, Assistant District Inspector of Schools and the Secretary of the district board after consultation with the non-official chairman of the board; and the acquisition was agreed to by more than half of the owners of the *shamilat deh*. In these circumstances Government do not propose to stop the acquisition of this land.

(iii) As there are other *chhappars* in the village, Government see no reason for adopting the suggestion of the honourable member.

CATTLE EXPORTED FROM THE PUNJAB BY RAIL AND SOLD AT CATTLE FAIRS AT BHIWANI, HISSAR, HANSI, SIRSA AND JHAJGARAH.

**215. Dr. Shaikh Muhammad Alam :** (i) Will the Honourable Minister for Agriculture be pleased to place on the table—

(a) a detailed statement of cattle of different kinds exported from the Punjab by rail during the last five years ;

(b) a statement showing the details of cattle sold at cattle fairs at Bhiwani, Hissar, Hansi, Sirsa and Jhajgarah during the last five years ?

(ii) Will he be pleased to state the measures taken to protect the famous Haryana breed of cattle ?

**The Honourable Sardar Jogendra Singh :** Every endeavour is being made to collect the information required, but this will take considerable time.

THEFT CASES REGISTERED AT THE CITY POLICE STATION, BHIWANI.

**216. Dr. Shaikh Muhammad Alam :** Will the Honourable Finance Member be pleased to place on the table a statement showing the theft cases registered at the city police station, Bhiwani, and the number of cases traced out of the same ?

**The Honourable Sir Geoffrey deMontmorency :** Information is being collected and will be communicated to the honourable member in due course.

MASTER KABUL SINGH AN AKALI PRISONER.

**217. Sardar Partap Singh :** Will the Honourable Member for Finance be pleased to state—

(a) whether it is a fact that Master Kabul Singh of village Gobindpur, district Jullundur, an Akali prisoner confined in Multan Central Jail, wanted to have correspondence with the trustees of Alliance Bank of Simla which failed in 1923, regarding his money claims ;

(b) whether it is a fact that he was not allowed to do so ;

(c) whether the Honourable Member is aware that his claims have been time barred on account of the permission being not granted to him as above ;

If so, whether the Government will recoup his loss ; if not, why not ?

**The Honourable Sir Geoffrey deMontmorency:** On an enquiry from the Central Jail, Multan, it has been found that no prisoner of the name and description of Master Kabul Singh is confined in that jail. A report has been called for from the District Jail, Multan, where a prisoner of that name is believed to have been confined, and on receipt of that report, a further communication will be made to the honourable member.

#### STAMP DUTY ON A BILL OF EXCHANGE.

**218. Rai Sahib Lala Ganga Ram:** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that stamp duty on a Bill of Exchange, i.e., B.D. for Rs. 1,000 is required to be annas 15 for one year, but there are no stamps of this value and people have to use stamps worth one rupee;
- (b) If so, will the Finance Member please see the desirability of inviting the attention of the Government of India to prepare stamps of this value?

**The Honourable Sir Geoffrey deMontmorency:** (a) The stamp duty on a Bill of Exchange for Rs. 1,000 is annas 15. There is no Foreign Bill Stamp of the denomination of annas 15. There is, however, no necessity, on this account, to stamp the Bill of Exchange with stamps to the value of Re. 1, as under rule 13-A., of the Indian Stamp Rules, 1925, ordinary one anna postage or revenue stamps can be used to make good the deficiency between the full duty payable and the value of the next lowest Foreign Bill Stamp. The ordinary course would be to use a Foreign Bill Stamp of annas 12 denomination and three postage or revenue stamps of anna one each.

(b) Does not arise.

#### CATTLE EXPORTED FROM PUNJAB BY RAIL AND CATTLE SOLD AT CATTLE FAIRS AT BHIWANI, HANSI, HISSAR, SIRSA AND JHAJGARAH.

**219. Lala Bodh Raj:** Will the Honourable Minister for Agriculture please lay on the table—

- (a) a detailed statement of cattle of different kinds exported from Punjab by rail during the last 5 years;
- (b) a statement showing the details of cattle sold at cattle fairs at Bhiwani, Hansi, Sirsa and Jhajgarah during the last 5 years?

**The Honourable Sardar Jogendra Singh:** The honourable member is referred to the answer to Council question 215<sup>1</sup>.

#### HARIANA BREED OF CATTLE.

**220. Lala Bodh Raj:** Will the Honourable Minister for Agriculture be pleased to state the measures taken to protect the famous Haryana breed of cattle?

**The Honourable Sardar Jogendra Singh:** The honourable member is referred to answer to Council question 215<sup>1</sup>.

**REPORT OF SAYAD NISAR KUTAB IN CONNECTION WITH THE MALADMINISTRATION OF THE BHIWANI COMMITTEE.**

**221. Lala Bodh Raj :** Will the Honourable Member for Local Self-Government please lay on the table the report of Sayad Nisar Kutab in connection with the maladministration of the Bhiwani committee ?

**The Honourable Malik Firoz Khan, Noon :** The only report of Sayad Nisar Kutab relating to the Bhiwani municipal committee, of which Government have any knowledge, is a report on certain details of petroli administration ; and as it contains no matter of general public interest, Government are not prepared to lay a copy of it on the table. If, however, the honourable member so desires, I shall be glad to give orders for him to be furnished with a copy of it.

**STATEMENT OF POLICY OF THE MINISTRY OF AGRICULTURE.**

**The Honourable Sardar Jogendra Singh (Minister for Agriculture) :** Sir, I have been in the habit, since I assumed office, of making statements of my policy to the Council. I refrained this year from doing so, as I thought it would be better for me to wait for fresh and constructive proposals which the new Council may wish to make and incorporate these in my programme. We are given just three short years and if we wish to make use of these years we must have a definite programme before us which we must carry through within this period. I can assure you, Sir, that I shall do my best to carry out a programme which is the result of our joint deliberations, and I shall hold frequent consultations with the committees attached to my department.

Agriculture, Sir, is our primary industry, but even the rural party in this House has only pressed for few places for agriculturists in the public services. It has said nothing of the great problems of development that await us and it is in the study of these problems that the prosperity of our country depends. According to the five years' programme we will be opening in the present year 7 farms and 26 veterinary hospitals. The object of establishing these farms is to provide demonstration centres in every district and to study local agricultural conditions. I wonder, if it is realised that these farms cannot work in isolation. I beg you to take interest in these farms and to bring to me and to my department your problems, so that we may be able to make these farms of real value to the districts, that they are meant to serve. It is my endeavour to establish active co-operation between our department of agriculture and the agriculturists.

**Mr. Din Muhammad :** On a point of order. Is the Honourable Minister in order in reading his speech and in discussing his policy at this stage ?

**Mr. President :** The Honourable Minister is making a statement of policy with the permission of the Chair and is in order.

**Mr. Din Muhammad :** The question is whether he can read his statement.

(Voices:—It is a statement and so he can read it.)

**The Honourable Sardar Jogendra Singh:** I do not want my department to be a kind of purely administrative office. I want it to be a centre of service and you can enable me to do so. The opening of 26 veterinary hospitals will now give 217 hospitals to the province, and yet the demand for these hospitals is growing. Indeed, every village is anxious to have a hospital of its own. The officer-in-charge of cattle-breeding has been appointed and all the three breeds, Hariana, Montgomery and Dhanni, are receiving attention. I spoke to you last year of establishing a lift irrigation section. We are now completing the recruitment of our staff and we hope to study this problem in all its aspects. I hope, as the result of these investigations, we may be able to afford the dry areas of the Punjab some facilities of organised irrigation. In the meanwhile boring department has been strengthened by the recruitment of 38 officials, both superior and menial and by the addition of 6 new sets of boring apparatuses. The initial fee of Rs. 50, which was charged before, has been abolished, and the pipes will be supplied at market price. I have asked the Registrar of Co-operative Societies that if any co-operative society wishes we will give them free use of boring apparatus and staff for one year. The problem of lift irrigation, to my mind, is an important problem and here again the co-operation of the Council is needed, so that the benefits of irrigation may become available to areas which are still unprotected.

I wonder if the people realise the great need for providing proper food for our population. It is my opinion that meat or milk is essential for proper nourishment and I believe in increasing our milk supply. We must quicken up the pace of selected breeding of cows. Here again, there is great room for urban co-operative societies to take up the keeping of good cows in the towns to make cheap and pure milk available for the people.

I mentioned yesterday the establishment of a Joint Development Board, and my thanks are due to Mr. Barron for his forethought in this matter in drawing both agriculture and industry together and strengthening the links which bind the producer of raw material and the manufacturer. As I am on the point, I may mention that during the year I held charge of the Department of Industries, I have established a Power Loom Weaving School at Shahdara, and the three Power Loom Weaving centres at Gujranwala, Jullundur and Multan, Hosiery School at Ludhiana and the scheme for attaching a workshop for training up candidates in the art of repairing and making motors, electric plant, etc., is under consideration. It is my hope that this board will become the permanent custodian of constructive policies.

Regarding the co-operative department, I need only say that we hope to open 200 societies in the new year and I trust the urban co-operation will progress and take up cottage industries and the business of industrial finance. There is a great scope for capitalists to join together and to make money available both for agriculture and industry. Modern agriculture depends on capital to yield an increasing return. I am trying to promote the redemption of land revenue societies to redeem the land from the charge it bears and to form sugarcane growers' societies, guaranteeing their produce to modern factories with a view to build sugar manufacturing in the Punjab.

The rural party may take up the question of the consolidation of holdings, we must move faster in this direction, if the present generation is to reap the advantages which consolidation of holdings offers.

Regarding our excise policy—and our leading journal appealed to me to give the lead—I have been searching my heart for some new way of approaching this serious problem, and I sincerely ask you to study this problem with me. If we can find some way of further advance, I can promise you my earnest support, but at present, I cannot see the possibility of enforcing prohibition. For the next three years, if we can make use of local option in the cities, if we can organise temperance societies in the villages and close down shops where conditions permit the closing down of shops, we would have done a good deal to pave the way for future prohibition. I wish to make a suggestion to our lawyer friends to find some legal way of taking habitual drunkards to an asylum established for the purpose and keeping them there till they are cured.

The public works department is agent for other departments, so far as the buildings are concerned. We have a definite policy regarding roads, and as you know, we have now a programme which links up almost every important town on our main road system, and the programme of railways is also providing increased facilities. It may be that in the days to come we will have to devote more attention to radical roads, giving greater support to the railways and to properly kept kacha roads. I am giving a good deal of attention to this matter. The problem of organising a provincial engineering service to serve the district and local boards deserves your attention. I shall be glad to consider concrete proposals which would assist the district boards in the recruitment and maintenance of a trained staff under proper expert control.

The Mandi hydro-electric scheme is making good progress. The staff has been recruited and work is steadily going forward. I hope that in 1930 power will be available for use. Colonel Battye has framed a scheme which provides for future development and linking up of all the sources of power on to the trunk system and he certainly deserves well of the Punjabis. The Council will adjourn to-day.

“The Captains and Kings depart.”

But there will remain the work of doing things, to give effect to the words that have been spoken in this Council and I can assure you that our administrative machinery is extraordinarily responsive. We must keep it out of politics. It strikes me that while we are striving towards the attainment of Swaraj, we must not impair the machinery, but continue to make it perfect and efficient. The danger is that our talks here and in the press and on the platform may destroy our faith in each other and make this machine less efficient. Our administration is not costly. The cost, if spread over the whole population, will compare, I can assure you, favourably with other countries. We hardly realise what a small number of officers administer a district and the province, with an efficiency which is not known in many Eastern and a very few Western countries.

**Rana Firoz-ud-Din Khan :** On a point of order. Is it a statement of policy of the Ministry of Agriculture or a survey of the whole administration?

**Mr. President :** Ministers can make statements regarding public affairs and may also give personal explanations.

**Rana Firoz-ud-Din Khan :** Is it at the close of a session? Are the Ministers justified in doing so at the close of a session, when we have discussed our budget and expressed our considered opinion upon each and every item of the budget?

**Shaikh Muhammad Sadiq :** Are other members of the House permitted to discuss the statement made by a Minister? Is the statement of a Minister open to criticism by the House?

**Mr. President :** No.

**Dr. Shaikh Muhammad Alam :** Will we be allowed to criticise the statement?

**Mr. President :** Unless there is a question before the House no debate or discussion is permissible (*hear, hear*); and as the statement relates to public affairs and also contains some personal explanations on matters within the jurisdiction of the Minister of Agriculture, I think he is not exceeding his right.

**Shaikh Muhammad Sadiq :** Can the Honourable Minister go against the considered wishes of the House in the matter of particular items of budget and give his explanation why he is not abiding by the wishes of the House? The House is deprived of an opportunity of discussing the statement.

**Mr. President :** It would, of course, have been better had the Honourable Minister for Agriculture explained the affairs regarding his department and made personal explanations at a time when members also could have their say on his statement, etc. But, as he is speaking with the permission of the Chair and has almost finished his statement, I hope the honourable members will raise no further objections.

**Rana Firoz-ud-Din Khan :** Can other honourable members also expect the permission of the Chair to discuss the statement?

**The Honourable Sardar Jogendra Singh :** Now, I crave your indulgence to make a few general observations. We are building colleges and council houses and equipping them with the most expensive equipment. What we need is steady preparation for the great task that awaits us. I value dyarchy because it offers us an opportunity of entering the old firm and learning the art of Government—not an easy art I can tell you. Look at the official benches, they are now occupied by four Punjabis. It is said that it makes no difference whether a Punjabi or an Englishman occupies these benches, it is a great compliment to the Englishman and his work. We have a fascinating future and the road is clear, if we only acquire the habit of walking along steadily to the goal. We have the objective of self-government before us and in all our activities we must keep this objective in view. There seem to me to be only two main lines of advance. Firstly, we must attain national unity and overcome communal strife. Secondly, we must prove our ability to govern in the true sense of the word. Both these objects, if we set our hearts on them, are worthy of our endeavour, and there is every possibility of attainment, for the elements of unity are already there, the elements of strife are only kept alive by pernicious propaganda to serve small personal ends. I think, even lip service to a great ideal is not without effect. It means that we realise the need of reaching up to the ideal and are not satisfied with our failure. We must frequently ask ourselves how far

our activities here and outside are helping in the attainment of self-government and the building of a better economic future for the Punjab. It would be idle to deny the depressive effect of communalism on national energies. It is impossible to have a partially sound community. The morbid matter must be expelled or it will taint the whole organism. I hold that if we give some attention to this problem we can bring about a better understanding between all communities and can come to some workable arrangement to observe ordinary rules of neighbourliness and to follow a code of action which would promote fellowship. The State as a trustee for society needs wise leadership and loyal co-operation of all citizens.

**Mr. Din Muhammad :** With due respect, I must submit that the rules only allow personal explanation at this stage. The opportunity for making a statement is only when the member is resigning office.

**Mr. President :** Ministers and ex-Ministers can give personal explanations.

**The Honourable Sardar Jogendra Singh :** We must all agree at least on one thing that the State should live and the dignities of democracy should be safeguarded. We, on these official benches, are trustees for the young party sitting over there and they must beware of curtailing their own future opportunities. I can assure you, Sir, that we are here to serve you and our country and that if we find the machinery of Government responsive and working smoothly it shows that administration is founded on sound lines. I am glad to express my appreciation of the good work which every branch of service is rendering in the Punjab, and lastly, if I may repeat myself, I feel that we must do all that we can to maintain the British traditions of our administration and to keep the administration healthy and strong. I can assure you that we cannot do so without strengthening the links of communal unity. We must not in the heat of past and present controversies forget the hand of fellowship that England has extended to us and the protection that England offers us to work out our destinies in unbroken peace. It would be idle to expect any country to be a kind of maid of all work without some advantage. I, for my part, think the British-Indian connection is of mutual benefit to the two countries and likely to lead to future prosperity and advancement of the world, and if I may, I should like to conclude with the words of Lord Birkenhead :

" Given an India."

" said Lord Birkenhead, in which those who could manifest good will and given a promise of fruitful co-operation, there is much that might gladly be offered; and much which would afford a precious promise of a constitution which might last for a long time and might bring India really, and perhaps permanently, on equal terms as an honoured member into that free community of British Dominions which men know as the Empire."

**Mr. President :** Is that a statement of the policy of the Minister of Agriculture ?

**The Honourable Sardar Jogendra Singh :** I was just quoting it. I have finished.

**Chaudhri Afzal Haq :** Sir, the procedure adopted in Parliament is that explanations are given only when a Minister resigns his office. The Honourable Minister has said something against the considered wish of the House. Should I infer that he is going to resign ?

**The Honourable Sardar Jogendra Singh:** The House will have to wait for that for a very long time.

### GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I should like to state that all the Demands for Supplementary Grants now put before the House are upon the recommendation of His Excellency the Governor.

#### REGISTRATION GRANT.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 6,550 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Registration."

The motion was carried.

#### IRRIGATION GRANT.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 1,30,444 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Irrigation."

**Mr. President:** The question is:

"That a supplementary sum not exceeding Rs. 1,30,444 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Irrigation."

**Mr. President:** All amending motions\* are out of order.

**Sardar Hira Singh** [Lahore (Sikh), Rural]: Sir, I oppose the whole demand. This grant will not serve any useful purpose. We have seen that the telegraph office....

**Mr. President:** Order, order. I have already ruled that all amending motions are out of order. Therefore I cannot allow the honourable member to speak on his motion. But if he wishes to oppose the whole grant, he may do so. I think a further elucidation from the Chair of the extent to which the Council may go in discussing the supplementary or excess estimates appears to be necessary. Such discussion must be restricted to the particular items contained in the demand and their application or to the general questions of policy which those particular items bring in with themselves. The general administrative policy cannot be discussed when the supplementary estimates or excess grants are discussed. It is for this reason that I ruled all these motions out of order. I repeat that no discussion except a discussion on the particular items or upon the policy involved in those particular items is permissible.

\* "That the total grant be reduced by Re. 1."

(Note.—To discuss the extravagance of expenditure under the head and to urge grievances.)

"That the total grant be reduced by Re. 1."

(Note.—To urge that Government should compensate the owners of lands of water-logged areas.)

"That the total grant be reduced by Re. 1."

(Note.—To urge that Government should compensate the areas devastated by water-logging.)

**Sayad Muhammad Husain :** May I ask, Sir, whether a discussion on *ahiana* will be relevant?

**Mr. President :** No.

The question is :

"That a supplementary sum not exceeding Rs. 1,30,444 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Irrigation."

The motion was carried.

#### DEBT SERVICES GRANT.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 2,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Debt Services."

The motion was carried.

#### GENERAL ADMINISTRATION (RESERVED) GRANT.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move :

"That an additional sum not exceeding Rs. 4,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of General Administration (Reserved)."

The motion was carried.

#### GENERAL ADMINISTRATION (TRANSFERRED) GRANT.

**The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) :** Sir, I beg to move :

"That an additional sum not exceeding Rs. 11,100 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of General Administration (Transferred)."

The motion was carried.

#### POLICE GRANT.

**The Honourable Sir Geoffrey deMontmorency (Finance Member) :** Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 51,600 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Police."

The motion was carried.

#### EDUCATION (TRANSFERRED) GRANT.

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

"That an additional sum not exceeding Rs. 7,500 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Transferred)."

The motion was carried.

## PUBLIC HEALTH GRANT.

**The Honourable Malik Firoz Khan, Noon** (Minister for Local Self-Government) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 12,040 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Public Health."

**Mr. President** : The question is :

"That a supplementary sum not exceeding Rs. 12,040 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Public Health."

**Sayad Muhammad Husain** : Sir, I have no intention of opposing this grant, but my object is to draw the attention of the House to the inadequate measures adopted for the prevention of plague and other diseases.

**The Honourable Malik Firoz Khan, Noon** : Where ?

**Sayad Muhammad Husain** : Throughout the Punjab. (*Hear, hear.*) Here is the Department of Public Health, the Minister in charge of Public Health.....

**Dr. Gokul Chand, Narang** : On a point of order. Is that not a discussion of policy which you have disallowed ? If this is allowed, I think, others also are to be allowed.

**Mr. President** : Is the policy, the honourable member is discussing involved in any item contained in the grant ?

**Sayad Muhammad Husain** : There is no question of policy. If there is a severe outbreak of cholera.....

**Mr. President** : The honourable member is not in order.

The question is :

"That a supplementary sum not exceeding Rs. 12,040 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Public Health."

The motion was carried.

## MISCELLANEOUS (RESERVED) GRANT.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 21,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Miscellaneous (Reserved)."

The motion was carried.

## SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

**The Honourable Sir Geoffrey deMontmorency** (Finance Member) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 4,42,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Superannuation Allowances and Pensions."

The motion was carried.

## STATIONERY AND PRINTING (TRANSFERRED) GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture):  
Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 8,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stationery and Printing (Transferred)."

The motion was carried.

## REFUNDS (RESERVED) GRANT.

**The Honourable Sir Geoffrey de Montmorency** (Finance Member):  
Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 60,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Refunds (Reserved)."

The motion was carried.

## REFUNDS (TRANSFERRED) GRANT.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture):  
Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 3,08,200 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Refunds (Transferred)."

**Mr. President:** The question is:

"That a supplementary sum not exceeding Rs. 3,08,200 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of refunds (Transferred)."

**Chaudhri Zafrullah Khan** [Sialkot Muhammadan, Rural]: I notice that in respect of Industries, head of account XXV, an item of Rs. 700 is demanded in order to refund the lease money paid by a lessee of a fishery who was not allowed to fish in the Deg Nullah by the zamindars. The Government propose that the amount of lease money paid by the lessee should be refunded back to him and therefore the sum of Rs. 700 is demanded. We are not aware whether, legally, the lessee has any right against the Government, to sue the Government for the return of the lease money. Evidently what happened was that a lease was put up to auction and this particular lessee took it up and offered to pay Rs. 650 for the right of fishing in the particular place or places which was or were included in the lease. The zamindars subsequently prevented him either altogether or to a certain extent from exercising those rights granted by the Government under the lease. Government appears to think that the lessee is entitled to some compensation because of what has happened. This item, although small in itself, raises really a question of principle. If the Government grants to a certain person certain rights in a property or over a certain piece of water, which presumably the Government is entitled to grant, and if the grantee or the lessee is unable to exercise those rights because a third party interferes with his exercising those rights, does it involve any liability on the Government to compensate the lessee for the loss of those rights? Has the lessee not

[Chaudhri Zafrullah Khan.]

got a cause of action against the persons who have interfered with the exercise of his rights? If compensation is paid by Government in one case, Government will every day be inundated with claims for compensation and would have to make compensation in respect of all such claims, whenever they are made. I would, therefore, respectfully put before the House that, although the item is a small one, the question of principle involved is a very important one and if Government do not wish to be faced every day with such demands for compensations to be allowed to those people whose rights have been interfered with by third parties, they should leave the persons concerned to proceed against those people who interfere with the exercise of those rights.

**Mr. C. A. Barron** (Financial Commissioner): I think, Sir, that I can explain this matter in a very few words. There is no general principle involved in this case at all. The lease for fishing in the Deg Nullah was given to a lessee and afterwards it was discovered that in the record of rights of 5 or 6 villages on the Nullah, fishing by outsiders in their water was prohibited. The lessee, therefore, could not fish there and the proposal is now to give him back the balance of his lease money which relates to those 5 or 6 villages. There is no general question of principle. It is merely a matter of fact and of common justice that Government should give the man back the money.

**Mr. President:** The question is

"That a supplementary sum not exceeding Rs. 3,06,200 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Refunds (Transferred)."

The motion was carried.

### THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, I beg to move—

"That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill."

This bill, Sir, is exactly the same as the bill introduced by me in this Council last year and on my motion referred to a select committee. That bill was not proceeded with because there was not enough time to thrash it out in the select committee and afterwards to take into consideration in the Legislative Council. The honourable members would naturally expect me to explain why on the agenda paper there is no motion for referring this bill to a select committee in case leave to introduce it is accorded by the Council. The reason is this, Sir, that we have been discussing a good many principles underlying the revenue law of the province. The bill that was introduced by me last year and the present bill proceeds on the very principles that underlie the present revenue law of the province. Various points raised by the honourable members during the Budget discussion go to show that there is some desire on the part of the honourable members of this House to see if it is possible to modify those principles on which the revenue law of the province is based. If I were to move that this bill be referred to a select committee,

and the motion were adopted by the House, the principle of the bill would thereby be accepted and it would be open to the select committee to make only such changes in the bill as are subject to the general principle underlying the bill. Therefore after a very great deal of consideration I came to the conclusion that it would not be right to take the bill straightaway to the select committee without making up my own mind and without allowing the members of the Legislative Council to have opportunities of discussing the basic principles of revenue law in the province by way of introducing resolutions for discussion.

There is another point also which needs mention and it is this: the Taxation Enquiry Committee's report which I have no doubt has by now been studied by the honourable members of this House lays down certain broad principles and I have noticed a desire on the part of the honourable members of this House to see how far those broad principles can be adapted to the needs of the province, and how far it is possible to avail ourselves of the suggestions contained in that report with a view to place our land revenue law on a firm footing. This cannot be done until that report has been carefully examined by some one and this House has had an opportunity of expressing its views whether that report can be adapted to the needs of this province or not. Sir, Government has decided to appoint a senior officer to examine the Taxation Enquiry Committee's report at length with a view to see how far the principles enunciated in it can be availed of in the Punjab and it is hoped that that officer will undertake this task at no distant date. I hope when this officer has examined that report and placed his report before Government, and eventually I have no doubt it will be time then either to have this bill referred to the select committee and proceeded with or to modify it in such a way as to meet the wishes of the honourable members of this House before being reintroduced.

With these few words, Sir, I move that the leave asked for be granted.

**Mr. President:** The question is—

"That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill."

(At this stage Sayad Muhammad Husain stood up to speak.)

**The Honourable Mian Sir Fazl-i-Husain:** Is the honourable member opposed to leave being granted?

**Sayad Muhammad Husain:** The Honourable Revenue Member wanted the views of the members of this House (*Voices:—no, no*).

**Mr. President:** I am afraid no discussion can be allowed.

**Sayad Muhammad Husain:** Then I oppose it.

**Mr. President:** I may read for the information of the honourable members the relevant Standing Order. Standing Order 88 runs as follows:—

"If a motion for leave to introduce a Bill is opposed, the President after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate."

If the House is opposed, then I shall ask one of the members of the House to rise to make a speech. I have already proposed the motion from the Chair. If the House or a section of the House is opposed, one of the members may rise and speak.

**Chaudhri Afzal Haq :** How will you know that the House wishes to oppose it ?

**Mr. President :** Any one member may rise and say that he is opposed to leave being given.

The question is—

"That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill."

The motion was carried.

**The Honourable Mian Sir Fazl-i-Husain :** Sir, I beg to introduce the Punjab Land Revenue (Amendment) Bill.

### TOKEN DEMAND.

#### CIVIL WORKS (TRANSFERRED) GRANT.

**The Honourable Mian Sir Fazl-i-Husain :** Sir, the token demand to be moved by the Minister for Agriculture is recommended by His Excellency the Governor for acceptance.

**The Honourable Sardar Jogendra Singh** (Minister for Agriculture) : Sir, I beg to move—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Works (Transferred)."

**Mr. President :** The question is—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Works (Transferred)."

**Lala Bodh Raj :** Sir, how is this motion in order ? From the explanatory memorandum attached to the supplementary estimates we find that the Government of India have ruled that a token demand cannot be presented to the House unless full details are before the House for consideration. So far as the token demand now under consideration is concerned, we have no information. It is stated in the memorandum that the provision of funds will be considered when detailed estimates of the cost are available, and we are asked to accord sanction to certain works about the cost of which we have no information.

**Mr. H. W. Emerson** (Financial Secretary) : Sir, I understand that the objection taken by the honourable member is that this token demand is put forward without any detailed estimates and that therefore it is open to objection. That I think is the ground on which the honourable member objects. The circumstances of the case are that the North-Western Railway is shortly going to build two bridges across the Chenab. If it combines the railway bridges with road bridges as well, it will have to prepare different designs and make different estimates to what it will otherwise have to make. The Railway Board has asked the Punjab Government whether it wishes road bridges to be combined with railway bridges. They want our reply at an early date so that they may make their plans and designs accordingly, but the reference came to Government too late for inclusion in the budget estimates of the next year, and no detailed estimates or plans are yet available. In circumstances of this kind, the Auditor-General last year, as the honourable members may perhaps remember, in connection with the Audit

and Appropriation Report recommended to the Public Accounts Committee that the proper procedure was for Government to obtain the views of the Council by means of a token demand on a question of general policy of this kind if it was not in a position to put forward detailed estimates. The mere expression of the views of the Council on this question of policy does not of course commit it to the detailed estimates. The work will not be proceeded with until a demand for the requisite amount is again put before the House. What Government now wishes is authority of the Council definitely to inform the North-Western Railway that we do propose to join road bridges to the railway bridges. That I hope will satisfy the honourable member.

**Mr. President:** I am afraid this motion is not in order. With a view to achieve the object the Government have in view, they might have moved a resolution. To move a demand for grant and to say at the same time that the Council will not stand committed is a novel procedure. Either there is a demand for grant or there is no such demand. Had there been a demand for grant, the Council might have rejected or accepted it, but if the object of Government was simply to obtain the sanction or authority of the House only to the principle of a scheme and not to have a demand passed by the Council, they would have been well advised to have moved a resolution and thus achieved their object.

**The Honourable Mian Sir Fazl-i-Husain** (Revenue Member): Sir, the course you have suggested is certainly one that can be adopted with advantage, that is to say, the decision of the House can be obtained by moving a resolution. I bow to that, and Government would be glad to avail itself of it. Whether Government can by way of a token demand obtain the opinion of the House is a question on which, Sir, you have now to give your ruling. I am very grateful to you, Sir, for giving me an opportunity of saying a few words in support of the view that a token demand is not a wrong or unfair way of obtaining the opinion of the House as to the policy to be adopted. At present, Government has no intention of committing this Council to any definite sum of money in prosecution of this policy. At the same time there is a contingent liability of an indefinite character which is bound to be incurred if the question put to us by the Railway department is answered in the affirmative. So far as I can see token demands do lend themselves for use in order to obtain such a decision from the Legislative Council. So far as the merits of the problem are concerned, I confess, there is no difference of opinion, that is to say, this House ought to have an opportunity of giving its advice or its decision on this question. Whether that decision should be given on the basis of a resolution moved before it or on the token demand placed before it for acceptance is the only point under discussion. I have submitted that resolution is a legitimate way for securing a decision. The other question is, whether a token demand is not a legal or permissible way? My submission is that this is also a permissible way inasmuch as the token demand gives the Council an opportunity to express itself in favour of the scheme or against it. It is just like the one rupee cut in a demand for grant. I trust, Sir, therefore, that in view of this, you will be pleased to rule that it is open to Government to come to this Council for adjudication either by way of moving a resolution or by moving a token demand.

**Mr. President:** Will the Honourable Leader of the House please refer me to any rule or Standing Order or any rule of practice obtaining in any Council in India or elsewhere?

**Pandit Nanak Chand:** Sir, with regard to token demand, I remember that in one session of the Council a token demand was moved in connection with the Commercial College and that token demand was allowed to be made and nobody raised any objection.

**Mr. President:** Was there any definite amount before the House?

**Pandit Nanak Chand:** No.

**Lala Badh Raj:** May I know what difficulty Government feel in coming to this Council with a resolution on the subject?

**The Honourable Mian Sir Fazl-i-Husain:** The only difficulty is the patent one, that is, this is the last day fixed for the Council meeting, and its next meeting may be sometimes in July or even later. If we postpone this matter till then, we will not be in a position to answer the Railway Board till that time, because we will not have obtained the opinion of this House; and I do not like the idea of Government assuming that this House is going to agree to the proposal. It is neither fair to Government nor to the House. If I am not mistaken, the action taken by Government is in consonance with the privileges of the House which Government wants to respect.

**Chaudhri Zaffrullah Khan [Sialkot (Muhammadian), Rural]:** So far as the demand itself is concerned I have not the slightest objection to it.

**Mr. President:** Order, order. The question of the merits of the demand is not before the House.

**Chaudhri Zaffrullah Khan:** I was only going to speak on the point now at issue. It was only an introductory remark when I said that there cannot be the slightest objection to the demand. With regard to the question whether the Council will or will not be committed to any definite sum if it gives its consent to this token demand, I have to submit this. There may be different kinds of token demands. This is a token demand with regard to the building of two bridges. If the House by the grant of this demand signifies its consent to the procedure proposed to be adopted by the local Government, that is to say, if it consents to the Railway Board undertaking the building of these bridges on the basis that they are to be used both for the purpose of railway and road-traffic, it certainly does stand committed to any sort of demand that might be made upon it with regard to any sum required for the building of these bridges. It cannot subsequently say that only the half or a quarter of the bridge should be constructed, nor can it say that the material used in the construction should not be of the required strength. If, therefore, the House approves of the proposal to construct the bridges then it stands committed to any expenditure that may be required for the purpose. Therefore, my submission is that this argument that by merely consenting to the token demand the House is not consenting to any definite sum will not be available to the Honourable Member in support of the position that the token demand does not commit the House to any definite amount of expenditure.

**The Honourable Mian Sir Fazl-i-Husain :** May I say a word, Sir, with reference to what the honourable member from Sialkot has said?

**Dr. Gokul Chand, Narang :** On a point of order, Sir, is that not going into the merits of the question?

**Mr. President :** It is. Besides, the Honourable Member has already spoken once on the point.

**The Honourable Mian Sir Fazl-i-Husain :** I want to reply to the argument raised by the honourable member from Sialkot. He said that by accepting this token demand, the House stood committed to a certain figure. Certainly, Sir, the token demand does mean that. But the commission of the House is to an uncertain figure. But it does not appear to me that the demand is on that ground inadmissible.

**Rai Sahib Chaudhri Chhotu Ram :** Sir, you wanted a precedent for presenting a token demand before the House. I think in the last July session the proposal of Sir Ganga Ram to present a building for the Commercial College was discussed in the Council by means of a token demand. A token demand was placed before the House to ascertain whether it would have a Commercial College.

**Dr. Gokul Chand, Narang :** Is it not possible, Sir, to grant this token demand with the express proviso that it should not create a precedent because the matter is urgent as the Government has submitted and no authority can be found against this way of ascertaining the wishes of the Council.

**Mr. President :** The proceedings to which reference was made by one of the honourable members appear on page 1108, Volume IX-B. The only thing that is recorded there is that the Honourable Rai Sahib Chaudhri Chhotu Ram moved—

"That a supplementary sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Transferred)."

The motion was carried without any discussion. The point of order which has been raised to-day by the honourable member Lala Bodh Raj was neither raised nor decided. I, for one, am doubtful of the soundness of this precedent but, as it exists, I will follow it this time. As to the future, I would request the Government members that whenever such a case arises they will please move a resolution and not put forward a token demand.

The question is—

"That a sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Civil Works (Transferred)."

The motion was carried.

### ELECTION OF MEMBERS TO SERVE ON THE RAILWAY ADVISORY COMMITTEE.

**Mr. President :** Three representatives are to be elected to serve on the Railway Advisory Committee to represent Trade, Agricultural and Industrial interests respectively. The following members have been duly nominated for the purpose of election :—

To represent Trade interests .. Lala Bodh Raj ; Lala Mohan Lal and Shaikh Muhammad Sadiq.

To represent Agricultural interests Chaudhri Afzal Haq ; Rao Bahadur Lieutenant Balbir Singh ; Sayad Mubarik Ali Shah ; Khan Bahadur Malik Muhammad Amin Khan ; Khan Bahadur Mian Muhammad Hayat, Qureshi and Khan Sahib Khan Muhammad Saifullah Khan.

To represent Industrial interests .. Lala Bodh Raj ; Rai Bahadur Lala Dhanpat Rai ; Mr. Labh Singh ; and Lieutenant Sardar Sikandar Hayat Khan.

Voting papers will now be distributed to members. As soon as the members have marked a cross against one name in each of the three groups they will hand over the voting papers to the Secretary who will count the votes and inform me of the result. Candidates securing the largest number of votes will be declared elected.

(After the voting was over).

### ELECTIONS TO THE SELECT COMMITTEE TO CONSIDER THE AMENDMENT OF STANDING ORDERS.

**Mr. President :** Under Standing Order 57 (2) the Select Committee to amend Standing Orders is to consist of the President who shall be the chairman, and the Deputy President and seven other members to be elected by the Council by means of the single transferable vote.

Nominations of the following candidates for election to the Select Committee to amend Standing Orders have been received :—

1. Mr. H. D. Craik,
2. Mr. J. G. Beazley,
3. Dr. Gokul Chand, Narang,
4. Mr. Labh Singh,
5. Chaudhri Baldeo Singh,
6. Sardar Hari Singh, and
7. Lala Bodh Raj.

As the number of nominations received is equal to the number of vacancies to be filled, I declare these members to have been duly elected for the Select Committee.

### ELECTION OF MEMBERS TO SERVE ON THE FOREST BOARD.

**Mr. President:** Four non-official representatives of the Council are to be elected to serve on the Forest Board. The following thirteen members have been duly nominated as candidates for the purposes of election:—

Pir Akbar Ali,  
 Rao Bahadur Lieutenant Balbir Singh,  
 Lala Bodh Raj,  
 Mr. Din Muhammad,  
 Rana Firoz-ud-Din Khan,  
 Sardar Kundan Singh,  
 Sayad Mubarik Ali Shah,  
 Dr. Shaikh Muhammad Alam,  
 Khan Bahadur Malik Muhammad Amin Khan,  
 Shaikh Zuhammiad Sadiq,  
 Pandit Nanak Chand,  
 Risaldar Bahadur Nur Khan,  
 Sardar Ujjal Singh.

The election is to be held by the single transferable vote system. Voting papers will now be distributed to the members. They should be filled in and handed over to the Secretary. The results of the election will be announced later.

(After the voting was over.)

### RESULTS OF THE VOTING FOR THE RAILWAY ADVISORY COMMITTEE.

**Mr. President:** For the seat to represent Trade interests on the Railway Advisory Committee, Lala Mohan Lal is declared elected as he has secured the largest number of votes. So also Sayad Mubarik Ali Shah to represent Agricultural interests and Lieutenant Sardar Sikandar Hayat Khan to represent the Industrial interests in the Railway Advisory Committee.

The Council then adjourned *sine die*.

THE UNITED STATES OF AMERICA  
DEPARTMENT OF THE ARMY  
OFFICE OF THE CHIEF OF STAFF  
WASHINGTON, D. C.

MEMORANDUM FOR THE CHIEF OF STAFF

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REFERENCE: [Illegible]

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