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THE

Punjab Legislative Council Debates.

From 18th July to 25th November 1927.

Vol. X-B.

OFFICIAL REPORT.



Lahore :

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1928.

PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
COUNCIL.

President.

The Honourable Khan Bahadur Chaudhri Shahab-ud-Din.

Deputy President.

Sardar Habib Ullah.

Secretary to the Council : Sardar Abnaaha Singh.

Assistant Secretary to the Council. : Hakim Ahmed Shujaa.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

EX-OFFICIO MEMBERS AND MINISTERS.

The Honourable Khan Bahadur Mian Sir Fazli-Husain, Kt., Revenue Member to Government, Punjab.

The Honourable Sir Geoffrey deMontmorency, 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), Land-holders.

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.

I.—OFFICIALS NOMINATED.

Ashton, Mr. H. F., Secretary to Government, Punjab, Public Works Department, Irrigation Branch.

Astbury, Mr. A. R., M.I.C.E., Secretary to Government, Punjab, Public Works Department (Buildings and Roads Branch).

Beazley, Mr. J. G., I.C.S., Secretary to Government, Punjab, Transferred Departments.

Cowan, Mr. H. M., I.C.S., Home Secretary to Government, Punjab.

Craik, Mr. H. D., C.S.I., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Development Department.

Currie, Mr. M. M. L., I.C.S., Legal Remembrancer and Secretary to Government, Punjab, Legislative Department.

Emerson, Mr. H. W., C.I.E., C.B.E., I.C.S., Chief Secretary to Government, Punjab.

Gill, Colonel, C.A., D.P.H., I.M.S., Assistant Director of Public Health, Punjab.

King, Mr. C. M., C.S.I., C.I.E., I.C.S., Financial Commissioner, Punjab.

Muzaffar Khan, Khan Bahadur Nawab, Director of Information Bureau, Punjab.

Panny, Mr. J. D., I.C.S., Secretary to Government, Punjab, Finance Department.

Sanderson, Mr. R., I.E.S., Director of Public Instruction, Punjab.

Wilson, Mr. W. R., I.C.S., Revenue Secretary to Government, Punjab.

II.—NON-OFFICIALS NOMINATED.

Abdul Qadir, Khan Bahadur, Shaikh, Sir, Kt., Representative General Interests.

Byrne, Mr. F. Keays, 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.

Roberts, 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, Muhammadan Rural.

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

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

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

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

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

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

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

Buta Singh, Sardar, B.A., LL.B., Multan Division and 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 Chand, Chaudhri, Karnal (Non-Muhammadan), Rural.

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

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

Fazl 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-Muham-
madan), Urban.
- Gopal Das, Lala, Lahore and Ferozepore-cum-Sheikhupura (Non-Muham-
madan), 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.
- Harbakhsh Singh, Sardar, B.A., Hoshiarpur and Kangra (Sikh), 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, Sekhri, Lala, B.A., LL.B., Amritsar City (Non-Muhammadan),
Urban.
- Khan Muhammad Khan, Wagha, Malik, Sheikhupura (Muhammadan),
Rural.
- Labh Singh, Mr. M.A., LL.B. (Cantab), Rawalpindi Division and Lahore
Division North (Non-Muhammadan), Rural.
- Maqbool Mahmood, Mir, B.A., B. Lit., Amritsar (Muhammadan), Rural.
- Mohan Lal, Lala, B.A., LL.B., North-East Towns (Non-Muhammadan),
Urban.
- Mohindar 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 Bahadur, Malik, O.B.E., Attock (Mubamma-
dan), Rural.
- Muhammad 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 Tuman-
dars (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.
- Nansuk Chand, Pandit, M.A., Hoshiarpur (Non-Muhammadan), Rural.
- Narain Singh, Sardar, B.A., LL.B., Rawalpindi Division and Gujranwala (Sikh), Rural.
- Narendra Nath, Diwan Bahadur, Raja, M.A., Punjab Landholders, (General).
- Nur Khan, Risaldar Bahadur, Rawalpindi (Muhammadan), Rural.
- Paray Singh, Sardar, Jullundur, (Sikh), Rural.
- Ragbir Singh, Honorary Lieutenant, Sardar, O.B.E., Amritsar (Sikh), Rural.
- Rahim Bakhsh, Maulvi, Sir, K.C.I.E., Ambala Division, North-East (Muhammadan), Rural.
- Ram Singh, Chaudhri, Kangra (Non-Muhammadan), Rural.
- Sadullah Khan, Mian, Lyallpur South (Muhammadan), Rural.
- Sawal Ram, Rai Bahadur, Lala, Multan Division (Non-Muhammadan), Rural.
- Shahadat Khan, Rai, Lyallpur North (Muhammadan), Rural.
- Sikandar Hyat Khan, Captain, 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.
- Zafullah Khan, Chaudhri, B.A., LL. B., Sialkot (Muhammadan) Rural.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 18th July 1927.

The Council met at Barnes Court, Simla, at 10-30 of the clock, Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in:—

TOWNSEND, MR. C. A. H. (Official nominated).
STRIKLAND, MR. C. F. (Official, nominated).
HIRA SINGH, SARDAR (Labore, Sikh, Rural).
KARTAR SINGH BEDI, BABA (Lyallpur, Sikh, Rural).
NARAIN SINGH, SARDAR (Rawalpindi division and Gujranwala, Sikh, Rural).
PARTAP SINGH, SARDAR (Jullundur, Sikh, Rural).
UJJAL SINGH, SARDAR (Sikh, Urban).
BUTA SINGH, SARDAR (Multan division and Sheikhpura, Sikh, Rural).
HARBAKESH SINGH, SARDAR (Hoshiarpur and Kangra, Sikh, Rural).

STARRED QUESTIONS AND ANSWERS.

Chaudhri Afzal Haq : Sir, we have not yet received copies of questions and answers.

Mr. President : In the case of starred questions no written or printed answers are called for. Therefore, the old practice of supplying printed answers has been discontinued.

***259-63.** *Cancelled.*

LALA RAM SARAN DASS, B.A., OF KAPURTHALA.

***264. Lala Bodh Raj :** Will the Honourable Member for Finance please state if he is aware of the fact—

- (a) (i) that one Lala Ram Saran Dass, B.A., of Kapurthala, was sentenced to transportation for life in September 1915 under the Defence of India Act ;
- (ii) that he was sent to the Andamans on or about 6th December 1915 and then returned from there on or about 23rd August 1921 and since then he has been undergoing his sentence in Indian jails ;

[Lala Bodh Raj.]

(iii) that he is at present confined in Central Jail, Vellore (North Arcot district), Madras Presidency;

(iv) that he has completed the required term of imprisonment under 14 years' rule;

(v) that some political prisoners of other provinces confined under similar circumstances, for instance, Nikhil Naranjan Roy of Bengal, Sawarkar Brothers and Vaman of Bombay have been released by their Governments under 14 years' rule?

(b) If the reply to part (a) be in the affirmative, will the Honourable Member please state if he intends to consider his case as well as the cases of other such political prisoners under the 14 years' rule?

The Honourable Sir Geoffrey de Montmorency: (a) (i) Yes, on the 23rd November 1915.

(ii) Yes; he was sent to the Andaman Islands on the 10th December 1915 and returned on the 27th August 1921.

(iii) Yes.

(iv) No. The 14 years' rule applies to detention in an Indian jail.

(v) Government has no information on the subject.

(b) The question of his release is being examined in consultation with the authorities of the State to which he belongs. Meanwhile it is proposed to transfer the prisoner from Madras to a jail in this Province.

Political prisoners under the Defence of India Act.

***265. Lala Bodh Raj:** Will the Honourable Member for Finance please state—

(a) whether he is aware of the fact that in Rowlatt Committee report it was pointed out that the sentences passed against political prisoners under the Defence of India Act were far more severe than warranted by the crimes committed and that the war being successfully over, different considerations should weigh with the Government in dealing with cases of the political prisoners tried and convicted under the Defence of India Act;

(b) how many of such prisoners are still suffering in Punjab jails, in jails outside the Punjab and in the Andamans;

(c) when their releases are due in ordinary course?

The Honourable Sir Geoffrey de Montmorency: I regret the answer to this question is not yet ready. It will be communicated to the honourable member as soon as possible.

TRANSFER OF SUB-JUDGES TO THE CADRE OF EXTRA ASSISTANT COMMISSIONERS.

***266. Lala Bodh Raj :** Will the Chief Secretary please state—

- (a) if any Sub-Judges have recently been or are going to be transferred to the cadre of Extra Assistant Commissioners ;
- (b) if so, how many and under what conditions ;
- (c) what will be the position of such Sub-Judges in respect of the existing Extra Assistant Commissioners ?

Mr. H. D. Craik : (a) and (b). In order to fill up vacancies in the cadre, 12 Sub-Judges have been permanently transferred to the Executive Branch of the Punjab Civil Service under existing conditions of service.

(c) Their seniority has not yet been determined in all cases, but will be fixed having regard to the position which each officer occupied on the Judicial side, his length of service, etc.

GRANT OF JAGIRS FOR ASSISTING GOVERNMENT AGAINST AKALI AGITATION.

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

- (a) if it is a fact that Sardar Bahadur Sardar Sadhu Singh Kakar, Honorary Magistrate of Amritsar, Chaudhri Ghulam Muhammad Man of Bahawalkote and Machrala, Tahsil Nankana, district Sheikhupura, and Sardar Sahib Sardar Dewa Singh, Sub-Registrar, Ajnala, district Amritsar, have been granted jagirs of the income of Rs. 500, Rs. 250 and Rs. 250, respectively, for assisting the Government against Akali agitation and rendering other services ;
- (b) what services they respectively rendered to the Government so far as the Akali agitation is concerned ;
- (c) the names of other grantees who were similarly rewarded in the past years for assisting the Government against the Akali agitation ?

Mr. C. A. H. Townsend : (a) and (b) The honourable member is referred to Punjab Government Resolution No. 857-R. of 8th April 1927 which was published in the *Punjab Gazette* of April 15th, 1927. The general nature of the services rendered is indicated in that resolution.

(c) The honourable member is referred to Punjab Government Resolutions Nos. 181-4-00-8-4927, dated the 31st March 1924, 454-B., dated the 2nd March 1925, and 1117-R., dated the 5th April 1926, published in the *Punjab Gazette*, dated April 4th, 1924, March 6th 1925, and April 9th 1926, respectively.

HUGH VERNACULAR MIDDLE SCHOOL, KHANGARH.

***268. Lala Bodh Raj :** Will the Honourable Minister for Education please state—

- (a) If it is a fact that the Hugh Vernacular Middle School, Khangarh, Muzaffargarh district, has been raised to the standard of a

*Owing to the absence of the Hon'ble Revenue Member questions addressed to him were answered by the members indicated against the respective answers.

[Lala Bodh Raj.]

high school without the sanction of the Director of Public Instruction and without necessary expenditure being provided in the Budget of the District Board ;

(b) the reasons for such a hasty action ;

(c) if it is a fact that the Headmaster of the said school when he was going to be appointed second master to the High School, Leiah, a few months ago, was complained against by the people of Leiah and that he was not appointed there ;

(d) if it is a fact that the said middle school was raised from the status of vernacular middle school to that of Anglo-vernacular middle school only in or about July 1926 ?

The Honourable Mr. Manohar Lal : (a) Yes ; the district board added a ninth class to the school without the previous approval of Government. The matter is under consideration. Provision has been made in the Board's budget to meet the additional expenditure required.

(b) It is stated that this school was raised to the status of a high school in response to strong representations by the public, and that many of the pupils desired and were eligible for promotion to the ninth class.

(c) Yes.

(d) The vernacular middle school at Khangarh had previously optional English classes and was converted into an anglo-vernacular middle school in May 1926.

VERNA CULAR MIDDLE SCHOOL, MAILSI.

***269. Lala Bodh Raj :** (i) Will the Honourable Minister for Education please state —

(a) if the people of Mailsi, Multan District, represented to the local authorities to raise the status of Vernacular Middle School, Mailsi, to that of an Anglo-Vernacular Middle School ;

(b) if the area of the tahsil is 64 miles \times 48 miles, and whether it is a fact that there is not a single Anglo-Vernacular middle school in the tahsil ?

(ii) If the reply to part (a) be in the affirmative, will the Honourable Minister please state what action the department intends to take on the representation of the people ?

The Honourable Mr. Manohar Lal : Yes, a representation was so made, and it is understood that the status of the Vernacular Middle School has been raised by the District Board to that of an Anglo-Vernacular School from 1st April 1927.

LALA DES RAJ, SUB-OVERSEER, BURALA DIVISION, LOWER CHERNAB CANAL.

***270. Lala Bodh Raj :** (i) Will the Honourable Member for Revenue please state —

(a) if it is a fact that the Chief Engineer, Irrigation Works, Punjab, in his No. 0258-E. L. dated 7th September 1922, ordered that Lala Des Raj, Sub-Overseer, Burala Division, Lower

Chenab Canal, East Circle, should be permitted to apply for the leave due to him which would be granted and that Lala Des Raj should be clearly made to understand that he would not be allowed to return to duty after the expiry of the leave ;

(b) if it is a fact that he was granted 28 months' leave, and that after the expiry of his leave he intimated to his officers to join the service on or about the 25th August 1924, because in the order granting the leave that he received he was made to understand that he would be allowed to return to duty after the expiry of his leave ;

(c) if it is a fact that the Superintending Engineer wrote to the Chief Engineer in his letter No. 3900, dated the 22nd December 1924, that Lala Des Raj could not be made to retire under Article 441-C. S. R., nor could he be made to retire on account of continued general inefficiency as per his personal register ;

(d) if it is a fact that his personal register bears the testimony that he was being promoted from time to time on the recommendation of his immediate officers for his good and efficient work ;

(e) if it is a fact that there is not a single entry regarding his inefficiency in his personal register ;

(f) if it is a fact that he had been made to retire under Article 359 (2) of the Civil Service Regulation on the plea that he lacked in discipline, a plea or ground not covered by the said section ;

(g) if it is a fact that his on-third pension has been cut down because of his being made to retire as stated above ?

(ii) Will the honourable member please state why Lala Des Raj has been made to retire and why his pension has been cut down especially when his work has been perfectly satisfactory and efficient throughout his service ?

(iii) Will the honourable member please lay on the table a copy of the Superintending Engineer's letter referred to in (c) above ?

Mr. J. B. G. Smith : (a) Yes.

(b) Yes, but the order referred to by the honourable member contained a typing omission of the word 'not' which was rectified nearly two months before the late sub-overser intimated his intention to return to duty.

(c) Government does not propose to disclose correspondence between its officers on such cases.

(d) No.

(e) No.

(f) The word " misconduct " in the Article of the Civil Service Regulations covered his offence.

(g) He was granted the maximum pension permissible under the Article quoted in Question (f).

(ii) Lala Des Raj made certain allegations against the integrity of his superior officer which were disproved. He was, however, granted the full

¹ Vide the footnote on page 723 ante.

[Mr. J. B. G. Smith.]

recurring compassionate allowance permissible under Article 353 of the Civil Service Regulations.

His record was far from what the question makes it out to have been.

(iii) No.

SHAH NEHR, MUKERIAN.

*271. **Chaudhri Ram Singh :** (i) Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the Department of Shah Nahr, Mukerian, charged a fine from the zamindars who remain absent on the days fixed for the work to be done by the various *hallas* ;

(b) whether the said department employs on those or on the following days paid labourers to fill the places of those who remain absent from the work ?

(ii) If the answer to part (b) be in the negative, will he kindly state the grounds on which the said fine is charged ?

(iii) Will the honourable member also kindly state the number of paid labourers who were employed by the Department of Shah Nehr, Mukerian, during the last two sessions of the working of various *hallas* in order to fill up the places of persons absent from each *halla* ?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

ROAD FROM NAROWAL TO ZAFARWAL.

*272. **Khan Muhammad Abdullah Khan :** (i) Will the Honourable Minister for Agriculture please state—

(a) if he is aware that with the construction of the Shahdara-Narowal section of the North-Western Railway motor traffic from Narowal to Zafarwal, Sankhatra, Nonar and other important villages has greatly increased ;

(b) whether it is a fact that there exists only a kucha road from Narowal to Zafarwal which has been rendered very uneven and dusty by motor traffic ?

(ii) If the answers to the above are in the affirmative, will the Honourable Minister please state what measures the Government intends to adopt to remove this inconvenience ?

The Honourable Sardar Jogendra Singh : (i) (a) and (b) Yes.

(ii) The roads in question being in district board charge, it is for that body to maintain them or initiate improvements. It is improbable that the Communications Board will assist or encourage the district board to metal any of the roads concerned until the results of the investigation of a possible railway extension to Zafarwal are known.

COTTON CROP.

***273. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the extent of the area under irrigated cotton crop this year and the same last year ?

The Honourable Sardar Jogendra Singh : The Honourable Member is referred to page 78 of the Supplementary Gazette, dated the 11th February 1927.

ACTUALS OF RECEIPT OR EXPENDITURE FOR 1926-27.

***274. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state whether he is in a position to state the actuals of receipt or expenditure for the year 1926-27 ? If so, will he kindly place on the table a statement showing only the totals of actual receipts or expenditure (ordinary) giving at the same time the revised and estimated figures for the same ?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the memorandum explanatory of the Supplementary Demands prepared by the Finance Secretary. He will find the estimates of receipts and expenditure for 1926-27 in the budget volume for the year 1927-28.

ORDINARY EXPENDITURE FOR 1926-27.

***275. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state the total amount of ordinary expenditure budgeted for 1926-27 and the amount actually spent ?

The Honourable Sir Geoffrey deMontmorency : In regard to the actual expenditure in 1926-27 the honourable member is referred to the memorandum explanatory of the Supplementary Demands prepared by the Finance Secretary. On reference to the budget volume for the year 1927-28 he will find that the modified grant for 1926-27 relating to ordinary revenue expenditure amounted to Rs. 11,78,58,000.

REGULATION OF ACCOUNTS BILL.

***276. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) whether the proposed Regulation of Accounts Bill has been drafted ;
- (b) whether the sanction of the Governor-General in Council has been obtained for the introduction of this Bill in the Council ;
- (c) if the draft has not been prepared or the necessary sanction not obtained, how long the drafting and the obtaining of sanction is expected to take ?

The Honourable Sir Geoffrey deMontmorency : (a) Alternative suggestions regarding legislation, all of which present elements of difficulty, are under the consideration of the Government.

(b) No, and

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(c) when a decision regarding the alternative to be adopted has been taken, a bill in draft will be forwarded to the Governor-General in Council for the purpose of obtaining sanction to the introduction of a bill. When this stage is reached, it is not anticipated that any considerable delay will be involved in obtaining sanction.

REPRESENTATION OF ZAMINDARS IN THE EXCISE DEPARTMENT.

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

- (a) what steps, if any, he has taken during the time between budget discussion and now to improve the poor representation of zamindars particularly Hindu zamindars in the Excise Department ;
- (b) what is the number of Excise Inspectors and Sub-Inspectors in the Ambala Division, a pre-eminently Hindu Division, and what is the number of statutory Hindu agriculturists serving as Inspectors and Sub-Inspectors separately, as against the total number of Hindu Inspectors and Sub-Inspectors ;
- (c) how many appointments of Inspectors and Sub-Inspectors have been made since the beginning of the current financial year
 - (i) in the Province and (ii) in the Ambala Division and how many of them are statutory Hindu agriculturists ?

The Honourable Sardar Jogendra Singh : (a) Selections are made by Commissioners who are fully alive to the desirability of allowing no community to monopolize these appointments.

- (b) Twenty. Of these 9 are Hindus, 3 being statutory agriculturists ;
- (c) One in the Province who was a Sikh. None in the Ambala Division

ROHTAK-BHIWANI RAILWAY.

***278. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the necessary agreement with the Southern Punjab and Bombay Baroda and Central India Railways has been arrived at in order to permit of the construction work on the Rohtak-Bhiwani Railway being started at an early date ?

Mr. W. S. Dorman : The Punjab Government understands that negotiations with the Southern Punjab and Bombay, Baroda and Central India Railways are still in progress.

ROHTAK-BHIWANI AND ROHTAK-HANSI ROADS.

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

- (a) the dates on which the Rohtak-Bhiwani and Rohtak-Hansi roads were taken over by the Public Works Department ;
- (b) the length of these roads ;
- (c) the average amount of money required per mile to keep a metalled road in a satisfactory state of repair ;

- (d) the amount of money spent on these roads since they were taken over ;
 (e) whether the present state of these roads is not very unsatisfactory ;
 (f) whether the Government will direct these roads to be put into a state of thorough repair by next autumn ?

The Honourable Sardar Jogendra Singh : (a) The Rohtak-Bhiwani and Rohtak-Hansi roads were taken over by the Public Works Department in June 1925 and May 1924, respectively.

(b) The length of these roads in charge of the Public Works Department are as follows :—

	Miles
Rohtak-Bhiwani	27.94
Rohtak-Hansi	42

(c) The future cost of maintaining these metalled roads in a satisfactory state of repair has been estimated at Rs. 1,100 per mile per annum.

(d) The amount spent on these roads since they were taken over is as follows :—

	Rs.
Rohtak-Bhiwani road	82,697
Rohtak-Hansi road	3,23,161

(e) The Rohtak-Bhiwani road is in very fair order. Some miles require resurfacing and these will be taken in hand these rains.

The Rohtak-Hansi section of the Delhi-Montgomery road was in a lamentable condition when it was taken over from the District Board. It has since been patched up. Five miles have recently been re-metalled. Metal has been collected for resurfacing the remaining bad miles and, provided there is sufficient rain, it is hoped that most, if not all, of these will be consolidated in the course of the next three or four months.

(f) Every effort is being made to have the roads thoroughly repaired by next autumn.

MILITARY GRANTEES.

***280. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether under the existing rules a military grantee must settle on his land personally or it is open to him to send his grown up sons or other near relatives to settle on it ;
 (b) whether, if it is obligatory on the grantee to settle personally on the land, Government will consider the advisability of so-modifying the rules as to permit a retired military officer to send any of his major sons or other near relatives to settle on the land on his behalf ?

Mr. C. A. H. Townsend : If the honourable member's question relates to the 75,000 acres set aside for military grantees in the Nili Bar Colony the answer to (a) is in the affirmative and to (b) in the negative.

¹ Vide the footnote on page 723 ante.

INTER-VILLAGE COMMUNICATIONS.

***281. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the amount of money which has been spent in each of the last five years on the improvement of inter-village communications as distinguished from ordinary roads ?

The Honourable Malik Firoz Khan, Noon : It is regretted that no figures are available.

TOTAL PROHIBITION.

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

(a) four districts with the least consumption of liquor in the Province ;

(b) whether he is prepared to introduce total prohibition in any two of them as an experimental measure ?

The Honourable Sardar Jogendra Singh : (a) Dera Ghazi Khan, Muzaffargarh, Rohtak and Jhang.

(b) No.

TEMPERANCE ASSOCIATIONS.

***283. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state whether he is prepared to subsidize Temperance Associations in order to enable them to engage more staff or otherwise to help them in carrying on an activity and effective propaganda against the evils of drink ?

The Honourable Sardar Jogendra Singh : It is essential that Temperance Associations should be entirely dependent on the public for their support. The Government, however, appreciates the good work these societies are doing and is considering the question of helping these societies in promoting the cause of true temperance.

SELECTION OF ZAILS FOR CONCENTRATION OF THE ACTIVITIES OF
BENEFICIENT DEPARTMENTS.

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

(a) whether there was a proposal before Government to select one zail in each district for the concentration of the activities of beneficent departments in order to demonstrate effectively throughout the province the efficacy of these activities ;

(b) the date on which this question was first mooted ;

(c) whether the proposal has been dropped, and, if so, when and why ;

(d) if the proposal is still alive, the stage which it has reached ;

(e) whether provision will be made in the next budget to give effect to it, wholly or partially ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) In January 1924.

(c) The proposal has not been dropped.

(d) Four zails, i.e., Rohillianwali, Chakwal, Gohana and Sidhwan in the Muzaffargarh, Jhelum, Rohtak and Jullundur districts, respectively, have been selected for concentrated work by the Departments of Agriculture, Education, Public Health, Co-operation, Veterinary, Communications and Medical Relief. Schemes are still awaited from some of the departments concerned.

(e) No definite reply can be given at this stage.

MODEL BASTIS.

***285. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state whether Government is prepared to devise a modest scheme of instituting model *bastis* to demonstrate to the people the advantages and importance of sanitation?

The Honourable Malik Firoz Khan, Noon : Government are not convinced that model *bastis* would serve the purpose. The lay-out plans of village *abadis* in colony towns have been made on scientific lines, but so far as actual sanitary conditions are concerned these villages are not very much better than others. Now that each district is being provided with a District Medical Officer of Health, Government hope that these officers will be able gradually to impress on the public the importance of sanitation. The cost of establishing model *bastis* in all districts would be prohibitive. The question of the measures that can be taken to improve the sanitary conditions and amenities of village life is under consideration.

PANCHAYATS.

***286. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state whether the five officers for whose appointment provision was made in the budget of 1927-28 in order to foster and popularise Panchayats have been selected; if not, what are the reasons for the delay?

The Honourable Malik Firoz Khan, Noon : No provision was made in the current year's budget for the five officers in question; but a supplementary demand is being made in the present session.

KAHUTA FARM.

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

- (a) the capital cost of the Kahuta Farm from the beginning up till now;
- (b) the recurring annual expenditure of all kinds on the Farm;
- (c) the number of years for which the Farm has been in existence;
- (d) the total area of true *bara* land reclaimed so far;

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- (e) the total income from the Farm from the beginning up till now ;
- (f) the income per acre from the *bara* land on which the process of reclamation has been most successful or most complete in the years 1925-26 and 1926-27 ;
- (g) the income per acre from the land referred to in (f) in the first two years ?

The Honourable Sardar Jogendra Singh :

- (a) Rs. 2,86,010.
- (b) Rs. 24,478 (average of past 3 years).
- (c) Nine years.
- (d) About 75 acres.
- (e) Rs. 17,798.
- (f) Rs. 15.
- (g) Rs. 2-4-0 and Rs. 8-6-0, respectively.

WHEAT ELEVATOR AT LYALLPUR.

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

- (a) the capital cost of the wheat elevator at Lyallpur ;
- (b) the annual expenditure of all kind which Government has to incur on account of this elevator ;
- (c) the annual income, if any, from the elevator ;
- (d) the uses to which the elevator is put ;
- (e) the actual utility of the elevator to the Province ?

The Honourable Sardar Jogendra Singh : (a), (b) and (c). The honourable member is referred to the reply given to Council question No. 8690 on the 9th of October last.

- (d) and (e). Do not arise.

CONSOLIDATION OF HOLDINGS.

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

- (a) the name of the district in the north-west Punjab with the smallest holdings ;
- (b) the name of the district with the smallest holdings in the south-east Punjab ;
- (c) the steps, if any, which have been taken to effect the consolidation of holdings in these districts ;
- (d) whether, if no such steps have so far been taken, Government proposes to take such steps, and, if so, when ?

The Honourable Sardar Jogendra Singh : A reference has been made to the local officers and on receipt of reply an answer will be given.

GOVERNMENT TANNERY AT SHAHDARA.

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

- (a) what steps, if any, have been taken to effect retrenchment or economy in the management of the Government Tannery at Shahdara ;

(b) what changes, if any, have been made to secure more efficient and more business-like management of the above tannery?

The Honourable Mr. Manohar Lal : Schemes for the reorganization of the Government Tannery are now before Government, and the whole situation is being examined with the help of the Finance Department and the Standing Committee on Industries. It is too early yet to say what the exact changes in the management of the Tannery will be, and it will not be in public interest to disclose the various schemes in their present inchoate state under consideration. In the meantime it has been directed that the working of the Tannery should proceed with the strictest regard to economy.

RABI CROP.

***291. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether there has been in any part of the province any failure of the rabi crop necessitating remission or suspension of revenue? If so, what is the extent of the remission or suspension (a) proposed; or (b) sanctioned?

Mr. C. A. H. Townsend : 1. Yes.

2. (a) and (b) A statement showing the required information is laid on the table.

Statement showing the suspensions (district-war) proposed by the Collectors concerned and sanctioned by the Commissioners for Rabi 1927.

District.	SUSPENSIONS.		Reasons.
	Proposed.	Sanctioned.	
	Rs.	Rs.	
Hissar	1,975	1,975	Insufficient rainfall.
Rothak	1,301	1,301	Insufficient rainfall.
Gurgaon	24,919		Loss on account of hail.
	1,356 (a)		
Karnal	17,100		Seasonal calamity.
	3,586 (a)		
Ambala	9,679		Seasonal calamity.
	4,491 (a)		
Jullundur			
Lahore			
Gurdaspur	13,222	13,222	Scarcity of rain.
	322 (a)	322 (a)	
Sialkot	7,460	7,450	Seepage in the Narowal Tehsil and erosion by the Deg.
	187 (a)	187 (a)	
Gujranwala			
Sheikhpura	3,257	3,257	Scanty rain.
	31 (a)	31 (a)	
Shahpur	1,940	1,940	
	5 (a)	5 (a)	Scarcity of rain.
Jhelum	7,372		Damage by locusts.
	328 (a)		
Muzaffargarh			
D. G. Khan	1,749	1,749	Failure of irrigation.
Total	89,964	30,892	
	10,804 (a)	543 (a)	

(a) These figures denote assigned revenue.

¹ Vide this foot note on page 723 ante.

Mr. Q. A. H. Townsend.

Statement showing the remissions (district-war) proposed by the
Collectors concerned and sanctioned by the Commissioners
for Rabi 1927.

District.	REMISSIONS.		Reasons.
	Proposed.	Sanctioned.	
	Rs.	Rs.	
Hissar			
Rohilk	2,086	2,086	On account of sub- merged land. Loss on account of hail.
Gurgaon	292	..	
Karnal .. .. .	..	..
Amboya	21	..	Seasonal calamity.
Jullundur	215	215*	Damage by hailstorm.
Lahore	852	852 granted by D.C.	
Waterlogging			
Gurdaspur	320	320	
Shikot	8,647	8,647	
.. .. .	255 (a)	255 (a)	
Guzranwala	145*	145*	Damage by hail.
.. .. .	..	granted by D. C.	
Sheikhpura	224	224	
.. .. .	1 (a)	1 (a)	
Shehpur .. .. .	..	..
Jhelum	530	..	Damage by locusts.
Muzaffargarh	500	..	Damage by hailstorm.
Dera Ghazi Khan	684	..	Damage by hailstorm.
Total	15,396	13,389	
	255 (a)	255 (a)	

(a) These figures denote assigned revenue.

COTTON.

*292. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the price per maund of cotton in March last and now?

The Honourable Sardar Jogendra Singh : The prices of cotton are published in the supplement to the *Punjab Gazette* to which the honourable member is referred. The price for March will be found on page 155 of the Supplement to the *Punjab Gazette* for March 11th and at page 411 for June 24th.

MUSLIM SESSIONS JUDGES.

***293. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly supply in respect of the three Muslim Sessions Judges who were referred to as being zamindars in a Government Press *communiqué* issued in April or May last the following particulars, or such of these particulars as can be supplied without unreasonable amount of labour and as is not regarded by Government undesirable to supply :—

- (a) the name of these gentlemen ;
- (b) whether these gentlemen are statutory agriculturists or zamindars under the broad definition adopted in the resolution of 1919 ;
- (c) if statutory agriculturists, the tribes to which they belong ;
- (d) if zamindars under the broader definition, their native places of residence, the number of generations for which they have held land, and the approximate proportion which the income from agricultural land in the possession of their families bears to income from other sources ?

Mr. H. D. Craik : (a) Government prefers in this case to adopt its usual practice of avoiding reference to the names of particular officers.

(b) Two of the officers in question are members of tribes notified as agricultural tribes under the Alienation of Land Act. The third belongs to an Afghan tribe of the North-West Frontier Province.

(c) Of the two officers who are statutory agriculturists, one is a Rajput of the Gurdaspur district and the other a Jat of the Mianwali district.

(d) Does not arise.

AGRICULTURISTS IN PUBLIC SERVICE.

***294. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state :—

- (a) whether or not the figures relating to the proportion of zamindars as given in the consolidated list showing the proportionate representation of classes and communities in the various branches of the public service are based on a definition of the word zamindars under which many non-statutory zamindars would figure as agriculturists ;
- (b) whether this definition was found difficult to work and to yield results which were not sufficiently definite, accurate or reliable ;
- (c) whether, in order to obtain more reliable data, the Government has altered this definition to that of a statutory agriculturist ;
- (d) whether fresh figures are under preparation in accordance with the definition as now altered ;
- (e) when is it expected that the fresh figures will be available ?

The Honourable Sir Geoffrey de Montmorency : (a) A census of Government servants in the Punjab was held on the 1st January 1926, Government servants being classified according to religion and as agriculturists or non-agriculturists. The definition of the term agriculturist (or zamindar) given in paragraph 2 of Punjab Government resolution No. 4572-S., dated

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the 3rd October 1919, was adopted for purposes of the census. The definition is so framed as to include all persons whose real interests lie in the land or agricultural callings whether or not they are members of tribes notified under the Punjab Alienation of Land Act.

(b) The definition was found to be subjected to a variety of different interpretations by heads of offices and departments.

(c) The scope of the annual census has now been changed with the object of avoiding differences of interpretation of the definition above referred to. With effect from the census held on the 1st March 1927, Government servants will be classified according to religion and as members of tribes notified under the Punjab Alienation of Land Act or 'others.'

(d) Yes.

(e) It is expected that a statement showing the result of the census held on the 1st of March 1927 will be ready very shortly.

**ZAMINDARS AND NON-ZAMINDARS IN CERTAIN CLASSES
OF PUBLIC SERVICE.**

*295. **Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable Finance Member kindly state:—

- (a) whether appointments to the posts of forest rangers, veterinary inspectors and assistant sub-inspectors of police; head constables, tahsildars, naib-tahsildars, kanungos, patwaris, zilladars, and patwaris (canal), excise inspectors and sub-inspectors are by competition or by selection;
- (b) whether, ordinarily speaking, zamindars are not better fitted for the duties of the posts specified in (a);
- (c) whether, according to the consolidated statement issued in July 1926 the following figures correctly indicate the representation of zamindar and non-zamindar Hindus in the above posts:—

	Agriculturists.	Non-Agriculturists.
Forest Rangers	4	20
Subordinate veterinary service	19	39
Sub-inspectors of police	88	164
Head constables	257	403
Tahsildars	14	26
Naib-Tahsildars	31	47
Kanungoes	82	245
Patwaris	1,045	3,375
Zilladars	27	42
Patwaris (canal)	233	852
Excise inspectors and sub-inspectors	15	51

- (d) whether Government will consider the advisability of taking necessary steps to improve the obviously inadequate representation of Hindu zamindars in the above posts?

The Honourable Sir Geoffrey deMontmorency : (a) By selection from amongst qualified persons.

(b) This is a matter of opinion, but honourable member is well aware of the views put forward by Government in the resolution of October 1919.

(c) Yes.

(d) The honourable member is again referred to the resolution of October 1919 to which Government is resolved to give effect in recruitment.

RECRUITMENT FOR CLERKS' POSTS.

***296. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state :—

(a) whether the minimum standard of education required for the recruitments of the class described as 'other clerks' in the consolidated statement issued by the Government in July 1926 is matriculation ;

(b) whether appointment to the post of 'other clerks' is by nomination and not by competition ;

(c) whether the following figures correctly indicate the representation of zamindar and non-zamindar Hindus in this class of appointments according to the said consolidated statement :—

	Agriculturists.	Non-Agriculturists
Forest department	7	56
Public Health department	3	18
Agricultural department	4	21
Financial Commissioners' office	5	13
Police department	8	31
Office of Land Records	Nil	6
High Court	9	77
Subordinate courts	99	454
Director of Public Instruction's office	Nil	11
Subordinate offices (Education)	10	51
Legal Remembrancer's office	Nil	4
Medical department	14	55
Irrigation works	45	206
Public Works Department, Buildings and Roads	7	104
Veterinary department	3	8

(d) whether Government will consider the advisability of rectifying the inequalities disclosed above?

Mr. H. D. Craik : (a) Generally, yes.

(b) Heads of Departments are empowered to make appointments as they think fit. It is understood that in most departments appointments are made by nomination.

(c) Yes.

(d) The attention of the honourable member is invited to paragraph 18 of Punjab Government resolution No. 4572-S., dated the 3rd of October 1919.

CIVIL JUDICIAL BRANCH OF THE PROVINCIAL SERVICE.

***297. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state :—

- (a) what steps, if any, have so far been taken to consult the High Court on the subject of strengthening the zamindar element in the civil judicial branch of the provincial service ;
- (b) whether a final decision will be reached before the next selection of sub-judges takes place ?

Mr. H. D. Craik : (a) The High Court has been addressed on the subject.

(b) I am unable to say, as I am not aware when the next selection of Sub-Judges will take place.

JUDICIAL BRANCH OF THE PROVINCIAL SERVICE.

***298. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state :—

- (a) whether the figures against 'judicial branch' on page 11 of the consolidated statement relate only to the civil judicial branch of the provincial service or cover the criminal judicial branch of the service also ;
- (b) how many of the 18 Hindu agriculturists as against 62 Hindu-non-agriculturists belong to statutory agricultural tribes ;
- (c) how many, if any, among these 18 agriculturists are Jats, Rajputs, Ahirs, Gujars, Sainies or Rors, belonging to Rohtak, Hissar, Gurgaon and Karnal districts ;
- (d) how many, if any, of the 36 Muslim agriculturists in the judicial branch are Rajputs, Jats, or Gujars from Rohtak, Hissar, Gurgaon and Karnal districts ?

The Honourable Sir Geoffrey deMontmorency : (a) The figures did not include members of the provincial service holding 'Listed' posts.

(b) to (d) The honourable member is referred to the statement for 1927 which will be supplied to the House shortly and to the reply which follows to question No. 299.

POLICE AND JUDICIAL BRANCHES OF SERVICE.

***299. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state :—

- (a) whether it is not a fact that zamindars, Hindu, Muslim or Sikh, of the South-Eastern Punjab are very meagrely represented in the police and judicial branches of the service ;
- (b) whether any Jat, Rajput, Gujar, whether Hindu, Sikh or Muslim, belonging to Rohtak, Hissar, Gurgaon or Karnal districts has ever been appointed a Deputy Superintendent of Police by direct nomination ?

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is drawn to paragraph 3 of the answer given.

by the Honourable Sir John Maynard to questions Nos. 1961 to 1975¹ of the 6th of July 1925. As there explained, an annual census is now held showing the communities of public servants in the different branches of the administration, and Government cannot undertake to collect further statistics in regard to the representation of members of different sections or different localities in the public services.

INSPECTOR OF POLICE.

***300. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state :—

- (a) whether in answer to a Council question put in 1918 Government gave an assurance that at least one Hindu Jat would be appointed Inspector of Police as soon as possible ;
- (b) whether any Hindu Jat has so far been appointed as Inspector of Police by direct nomination or by promotion, and if not, whether Government will see its way to the fulfilment of that promise now ?

The Honourable Sir Geoffrey deMontmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member in due course.

MILITARY TRIBES.

***301. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state :—

- (a) the principal military tribes in the Rohtak district ;
- (b) the measure of representation of these tribes among the constables, head constables and sub-inspectors of the police force in the district ?

The Honourable Sir Geoffrey deMontmorency : (a) The principal military tribes in the Rohtak district are Hindu Jats and Muhammadan Rajputs.

(b) The number of men belonging to these tribes enlisted in the police force of this district is as follows :—

	Sub-inspectors.	Head Constables.	Constables.
Hindu Jats	7	34
Muhammadan Rajputs	3	40
Total	10	74

CLERKS IN THE DEPUTY COMMISSIONER'S OFFICE, ROHTAK.

302. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable the Revenue Member kindly state :—

- (a) the total number of clerks in the Deputy Commissioner's office at Rohtak ;
- (b) the number of clerks who are Jats, Rajputs (Hindu or Muslim), Ahirs, Sainies and Gaur Brahmins ?

Mr. C. A. H. Townsend : (a) 70.

(b) 15.

SCHOOLS FOR ADULTS.

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

- (a) the number of schools for adults and their attendance ;
- (b) the number of compulsion areas and the total roll of students in these areas ;
- (c) the number of village school libraries ;
- (d) the number of scouts ?

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

PRIMARY AND MIDDLE SCHOOLS.

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

- (a) the extent of increased roll in primary schools in 1926-27 ;
- (b) the extent of increased roll in middle schools in 1926-27 ?

The Honourable Mr. Manohar Lal : (a) and (b).

	Roll in Primary Schools.	Roll in middle Schools.
Ambala Division	+ 1,231	+ 15,073
Jullunder Division	+ 5,289	+ 10,449
Lahore Division	+ 12,070	+ 20,812
Rawalpindi Division	- 4,513	+ 4,926
Multan Division	+ 7,235	+ 16,415

These figures are somewhat misleading as, on the raising of a primary school to the status of a lower middle school, all the boys who were previously classified as primary become classified as secondary.

BUILDING GRANT FOR PRIMARY SCHOOLS.

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

- (a) the number of primary schools located in village *chaupals* or hired buildings in the Rohtak District.
- (b) the amount of building grant given for the erection of primary school buildings in the Rohtak District in 1926-27 ?

The Honourable Mr. Manohar Lal : (a) A reference has been made to the local authorities.

(b) Rs. 50,000.

METALLED ROADS.

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

- (a) The names of four districts with the highest mileage of metalled roads maintained by district boards ;
- (b) The total amount of grant given to each of these district boards in respect of their roads ?

The Honourable Sardar Jogendra Singh : (a) (i) Jullundur.

(ii) Rohtak.

(iii) Ambala.

(iv) Lyallpur.

(b) The grants given in 1926-27 for maintenance of class II roads, and special repairs and the percentage of the actual expenditure of the district board in the previous years, upon which each grant was based, were :—

	Per cent.
(i) 49,200	55
(ii) 55,000	65
(iii) 89,700*	60
(iv) Nil	

*Includes Rs. 16,000 a special repair grant.

It is not possible to reply to (b) exactly as the question does not specify the year or years for which the figures are required. For this reason also figures regarding grants for development works cannot be given.

RURAL DISPENSARIES.

***307. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state :—

- (a) the names of districts which completed the construction of their quota of rural dispensaries in 1926-27 ;
- (b) the names of districts which were behind hand with their programme of the construction of rural dispensaries in 1926-27 ;
- (c) the names of four rural dispensaries in the province with the largest attendance of out-door patients and the exact attendance at these dispensaries in 1926-27 ?

The Honourable Malik Firoz Khan, Noon : (a) Hissar, Ambala, Jullundur, Ferozepore, Amritsar, Gurdaspur, Gujranwala, Shahpur, Jhelum, Rawalpindi, Attock, Lyallpur and Multan.

(b) the remaining districts except Simla.

(c)

Dispensary.

*Attendance
during 1926.*

Killurkot in the Mianwali District	..	..	18,620
Manga in the Lahore District	..	..	16,947
Samalkha in the Karnal District	..	..	14,692
Wahndo in the Gujranwala District	..	..	13,668

MORTALITY.

***308. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state :—

(a) whether it is a fact that the Punjab shows the highest percentage of mortality among the provinces of India ;

(b) whether Government will consider the advisability of examining the causes of such high mortality in the Province ?

The Honourable Malik Firoz Khan, Noon : (a) Out of the twelve years 1915 to 1926 the Punjab had the highest provincial mortality in the years 1915, 1923, 1924, 1925 and 1926.

(b) The cause of this high mortality is known : it was due to the prevalence of epidemics, of which plague and malaria were the most important.

AMRITSAR MEDICAL SCHOOL.

***309. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state :—

(a) the number of statutory agriculturists, Hindu, Muslim, or Sikh, belonging to the Ambala division who were admitted to the Amritsar Medical School last year ;

(b) whether he would draw the attention of the Principal to the advisability of making some allowance for the backwardness of the Ambala division while deciding the applications for admission in case of applicants belonging to the Ambala division ?

The Honourable Malik Firoz Khan, Noon : (a) One Hindu, one Muslim and one Sikh statutory agriculturists, were admitted to the Medical School, Amritsar, last year.

(b) Students are admitted to the Medical School with reference to their position in the pass list of the Matriculation examination and their health. Government do not think it advisable to issue orders in order to secure preferential treatment for candidates coming from any particular part of the province.

GOVERNMENT SCHOLARSHIPS.

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

- (a) the number of Government scholarships awarded in the Lyallpur Agricultural College ;
- (b) the number of scholarships held by statutory agriculturists ;
- (c) whether under the existing rules preference ought to be given to agriculturists ;
- (d) whether this preference is actually given ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

RETENTION BY THE TEACHING STAFF OF THEIR FAMILY MEMBERS
IN GOVERNMENT QUARTERS.

***311. Khan Muhammad Abdullah Khan :** (a) Will the Honourable Minister for Education kindly state if there are any rules or orders issued by the Education Department, Punjab, to the effect that the members of teaching staff of the schools are not permitted to keep their family members with them in the Government quarters occupied by them and for which they pay a rent ?

(b) If so, will the Honourable Minister for Education please lay on the table such rules or orders ?

(c) If the answer be in the negative, will the Honourable Minister for Education kindly enquire as to whether there are any members of the teaching staff in the Punjab schools who are prohibited from keeping their family members in the Government quarters for which they pay a rent to Government, and lay on the table the result of his enquiry ?

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

(b) and (c) do not arise.

REVOLVERS.

***312. Khan Muhammad Abudullah Khan :** (a) Is it a fact that the Sub-Inspectors of Police in the Punjab are provided with Government revolvers for use in case their life is in danger on duty ?

(b) Is it a fact that the Sub-Inspectors of Excise also have to perform very risky duties while raiding different localities to check illicit distillation and their life is exposed to danger ?

If so, will the Honourable Minister for Agriculture be pleased to state why the Police and Excise Sub-Inspectors are not treated alike in the matter of providing them with Government revolvers, and whether Government is prepared to consider this question now ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) Yes. Government does not consider that Excise Sub-Inspectors who are not trained to the use of fire-arms (as are Police Sub-Inspectors) should be allowed to carry revolvers.

FARE OF BULLOCK CART.

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

- (i) the rate of fare of bullock cart per "parao" ordinarily paid by tahsildars and other officers of the district Amritsar;
- (ii) the rate of fare of bullock cart per "parao" charged by the contractors of Public Works Department in Amritsar district?
- (b) Will he be pleased to state the reasons for the difference in the rates?

Mr. C. A. H. Townsend : A reference has been made to local officers and on receipt of their report the answer will be communicated to the honourable member.

UNSTARRED QUESTIONS AND ANSWERS.

DECLARATION OF BRAHMANS AS AGRICULTURAL TRIBES.

222. Diwan Bahadur Raja Narendra Nath : Will the Honourable the Revenue Member be pleased to lay on the table of the House the correspondence which took place between me and Government on the question of declaring Brahmans in all districts of the Punjab as agricultural tribes of Group A together with extracts from the table XXI of the Census tables of 1921 for the Punjab containing statistics relating to the occupation of Brahmans and Syeds?

Mr. C. A. H. Townsend : I would invite the honourable member's attention to the fact that the correspondence which took place was of a demi-official nature and, as he is no doubt aware, it is contrary to the practice of Government to lay correspondence of this nature on the table.

AGRICULTURAL INDEBTEDNESS.

223. Diwan Bahadur Raja Narendra Nath : Will the Financial Commissioner be pleased to state—

- (a) whether the answer given by me to question No. 6 of the Questionnaire issued by the Royal Agricultural Commission (reproduced below for facility of reference) has been brought to the notice of Government;
- (b) whether Government propose to take any action on the lines suggested by me therein;
- (c) the reasons for refusal or hesitancy to take action in case no action is contemplated?

AGRICULTURAL INDEBTEDNESS.

Question 6 (e). In the Punjab the right of mortgage and sale is already restricted by the Land Alienation Act. The right should be restricted further. The Act operates in two ways. It restricts the right of alienation and it gives a preferential right for the acquisition of land by purchase or mortgage to wealthier individuals in the same class. It is time that while the restrictive aspect may be maintained in respect of the poorer or the more

¹ Vide footnote on page 723 ante.

ignorant classes the richer and the better educated classes who do not need restriction but who benefit by the privilege which the Act confers should be exempted from the operation of the Act under section 24, for instance I would exempt the following classes from the operation of the Act :—

- (1) Men who have taken to Government service or to professions such as the law or medicine or teaching.
- (2) Government pensioners drawing a pension of more than Rs. 100 per month.
- (3) Jagirdars in receipt of jagirs of more than Rs. 1,000 a year.
- (4) Persons who pay more income-tax than land revenue.
- (5) All ex-members of a provincial or imperial cabinets.

Some agricultural classes have taken to money lending and yet they enjoy the privilege of a preferential acquisition of land. The whole subject needs a thorough enquiry, with a view to carry the principles of the Act to its logical and legitimate conclusions and to prevent the expropriation of poorer and more ignorant owners by the richer and better educated rural middle class which has come into existence within the last 25 years.

Mr. C. A. H. Townsend : (a) Yes.

(b) No.

(c) Government is not aware that of the classes whose rights of alienation have been restricted some desire to have the restriction removed, and others to have it made more stringent. No representation on the subject from them has reached Government. Whether the scope of the possible alienees be further reduced, is a matter on which there are not sufficient data available to enable Government to hold that the suggested amendment is necessary in furtherance of the object of the enactment.

FEMALE EDUCATION IN MAILSI TAHSIL.

224. Lala Bodh Raj : Will the Honourable Minister for Education please state if it is a fact that in Mailsi Tahsil of the Multan district only Rs. 51 a month are spent on female education as imparted in both the Hindu and the Mubammadan girl schools ?

The Honourable Mr. Manohar Lal : This matter is the concern of the local authority. There is a Gurmukhi and an Urdu school for girls, the monthly expenditure on which approximates to Rs. 52.

SUPPLY OF COPIES OF JUDICIAL RECORDS FOR PRIVATE USE.

225. Rai Bahadur Pandit Daulat Ram, Kaliala : Will the Honourable Finance Member be pleased to say—

- (a) whether he is aware that copies of judicial records are supplied by the High Court for "private use" on a reduced fee ;
- (b) whether it is a fact that the above practice does not exist in the courts subordinate to the High Court ;
- (c) whether he is aware that there is a great demand by the Punjab-Bar for copies of judicial records for "private use" on the rates of fees current in the High Court ;

[R. B. Pandit Daulat Ram, Kalia]

- (d) whether he is aware that the sale of copies of the judicial records for "private use only" will bring in a good deal of money to the Government at a small cost and will help the members of the Punjab Bar as well in the preparation of their cases;
- (e) whether the Government intends to introduce the system of sale of copies of judicial records for "private use" only on the High Court rates of fee in the subordinate courts?

The Honourable Sir Geoffrey deMontmorency : The question is being referred to the Honourable Judges of the High Court for enquiry and an answer will be furnished on receipt of their reply.

HINDUS IN THE POLICE DEPARTMENT.

226. Rai Bahadur Pandit Daulat Ram, Kalia: Will the Honourable Finance Member be pleased to say—

- (a) whether the number of Hindus in the Police Department (gazetted ranks, subordinate service and constabulary) is very small as compared with the proportion of their population;
- (b) whether it is the intention of the Government to give the Hindus of the province their share in this important department of Government service?

The Honourable Sir Geoffrey deMontmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member in due course.

LOCALS OF THE LYALLPUR DISTRICT.

227. Rai Shahadat Khan : Will the Honourable Revenue Member be pleased to state—

- (a) whether he is aware of the fact that a small number of the locals of the Lyallpur district with identical rights as compared with other locals are still left without any grant of land;
- (b) if the answer to part (a) is in the affirmative, whether the Government intends to start an enquiry as to their relative rights?

Mr. C. A. H. Townsend : (a) Yes.

(b) The matter is already under consideration.

COMMUNICATION BETWEEN SYEDWALA AND SHEIKHUPURA.

228. Rai Shahadat Khan : (i) Will the Honourable Minister for Agriculture be pleased to state whether he is aware of the facts—

- (a) that the part of the Sheikhpura District embracing the police station of Syedwala is far away from the headquarters of the Sheikhpura District and closely situated to the Lyallpur District;

¹ Vide footnote on page 723 ante.

(b) that there are no sources of communication between Syedwala and Sheikhpura and people are put to great inconvenience in going to Sheikhpura?

(ii) If the answer to parts (a) and (b) are in the affirmative, will the Honourable Finance Member kindly state what action the Government contemplates to relieve the trouble of the people?

The Honourable Sardar Jogendra Singh : (i) (a) Yes.

(b) There are unmetalled roads (i) to the railways at Jaranwala and (ii) to the Lahore-Lyallpur Arterial Road at Buehki.

(ii) Government has at present under consideration proposals regarding the alignment of certain arterial roads that may affect the Syedwala *ilaga*. When a decision has been reached, it will be for the district board of Sheikhpura to make arrangements to link up with the arterial system, to which end it should, if necessary, approach the Communications Board for help.

POLICE STATION FOR MOGA.

229. Rai Bahadur Pandit Daulat Ram, Kalia : Will the Honourable Finance Member be pleased to state—

(a) the number of villages situated within the jurisdiction of police station, Moga, in the Ferozepore District;

(b) whether he is aware of the fact that Moga, once a small village has now developed into a second class municipality with six high schools, one intermediate college, a big hospital and a flourishing market; and

(c) whether the Government intends to open a separate police station for the town of Moga?

The Honourable Sir Geoffrey deMontmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member in due course.

POLICE POST AT FEROZEPORE CITY RAILWAY STATION.

230. Rai Bahadur Pandit Daulat Ram, Kalia : Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that Ferozepore city is a junction station with a large traffic in goods and that up and down trains pass through this station during the hours of night; and

(b) whether the Government intends to re-open the police post at the city railway station which used to be there sometime ago?

The Honourable Sir Geoffrey deMontmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member in due course.

TUITION FEE.

231. Shaikh Faiz Muhammad : Will the Honourable Minister for Education be pleased to state—

- (a) whether he knows that in secondary schools in Muzaffargarh and Dera Ghazi Khan districts sons of agriculturists are charged half of the tuition fee ordinarily chargeable from students ;
- (b) whether it is a fact that this concession is allowed because of the general poverty of the agriculturists ;
- (c) whether it is a fact that the agriculturists of the above districts have, for sometime past, been making representation for total remission of tuition fee, and that the Deputy Commissioners of both the districts also endorsed these requests ;
- (d) whether it is a fact that the question of such total remission was discussed in the Inspectors' Conference held in the first or second week of April last ;
- (e) the names of the Inspectors who attended the conference ;
- (f) whether it is a fact that the conference decided against the remission of even half the fee ?

The Honourable Mr. Manohar Lal :

- (a) Yes.
- (b) Yes.
- (c) Representations have been received from the agriculturists of these districts. The opinions of Deputy Commissioners are confidential.
- (d) and (f) The proceedings of the Inspectors' Conference are confidential.
- (e) Director of Public Instruction, Assistant Director of Public Instruction, Registrar, Departmental Examinations, Inspector of Vernacular Education, Principal and Vice-Principal of Central Training College, Lahore, and Divisional and Deputy Inspectors of Schools, in the Punjab.

232. Cancelled.

ELECTRIFICATION OF LYALLPUR.

233. Lala Bodh Raj : Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that a license for electrification of Lyallpur was granted in 1920 ;
- (b) whether it is a fact that owing to the failure of the licensees the municipal committee in 1925 urged for the revocation of the said license and recommended the grant thereof to a local firm who were induced to apply for the same about one and a half years ago ;
- (c) whether it is a fact that a public memorial was submitted to His Excellency the Governor to revoke the old license and grant one to the local applicants ;

(d) whether it is a fact that a municipal deputation waited on the Honourable Minister for Agriculture on his first visit to Lyallpur on 2nd February 1926, with the same object and was assured of sympathetic action;

(e) whether it is a fact that a public deputation again waited on His Excellency on his visit to Lyallpur on 8th March 1926, with the same object and was assured that their request would be granted;

(f) whether it is a fact that although the old license was duly revoked in April 1926, the new one has not yet been granted in spite of the strong local opinion and support in favour of the application;

(g) whether it is a fact that the hydro-electric department have settled their terms with the applicants and promised to recommend the grant of the license to them;

(h) the reasons for not granting a new license to the applicants in spite of the fact that they have settled their terms with the hydro-electric department and the old license has been revoked?

Mr. C. A. H. Townsend :

(a) Yes.

(b) Government has no information about any such representation submitted by the municipal committee in 1925. A memorial to this effect was received from the inhabitants of Lyallpur in January 1926.

(c) Yes, see (b) above.

(d) Yes.

(e) A representative deputation did wait on His Excellency the Governor in March 1926, and was informed that their request would receive due consideration.

(f) It is correct that the original license in favour of the General Electric Company (India), Limited, was revoked in April 1926. Since then negotiations have been proceeding regarding the terms on which a new license can be granted.

(g) and (h) Satisfactory terms have not yet been settled, and no recommendation in favour of the new Company has been received.

PATHANKOT MUNICIPALITY.

234. Chaudhri Ram Singh : Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) if it is a fact that in the Pathankot Municipality a Parsi gentleman has been nominated to the seat rendered vacant by the death of Sardar Kahan Singh;

(b) the number of Parsi voters in the Pathankot Municipality;

(c) whether the said Parsi gentleman possesses any immovable property within the boundaries of Pathankot Municipal Committee;

[Chaudhri Ram Singh]

(d) whether the said Parsi gentleman is a vendor of liquor in Pathankot, and is also a rest-house contractor;

(e) whether there is any Sikh member in the Pathankot Municipality? If not, will he be pleased to state why a Parsi has been given preference and nominated in place of a Sikh?

The Honourable Malik Firoz Khan, Noon :

(a) Yes.

(b) Two.

(c) No.

(d) Yes.

(e) There is no Sikh member of the Pathankot Municipal Committee. The gentleman appointed was considered the most suitable choice for the vacancy.

ZAMINDARI SCHOLARSHIPS.

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

(a) whether the zamindari scholarships are awarded only to Hindu or Sikh Jat, and Rajput agriculturists and also to Ahir agriculturists of the Gurgaon and Rohtak Districts and to Sainis of Ambala and Hoshiarpur Districts and to the Gaur Brahmins in the Rohtak, Hissar, Karnal and Gurgaon Districts; and

(b) if so, whether he intends to amend Article 34 of Section F of Chapter V of the Punjab Education Code so as to admit Muslim agriculturists in the section referred to above?

The Honourable Mr. Manohar Lal : (a) Attention of the Honourable Member is invited to Article 34, Chapter V of the Punjab Education Code.

(b) No. Victoria scholarships are provided for the benefit of Muslims.

SCHOLARSHIPS.

236. Chaudhri Afzal Haq : With reference to Section D of Chapter 5, paragraph 29 of the Punjab Education Code will the Honourable Minister for Education be pleased to state why the reservation of 4 scholarships is made for Hindu and Jat agriculturists only and whether Muhammadan agriculturists will also be included in the section referred to above?

The Honourable Mr. Manohar Lal : Four scholarships are reserved for Hindu and Jat agriculturists but it is not considered necessary to make any such reservation in regard to the fifteen scholarships which are awarded to Muhammadans, the majority of the Muhammadan pupils being agriculturists.

SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES.

237. Chaudhri Afzal Haq : Will the Chief Secretary be pleased to state—

(a) the number of Superintendents community-wise in the offices of the Deputy Commissioners in the Punjab;

- (b) whether Government has issued any letter to the Commissioner to make up the deficiency of that community which has less representation ?

Mr. H. D. Craik : The honourable member is referred to the reply given to question¹ No. 3531 put by S. Gurbeksh Singh on the 22nd October 1926.

PUNJAB EDUCATIONAL SERVICE.

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

- (a) the number of posts in the selection grade of the Punjab Educational Service, and the present strength of the different communities in that grade ;
 (b) whether Government is considering the need for creating two more posts in this grade ;
 (c) if so, will the Honourable Minister be pleased to state whether the Government intends to fill the new posts with the members of the less represented community ?

The Honourable Mr. Manohar Lal :

	Hindus.	Muhammadans	Sikhs.	Christians.	Others.	Vacant.
(a)	3	1		1	1 (Jain)	1

(b) No.

(c) Does not arise.

STIPENDS.

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

- (a) the number of stipends awarded to the students in the Central Training College (community-wise) ;
 (b) the number of Hindus, Muhammadans and Sikhs respectively on the rolls of the B. T. and S. A. V. classes ?

The Hon'ble Mr. Manohar Lal :

	Hindus.	Muhammadans.	Sikhs.
(a) Stipends	35	22	15
(b) No. on the rolls—			
B. T. Class	21	24	9
S. A. V. Class	64	27	21

RAWALPINDI MUNICIPAL COMMITTEE.

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

- (i) whether in the month of February a deputation of Aujman Islamia, Rawalpindi, waited upon the Honourable Minister to request for the introduction of separate representation in Rawalpindi Municipal Committee;
- (ii) whether it is a fact that the Honourable Minister for Local Self-Government promised to sympathetically consider their request?
- (b) If so, will he be pleased to state what the Government has so far done in this respect?

The Honourable Malik Firoz Khan, Noon : (a) (i) and (ii) Yes.

- (b) The Deputy Commissioner has been asked to report whether the electoral wards can be so revised as to secure representation of the different communities more in proportion to the mean between their population and voting strength.

RAWALPINDI MUNICIPAL COMMITTEE.

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

- (i) if it is a fact that on 18th May 1927, the Muhammadan municipal commissioners of Rawalpindi invited the attention of the Commissioner to the paucity of Muslim municipal servants of the committee;
- (ii) if it is a fact that the Muslim municipal commissioners also drew attention of the Commissioner to the fact that since the constitution of municipal committee, Rawalpindi, no Muhammadan Health Officer and Secretary have ever been appointed and prayed for the appointment of a Muslim Secretary and a Muslim Health Officer in case any vacancy should occur?

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

- (b) On the 11th December 1926, the Muslim members of the Rawalpindi municipal committee sent a petition to the Deputy Commissioner, in which they stated that since the creation of the committee no Muslim had ever been appointed secretary-engineer; no mention was made of the health officer. The petition was forwarded to the Commissioner by the Deputy Commissioner.

RAWALPINDI MUNICIPAL COMMITTEE.

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

- (i) if it is a fact that Muhammadans form the majority of population in Rawalpindi municipality;
- (ii) if it is a fact that Muhammadans pay more municipal taxes;
- (iii) if it is a fact that since the constitution of the municipality, the Muslims, in spite of their majority of population, have remained in hopeless minority on the municipal committee;

(iv) if it is a fact that since 1884 up till 1923 out of seven nominated members one Muhammadan has been nominated at each term?

(b) If so, whether the Government is considering to take necessary steps to insure adequate representation of Muhammadans on Rawalpindi municipal committee?

The Honourable Malik Firoz Khan, Noon : The information asked for from the local officers has not been received and therefore the reply to this question, it is regretted, is not ready.

LAHORE DISTRICT BOARD.

243. Sardar Hira Singh : (a) Will the Honourable Minister for Local Self-Government be pleased to state if Government is aware of the fact that the number of voters in the Lahore ward of the Lahore District Board is only 79, while the number of voters in the Alipur ward is 1,317?

(b) If so, will he be pleased to state the reason for this great difference between the number of voters in the two wards?

(c) Further, will he be pleased to state if Government propose to reconstitute the wards of the Lahore District Board with a view to give due representation to each ward?

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

(b) At the time when the circles were constituted the number of voters in the Lahore circle was 205 and in the Alipur circle 436. Alipur being in a colony area the holdings are larger and on the death of a landowner his successors are all probably entitled to the vote, whereas in the Lahore circle the holdings are small and the shares of successors are often not large enough to entitle them to vote.

(c) The matter will be considered.

WATER SUPPLY TO CERTAIN VILLAGES ON RAJBABA KHOTALI.

244. Sardar Hira Singh : Will the Chief Engineer to Punjab Government be pleased to state if it is a fact—

(a) that the following villages on Rajbaba Khotali Upper Bari Doab Canal division, No. 2, have not received water since the 15th August 1926; viz., Kohrian, Ghondi, Bahadur Singhwala, Pindi, Barki, Hassanabad, Narainmalwala and Sangatpura;

(b) that occupier's rate has been imposed upon the above-mentioned villages;

(c) if the answers to (a) and (b) above be in the affirmative, will he be pleased to state what action he proposes to take with a view to supply water to the above-mentioned villages?

Mr. J. B. G. Smith : The information is not available at headquarters and has necessitated enquiry being made from local officers and the result is awaited. The information, when received, will be communicated to honourable member.

KASUR MUNICIPAL COMMITTEE.

245. Sardar Hira Singh: (i) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

(a) that the major portion of the octroi tax levied by the Kasur municipal committee is paid by Sikhs, who inhabit the neighbouring villages;

(b) that there is a sufficiently large number of Sikh voters in Kasur municipality? If so, is it also a fact that no seat has been reserved in the Kasur municipal committee for the Sikhs?

(ii) Will the Honourable Minister for Local Self-Government be pleased to consider the desirability of reserving one seat for the Sikhs in the Kasur municipality?

The Honourable Malik Firoz Khan, Noon: The information asked for from the local officers has not been received and therefore the reply to this question, it is regretted, is not ready.

FAZILKA GOVERNMENT HIGH SCHOOL.

246. Pir Akbar Ali: Will the Honourable Minister for Education please state whether it is a fact—

(a) that from the Fazilka Government High School 52 students appeared in the Matriculation Examination and out of them only 12 got through the examination? If the answer be in the affirmative, will the Honourable Minister please state the reason to account for such a bad result;

(b) that the results of the Government High Schools are generally bad as compared with non-Government High Schools;

(c) that the Government High Schools are better staffed and provided with fine buildings and have more facilities than the non-Government High Schools;

(d) If the answer to the above be in the affirmative, will the Honourable Minister please state the reasons for (b)?

The Honourable Mr. Manohar Lal: (a) Yes, the reason for the failure of many of the candidates is stated to have been the prevalence of plague and sickness about the time of the examination. Certain changes in the staff have recently been made.

(b) In past years this has not been the case. In regard to the recent Matriculation Examination the detailed results of each school have not yet been received.

(c) In many cases this is so.

(d) Does not arise.

AGRICULTURISTS AND THE EDUCATION DEPARTMENT.

247. Pir Akbar Ali: Will the Honourable Minister for Education be pleased to state with reference to Article 15, Chapter IV of the Punjab Education Code, II Edition—

(a) the meaning of agriculturist;

- (b) whether this definition is in accordance with that given in the Alienation of Land Act or with the popular interpretation of the term ;
- (c) whether it is not a fact that according to the definition given in the Punjab Education Code, the majority of the *bond fide* agriculturist students fail to get themselves entered as agriculturists in the school registers ;
- (d) if the answer to (c) be in the affirmative will the Honourable Minister for Education take steps to get the definition so amended as to make it conform with the one given in the Alienation of Land Act or with the popular interpretation of the term ?

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

HORSE ALLOWANCE TO POLICE INSPECTORS.

248. Pir Akbar Ali : Will the Honourable Member for Finance please state, if it is a fact—

- (a) that Police Inspectors posted in cities, cantonments and lines get in addition to their pay Rs. 40 per mensem by way of horse allowance ;
- (b) that the District Police Inspectors do not get such allowance though they also are required to keep horses ;
- (c) if the answers to (a) and (b) be in the affirmative, will the Government kindly consider the advisability of removing the distinction ?

The Honourable Sir Geoffrey deMontmerency : (a) Yes.

(b) Yes.

(c) District Inspectors are entitled to draw mileage and daily allowances at the rates admissible under the Travelling Allowances Rules. These are intended to cover expenses on tour including the cost of upkeep of a horse, and are adequate for the purpose. The distinction between the allowances drawn by District Police Inspectors and Police Inspectors posted to certain cities and cantonments is based on the fact that the duties of the latter are almost entirely confined within a radius of five miles from their headquarters and they are not therefore entitled to draw ordinary travelling allowance. It is for this reason necessary to give them an allowance for the upkeep of a horse or other conveyance. Since District Inspectors of Police are touring officers and are entitled to draw travelling allowance, Government sees no reason for removing the distinction.

UNIFORMS TO POLICE INSPECTORS AND SUB-INSPECTORS.

249. Pir Akbar Ali : Will the Honourable Member for Finance be pleased to state if it is a fact that all policemen including the gazetted officers of all ranks are given uniforms excepting the Inspectors and Sub-Inspectors who have to provide uniforms at their own costs ?

[Pir Akbar Ali.]

If the answer to the above be in the affirmative, will the Government kindly extend the same concession in the matter of uniforms to the Inspectors and Sub-Inspectors?

The Honourable Sir Geoffrey deMontmorency : Constables, Head Constables and Sergeants of Police are given free uniform. Grants are also made for the purchase of uniform to Police Officers of the Imperial and Provincial Services, on appointment in the case of direct appointments, and on confirmation in the case of promoted officers. The question of a free issue of uniform to Inspectors and Sub-Inspectors of Police is under consideration.

POLICE INSPECTORS.

250. Pir Akbar Ali : Will the Honourable Member for Finance be pleased to state if it is a fact ;

- (a) that the Police Inspectors were considered to be of the same rank as the Tahsildars ;
- (b) that the Tahsildars have now become gazetted officers ; if so, will the Government consider the advisability of making the Police Inspectors also gazetted officers ?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the reply to this question is not yet ready ; it will be communicated when ready.

SMALL TOWN COMMITTEE DASUHA AND OCTROI TAX.

251. Chaudhri Afzal Haq : With reference to my question No. 22¹ (Unstarred) put on 28th February 1927, will the Honourable Minister for Local Self-Government be pleased to state :—

- (a) whether the proposal has been submitted to the Government ;
- (b) if so, what action the Government took on it ?

The Honourable Malik Firoz Khan, Noon : (a) No.
(b) Does not arise.

BAR ROOM IN GARHSHANKAR.

252. Chaudhri Afzal Haq : With reference to my question No. 25² (Unstarred) put on 28th February 1927, will the Honourable Finance Member be pleased to state whether the Honourable Judges of the High Court have now sanctioned the proposal for the building of a bar room in Garhshankar, District Hoshiarpur ?

The Honourable Sir Geoffrey deMontmorency : A fair plan and estimate for the proposed bar room have been called for from the Public Works Department by the Honourable Judges.

MOTION FOR ADJOURNMENT.

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural] : Sir, I beg to ask for leave to make a motion for adjournment of the business of the Council for the purpose of discussing the following definite matter of

¹ Volume X-A., page 39.

² Volume X-A., page 40.

urgent public importance, viz., the recent communal riots at Multan and to check the recurrence of such riots.

Mr. President : The motion as stated in the introductory notice runs as follows :—

"I beg to give notice for leave to make a motion for adjournment of the business of the Council for the purpose of discussing the following definite matter of urgent public importance, viz., the recent communal riots at Multan and to check the recurrence of such riots."

Does anybody object to leave being granted ?

The Honourable Sir Geoffrey deMontmorency (Finance Member) : I should like to object for several reasons. I presume that the object of the honourable member is, first of all, to obtain information.

Chaudhri Afzal Haq : On a point of order, Sir. Can the Honourable Member give reasons for the objection ?

Mr. President : I should think he has the right to do so. A mere statement that he objects will be meaningless.

Mir Maqbool Mahmood : Sir, is the Honourable Member in order in quoting private talk which took place outside the Council Chamber ?

The Honourable Sir Geoffrey deMontmorency : I am not quoting any private talk.

Mr. President : There is no reference to a private talk.

Mir Maqbool Mahmood : How does he anticipate the motive that prompted me to bring forward this motion.

Mr. President : No such questions can be put to the chair.

The Honourable Sir Geoffrey deMontmorency : Sir, I said that the probable motive of the honourable member in asking for adjournment was, first of all, to seek information regarding the riots in Multan, and secondly, as he has made clear in the second part of his motion, to discuss measures for the prevention of the recurrence of such riots. As regards the first point, I should like to say that the information which is available is at the moment incomplete. Government is trying its best to get the fullest information on how the riots actually started. As regards their progress of the situation since the riots started they are in possession of some information, but as yet enquiries have not yielded any really substantial information as regards the initial events from which the riots had their origin. It would not be possible, if a discussion began, to give any very accurate information on this extremely important detail. Another matter is, Sir, that it seems to me that a resolution of this kind could be much better discussed on a regular resolution when the atmosphere was calmer. There would then be less mutual recriminations, there would be more opportunity for persons to propound remedies and to arrive at sober and sound conclusions. Certainly, Sir, I do not deny that the matter is of public importance, but on the point of urgency I should like to say that the situation at Multan is now well in hand. For three days there have been no incidents whatever. There are large forces of police, military and additional magistrates posted at Multan who are thoroughly capable of preserving law and order. Special precautions have been taken regarding the investigation and trials of any cases that may emerge from the riots, and there is no apprehension whatever that the fullest information regarding

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the true facts will not be ascertained and the most impartial conclusions will not be arrived at. In the last place, Sir, the honourable mover has said in his motion that his desire is to discuss methods of preventing the recurrence of such riots. Now, Sir, if a discussion is to take place regarding the methods of soothing and dissipating communal tension in India, and in the Punjab in particular, and of preventing communal riots, I think in justice to this House and in justice to Government, honourable members might be given the chance of discussing such very important measures on a regular resolution and not in the brief and hurried period of two hours on a sudden adjournment. A great deal of ground has to be covered both to see how these riots have occurred, what measures have been found successful in preventing them and it is unfair to expect the House or Government at a moment's notice on a motion of adjournment to discuss a matter of such very great importance and of general policy and to arrive—I may point out if the motion is discussed to-day the only time during which any one has got leisure to think is the tiffin time—and to arrive at a decision as to what steps should be taken to prevent the recurrence of communal riots in India. For these reasons, Sir, I oppose the honourable member's motion to adjourn the House.

Dr. Shaikh Muhammad Alam : Sir, I rise to a point of order. Now that you have ruled that the objection may be supported by reason, are we allowed to make a response to that reason?

Mr. President : No discussion can be allowed. The objector has a right, I think, to make a statement in support of his objection, but I would like the honourable members to note that no member of this House is the judge of urgency. That is a matter which rests almost entirely with the Chair. Parliamentary practice on this point is as follows: "The urgency of the matter which forms the occasion for the motion is not taken too literally: It is enough that the mover considers his subject to be urgent, and is able to give it a plausible appearance of urgency, provided always that the nature of the subject is not of such a kind as plainly to make such a description an abuse of language. The Speaker has no general power of suppressing motions for adjournment. His authority only rests to prevent an abuse of the rule by refusing to accept a motion which he considers improper. On the whole the Speaker's practice in exercising his discretion is lean towards favouring the minority." So, in view of the Parliamentary practice I should say that urgency is to be judged by the Speaker and to a certain extent by the mover. Now those who are in favour of leave being granted will please rise in their places.

(More than twenty members rose).

Mr. President : As more than twenty members of the House have risen, the leave is granted, and the motion will be taken up at the conclusion of the business of the day.

AMENDMENT OF STANDING ORDERS.

Rai Bahadur Pandit Daulat Ram, Kalra [East and West Central Towns (Non-Muhammadan), Urban] : Sir, I beg to move—

"That leave be granted to amend the Standing Orders as follows:—

(i) S. O. 4-A be omitted.

(ii) In S. O. 74-D, the words 'and of the Committee on Public Accounts' be omitted."

Mr. President : The question is—

“ That leave be granted to amend the Standing Orders as follows :—

(i) S. O. 4-A be omitted.

(ii) In S. O. 74-D., the words ‘ and of the Committee on Public Accounts ’ be omitted.”

Will those who are in favour of the leave being granted please stand in their places ?

(More than twenty members stood up.)

Mr. President : As more than twenty members have risen in support of the leave being granted, the honourable member will now please move the next motion on the agenda.

Pandit Daulat Ram, Kalia : Sir, I beg to move—

“ That the draft amendments be referred to a Selected Committee.”

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. to-morrow, and the election will take place on the 21st, provided the motion is carried. The question is that the draft amendment be referred to a Select Committee.

The motion was carried.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY AND ADDITIONAL GRANTS, 1927-28.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :

11 A. M.

Sir, His Excellency the Governor has recommended the adoption of the supplementary demands which are laid before the Legislative Council to-day.

Before Honourable Members and Ministers move the supplementary demands, I should like your permission, Sir, to make a very brief statement as regards the class of supplementary demands and as regards the financial position at the moment which affects the consideration of those demands. When the general debate on the budget came to a close last March honourable members will remember that the question of the remission of provincial contributions still hung in the balance. We could not at that time definitely say whether we would receive the remissions we hoped for from the Government of India or not. Nevertheless during the course of that debate honourable members made a large number of suggestions both as regards the objects on which money should be spent if received and as regards the various items of taxation which they considered the improved financial conditions might make it possible to reduce or remit. I pointed out to honourable members at that time that if the remission did materialise we should have to take the fullest cognisance of the fact that this would be the last large windfall of a recurring nature which we could expect to obtain from the Government of India. It would therefore behove us to use the greatest foresight, prudence and care in the study of the manner in which we decided to employ this recurring remission if we received it. For, if we made a mistake in its allocation that mistake would affect not only the budget of this year but would affect our financial position in future years and run

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through our whole financial position like a perpetual running sore. The issue of the Finance Bill and the course of debates at Delhi soon made it clear that we might expect to receive the much desired remission.

Before discussing the problem of its use, I may venture on behalf of the province to express our indebtedness to the Honourable the Finance Member of the Government of India for this substantial and permanent addition to our resources. (*Hear, hear*). The exact amount of remission is 60 lakhs recurring and 26 lakhs non-recurring, and this was only intimated to us in the letter from the Government of India, dated 26th May last. But without waiting for the exact intimation, immediately after the March session of the legislature, the Government set to work vigorously and to take stock of the position. The general debate on the provincial budget had shown that honourable members wanted two things, the speeding up of developments particularly in the beneficent departments and at the same time the remission of taxation. Honourable members will readily concede that these are two very difficult horses to drive together in a double harness. Nevertheless immediately after the spring session of the Council, the departments of the Punjab Government were at once invited carefully to consider their programme of expansion and the new schemes for the next five or six years bearing in mind those directions in which there were indications in this House that the members of this House chiefly desired development. This examination in itself constituted no light task; and I need scarcely remind the honourable members that in the budget debates, 36 directions were mentioned in which they thought additional or new expenditure was required, or 37 rather, for, I must not forget to include the *charikha* on which my honourable friend from Jullundur laid stress. Besides this, on numerous other occasions, in resolutions and in motions for cuts and in the debates, measures have been brought to the notice of Government which honourable members considered Government should adopt. All these matters are receiving the most earnest attention in the departments of Government. I trust honourable members will not feel that the progress of this examination is too meticulous or too lengthy. It is of cardinal importance to the province that it should be thorough and complete. The investigations involve some special difficulties which I should like honourable members to recognise. It seems an easy thing for example to say, 'give additional grants to local bodies for expansion of education.' We have a system at present of basic and other grants to district boards. But our present system in turn involves some expenditure on the part of the district boards also. Great expansion has already been carried out in the last four or five years. The actual weight of the expenditure on this expansion has not yet been fully felt. Buildings are new, they are not costing much yet in maintenance. Large staffs have been appointed, but they are at present only drawing the lower grades in the graded scales of pay and in a few years time they will cost much more than they do at present. Honourable members are aware that the district boards already spend a large proportion of their income on education. Now their income is strictly rigid, that is, within the period of a settlement they cannot expect much additional accretion to their general revenues. Their revenues are mainly derived from local rates. It follows that most district boards could not continue rapidly to increase their share in the expenditure on the expansion of education without diverting money from medical, veterinary,

public works, communications and other useful activities. For the district boards, more rapid expansion in education, unless an alteration in system is evolved, in effect means either contraction of other useful activities or bankruptcy. For this reason we are forced if we want to speed up the rate of expansion, not only to consider our own financial position but also that of the local bodies. It is not as might at first sight appear merely a question of the degree of assistance which it is practicable for Government to give. It might be found on examination to be a question of a radical change of method.

I do not wish to occupy time by dwelling on other administrative problems which the departments have to take into consideration in framing programmes. Among questions of first class importance I might mention that the scales of pay for provincial services in the transferred departments have not been finally fixed. This is a matter of some difficulty which involves also some correlation of what is being done in the neighbouring provinces. I may also refer to the proposal for police re-organisation which is now ripe for discussion. Our position is that various highly coloured and attractive items have to be selected. They have to be given a proper place and pieced together into a complete and well-conceived picture for presentation to the Council. It is a task of no small difficulty, and if unduly hurried it can only result in what Government and this House must surely deprecate, namely, an imperfect and unsatisfactory scheme.

Much the same difficulties occur as regards remission of taxation. After the last session we immediately set to work to scrutinise what additional taxes have been imposed since the reforms, what they were estimated to bring in and what they had actually brought in and the circumstances in which and purposes for which they were imposed. The conditions and measures adopted as regards similar taxation in neighbouring provinces are also being examined. Certain far-reaching suggestions made in this House regarding some taxation, which was in force before the beginning of the reforms, are also engaging the attention both in the Administrative departments concerned and in the Finance Department. The future expectation regarding the increase in expenditure and the expansion of ordinary revenue have also to be scrutinised very carefully in this connection; and it is obvious that no conclusion regarding the use of the remission of contributions particularly the recurring remission or the remission of taxation can be arrived at without simultaneous conclusion regarding the cost of expansion and programmes of expenditure on development and prospects of the growth of ordinary revenue. Government hopes to reach conclusions on these questions before the beginning of the next session of the Council and to lay as complete proposals as possible before this House in Lahore in October.

Meanwhile, in placing the present demands for supplementary grants before the Council in this session Government has been careful to confine the demands to really urgent items of importance almost entirely of a non-recurring nature, and to avoid asking the Council to commit itself to any large schemes involving considerable recurring expenditure which would constitute a permanent feature of the commitments in regard to the use of the large recurring remission given by the Government of India before the Council has had full financial proposals for their utilization before it.

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which are now under preparation and to be discussed in the next Council. The demands for supplementary grants total Rs. 20,67,291, and the following are the details :—*Non-recurring* : capital Rs. 2,24,500 ; revenue, Rs. 16,55,942 ; *recurring* Rs. 1,81,449. As explained in the memorandum prepared by the Finance Secretary, the acceptance of the supplementary demands by the Council will leave a balance at the end of the year in all accounts of 112 lakhs. Expenditure on ordinary revenue account inclusive of these demands will be six lakhs less than the estimated receipts and the closing balance in that account will be 94 lakhs.

LAND REVENUE GRANT.

The Honourable Sir Geoffrey deMontmorency : (Finance Member) : Sir, I beg to move :—

"That a supplementary sum not exceeding Rs. 22,586 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."

The motion was carried.

IRRIGATION GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 5,25,325 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 supplementary sum not exceeding Rs. 5,25,325 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."

Sayad Muhammad Husain [Montgomery, Muhammadan, rural] (Urdu) : Sir, I do not propose to oppose the demand under consideration. I simply wish to ask the Government what policy they are adopting with regard to the question of *abiana*. Sir, it would not be out of place to submit that the welfare of the province mainly depends on the development of the industry of agriculture.

Mr. President : The honourable member has introduced discussion on the general question of *abiana* which, no doubt, would have been very appropriately discussed at the general budget discussion but not when supplementary grants are before the Council.

Sayad Muhammad Husain : I am discussing *abiana* here for this reason that I want to throw off the whole item because the Government are not entitled to ask any more sum. They have not taken into consideration the question of reducing the *abiana*. For that reason I am opposing the whole grant.

Mr. President : The Honourable Member will be quite within his rights if he discusses any policy or principle affecting the demand which has been moved ; he should not wander beyond that.

Sayed Muhammad Husain (continued in Urdu) : Sir, what I want to submit is that the demand under consideration cannot be justified on any grounds, moral or economic, unless the Government is prepared to concede to the requests of the zamindars with regard to the reduction of *abiana*.

Mr. President : I think the general question of *abiana* was discussed at the March Session of the Council when the budget grants were discussed. Therefore, that question cannot be allowed to be re-opened now when supplementary demands are under discussion.

The question is—

"That a supplementary sum not exceeding Rs. 5,25,325 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.

GENERAL ADMINISTRATION (RESERVED) GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :—

"That an additional sum not exceeding Rs. 1,600 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 1928 in respect of General Administration (Reserved)."

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I beg to move :—

"That an additional sum not exceeding Rs. 8,000 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charge 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.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :—

"That an additional sum not exceeding Rs. 2,772 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."

The motion was carried.

POLICE GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :—

"That an additional sum not exceeding Rs. 1,18,691 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 an additional sum not exceeding Rs. 1,18,691 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."

Mir Maqbool Mahmood rose to move his motion.

Mr. President : May I ask the Honourable Member, before he moves his amendment, to state for the information of the Council, the object he has in view in moving the reduction of Re. 1 in the item of Rs. 1,00,708 ?

Mir Maqbool Mahmood : My object, Sir, is to state that additional police is not so necessary as the removal of the causes of the continuance of bitterness in Lahore.

Mr. President : It does not seem to be fair to the members of the Council, especially to the Treasury Benches, that a reduction with such an object should be moved unless the object is expressly stated and communicated along with the notice of the proposed amendment, so that it may be incorporated in the Agenda. On this view the honourable member's amendment is defective, but as a special case I allow him to move it this time. In future, however, whenever a reduction of a demand for a grant is moved, not with the object of actually reducing the expenditure covered by the item of the demand but with the object of (i) discussing or emphasising some act of or grievance against the administration of the department concerned, or (ii) criticising, condemning or censuring some act or policy of the Government or the Minister making the demand in question, a notice of amendment shall be considered to be defective, and consequently irregular, unless it is accompanied with a statement of the object with which the reduction or cut is proposed to be made.

Mir Maqbool Mahmood [Amritsar (Muhammadan) Rural : Sir, I move :—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,00,708—
Additional Police for Lahore."

The communal riots in Lahore, Sir, were a most regrettable feature in the public life of the province. I endorse all the censure in the press that has been levelled on those responsible for inciting communal riots and communal bitterness, and I am sure the whole House will join me in condemning all those who were in any way responsible for communal hatred and squabbles. I am equally sure that the whole House will support the Government in every reasonable attempt in preventing their recurrence in future and in preserving law and order when these riots do break out. As I read the explanation of the Government for the continuance of this additional police, I find that in the present state of affairs they feel that this force is the minimum required to maintain order and confidence in the present state of communal feeling. I feel, Sir, that in order to ensure better confidence in the public, something more is necessary than merely the posting of additional police and that is to go to the root causes, the acute causes, of the present day troubles in Lahore and try to remove them by reasonable and constructive ways.

Pandit Nanak Chand : What are those causes ? (An honourable member : We are responsible for them).

Mir Maqbool Mahmood : I agree with the honourable member who has just said that honourable members are responsible for the continuance of the trouble partly. I agree because I feel that the Council has not been doing what it should do or what is its right and duty to perform. We should try to remove the communal feeling in the province and try to bring in

constructive thought on the solution of such problems. (Hear, hear). To begin with, I will take up the question of the imprisonment of the Editor and the Publisher of 'Muslim Outlook'.

The Honourable Sir Geoffrey deMontmorency : May I ask, Sir if this reference is in order. It has nothing to do with additional police.

Mr. President : As a separate motion has been tabled with regard to that matter I am afraid the honourable member cannot anticipate that matter and start any discussion on it.

Mir Maqbool Mahmood : I am not recommending anything that is covered by the resolution. I propose tackling it from another point of view and I am prepared to explain it.

Mr. President : If the argument which the honourable member wishes to put forward is relevant even remotely to the discussion of that resolution, then he may take it from me that he is out of order and he should not bring in that argument or statement of facts.

Mir Maqbool Mahmood : If that is your ruling, Sir, I bow to it. The other point that I wish to raise at this stage, is about the communal riots at Lahore and the unfortunate feeling which preceded those riots and which continues still in the public life of that city. To my mind, Sir, the present system of elections is also responsible to a great extent in inciting communal misunderstandings among the people. I feel that the time has come when the Government and the members of this Council should put their heads together to evolve some system of election, not necessarily joint or separate, under which the rowdy as well as the sane elements of the two communities might work together as a team in the working of the reforms and in the service of the country. The mere bringing in of additional police and the mere creation of a stop-gap arrangement are not going to improve matters. It seems to me that something bolder is necessary to solve this communal problem. I submit, Sir, that the Lahore riots and the present feeling in Lahore as well as in other parts of the province are mainly due to the false rumours which mischief mongers set afloat. It is only the exaggerated description of ordinary events that are at the bottom of all this trouble. I feel, Sir, that we are in order in requesting the Government to bring forward special legislation to deal with the mischief-mongers. I would also submit, Sir, that the time has come when the Council as a whole should lend its support if the Government adopts measures to deal with the mischief-mongers in a deterrent way. The hopeless references in the press of both communities, especially the references in the gutter press are the primary causes of these communal disturbances. I feel, Sir, as a member of the Council—and I am sure that I have the entire support of the reasonable elements of the Council—that the Government has not so far used the preventive and controlling powers in the way in which the situation demands.

The Honourable Sir Geoffrey deMontmorency : What powers?

Diwan Bahadur Raja Narendra Nath : Reviving the Press Act,?

Mir Maqbool Mahmood : I mean special emergency powers. I am one of those, Sir, who stand for freedom of speech and freedom of press on matters of national importance. I would be false to my own traditions and culture and education if I did not hold that. I am one of those who would fight any day for the reasonable freedom of the press, and I hope my

[Mir Maqbool Mahmood:]

honourable friend the representative of the landholders, the Raja Sahib will entirely agree with me in this, namely, that the way in which the present legislation is applied to stop the activities of the gutter press is one of which neither he, nor I, can feel proud. (Hear, hear).

Diwan Bahadur Raja Narendra Nath : What is the remedy ?

Mir Maqbool Mahmood : The only remedy is a strong emergent legislation to deal with these wild communal vapourings of the gutter press. These are some of the matters, Sir, to which I wish to invite the attention of the Government, in making this motion and the other matters relevant to this subject, I shall refer to when I move my adjournment motion this evening.

Mr. President : Demand under consideration, motion moved :—

"That the grant be reduced by Re. 1, with respect of the item of Rs. 1,00,708,—Additional Police for Lahore."

The question is that that motion be adopted.

Lala Mohan Lal [North-East Towns (Non-Muhammdan), Urban]. Sir, I entirely endorse the views that have been expressed by the honourable member for Amritsar, Muhammdan, Rural. I will go a step further and ask honourable members of the House to be honest in their speeches. Sir, is it not a fact, that honourable members of this House presided over meetings in Lahore where inflammatory speeches were made? They come now to the House and say that Government should take measures to prevent the communal disturbances. Do they realise their responsibility in this matter? The fact is that the so-called leaders are afraid of the masses. They do not want to be disowned by the masses. They have not the courage to express their views openly at the meetings over which they preside, because if they were to do so, they would lose their hold on the minds of the masses. The fact is that greater responsibility lies on those who take the initiative when there are riots in the Punjab and when there are communal disturbances and when communal passions are aroused. What is the result? The so-called leaders after doing the mischief and after rousing communal passions go home quietly and sleep. The ordinary people whose feelings are roused to the highest pitch commit murders, arson and loots with the result that they are arrested and challaned by the Government. Who is it that suffers? Is it the so-called leaders who fan the flame and quietly sleep at home when the mischief is going on or the poor ordinary people who take the advice of the so-called leaders? I am one of those who would support any measure that may be taken by the Government to prevent the recurrence of communal disturbances. If the Government wants additional police, the Government should be supported. If the Government in order to suppress these riots wants to take special measures which are reasonable, it should be our duty to support the Government. I want to draw the attention of the honourable members of this House and the leaders of the Punjab to their duties. Let us all be alive to our respective duties. Let us do our best and let us be honest and frank and then we can find a solution of this difficulty. There is no use of merely making speeches in the Council and then go home and sit silent. The root cause, according to my conviction is that the Government is to be blamed to the extent that the

Government at certain times does not take action in time. Whenever there is any publication from one of the members of either community, the Government sleeps over the matter. When a reply is given by the other community refuting the arguments advanced in the publication, then the Government wakes up. The Government generally wakes up only when the feelings of both communities are roused. When passions run high, there is generally a communal upheaval and there are riots in consequence. The leaders of each community sleep when inflammatory writings appear in the press. When a member of the Hindu community publishes any article, the leaders generally keep quiet. In the same way when a member of Muhammadan community publishes an article attacking the Hindu community, the leaders of that community sleep over the affair. Neither of the community leaders want to touch that man who commits offence. The so-called leaders do not disown the writer of the articles. What is the result? One member of a community starts the mischief, the member of the other community gives a reply thereto and then the Government wakes up. Even the members of this House say:—"Oh, there have been riots at Lahore, at Multan, etc." The Pandits and the Maulvis and the preachers of the various communities go round and make inflammatory speeches and arouse the passions of the people. Some of us, who preside over those meetings do not have the courage to tell these people that they are in the wrong and that we do not share their views. The mischief is done. The inflammatory material has been set on fire and then we come to this House and make speeches laying the blame at the doors of this party or that or of the Government. My submission is, let us all, the Government and the Hindu and the Muhammadan leaders, do our duty. Let us all be wide awake and take proper steps at the proper time when some of the mischief-mongers try to create trouble.

Mir Maqbool Mahmood : I do not want to press my motion. I therefore beg leave to withdraw it.

The motion was by leave withdrawn.

Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I beg to move :

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,00,708—Additional Police for Lahore."

Sir, my object in moving this amendment is to initiate a general discussion on the novel policy and the new method that has been adopted by the Government in the matter of recruitment to the police at Lahore. Before I proceed further I would like to explain myself how this policy was originated. As every one of us is aware, in May last some misguided persons attacked with kirpans some peace-loving and God-fearing people, who were returning from the mosque after saying their prayers, and murdered five of them.

Mr. President : Order, Order, that is a matter which I understand is now pending before courts of justice. Therefore no reference ought to be made to facts which are in any way involved in that judicial trial.

Sardar Habib Ullah : I was only mentioning facts of the few incidents that happened in the early part of May at Lahore, just on the eve of the riots. But I would not refer to that particular incident, as you, Sir,

[Sardar Habib Ullah].

have ruled that it is out of order. Every one of us is aware that serious disturbances occurred at Lahore in the early part of May. It was the cause of heavy bloodshed and injury to a number of people at Lahore. The result was that owing to the panic in the town there was a complete hartal at that time. Mr. Emerson was then working as Additional Deputy Commissioner, and I must, here, express my appreciation of the great services rendered by him on that occasion. We must be very thankful to him that he took timely action and did quite a good deal in quelling that disturbance. We know quite well how people were quite reluctant to open their shops. Leading members of both the communities, Hindus and Muhammadans, were asked to help Government in this matter and go with the Deputy Commissioner to the town and induce the people to open their shops. I was one of those who accompanied Mr. Emerson and Mr. Ogilvie on many occasions. While we were persuading the shopkeepers to open their shops some Hindu shopkeepers who were in my opinion coached to say so said that they were very nervous as regards the police appointed in Lahore because most of them were Muhammadans. They demanded all Hindu police. At that time, Mr. Ogilvie just remarked that there were no doubt a number of Hindu policemen in the police force, but that if they wanted more Hindus to be included, then they should come forward with more recruits. Mr. Ogilvie said that if the Hindus brought forward their recruits the Government would on their part enlist them in the police force. That is how this thing originally started. We are told that sometime afterwards a circular, perhaps from the Commissioner or from any higher authority, I do not definitely know from whom, was issued to the effect that as far as possible Hindu policemen should be taken into the force. I must, at the outset, express myself that I am one of those who would welcome this idea of the Government and the policy that has been adopted. I may at once say that the communal riots and the communal tension are due mainly to one fact, and that is, that in the administration of the country there is only one community that is predominant, and if every community is given its due share, I think most of our troubles would cease to exist. But I would remind the House and also the Government specially that this principle should not be adopted in one and only one branch of administration. The Government is fully aware and every one of us knows fully well that for a long time past the Musalman community as a whole has been agitating as regards the paucity of Muslim representation in many branches of the administration, especially in the High Court administration.

Pandit Nanak Chand : On a point of order. I want to ask the honourable member whether what he says is relevant to the discussion. The discussion at present is merely under police. To go into the High Court and other administrative departments is not at present relevant to the discussion on the police grant.

Mr. President : I think a discussion with regard to the recruitment to the police department does not debar a discussion of recruitment to any other department of Government, because there is only one Government and the several departments are under the same Government. So I do not think that the honourable member was irrelevant.

Sardar Habib Ullah : Every one of us, Sir, fully knows the fact that there has been a general outcry on the part of Muhammadans through-

out the province that their rights are trampled under foot, so far as the High Court is concerned.

The Honourable Sir Geoffrey deMontmorency : Sir, I rise to a point of order. The High Court Judges are not appointed by the local Government. I understand the honourable member's object is to discuss recruitment to a provincial service. The High Court is not a provincial subject.

Mr. President : That objection is quite sound. Therefore the honourable member might refer to the provincial services recruited by the High Court, but he cannot touch the High Court as the appointment of the High Court Judges does not rest with the local Government or even with the Government of India.

Sardar Habib Ullah : I fully understand that, Sir, but I also understand that the higher posts even are recommended by the local Government. However, I am not going to touch them, but so far as provincial Government is concerned I will make a few remarks. The Judges of the High Court are mainly recruited from one class of community, that is, the Hindu community, and I would go further, Sir, and say that they are recruited if possible from the *bania* class. Other people, however well-fitted they are for these posts, are not allowed to enter the sacred walls of the High Court. There has been a general demand from time to time of the Muhammadan public and of the zamindars, and my friend Chaudhr Chhotu Ram will bear me out as he has himself brought it forward so many times in this Council, that the share of zamindars in these posts is very small and that we should be given a full representation so far as this community is concerned. As regards the appointment of Judges I cannot say anything, but no doubt Government can recommend to the higher authorities.

Mr. President : When I ruled that the honourable member would be relevant in bringing in recruitment of other departments under Government, I did not mean that he could discuss the recruitment by the High Court as a substantive motion before the House. He cannot make these services a matter of discussion before the House, especially because they were fully discussed in the budget debate.

Sardar Habib Ullah : It was only a matter of argument. I never wanted to press that point. Everyone of us knows that all sorts of trickery and underhand methods are adopted. I am really ashamed to say so of the High Court which is the highest court in the province. The cause of the trouble is that one community is absolutely debarred from taking its due share in the administration of the country. I can assure the honourable members that if once they come forward and take a bold step and with the help of Government decide once for all that each community will have its due share in the administration of the country the whole trouble will cease then.

Sardar Ujjal Singh : Why not have competent men?

Sardar Habib Ullah : In fact, Sir, I am very glad that Government has taken steps towards this end, and I hope that this principle will soon be adopted in other branches of administration. But what I object to is the circumstances under which this demand of a few persons, of a few agitators has been conceded and thus so many Hindus have been taken in the Lahore police force. Tomorrow we will hear, in fact we are already hearing in

[Sardar Habibullah.]

Multan, Muhammadans saying that they have not got a sufficient number of police men and that they should be given more Muhammadan policemen, and Hindus complaining that they should be given more Hindu policemen, because they have not got a sufficient number. Tomorrow there will be another disturbance and both the communities will come forward and say that they do not want either Hindu policemen or Muhammadan policemen and therefore they want *gora* policemen. (A voice : So much the better). I do not know how Government will overcome this difficulty. Then perhaps from the patwari to the High Court Judge they will have all *goras*, and all talk of Indianisation will go in vain.

There is one more point that I would like to suggest to Government and that is this that up till now the policy has been to recruit in the police force the best men available from the martial races, agriculturists, who could deal with robbers, dacoits, agitators and with all sorts of criminals. I am sure that non-co-operation and political agitation will again start very soon and then it will be very difficult for Government to cope with the situation with the sort of police it is now recruiting. That is only a hint.

Then there is another point. Perhaps my friends will come forward one day and say : we have got very few of our men in the Army ; we want more of our men in there. Will the Government then recruit *banias* and shopkeepers? (A voice : Are *banias* very troublesome?) God save us when we have these men as our internal and external defenders!

Mr. President : Grant under consideration, motion moved:

"That the grant be reduced by Rs. 1, with respect to the item of Rs. 1,00,708—Additions Police for Lahore."

The question is that that motion be adopted.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu): Sir, the subject under discussion is one over which the minds of all, who are not devoid of feelings, are agitated. Every right-minded person is anxious to see the end of all these communal riots. But the speech of the honourable mover of the motion before the House has disappointed me. To my mind the question of a few posts in this department or that department of the Government is not the cause of the present tension as some member would have us believe. The cause lies somewhere else.

The first riot that took place after the suspension of the non-co-operation movement was at Multan. You cannot say that those who took active part in this riot were doing it with a view to get Government employment. Most of them had never been in Government employment nor was there any likelihood of their ever getting any as they consisted mostly of labourers, tongawalas, hawkers and pedlars. We close our eyes to the bare facts when we say that the desire for more Government posts is at the root of this tension. As it was an innovation leaders of both communities hastened to Multan to get at the root cause and to help in restoring peace. Since then many riots have taken place, e.g., at Delhi, Calcutta, Bawalpindi, Lahore and at other places and now again at Multan where they originated, thus showing that perhaps, a second cycle is started. During the days of non-co-operation there was complete unity and members of one community joined the religious procession of the other community and took active part in them. Muhammad Ali was as much respected by Hindus as Lajpat Rai by Muhammadans.

Nearly 40 years ago a riot took place at Hoshiarpur but it was of a very short duration and occurred at the time of the Dussehra, Muharram festivals. Riots also took place at other places but always on these festivals. Precautions by members of both communities, therefore were taken only on such occasions. The condition now is quite different, there is always a dread that something may happen even when you go out. We have become less tolerant of each other.

All the communal riots that have been taking place during these last few years resulted because one community insisted that Dussehra or Tazia procession must be allowed to pass a particular way and the other community resisted that demand or because one community opposed the beating of drums before mosque and the other community tried to ride rough shod over that opposition, or one community wanted to take the sacrificial cow in procession through a route objected to by the other community. If a member of one community happens to be alone and is a stranger in a mohalla of the other community he is attacked like a coward and his life is not safe. And on the top of this when we come here in the Council, some of us make such speeches which not only tend to aggravate the situation, but still further embitter communal feelings. These riots have become a matter of almost daily occurrence and no one feels safe in these days. The sad picture that our country represents to-day is, in my opinion, without its parallel. Even the most uncivilised country cannot be said to have witnessed such state of affairs as are obtaining in this country in these days. Every individual, however non-violent, feels the necessity of arming himself with something when going out of his house lest some evil-minded cowardly person of the other community should stab him from behind. We should be ashamed of ourselves of what is happening in our country in the twentieth century and we should hasten to remedy this state of affairs. We should not waste our time in blaming this leader or that. Some speakers in this House have blamed the leaders for their presiding over meetings where strong communal feelings have been expressed. I know if most of them preside or take part in the meetings of their co-religionists they do so not of their own accord, but because they are compelled or forced to do so. One honourable member of the House has again raised the question of zamindars and non-zamindars to-day and has tried to show that zamindars are better fitted to discharge the duties of police officers. On the one hand you wish to see the last of *banias* and on the other you support a nation of foreign *banias* by perpetuating their rule. For God's sake do not make the matters worse for the sake of self-aggrandisement. Do not allow the Government to impose upon you the burden of further taxation to be incurred on additional police. I can assure you that additional police will not help to achieve the object you have in view. Improve your condition in such a way that the need for police should not arise. With these words I resume my seat.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir,

12 noon.

I was greatly pleased and I was going to congratulate my honourable friend Mir Maqbool Mahmood for bringing some very sound proposals for doing away with the communal tension which results in these communal riots. But I am afraid neither I nor any other sober member of this House would congratulate my friend who had proposed the motion under discussion. What is the demand we are discussing? Some months ago a large number of innocent people were

[Pandit Nanak Chand.]

set upon by the riff-raff of the Lahore population, some were done to death, others received grievous injuries. Most of these unfortunate people who lost their lives and who were thus assaulted in a brutal manner perhaps had nothing whatever to do with the question of services or with the question of communal representation either in the legislature or in the services. Not only this. These men who set upon these poor persons did not understand either the significance or the importance which the few members of this Council or the few educated members of one community or the other attach to the communal representation in the services or communal representation in other spheres of public life. These people are merely tools in the hands of those who want to set the province on fire so that a few relations of this man or that may be provided in this service or that. It is now clear from the speech which was delivered by my friend that the root-cause of all the present agitation in the province is the question of services and nothing else. Therefore, those who desire services are responsible for this communal tension and for the loss of the innocent lives and for the brutal assaults made from time to time by those scoundrels, those *goondas* who are hired for the perpetration of the foul deeds. Therefore, Sir, my submission is that the Government at this time is confronted with a very serious problem. Not only the public peace of this province is being threatened by those who for the sake of a few offices would set the house and property of innocent people on fire, but would for private purposes set upon innocent people and take away their lives; and if the Government has adopted a measure for the prevention of the trouble at Lahore, I do not see why those who care neither for the services nor for anything that appertains to services should not lend their whole-hearted support to the Government. After all, all of us are not enamoured of Government service nor are unable to earn our livelihood in other ways. I ask those people, I appeal to them to lend their whole-hearted support to Government in this demand. The question of services is not going to be settled in this Council Chamber. If there is a dispute among the Hindus, Muhammadans and the Sikhs with regard to the question of services, that should be tackled by the leaders of the various communities in a private conference. My friend Mir Maqbool Mahmood hinted and very rightly hinted that the gutter press should be stopped by the passing of such legislation as would enable the Government to prevent the use by the press of such language as inflames communal hatred or communal feeling. But what law will prevent us—the members of this Council—from giving expression to those feelings which are likely to inflame, which are likely to enrage the people who may read our speeches? Honourable members have got a responsibility that they should be sober in their speeches and should not utilise every little occasion for giving expression to communal hatred and bitterness. The only thing that is needed is that they should put their heads together outside this Council Chamber. This question of services is a very large question and cannot be settled in this Council. It cannot be settled, because it is an all-India question. A meeting of all the leaders of the various communities should be held who should set to work to settle this all important question. After all, how many people in India, and for that matter, in this province live by Government service? Their number is very small. The largest number of people live by other means such as agriculture, industries and other professions. In order to satisfy a handful of men, to plunge the whole province in this

turmoil and trouble, I think, is a shameful thing and we should be ashamed of it. We are answerable not only at the bar of humanity for the crimes that are being committed to-day, but we are answerable to God and I appeal to my friends who are sitting here that they should go about and condemn those measures and they should not only condemn these, but if they are sincere in their heart they should call all the leaders to a conference. It does not matter if the Hindus have to make some sacrifices for the Muhammadans or the Muhammadans have to make some sacrifices for the sake of the Hindus. These leaders should feel that they are mainly responsible for the misdeeds that are committed by the people. It is no use making a demand or a motion of the Government a peg on which to hang their communal quarrels and set the province aflame. We are responsible for all things that are going on in the Punjab (*Hear, hear*). I think it is necessary that instead of coming here and making the kind of speeches that have been made, attacking this department and that, it is our duty that we should tackle the whole problem in a sincere and religious spirit and see that this occurrence of everyday occurs no more. It is no use blaming Government or asking the Government not to adopt those measures which the Government is adopting for the suppression of the deplorable crimes. Some of the leaders make use of these people for committing crimes and misdeeds and keep themselves in the back-ground and there is no evidence brought against them. However the Government has to tackle the situation as it presents itself and it is therefore justified in asking for the additional police. But as I have said there is absolutely no reason for honourable members to get up and make the kind of speech which has been made by my honourable friend Habib Ullah.

Chaudhri Duli Chand [Karnal (Non-Muhammadian), Rural] (Urdu) : Sir, the policy recently adopted by the Government with regard to the recruitment of additional police for Lahore aims at removing the paucity of Hindus in the police department. Sir, it would have been better if the word Hindu had been defined. If by Hindu is meant a non-agriculturist Hindu I would submit that the policy of the Government is sure to meet with opposition. Sir, the claims of Hindu zamindars should not have been lost sight of, because in that case I am sure that the honourable members now opposing the demand would not have opposed it. But Sir, so far as I understand the policy of the Government is unfavourable to the agriculturists and indulgent to the non-agriculturists. The Government feels that the union of the powerful tribes such as, Rajputs, Jats, and Sikhs is an apparent danger to its prestige and they must not unite together. Of course now the policy of the Government is not favourable to the zamindars. Sir, the circular issued in 1915 has not been fully acted upon. If it had been acted upon fully neither the Muslims, nor the Hindus would have any grievance at all. Another circular issued in 1919 fixed the zamindar representation in different proportions in the various branches of administration, but, Sir, I am sorry to remark that all such circulars have remained practically a dead letter. The Government have often held out promises to grant certain concessions to zamindars but few have been fulfilled so far. Sir, for God's sake do not appoint a non-zamindar Hindu as a police officer for he is sure to create trouble for us. I am sure that a Muslim zamindar would do better justice to a Hindu zamindar than a non-zamindar Hindu. . . .

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, in the observations I shall make I shall confine myself . . .

Chaudhri Duli Chand : Sir, I have not finished my speech. I thought the honourable member rose only to a point of order.

Mr. President : Well, the honourable member gave in. Therefore, I think, he has forfeited the right to continue his speech.

The Honourable Sir Geoffrey deMontmorency : Sir, in the observations I shall make I shall confine myself as strictly as possible to the recruitment of the additional police. I do not propose to discuss the general principle of recruitment to the provincial and subordinate services, mainly because there are two non-official resolutions coming up in a few days in which the general principles of such recruitment will have to be discussed. I would prefer to make my observations on the subject then.

Suffice it to say that the general proposition as regards recruitment to which Government adheres is as follows. First and foremost it tries to secure the efficiency of the service. That is the paramount consideration. Secondly, giving due attention to the question of efficiency, it strives so to conduct recruitment as to avoid an undue preponderance of one community in public service to the exclusion of the reasonable claims of other communities, (*hear, hear*) and it is on this principle that the recruitment to the additional police was made, except perhaps in one case. Experience is a hen that cackles at lot but sometimes lays a useful egg. The experience of the Hindu-Muslim riots in Amritsar and our efforts in posting additional police to that city taught Government that in such circumstances Gurkha policemen were extremely useful. They were efficient for patrolling purposes and likewise they were considered by the inhabitants generally to be impartial. They neither favoured the Hindus nor the Muhammadans. They, therefore, gave the general population a sense of security which other policemen did not give. So first and foremost when it was decided to increase the number of police for patrols in Lahore City so as to protect the lives and the property of citizens and to make impossible those isolated assaults which had been such a regrettable feature of the riots in May, instructions were issued by the Government to the Inspector-General of Police to recruit a certain number of Gurkhas for the purpose of employment in this additional police. Now we are not allowed to recruit Gurkhas from Nepal according to the arrangements made between the Government of Nepal and the Government of India, but we are permitted to recruit for the police Gurkhas who are domiciled in India. Therefore, the Inspector-General of Police set about to issue orders for the recruitment of domiciled Gurkhas. As a result, the additional police in Lahore—the total number of them is 350—contained 9 Gurkha head constables and 77 Gurkha foot constables. Next I have mentioned that it is the object of Government, after bearing in mind the claims of efficiency, to prevent the undue preponderance of any one class in the service to the exclusion of the reasonable claims of other classes. Now, Sir, in the ranks of the police in the province, according to the statement of 1st January 1926, which was laid on the table of this House, the figures for Mussalmans in the ranks of head constables are 69 per cent. in the province and in the ranks of constables 77 per cent. and much the same proportions prevailed in Lahore. This is,

I think, what can justly be called an undue preponderance. Various members of this House have urged at various times the recruitment of more Hindus and Sikhs in the lower ranks of the police and particularly as head constables and foot constables and generally speaking, for the reason that I have mentioned, their suggestions have been accepted and this policy is the policy of the Government. But hitherto owing to lack of attractions, Hindus and Sikhs of the right class, who were likely to be efficient, had not been ordinarily forthcoming. On this occasion we determined to make a very special effort. The term of service was short; the emoluments including special allowances in Lahore was fairly good. The men had chiefly to be employed on patrol and watch and ward duties which were semi-military duties. We therefore, hoped to enlist military classes of Hindus and Sikhs, such as Jat Sikhs and Dogras and Jat Rajputs, Ahirs and Gujars in the Eastern Punjab and other such classes. We made special efforts to that effect and as a result, the composition of the remainder of the 850 additional police at Lahore is as follows:—

Sikhs	..	2 head constables and 84 constables.
Hindus	..	2 head constables and 122 constables;
Muslims	..	2 head constables and 67 constables.

I do not know what my honourable friend from Karnal has been doing during the hot weather, whether he has been sleeping in his House, because a great number of recruits came from the districts in the east of the province in which he is interested and mainly from the classes of the Hindus, Jats, Rajputs, Gujar's and Ahirs. Therefore, Sir, I hope I made it clear to honourable members that in recruiting the additional police for Lahore, there has been no departure from the general policy which Government adopts in recruiting for the purpose of provincial and subordinate services and I trust I have satisfied those members who had some doubt as to whether the right class of persons are being recruited.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra, (Sikh), Rural] (Urdu): Sir, it gave me really much pleasure when I heard the speech made by the honourable member Mir Magbool Mahmood on a similar cut on the same item inasmuch as it suggested how it was possible to see an end of the communal riots and desired to create a calm atmosphere in this House. It was my desire to give my whole-hearted support to what the honourable member had said, but the discussion on the subject having stopped, Sir, at your instance, I could not do so. Soon after that I had to hear another and a different kind of speech on the motion before the House which I must say, is not conciliatory and resembles the tumultuous state of the public outside and has set the nerves of this House at ends and created friction. It gives me pain to say that we are fighting over loaves and fishes. What we do we do only as Hindus, Muhammdans and Sikhs. We have never thought of approaching the different problems that are agitating us as Indians and from an Indian point of view. In holding the Council Sessions of the country we are apparently copying the ways and manners of those blessed nations who are whole-heartedly serving their countrymen in the words of our Guru:—

ریسان کریں! دھنیوں میں جو سیویں در کریں

[Sardar Harbakhsh Singh.]

but we are uselessly fighting among ourselves. We are making the situation worse by the kind of speeches that are made in this House. One honourable member gets up and starts undesirable discussion on most deplorable communal lines and naturally other members say many more undesirable things in reply. This is how the mischief is done and increased. It was justly said by Pandit Nanak Chand that we can propose, and possibly have measures enacted, to stop the gutter press, but there is no rule or law by which members of the Council can be asked to be moderate in their speeches unless they themselves feel it their duty to do so, lest the public outside get more and more excited.

The Honourable Finance Member was pleased to say during his speech to-day that the recruitment made for police is made on the ground of efficiency. That is very well said. But I am afraid it is seldom practised. In fact the word efficiency occurs in talking or perhaps sometimes on papers. Had the police been recruited on grounds of efficiency we would never have witnessed these communal riots. I am sure that if this inefficiency continues this additional police is going to be a useless addition to what we have found to be of no use in the past. Efficiency can be obtained only if such people are recruited who pay no regard to caste, creed or colour. An irresponsible Government over irresponsible people is bound to be defective. In this connection I may say that the leaders of different communities are not leading. They are on the other hand being led by the masses because they are not sufficiently strong to resist the unreasonable demands of the latter. They are not prepared to face the situation boldly. It is now high time that these leaders feel their responsibility and set to remove the causes of the present tension. I would go to the length of saying that we have ignored the injunctions laid down in our religious books because we do not appear to realise that we are sons of the same God. We are all His creatures and therefore it does not behove us to jump at the throats of each other. This foreign Government and naturally irresponsible Government shall continue to rule us in an indifferent way unless and until we awaken to our responsibilities. It will continue to employ Sikhs when Muslims are sought to be suppressed and would employ Muslims to mercilessly beat the Sikhs at Gurd-ka-Bagh. The recruitment of Hindus and Sikhs in greater number for the Lahore additional police is perhaps due to the fact that the Government has realised that the Muslims in Lahore are more powerful. If you are anxious to create a healthy atmosphere in the province I would request you all in the words of our Guru :—

اَو بھڑون گل ملو۔ میری انک سہیلیاں

We should sink our minor differences and unite to prevent the recurrence of such unpleasant things.

Chaudhri Zafrullah Khan [Sialkot, (Muhammadan), Rural]: Sir, I rise to oppose this motion which has been moved by my honourable friend as a cut against the additional police demand. My honourable friends on this side will forgive me if I say that all their arguments have only confirmed me in the view that they converge towards the support of this demand rather than towards opposition to it. During the discussion on this question several honourable members of this House have touched upon the question of the

origin of the present disturbances and the present differences between the different communities. I think the causes cannot be discovered either in the month of May 1927 or in the time immediately preceding it. The "root cause"—that is the expression which has been used so often in this House this morning—of these differences lies in the fact that we are Hindus, Muhammadans and Sikhs. Of course, that "root cause" we cannot eradicate. These differences of religion or caste or creed are more or less permanent and will continue. We need not, however, go back a very long time in order to discover the causes of the present differences. If we travel back only for a period of about eight years, we shall find that in 1919 there was a great deal at least of talk of unity and at least there was an apparent absence of differences between the different communities in this province; so that something must have happened since 1919, not to go further back, which has set the different communities by the ears. In 1919, there used to be processions of different communities without any let or hindrance and the members of the different communities took part in those processions in order to demonstrate their unity rather than their disunity. At that time all were united on the surface. Political necessity then made us so. It was imagined on both sides, or on all three sides, that merely because we said we were united, the result would be actual unity; whereas we should have considered that there could be no unity, there could be no peace or there could have no lasting treaty between the different communities unless the terms of that peace or that treaty were settled clearly and definitely and were afterwards consistently adhered to. All that was done then was that under political pressure the leaders of the different communities agreed to lay aside their differences for a time in order to fight what was then described as the common enemy. After that pressure was withdrawn and the communities began to consider their own interests, they found that there had really been no peace or unity at all. The differences had only been laid aside and had not been settled. Each of the two principal communities imagined that the treaty or the peace would lead to a state of existence or circumstances with which each of them was familiar. The Muhammadans supposed that this peace would lead to a sort of united family in which each member has a distinct share and is allowed to enjoy it to its fullest extent. On the other hand the Hindus supposed that it would form us into a joint Hindu family with the senior member as the *karta* of the family and with the whole of the power, the authority and the property of the family vested in the *karta* to do with as he pleases, the junior members being entitled only to maintenance.

Pandit Nanak Chand : That is your interpretation.

Chaudhri Zafrullah Khan : I am speaking and therefore it is my interpretation. In other words, each community supposed, without any guarantee and without any definite settlement, that it had been conceded what it had conceived to be its rights. The weaker community supposed that they would be treated like a younger and a weaker brother by the stronger community and would be given certain advantages to which they may not be strictly entitled but which would help them to place themselves on the same level with their elder brother. On the other hand, the elder brother supposed that there would be no further squabbles and that henceforth this unity or peace would allow him to continue undisturbed in the possession and enjoyment of the appropriations which he had already made and which he might succeed in making in future. Such a unity

[Chaudhri Zaffrullah Khan.]

could, of course, not last long. On the heels of this so-called peace came the reforms. As a result of the reforms, whatever may be said in derogation of running after official loaves and fishes, there naturally followed a scramble for loaves and fishes. Each of the communities naturally—I do not blame either of them—tried to appropriate as much as they could out of the share to which the Government was going to admit or had already admitted the Indian element. Naturally the advantage was in favour of that community which was already far advanced in that field, for this is a maxim laid down some two thousand years ago that 'to him who bath more shall be given' and therefore those who were in a position to claim more, to demand more and to get more took advantage of the opportunity and the result was that the several communities began to fight amongst themselves. Other causes have since sprung up, but in my humble opinion that is the root cause, viz., that you declared yourself to be united without settling the terms of the union and subsequently making an effort that you should consistently adhere to those terms. The result was that each community imagined that the other was acting unfairly and had failed to perform its part of the contract—a contract the terms of which had never been defined but had merely been assumed by each community in its own favour. This led to irritation and a total loss of confidence in each other. This irritation may exhibit itself in the form of objection to music before mosques; it may take the form of objection to cow slaughter or it may vent itself in some other equally childish form. In themselves these objections may be childish, but the source is that feeling of distrust, that feeling of non-confidence in each other. I do not say that one side or the other is justified or to what extent it is justified. Each community may be at fault or one of them may be at fault and the other may not or one may be at fault to a greater degree than the other. But this is the attitude and there it is and from this springs all the trouble. My honourable friend Pandit Nanak Chand and also other honourable members have this morning deprecated this race for loaves and fishes. I do not agree with my honourable friend when he says "Oh, how many people are provided directly by Government with employment? Why do you quarrel over such a small matter?" I say, if you consider this such a small matter, why not concede it.

Pandit Nanak Chand : Give up your communal outlook and we would concede it.

Chaudhri Zaffrullah Khan : Concede it and then we shall give up our communal outlook. Our distrust in that case will be removed, and this is one of the means of removing it, and when it is removed on this side, very probably it would be removed on the other side also. Apart from that, Sir, my learned friend says: "Look here, a majority of the population of this province depends upon agriculture, a good many depend upon industries, some others on commerce and some others on the learned professions and so on and very few depend upon Government employment." Very well, how will you encourage and improve agriculture? For that purpose you have got a department presided over by a Minister and run by a large number of officers. The encouragement and improvement of agriculture in this province depends also upon the attitude of and

upon the sympathy which the Honourable Minister and his subordinates are able to afford for the agriculturists. It is idle to contend that because you depend upon agriculture mainly therefore you need not worry about Government appointments. I say that in order to help agriculture, you have to worry about the Department of Agriculture and similarly about industries. You want to encourage industries, and you say that Government has nothing to do with them. I say that the Government has every thing to do with them in this province. Industry is in its infancy in this country and particularly in this province, and it is only with Government support that it can ever hope to make any stand in the future. It will depend a great deal upon the attitude and upon the policy of the Honourable Minister in charge of the Industries Department upon what lines industry is to proceed in this province and in what manner and in what proportions the different communities are to benefit by it.

Take each department in turn and you will find that each of those occupations or professions which you have described as private, depends for its encouragement, support and improvement upon a corresponding department of Government, and each community is naturally anxious that apart from the direct emoluments which members of that community would get for being employed in any particular department, they should have a large number of their fellow members of that community in each department so as to be able to guard the interests of their own community in each department. Therefore there is naturally a desire, which I do not condemn, on each side to obtain as large a share in each department as may be possible under the circumstances. You say that the present strife between the communities has nothing to do with services but has to do with Muharram processions, or with the killing of cows or with the beating of drums. These I have stated are merely manifestations of the real trouble. Nobody used to quarrel over these things. They are not things which have been newly introduced. People quarrel because they want a pretext to quarrel. They are bent upon quarrelling because they do not trust each other, because they have no confidence in each other.....

Mr. President : I think I have tolerated more than I ought to have, the digression from the question now before the House. These speeches would perhaps be quite appropriate when the motion of adjournment is discussed at the close of to-day's business. It is true that I allowed one of the honourable members to bring in communal tension but surely that cannot make it the sole subject of discussion while the recruitment of the additional police force for Lahore is being discussed.

Chaudhri Zafrullah Khan : Very well, Sir, I have nearly concluded that portion of my speech as the result of your liberal allowance of time to me on this question and I was concluding by saying that I agreed with my honourable friend Pandit Nanak Chand that we cannot settle this question in this Chamber, but I do not agree with him that we can settle it among ourselves. In saying that he is counting without the host. All efforts to solve this problem must include the Government in order that the results may be permanent. No settlement will be lasting unless Government is a party to it, and here lies the responsibility of Government. It is for Government to call together a conference of the leaders of different communities and to find out the ways and means for putting an end to these troubles.

[Chaudhri Zaffrullah Khan.]

The Honourable the Finance Member has explained to the House the necessity for recruiting additional police in Lahore and the reasons why it has been recruited on the basis to which some of the honourable members have objected. Now, in the first place, nobody will deny the necessity of additional police in Lahore at the present moment. Nobody, whether in this House or outside it, will desire for a moment to delay any support or to weaken any support which Government desires this House to give them in order to cope with this unfortunate situation which has arisen in Lahore, and therefore if they want any additional police, so far as this House is concerned they should have it. On the question of recruitment from various communities I welcome the statement made by the honourable member. An indication has been given that if you find in any department of Government, police or otherwise, inferior ranks or superior ranks, that one community has an undue predominance to the exclusion of the reasonable claims of another community Government will take the earliest opportunity to amend that state of things. But do not stop only with the inferior ranks of police. Take next the superior ranks of that very department and make the necessary amendments there, and before I make any demand on behalf of my own community, I would say, take each department in which the members of the Hindu community are in a minority first, and bring their numbers in those departments upto the necessary level provided that immediately afterwards you take other departments in turn and bring up the number of Muslims employed in those departments also up to a level corresponding to their population strength, so that their reasonable share in those departments should not be taken away from them.

Therefore, Sir, I say that there is necessity for additional police in Lahore and this indication by the Honourable Member that non-Muhammadan policemen have been recruited in order to bring up the strength of the non-Muhammadan element in the police force up to the requisite level is a welcome indication of the policy which Government is going to adopt. For these reasons this demand should either be withdrawn or opposed.

Sardar Habib Ullah : After hearing the Honourable Finance Member I wish to withdraw my amendment.

The motion was by leave withdrawn.

Chaudhri Afzal Haq : Sir, I beg to move—

“That the total grant be reduced by Rs. 1”

(Urdu) : Sir, it is not the first time that I have risen to narrate the atrocities of the police. I have done so many a time before.

Pandit Nanak Chand : Is the honourable member in order in discussing the subject which has already been discussed on the occasion of the budget?

Mr. President : No.

Chaudhri Afzal Haq (continued in Urdu) : Sir, the honourable member is very fond of making interruptions and as usual he has done so. The honourable members of the House are well aware of the fact that a religious agitation has been going on for the past few months and that all

of a sudden an order under section 144, Criminal Procedure Code, forbidding the convening of public meetings was promulgated by the District Magistrate, Lahore. Sir, in my opinion the action taken by the District Magistrate, Lahore is uncalled for and cannot be justified on any grounds whatsoever.

Mr. President : The District Magistrate of Lahore's order or section 144, Criminal Procedure Code, is not now under discussion. If the honourable member will refer to his own motion he will see that his specific object is to censure the police force for beating the under-trial prisoners of Lahore riot cases and the volunteers arrested under section 144, Criminal Procedure Code. So it is the alleged beating of the persons arrested by this additional police force and not the order itself which is under discussion.

Chaudhri Afzal Haq (continued in Urdu) : Sir, I never intended to discuss the order promulgated under section 144, Criminal Procedure Code. It may be argued that law, as is said, should be respecter of persons and that the Government has the right to vindicate the law and bring the offenders to book. But Sir, what happened before my eyes, it is not for the police but the Government to be ashamed of. On the 4th and 5th instants, certain volunteers went to the city in order to offer civil disobedience to the order promulgated by the District Magistrate. The Government should have arrested and punished them as they have done afterwards. Sir, the atrocities perpetrated on the volunteers revived the memory of what happened at the Guru-ka-Bagh. It is all the more shameful that even the responsible police officers bastinadoed the poor volunteers. Sir, the highhandedness of the police officials is amply proved in cases challaned in connection with the recent Lahore riots. For instance, I may mention the name of accused Har Gopal on whom nine injuries were inflicted by the police during investigation. A similar treatment was also meted out to a Sikh accused Sathu Singh by name who received about seven injuries at the hands of the police. If the honourable members of the House honestly believe in the genuineness of the demand for additional police, I have no objection to it. My honest view is that the recruitment of additional police cannot in any way stop the present communal tension, but on the other hand it would in all probability increase it. Take it for granted that the demand for additional police is genuine but I ask if the disgraceful treatment referred to above is also indispensable. Sir, the local Government should make it clear that in cases of civil disobedience why they put up with the most objectionable misbehaviour of the Punjab police when in similar cases the police of other provinces are strictly forbidden to misbehave.

1 P.M.

The Council then adjourned for lunch till 2 P.M.

The Council re-assembled after lunch at 2 P.M., Mr. President in the chair.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, before we rose for luncheon I was telling you that it is not this province alone where such events have happened or where the people of the province have taken to disobedience of laws. In Bengal people have been arrested by the thousands. In Southern India and Madras people have practised satyagraha, yet the police have never handled the situation in those provinces and have never beaten the people so mercilessly as they have done here in the blessed land of the five rivers. Never have they thought of dispersing the

[Chaudhri Afzal Haq.]

unlawful assemblies by such indiscriminate use of force. But things are entirely different here with this Government. The Government here feels that its hands are strong enough to wield any weapon and it knows that it can look with utter unconcern at what people grumble against its doings. It knows that the only body the Legislative Council of the province, that can know the reason why, is torn to factions among themselves. There is no united action nor is there any voice which can be called the voice of the nation. If there is anything done against the Hindus—the Muhammadans enjoy the music, and if action is taken against the Muhammadans the Hindus make merry over the misfortune of their fellow-countrymen. But to-day under the very eyes of the Hindus, Muhammadans and the Sikhs, innocent people, people inspired with the zeal for their religion and the honour and good name of their prophet, have been mercilessly beaten in the name of law and order and it will be disgracing the name of Indian nationhood if today no protest is raised against this brutal expression of animal force.

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. Sir Muhammad Iqbal [LAHORE City (Muhammadan) Urban] (Urdu): Sir, I had no intention to say anything on the subject before the House, and even now I do not rise to oppose the motion. I propose to say a few words only because I think that it is absolutely necessary to give public expression to our feelings on the matter with a view to impress on the mind of Government the seriousness of the affair. When the events related by my friend Chaudhri Afzal Haq took place I made personal enquiries and the next day interviewed the Deputy Commissioner in his office. During the course of our conversation which took place in the presence of two police officers, I related all that I had come to know of as a result of my enquiries. But to my great surprise the two police officers tried to defend their action. One of them cited an instance (in England) in which some revolutionaries were beaten on their refusal to disperse. But, Sir, the use, the highly shameless and brutal use of the *danda* made by the police, in Lahore is a blot on the fair face of civilisation. I told the Deputy Commissioner that even Maulvi Mohammad Irfan who is one of the most learned men of India was beaten. But I was told by the Deputy Commissioner, that my report was incorrect and that such a thing had not happened at all. I believed his statement, hesitatingly though, for I thought that his resources of obtaining correct information were greater than mine. But on my return I met Maulvi Irfan and Sir, I regret very much to have to say that the information of the Deputy Commissioner proved to be wrong and that Maulvi Sahib, whose hurts I saw with my own eyes had been mercilessly beaten and at a time when the meeting had already been dispersed and the Maulvi was proceeding to his place of residence. I, therefore, request the Honourable Sir Geoffrey deMontmorency to see that such a thing is not repeated at all. With these words I resume my seat. I do not think that we should refuse the grant.

Dr. Shaikh Muhammad Alam [West Punjab towns (Muhammadan), Urban] (Urdu): Sir, "Bureaucratic and autocratic Governments are ruined

by their officers and so by the doings of the police department also. There is no end to the dishonest, illegal and objectionable acts of the police department. This affair is also an instance of a series of such intemperate acts. But the police has always been doing that. And though this is not the first instance of its kind, I would request the honourable members of this House to see that this is the last of its nature, and no more opportunities are given to the police to spoil the fair name of this country and the Government. The honourable member from Lahore stated that he did not oppose the grant but only wanted to bring the affair to the notice of the Government. The first thing we should do is that we should express our views without any communal rancour in them. We can only represent and translate the views of the people outside if we make a start from this House. It is our duty to do so. It has always been our duty. We are the representatives of the people and not their leaders. Leaders are quite different from representatives. They have to lead the people and often from a wrong way on to a right one. But here we are only representatives of those views which our people possess about the system and the actions of the Government. Our duty lies only in a faithful interpretation of those views. We and the Government should all try to wash away the dirty blot of this brutal deed. It does not befit the Government, it is not good for the Government, nay it is positively injurious to the Government to defend the police in this dirty affair. If the Government wants to keep its name fair and free from all blot, if Government is willing to earn a lasting sway over our hearts, if the Government wants to earn our loyalty and steadfast adherence, it behoves them to keep free of the heinous deed, and to join hands with us in openly and severely condemning the conduct of the police force. We do not want to oppose the Government without rhyme or reason. We have so many actions which we contemplated taking against the Government but which we have for the present deferred in the hope that the Government itself will come to our rescue. We do not want to defame the Government without cause. We are its well wishers. We want to help it as far as it is possible for us to do so. I tell you in the words of the poet

بہکے والے آپ کے سب نار ہو گئے
سجھائے والے مفت کھپ کر ہو گئے

But the people who are the cause of the Government's ruin and its disgrace are those flatterers and fawning sycophants, those officers of the Government who commit such deeds or who countenance them. Let me not keep any secret. I have with me complaints to file against the officers of the Government which I have withheld. Not because I am afraid of the Government or of its officers or even of the failure of the consequences of my action, but only because I wanted to give the Government time to think and realise the consequence of its action. We sent telegrams to the highest officer of the Government, the head of the Government in the province, bringing to his notice the tyranny practised on us. And though we received some answers from the Chief Secretary in reply to our other points, we have not been favoured with a reply on this most vital question of the safety and sanctity of human life, i.e., with reference to merciless and illegal beating of Khilafat volunteers and others. The Government have not even tried to wash our tears. They have simply refused to take any notice of our complaint. I, therefore, again

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submit that in order to gain our good will and in order to obtain hold on our loyalty, if so desired, it behoves the Government to listen to our grievance. It is the moral duty of Government benches that they should believe in the statements made by the honourable members from Lahore and Hoshiarpur. And even if there was any doubt in their minds about the accuracy of these facts and thought they were a little exaggerated, they should now respect the statements of these honourable gentlemen, and believe in them and should announce that they are with us.

My experience of the criminal law of the province, my experience during the last sixteen years, shows that there is provision for capital punishment, for transportation, for imprisonment and even for flogging in the penal code, but I have never heard of the new punishment, the latest edition in the penal code, that is, the beating of men with *lathis*. My friend here refers me to Gurdak-Bagh. Yes, I am aware of what happened to the Akalis in those dark days. We have not forgiven that merciless beating of innocent men and we have certainly not forgotten that episode, but I meant to say that this new punishment did neither exist in those days nor can it be found now, in any penal code. If people are willing to lay down their lives for the sake of their country and are willing to lose their freedom, then the Government should punish them according to the sanctioned code of law, and if list of penalties is incomplete, they may make additions to it including even the *lathi* and *juta* in them, if permitted in law. But till that is done, I do not see any justification for the Government to take resort to such unauthorised punishments.

The Honourable the Finance Member told us that from the Amritsar riots they learned a lesson that they should recruit such and such men in the police force. Certainly they have taken a lesson from those riots. But we should also take a lesson to our hearts that as long as we go on quarrelling and fighting among ourselves there will be men to break our heads with *lathis*. We fight amongst ourselves and say that Hindus or Muhammadans or agriculturists or non-agriculturists predominate in certain departments. We fight over frivolous points, e.g., that Hindus have been recruited in larger numbers in the police, that when Hindus already predominate in all the other departments why not let Muhammadans hold the police department for themselves, that Mussalamans be not given such and such appointments and so on. I appreciate the frankness of the Honourable the Finance Member in saying that he has learnt a lesson from Amritsar that Gurkha police is necessary. Probably it is because they think that none else is so useful in the use of *lathi*. Really when two beasts fight the owner really enjoys the scene. The Government is quietly enjoying the show. They want men who have no regard for Hindus, nor any bias for the Sikhs nor for Muhammadans but who know only how to obey orders and to give a free play to their *dandas* whenever they are asked to do so. That is why they have enlisted more Gurkhas and have not considered the rights of the Hindus or Mussalmans. It is not for the love of the Hindus or the Sikhs nor for the hatred of the Muhammadans but it is only for the reason that when they cannot punish people under law for their rightful and constitutional actions they might set them on us. Such action of the police is intentionally to invite violence and exhaust the spirit of non-violence. Two people are fighting but the guardians of peace

and order quietly stand by, watch the game and beat them mercilessly if necessary. I am at one with the poet—the honourable member from Lahore (Dr. Sir Muhammad Iqbal):—

نشان برگ گل تک چہو نہ اس باغ میں کلاچیں
تیری قسمت سے جو کڑے ہو رہے ہیں باغبانوں میں

(Oh the devastator of the garden, pluck all the flowers even to the last petal, for to your good luck the gardeners are fighting among themselves.)

The Government is not at fault. As the Finance Member has informed us they only look to the efficiency of the force. We now know what he means by this efficiency. This does not include the successful prevention of crime, nor does it include the detection of crimes but it only means the effective and indiscriminate use of *danda*. The Government, however, should repent and show its regret for the past and take steps to prevent recurrence of such incidents in the future. Otherwise the results will be very unpalatable. Government would disgrace us and themselves if they would support such unlawful and highly tyrannical methods.

Speakers on several other cuts have said that they have not moved those cuts in order to reduce the grant but only to raise a discussion and to draw the attention of the Government to the state of affairs that exist in the province to-day. The honourable member for Lahore has also said the same. Our intention, however, in moving this cut is not only to raise a discussion but to carry it through. Our party is not so unreasonable as to think that there is no need for additional police in Lahore. We think that more police is required for the place. We have not opposed the whole grant but I am afraid, that the answer of the Government, if unsatisfactory, will force us to do so. We do want the police. But we want it only to protect the life and property of the people and not for beating them senseless. I shall, therefore, press this amendment to vote to know how many members in this House who hold the cause and honour of their country dearer than their personal motives or the good will of the officers. This question is not the concern of the Muhammadans alone. Sikhs, Hindus and Muhammadans, all have their prisoners under trial. Everybody has to look to their safety. My honourable friend Chaudhri Afzal Haq has given us a good account of their hurts and wounds. This question of beating non-violent people is not of recent occurrence. It is at least four years old. It rose with the Congress and Khilafat agitations and with the Akali movement. We have always to disobey laws which are against the dictates of justice. We must, therefore, decide to send only those members to legislatures who are representatives of the people and who are prepared to take a bold action in case the Government shows any scant regard for the lives of Indians. This is a question on which Hindus, Muhammadans and Sikhs should vote as one. They should keep in view the high-handedness and the brutality shown by the police. We must not agree to the recruitment of such a police force as is prepared to attack unarmed citizens and beat them cruelly. If the Government is not willing to side with us even after our very wise and considerate suggestion and refuses to take any step, then it is responsible for the consequences which may embarrass the Government needlessly. The least that we can do is to carry this one rupee cut and express our condemnation of the action of the police.

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The police does not stand in need of much money. If these riots go on and the police is determined not to behave properly, then they can themselves raise thousands of rupees. We are only giving expression to our feelings and I hope that nobody will be lacking in duty. I wonder that the Government with all its wise officers and Ministers does not feel that it seems undignified for it to be quarrelling over such petty affairs and insisting like a child on things of little importance merely to keep up its prestige and aim in defeating public demands. It does not pause to think whether it is good for it to concede these little demands of ours. Government in this resolution should side with us. Perhaps my friend from Lahore rural constituency might be thinking that there should be European policemen as well. I might tell him for his satisfaction, if he is very anxious to be beaten by Gora policemen, that there were Gora policemen as well.

Perhaps my friend from Lahore rural constituency may prefer to have Europeans occupy every post in the police department and I may tell him for his satisfaction that if he considers beating by Gora hands to be a blessing in itself then the recent occurrence in dispute would not be altogether free of charms for him, as his countrymen, if the allegations are true, were beaten in the presence and under the directions of European officers.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir much has been said on this question, and I will not enter into the discussion about the correctness or otherwise of the order of the District Magistrate under section 144.

Mr. President: Order, order. I have ruled that the order of the District Magistrate of Lahore under section 144, Criminal Procedure Code, is not under discussion.

Rana Firoz-ud-Din Khan: Sir, I bow to your ruling. I may assume that the order was justified. But even taking it like that, the question arises whether there is any justification for the force used in dispersing the people by use of violence. I will leave the other question aside. I will suppose that the order was legal and its disobedience was illegal. Though I believe that it is the right of nations as well as communities to disobey laws which, in their opinion, are not justified and are derogatory to their interest and self-respect, such occasions have arisen already in which all of us, the Hindus, Muhammadans and the Sikhs, were jointly concerned. We have all seen occasions in which a community, the Sikhs alone, were concerned. Even then similar treatment was meted out. If to-day we are disunited and warring with each other, the day is not far when we shall know that disunion is the cause of ruin, and we shall have to unite. Then the whole of India will be face to face with the Government and will be opposed to it. Then we will make a joint demand for self-government, though we know that the Government will bring into play all the weapons in their armoury. Then it will be the duty of the Indians also to disobey the laws of the Government. Such disobedience has been practised in the past and will be practised in the future. This question is not pertaining to one individual community or place. If to-day the Khilafatists are the prey to this, there has been time when the Congress and the Sikh League were its victims. This is a question of principle. There can be two opinions about the magnitude of the issues involved and the way protests are being

made but there can be no two opinions about this that there are very potent reasons for the agitation and that it was the duty of the Khilafat Committee to disobey such laws. But even taking for granted that the disobedience of laws is unjustified, I ask what justification exists for the action of the police. The facts have already been enumerated by the previous speakers. I ask under these facts what justification exists for the drastic and highly illegal action taken by the police. A batch of ten or twelve unarmed volunteers goes simply to disobey a law and not to take any aggressive action and if it was considered proper to disperse them you are quite welcome to do so; but why on earth should you beat them to the extent that they should lie down senseless. In this way you do not disperse them, rather you make them unfit to move away from that place.

Government has already professed to act in the name of law and order. It is in the name of the same law and order that to-day I formulate my appeal to them that they should support the amendment. Law and order is sacred to every Hindu, Muhammadan, Sikh, Parsi and Christian. It is the same to a European or an Indian. But the responsibility of the Government for the maintenance of law and order is much greater than any of the above. I admit that disobedience of law is a crime. But do you mean to say that only civil disobedience of law is a crime and that the criminal disobedience is not? If the people have disobeyed the law in this instance, it was only a civil disobedience. But the police have criminally and violently disobeyed the same. Still the Government have taken no action against their own officers who were guilty of this. The Government should have arrested and prosecuted those officers. Even now the Government should not consider such an action too late. There is room for difference of opinion about the seriousness of the situation. But if the Government took no action, the people will conclude that only the civil and peaceful disobedience of law is an offence and the use of violence in the disobedience thereof is not. The Government should be large-hearted. They should not be petty fogging. They should now release the prisoners when they have been arrested and punished, though I do not formulate any special request for that. I ask the honourable the Legal Remembrancer, who is a member of the House, whether there is any provision of law authorising merciless beating of batches of 10 or 12 unarmed volunteers who do not want to resist the officers of the Crown in the discharge of their duties, but who only want to disobey a certain law which, according to their faith, is their duty to disobey. Is it justified by any code of law or morality that persons who have not even a word to sling at a dog and who are prepared to suffer any hardship should be attacked and dispersed by violence. You are perfectly within your rights to use force against those who themselves make use of it. But in that case even you can only use the minimum force required for their dispersal. A man is speaking and you do not want him to speak and then there is a man who wants to stand at a particular place and you want him to move on, the only thing you can do is to bodily remove him but not to beat him till he cannot move from that place at all. This is exactly what has been done by the police officers. They, who are so loud in professing that they are guardians of peace and law and order, have themselves erred violently against law and order, and that too criminally. Does the Government want the people to criminally and violently disobey their laws instead of doing that peacefully? If they fail to take any action against their police officers, they are bound

[Rana Firoz-ud-Din Khan.]

to create the impression that the Government is countenancing the criminal use of force. If the Government is willing to create such an unhealthy impression they are quite welcome to do so. The answer to that lies in the tone and the matter of the Government reply. The duty of the Government lies in finding out on such occasions the cause of the unrest and the agitation among the people. Nobody, I assure you, wants to put his life in danger by disobeying the law unless and until one feels that his life or honour, or the faith is in danger. On such occasions the Government should not mind small things. Further it should not use the *danda* against the people alone, but should always be ready to use that against its own delinquent officers as well. It should be ready to bring to book those officers who disobey its own laws.

Next comes the question of the under-trial prisoners. The same remarks apply to that case as well. I, therefore need not go over the same ground again. In the end I hope that all the honourable members of this House will only look to the nature of the demand and not to the party or the people who are presenting it. This is a question of principle and not exclusively of the Khilafat or the Sikh League or of the Congress. I hope by giving their support to this resolution they will furnish a proof of their patriotism and love for their country.

The Honourable Sir Geoffrey de Montmorency (Finance Member): Sir, the honourable member's resolution falls into two parts. The first part deals with certain allegations of beating by the additional police in Lahore of under-trial prisoners in the Lahore riot cases. I may say, Sir, that Government has received no report whatever regarding the events which form the subject of this allegation and must confess to scepticism as regards their accuracy. However, if they were true, Government would be as indignant about them as the honourable mover of this motion was. As it is, Government is willing to make an enquiry about these under-trial prisoners and will at once set it on foot. I may briefly mention why I say that I am sceptical as regards the allegations. I am sceptical because prisoners in the Lahore riot cases when arrested were taken straight to the Kotwali. For many days after the riots magistrates were present in the Kotwali day and night. The District Magistrate himself slept there for many nights and up to the present day a European police officer has been sleeping in the Kotwali every night, and a magistrate also. It therefore seems to me almost incredible that any beating of under-trial prisoners while in police custody could have occurred at the Kotwali. Nor does it seem to me credible that these prisoners could have been beaten by the additional police at Lahore after they have been transferred from police custody to judicial custody. On transference to judicial custody they go to jail, where they are confined with other under-trial prisoners. They are taken with other under-trial prisoners in a motor lorry to the court and are kept in judicial lock-up while there at the court. These are the reasons which make me very sceptical as regards the allegation of beating. In case such a thing had occurred, which I do not at present admit, I do not see very much relevancy to a demand for the additional police. The additional police is a force which has been specially enlisted for purposes of patrol and watch and ward. It is not a force which has been enlisted for purposes

of enquiry. It is used as a special additional force in the city of Lahore to protect the lives and property of citizens in Lahore which the calamitous events of the last few months have placed in jeopardy.

As regards the second part of the honourable member's motion, he has been somewhat vague as regards times and dates when volunteers, as he alleged, were beaten and dispersed or arrested and I shall have to go into the matter in considerable detail so as to lay before the Council the occasions on which it was necessary to use police force to disperse anybody and why it was necessary to use this force.

Dr. Shaikh Muhammad Alam : On a point of order, Sir. We were not allowed to discuss the circumstances under which section 144 was applied to the city.

The Honourable Sir Geoffrey deMontmorency : I am not discussing the circumstances under which section 144 was applied to the city. I propose only to discuss the circumstances in which persons were dispersed by the police. I understand that is the onus of the accusation against the police.

Dr. Shaikh Muhammad Alam : We are discussing the beating and not the dispersing.

The Honourable Sir Geoffrey deMontmorency : I will not deal with the first occasion when the police were required to disperse a crowd by force, because it happened at a meeting which was declared an unlawful assembly by a magistrate, which was held late at night by Zafar Ali and which had to be dispersed by force. This meeting was held before the order under section 144 was made.

Dr. Shaikh Muhammad Alam : That relates to the meeting of the 2nd of May which is not in dispute at all. It is the meetings of the 4th and thereafter which are in dispute.

The Honourable Sir Geoffrey deMontmorency : It was, Sir, on the afternoon of the 4th that, with the approval of Government, the District Magistrate issued orders under section 144 prohibiting meetings in public places until the close of the Muharram. It was made clear that this order was not to apply to the customary Muharram observances and the order was proclaimed throughout Lahore in the early part of the afternoon. Immediately after the order was proclaimed, the Khilafat Committee in Lahore sent out some persons and announced by beat of drum that a public meeting would be held outside the Delhi Gate in a public place at 8-30 p. m.

Dr. Shaikh Muhammad Alam : That was before the promulgation of the order.

The Honourable Sir Geoffrey deMontmorency : No. The cries included one Ghulam Muhammad who was on register No. 10 as a badmash and is an accused in the Lahore riot cases. He was arrested. (A voice: he is not a badmash though he is an accused; another voice: he was a Khilafat volunteer, if a badmash stands for one). He was perhaps the first volunteer. The District Magistrate decided that it would be better to prevent this meeting from collecting than to disperse it by force, if collected—an eminently proper decision. A large force of police was assembled, of which six constables only were employed in moving on the crowds of people who came. The chairs, tables and lamps which had been sent out for the meeting

[Hon'ble Sir Geoffrey deMontmorency]

were taken away by the police. Meanwhile those who had set this meeting on foot were present in the Khilafat office and included the honourable mover of this motion, who had intended to take the chair, I understand, in due course. Discretion, Sir, however proved to be the better part of valour, and a little later the Khilafat office sent out some messengers, chiefly small boys, saying that the Delhi Gate meeting in a public place was off and that a meeting would take place instead inside a big private *khata*. The private meeting began at about 10 P. M., about 4,000 people being present. The honourable mover off his resolution presided. Violent speeches, mostly of anti-Government nature, were made, Habib-ul-Rahman distinguishing himself in this line, while Ata Ullah Shah made a speciality of indecent abuse, with which I will not sully my lips nor the ears of this Council. It was decided in this meeting to send out some batches of unfortunate volunteers to hold meetings. The first batch got as far as the gardens when they were dispersed by the police. Some of this batch resisted and were arrested. The District Magistrate and the Deputy Inspector-General of Police arrived in the gardens just as the second set of volunteers were coming out. They were promptly declared an unlawful assembly by the District Magistrate and dispersed by the police. The District Magistrate then visited the meeting. He found the honourable mover of this motion speaking to the meeting about civil disobedience and about the *imtihaan* to which the Lahore Muslims were being subjected. The honourable mover however changed his tone on seeing the District Magistrate (Chaudhri Afzal Haq : question). The composition of the meeting was carefully studied by the Deputy Commissioner, a large portion of which consisted of boys, young men and bazaar riff-raff. Subsequently a big meeting, with a large attendance, at which some very violent speeches were made, was held on the night of the 5th at the Badshahi Mosque. There was some trouble in dispersing the crowd, that eventually emerged from the mosque at the end of the meeting, to their homes. The situation had the greatest elements of danger. The meeting ended at 2-30 A. M. The more respectable people had gone home.

Dr. Shaikh Muhammad Alam : What has this to do with the motion. It is quite irrelevant.

The Honourable Sir Geoffrey deMontmorency : As I said, Sir, the majority of the respectable part of the audience had dispersed and only 1,500 out of some 10,000 remained. The hour was late, and the 1,500 that remained consisted of some of the most rowdy elements in Lahore city. They were moved on and dispersed. Another meeting was held in the Mosque on the evening of the 7th. When this broke up, the crowds again had to be dispersed and some volunteers from Amritsar were arrested.

Dr. Shaikh Muhammad Alam : Sir, on a point of order, is the subsequent meeting also relevant?

The Honourable Sir Geoffrey deMontmorency : After the meeting the District Magistrate found a large and excited meeting in progress in the Kotwali chauki which had to be dispersed and was dispersed with some difficulty by the mounted police and foot constables. Now, Sir, it will be observed that the District Magistrate was personally present at most of these dispersals. He has testified, and

there is abundance of evidence to the same effect, to the admirable way in which the police force was handled and to the restrained manner in which the force was applied. In spite of the fact that *lathis* had to be used, there have been no broken bones and no admissions in hospitals. As to the necessity for using force to disperse these dangerous crowds late at night I think there can be no two opinions. The results are eloquent of the fact that the minimum amount of force was applied. Government has no hesitation in concluding that these excited assemblages at night were fraught with the greatest danger to the citizens of Lahore and had they not been dispersed we should have seen a recrudescence of the outrages of last May which are unhappily so fresh in our memories. (*Hear, hear.*)

Sir, I feel I must comment on the part played in this business by the mover of the motion. For a member of this House, constituted by statute to make laws, to take a lead in stirring up agitation to break them appears to me to constitute a blot on the honour of this House. (*Hear, hear.*)

Mr. President : Order, order. I do not think any member can raise a charge of a personal character against another member of the Council incidentally. If he wants to do so he must move a direct and substantive motion to that effect. (*Hear, hear.*)

The Honourable Sir Geoffrey deMontmorency : The conduct of the organisation, of which I believe the honourable member is an ornament, seems to have been as pusillanimous as it was improper.....

Dr. Shaikh Muhammad Alam : Do I understand that by this ruling that statement of the Honourable Member against my honourable friend is withdrawn ?

The Honourable Sir Geoffrey deMontmorency : Sir, I bow to the ruling of the chair, but I feel I may speak about the organisation. They were displaying that shabby merchandize civil disobedience which has been condemned on every platform, extremist and moderate, in India. It has brought trouble and mourning to many homes. It has been condemned on this occasion by responsible opinion in the Punjab, Muslim, Hindu and Sikh. It is not often, Sir, that I am fortunate enough to find support for my views in the extreme Sikh papers. But on this occasion I cannot refrain from quoting from an article in the *Akali* of the 8th July. After remarking that Mussalmans have tried to disobey orders and held meetings in Lahore and some scores of arrests have been made, the paper goes on to say—

"Perhaps some Muhammadans may be imprisoned for attempted civil disobedience. We desire to warn our Muslim brethren in time that they are treading the wrong path. They will never succeed in civil disobedience. Mere excitement and *jatha bandi* are not sufficient for success of civil disobedience."

The article ends :

"In 1923 when the experienced leaders of the Sikhs were put in jail we committed a mistake of Bhai Pheru Morcha, which not only injured our cause....."

Dr. Shaikh Muhammad Alam : Sir, is this relevant to the question of beating ?

The Honourable Sir Geoffrey deMontmorency :

"The friends who committed this mistake thought that they would overcome the Government by increasing the number of prisoners. but alas the result was that on the one side our leaders were arrested and on the other we were considered to be in the wrong."

[Hon'ble Sir Geoffrey deMontmorency.]

Sir, the call for volunteers and for funds is no secret. The organisations were back at their old tactics. They remembered the days, not so far gone, when they stayed in comfort in India collecting subscriptions while the dupes went beyond the frontier. If India had forgotten, at least they were not unmindful of the profit and honour of vicarious martyrdom. The old policy still made an appeal, namely, to send forth the innocent, the simple, the pious and the irresponsible to break the law, to be dispersed forcibly by the police, perchance to go to jail or worse, while the leaders sat in security collecting funds and disposing of them to their satisfaction. Let others by all means be receiving and be encouraged to receive kicks, as long as the leaders could collect funds. Sir, Government is gratified that more temperate counsels have now prevailed at Lahore and congratulates those *ulama* and secular leaders whose efforts have tended to these admirable results. It trusts that no one will be led astray in the future by the cry that 'Islam is in danger'. The Mussalmans only stood a chance of running one serious danger and that was by being misled by the advice of misguided and self-interested people into spoiling, by intemperance and worse, the cause which the Islam was presenting with dignity, reason and restraint and in which it had gained general sympathy. (*Hear, hear*). I spoke of the Mussalmans running only one serious danger. They ran some other dangers too, the danger of snapping the cord of Government's patience already strained almost to breaking point, the danger of exhausting almost unfailing springs of sympathy. Of this sympathy, I think, Government, conscious of the large number of Muslims in the sphere of its administration has given innumerable and indubitable proofs in the past, proofs which I think a moment's thought will recall to every one here. Human memory, Sir, and human gratitude are short, human sense of proportion is limited. But I should like to recall that what happened this week four years ago. It is an event which should be of particular interest to the mover of this motion. Sir, in this week four years ago the treaty of Lausanne was signed. Every one will remember what that portended to the Muslim sentiment. The end of the war and the treaty of Versailles had left a great Islamic power, a world power, apparently lying in the agonies of death. The life blood was oozing out of her wounds, who would staunch her wounds? Who lift her again upon her feet? Sir, the impossible happened, and the treaty of Lausanne was signed to which the British Government made great contributions. I remember at the end of this week four years ago the Muslim members of both the Central legislatures appeared before the head of the Government at the Viceregal Lodge to give their meed of thanks to the British Government and to the Government of India for their successful efforts in securing for Turkey an honourable peace. I can recall that dramatic scene. On the one side were the Muslim members of the Legislature, men who had kept cool heads in the most perplexing times. On the other was the head of the Government who had helped the ship through most tempestuous seas and brought her to port. He read them the modest message which his Government had sent to the Secretary of State and which concealed in great part the great efforts made by his Government in keeping in the forefront throughout these long and difficult negotiations the deep feelings of the Indian Muslims on this question. I will not read the document to you, Sir, because it is fresh in many peoples' memory, but I should like to say, Sir, that after a few

weeks more the last leaves of these offensive pamphlets, which now occupy our thoughts, will be cast out to their proper resting places, the dust bins, and gutters of India; but even a hundred years hence the document regarding the treaty of Lausanne to which I have referred will still be an important landmark in the annals of Islam in the History of the World. Have a little patience, a little sense of proportion, a little trust. If the principal Muslim leaders found their confidence in the Government not misplaced in that crisis, in those times of seemingly insoluble problems and perplexities four years ago, cannot you also trust your local Government to see you through a temporary and purely local difficulty? (*Hear, hear.*)

Lala Mohan Lal [North-East Towns (Non-Muhammdan), Urban] (Urdu): Sir, I had no wish to speak to-day on this question, but for the picture that has been drawn so nicely by my friends over there of the doings of the police, I thought I may also add a few words to that. If there is any blame it lies against the Government. It quietly watches the two rams fighting. If it were only to see that those who make these rams fight are taken to task the whole trouble will end. The poor people who are not the originators of these communal troubles are goaded on to suffer the consequences while the real men who incite remain safe. Those who incite send forth volunteers to suffer and be beaten. I would certainly be glad to see those who incite them coming forward to suffer themselves. But the pity is that when such worthies are arrested they apologise and secure their release and on the top of all that, when it is published that they have secured their release by apologising they deny the statement. These are the people who create all this mischief by their writings and speeches. They should be held primarily responsible. I do not support the action of the police. But my friends who make such spirited speeches should realise their own responsibility and should not sacrifice others for their own ambition. They are leaders, they should come forward and bear the consequences.

Lieutenant Sardar Sikandar Hayat Khan: And be finished.

Lala Mohan Lal (continued): Yes. That is the only honest way. These gentlemen of the Congress and the Khilafat Committees should take all these things in their own hands and should not be content only with expressing their pious opinions. The Khilafat leaders by their speeches issue *fatwas* against others, but when they see their words bringing fruit in the shape of murders, they quietly sit at their homes.

Dr. Shaikh Muhammad Alam: That is how the Government rules.

Lala Mohan Lal: As long as we are disunited and false to each other we cannot do anything against the Government. We are hypocrites and false in our professions. And as soon as we speak truth and deal frankly with each other, I tell you that so much police will not be required. We create the mischief and we blame the Government. You are the persons who deliver such fiery speeches, and make people fight like rams. Why should you not realise your responsibility. You think that the leadership lies only in exciting people to violent action. Do you not remember what happened at Lahore, when my honourable friend from Lahore wanted to make a moderate speech. He was not allowed to proceed and was howled down. The reason is patent. You first went to excite the mob, but when you wanted to reason and wanted to ask them to listen to moderation they

[Lala Mohan Lal.]

would not listen. This is not leadership. If you are really the well wishers of your community and the country you should pause and consider what should be done. Be true leaders of the masses. Come forward and set them on the right path, and for heaven's sake do not make innocent people break each other's heads. We all fight among each other. When the question of a *bania* comes my friend Chaudhri Chhotu Ram wants them to be hanged and when there is a question of a Muhammadan the Hindus want to see the last of them and *vice versa*. We are, therefore ourselves responsible for our miseries. Just remember how many questions were asked by my friend from Hoshiarpur who professes to be a nationalist, simply on communal affairs. I submit that the number of such questions asked by him far exceeds those asked by any other member. But still he professes to be a Khilafatist and a Congressman. Plain speaking is very good. We do not blame ourselves but want to blame only the Government, so that the speech may get publication and their leadership may be revived. This is a way of securing our leadership.....

(A voice : And yours is another way of doing the same). No. Tell me if I have asked even a single question on communal matters during all these four years. I realise my responsibility. I wish every body had done that. Mere speeches would not help us.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, I have listened to the speeches of my honourable friends which were long enough to tire the patience of anybody in this House. I am glad to know that after all they have come to plain speaking. I too wanted to see the same thing, and I wished that he had been a little more frank and had not only hinted at people. When my honourable friend Lala Mohan Lal referred to a person presiding, I understood whom he meant.

Lala Mohan Lal : I will be frank and tell you that I meant Maulvi Zafar Ali Khan.

Chaudhri Afzal Haq : Sir, I am thankful that an opportunity has been afforded to me to explain the circumstances under which and the reasons why I agreed to accept the chairmanship of the meeting under reference. Though that will lead me a little off the mark, but as my own person has been concerned in the affair I hope I would be allowed the opportunity to explain my conduct. I submit, Sir, that it was not out of weakness but out of boldness and courage that I agreed to accept the chairmanship and disobey the order of the District Magistrate under section 144. The Honourable the Finance Member stated that there were only 6 police officers at the meeting.....

The Honourable Sir Geoffrey de Montmorency : No, Sir, I said a large force of police was present of which only six were used in dispersing.

Chaudhri Afzal Haq : Sir, I wonder what is meant by using the police. I found that in every direction and in every quarter of the locality there were stationed innumerable policemen and everybody who passed through them was either beaten or molested. *Danda* also was freely used. And if you look at my speech delivered on that evening, a copy of which I am sure you possess, you will find that I complained against the use of *danda*, and said that if this had been done in England, the perpetrator of

such a wrong would at once have been made to pay this with his life. I know nobody can be sure of my liberty. The Government is bound to arrest me sooner or later, and I pray that the time may soon come when the world may see my head under the executioner's axe. But I assure my friends that if they show me even a word uttered by me against my Hindu friends in that speech of mine, they may hold me responsible.

(A voice: What about the council questions?).

Sir, my fault is that from the very beginning I have been against the obeying of unlawful laws. You may call me unreasonable, but I have uttered no word against that large hearted gentleman who governs the destinies of this province to-day. In fact I described him to be very sympathetic to the feelings of the Muhammadans. I only spoke against the Deputy Commissioner who enraged the Muslims. You read the report of the proceedings of that meeting. You will find that even the "Partap" described my speech to be very reasonable and strictly within the bounds of law.

Now I will come to the question of my courage or boldness exhibited by my conduct in that meeting. It has been alleged that I changed my tone of speech on the arrival of the Deputy Commissioner. But, Sir, it is a mean way of throwing mud and degrading a member of this House in the eyes of the world. This charge I submit is base and unfounded. Read the reports of the representatives of any paper. The representatives of the *Tribune*, the *Civil and Military Gazette* and the *Associated Press* were all there. They all congratulated me on my speech. Is it not then shameful on the part of the Government to trot out a baseless charge against me? If I had been sure of justice from the law courts of this Government I would have decided to sue the Government for defamation and slander. What can be greater بی حیائی and trickery on the part of the Government.

Mr. President: Order, order. No honourable member should use offensive language in this House. I declare the last expression used by the honourable member to be offensive and ask him to withdraw it.

(Cries of withdraw, withdraw).

Chaudhri Afzal Haq: I am not prepared to withdraw.

Mr. President: Order, order. The words trickery and بی حیائی "Behayai" were used by the honourable member and I call upon him to withdraw them.

(Cries of withdraw, withdraw).

Chaudhri Afzal Haq: Sir, I withdraw my words because it is the order of the President and not through fear of the Finance Member. The Government in the first instance kept themselves behind the curtain and pushed forward the *Associated Press*, Simla Branch, with a false version to be supported by themselves. You may call me a coward or anything else you like. But there should be a limit to the mean acts on the part of the Government who did not even hesitate in degrading a member of this honourable House in the eyes of the public, by proffering false charges against him. Is it not justifiable that the laws and orders of such a Government be disobeyed? I only claim to be humble a member of this House but see what heaven and earth they moved to degrade me in the eyes

[Chaudhri Afzal Haq.]

of my countrymen. I wanted to appeal to the honourable the President to seek his protection. I wish he could tell me any law under which I can safeguard my honour.

Mr. President : Order, order. So far as the honour of the honourable member in this House is concerned, I think the Chair has exercised its powers and tried its best to safeguard it; but so far as the honour of the honourable member outside this House is concerned, only the ordinary law of the land can protect him, the Chair has no thing to do in that connection. (Appreciation and Laughter.)

Chaudhri Afzal Haq : Sir, it is really strange that a member should have no relief when the Executive Government with all its resources and power comes down to defame a member even against all laws.

Mr. President : Order, order. That is not a correct statement. So long as the Honourable the Finance Member was criticising Chaudhri Afzal Haq, as the president of a certain meeting the Chair did not interfere but as soon as he uttered only one or two words regarding the conduct of Chaudhri Afzal Haq, as a member of this House, the Chair at once intervened. Therefore, the honourable member cannot say that his honour is at all attacked in this House by any member. If he is attacked merely as Chaudhri Afzal Haq, who presided over a certain meeting, that is a different question. In that case it is for the honourable member to defend Chaudhri Afzal Haq as a member of the public but he may depend upon the Chair to defend Chaudhri Afzal Haq as a member of this Council.

Chaudhri Afzal Haq : Very well, Sir, I leave this here. I will, however, address my Hindu friends. I would ask them the reason why such a campaign was considered necessary to degrade me in the eyes of my fellow countrymen. The only reason is that I made speeches against the Government and in fact I have been guilty of this all this time. If, therefore, the Government pardoned me before, let them prosecute me now. According to Government version there were only 4 to 5 thousand men in that meeting but the fact is that it consisted of 12 to 15 thousand of them. There was very little room in that place to accommodate all of them and many more were coming. It was difficult to control them. And I, as the chairman of the meeting, thought it advisable to consider the difficulties of my Hindu friends in case the mob went out of control. I enjoined upon them to consider the life, property and honour of their Hindu and Sikh brethren as their own, and cherish and safeguard them with their own life. I said nothing else than this. The only reason why this campaign was started against me was that fortunately or unfortunately, the whole tone of the agitation was changed and the whole energy of the people was directed against the Government.

I shall now say a few words about the Lausanne Treaty.

Mr. President : I am afraid I cannot allow that. The Honourable the Finance Member made a very important speech. But I do not think the concluding portion of his speech was at all relevant to the question now before the House. However, as no one objected to the speech and as certain other honourable members had also digressed, I thought he might have his say in his own way, but I am not going to allow a discussion on Lausanne question.

Dr. Shaikh Muhammad Alam : Some of the members objected, but they were over-ruled by the Chair.

1927-28.

Mr. President : That was not the case. The objection was on a different point, that is as to the dates etc. The honourable member must remember that there is no mention of dates in the motion. He might recollect that the honourable member for Hoshiarpur mentioned two dates. No other member had mentioned any dates.

Dr. Shaikh Muhammad Alam : I confess, Sir, that I do not remember as to the exact portions to which I objected, but I do remember that I objected on no less than half a dozen occasions.

Chaudhri Afzal Haq (Urdu) : Sir, I most respectfully submit that this statement of the Honourable the Finance Member about the Treaty of Lausanne is a question of life and death with Islam and those of us who work under an organisation.

Mr. President : I am afraid, I cannot. If one honourable member of this House was allowed to digress, it does not follow that others should also be allowed to digress.

Chaudhri Afzal Haq : I shall now close my speech and shall say nothing in connection with the beating because I am sure that they will continue beating.

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 President after ascertaining the sense of the House by voices declared that the motion was lost.

(Chaudhri Afzal Haq claimed a division).

Mr. President : The Chair has given a decision that the "Noes have it" and that decision has been challenged. As many as challenge that decision may rise in their places.

Chaudhri Afzal Haq : Sir, I did not challenge your decision but I have claimed it under the rules which say that votes shall be taken by division if any member so desires.

Mr. President : If, in the opinion of the Chair, a division is claimed in abuse of the rules of the House, or is frivolously demanded, he may take the vote of the House by calling upon the members, who support or who challenge his decision, to rise successively in their places and thereupon he may declare the determination of the House or allow a division.

Dr. Shaikh Muhammad Alam : On a point of order, Sir. Cannot we independently of challenging that order or that decision of the Chair, ask for a division?

Mr. President : I think I have not been able to make my position clear. I declared that "Noes" had it. This decision of mine was challenged by some members of the House. In my opinion they had challenged my decision frivolously. Therefore, with a view to see whether their challenge was frivolous or not, I requested the members who supported that challenge to rise in their places.

(Chaudhri Afzal Haq rose again to speak.)

Mr. President : I do not want any more discussion on that point.

(Only two members having risen to challenge the decision and the rest of the House being for it, the President declared that the division was claimed frivolously.)

Mr. President : The question is—

"That an additional sum not exceeding Rs. 1,18,691 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 motion was carried.

MISCELLANEOUS (TRANSFERRED) GRANT.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to move—

"That an additional sum not exceeding Rs. 15,177 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 Miscellaneous (Transferred)."

Mr. President : The question is :—

"That an additional sum not exceeding Rs. 15,177 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 Miscellaneous (Transferred)."

Chaudhri Afzal Haq : (Hoshiarpur-cum Ludhiana, Rural) (Urdu): Sir, I beg to move—

"That the grant be reduced by Re. 1, with respect to the item of Rs. 10,235—Panchayat Officers."

Mr. President : The amendment is out of order.

Chaudhri Afzal Haq : I then want to speak on the total grant. Years have rolled by since the Panchayat Act was passed and during all this time it has been the effort of both the official and the non-official members to ensure the success of this Act. But the one great cause of its failure is that the District Magistrates took no interest in the success or otherwise of this measure. Nor has the Government ever invited public men to subscribe to its success. Now that the Act has proved to be a dead letter, Government has thought of doing something. Even this is very gratifying and I congratulate the Government on its now manifesting some zeal in that direction, and in the appointing of an officer responsible for its successful working. Sir, laws are always good, but the success or otherwise of these depends on the way the administrators of those laws work them. If, therefore, the Government committed the same mistake of appointing young men or those who are already in the service of the Government as tahsildars or otherwise, then, though I do not claim to be a prophet, yet it does not need one to say that the efforts of the Government in this direction are foredoomed. Unless you appoint public spirited men who have worked among the masses and who know how to work with them, you cannot achieve success. I will refer you to what the Government in the south in two provinces have done. They invited those people who were aforetime considered agitators and asked their help to secure the success of a similar measure. As long as the Honourable Minister for Local Self-Government does not adopt the same procedure, this Act will not succeed with the masses. I, therefore, submit that those people whom you consider as *badmashes* and agitators should be entrusted with the task of working this Act successfully. During the days of 1923, I worked for about six months in my Tahsil and succeeded in forming

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about 75 panchayats. But I regret to say that the Government prosecuted 5 of the panches under section 107 and several others under section 110. The result is that that spirit has been lost now. You may not like the Akali leaders in other respects, but please invite the co-operation of these gentlemen in this affair. Similarly, invite the co-operation of the Congress and the Khilafat leaders and make them panchayat officers and I assure you that in this way alone you will be getting the sympathy and the support of the people. The Government in other provinces even invited Gandhī and Rajagopalachariar. If our Government were to do the same thing here, I am sure the Act will succeed beyond the wildest expectations of the Government.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I am much obliged to the honourable member for the appreciative manner in which he has referred to the interest that is being taken by Government in establishing panchayats in this province. I do not wish to make a long speech, but I feel that he will concede this much that I am personally as keen about the success of panchayats as he himself is, and the very fact that I have brought before the Council this demand by way of a supplementary grant, will show that I am anxious to expedite the matter of panchayats and not leave it to the budget session. I need hardly say that I shall use all the zeal at my command (keeping in view the success of panchayats) and do my best to appoint persons who are best fitted for the job. I hope the honourable member will be satisfied with that statement.

Mr. President: The question is—

“That an additional sum not exceeding Rs. 15,177 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 Miscellaneous (Transferred).”

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

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

“That a supplementary sum not exceeding Rs. 2,00,000 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).”

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 supplementary sum not exceeding Rs. 89,165 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.

AGRICULTURE GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I beg to move—

"That an additional sum not exceeding Rs. 15,242 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 an additional sum not exceeding Rs. 15,242 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."

Sardar Habib Ullah [Lahore (Muhammadan), Rural]: Sir, I understand that the Honourable Minister has already deleted the item that I wanted to object to. Therefore I do not want to move my amendment.*

Mr. President : There is no question of your moving your amendment. As the item has been withdrawn, your amendment falls automatically.

The question is—

"That an additional sum not exceeding Rs. 15,242 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.

INDUSTRIES GRANT.

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

"That a supplementary sum not exceeding Rs. 81,433 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."

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 81,433 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."

Sardar Habib Ullah [Lahore (Muhammadan), Rural]: Sir, my object in giving notice of this amendment† was to draw the attention of the Honourable Minister to the deplorable condition of the tanneries. But during the discussion in the Industrial sub-committee and afterwards I was given an assurance by the Honourable Minister that he is looking through the case and will very soon do something to improve the tanneries. In consideration of that assurance, I do not wish to move the amendment standing in my name.

Mr. President : The question is—

"That a supplementary sum not exceeding Rs. 81,433 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."

The motion was carried.

* "That the grant be reduced by Rs. 1,500, with respect to the item of Rs. 3,000—Agriculture—other supervising establishment—Pay of officers."

† "That the total grant be reduced by Rs. 1."

MISCELLANEOUS (RESERVED) GRANT.

The Honourable Sir Geoffrey de Montmorency (Finance Member) :
Sir, I beg to move—

"That an additional sum not exceeding Rs. 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 Miscellaneous (Reserved)."

Mr. President : The question is—

"That an additional sum not exceeding Rs. 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 Miscellaneous (Reserved)."

Lala Mohan Lal [North East Towns (Non-Muhammadan) Urban] :
Sir, I note that this sum is in connection with the travelling allowance of the Board of Film Censors. I object to this item on one ground and that is the activities of cinematograph films that have been now issued, and one specially which is called the Strickland film which has been exhibited in the Viceregal Lodge. Sir, all that I want to say is that we are having enough of Hindu-Muslim and Agriculturist-non-agriculturist tension in the province. So far, we have been fighting. Now the Government has stepped in and a film has been produced in which one Mula is a *Sahukar* and Nawab is a debtor. The debt is of Rs. 300 and by adding various sums it comes to Rs. 900. The total then comes to Rs. 2,500 and Mula is said to be a blood-sucker. All that I want to say is that here is a department of Government which takes pride in creating more ill-feeling among us. I submit, Sir, that Government should take early steps to see that this film is not exhibited. The co-operative department has every right to push on its propaganda, but it should do so in a healthy and proper way and not by injuring the feelings of others and creating troubles. Last year Chaudhri Ram Singh attended one of the meetings of the co-operative societies in which songs were sung and poems recited which would have created bad feelings amongst some of those present. This sort of propaganda should be stopped. If the department wants to carry on propaganda work it can do so in a healthy way, but if it is going to do it in the way it is doing, then I strongly protest and I request Government that nothing should be done by its departments to create further differences among the different communities.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I will just offer a word of explanation.
4 P. M.
So far as the film is concerned I wish the honourable member had seen it. It does not promote class conflict. It just shows what happens in every village and then in the end the money lender and the man who is said to have suffered by him become the greatest of friends. If I may say so, we who live in the villages have in marriages and other ceremonies *naghas* who always cut jokes against the jats and we, jats rejoice in what is said about our peculiar characteristics. I do not see why when the peculiar characteristics of any other community in the matter of money lending are pictured, they should object to such an innocent representation. Our aim is to show how a man who goes to a money lender gets into his clutches and finds it difficult to be free from debt, and that co-operation offers salvation. Even the money lender who thinks that he is going to suffer by the advent of co-operative

[Hon. Sardar Jogendra Singh.]

movement gains in the end and becomes prosperous by employing his capital elsewhere.

This is however a side issue. So far as the grant is concerned it is going to serve the very purpose which the honourable member has in view: it is a provision to see that proper kind of films are passed. So I think the honourable member can have no objection to the granting of this demand which is going to serve the very purpose which he has in view.

Mr. President : The question is—

"That an additional sum not exceeding Rs. 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 Miscellaneous (Reserved)."

The motion was carried.

Mr. President : Before the next demand is moved I wish to consult the House on one point. There is very little of Government business left; it will not take more than a few minutes to finish it. So if the House agrees we might finish the Government business before we take up the adjournment motion.

(The Council agreed to this proposal.)

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I beg to move—

"That an additional sum not exceeding Rs. 8,86,800 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.

PROVINCIAL LOANS AND ADVANCES (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 1,00,000 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 Provincial Loans and Advances (Transferred)."

The motion was carried.

THE SIKH GURDWARAS (AMENDMENT) BILL.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self Government): Sir, I introduce the Sikh Gurdwaras (Amendment) Bill.

The Honourable Malik Firoz Khan Noon : Sir, I beg to move:—

"That the Sikh Gurdwaras (Amendment) Bill be taken into consideration."

The motion was carried.

Mr. President : The question is—

"That clauses 2 and 3 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That the title and the preamble stand part of the Bill."

The motion was carried.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to move :—

"That the Sikh Gurdwaras (Amendment) Bill be passed."

The motion was carried.

THE PUNJAB MUNICIPAL (EXECUTIVE OFFICER) BILL.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, I beg to move :—

"That leave be granted to introduce the Punjab Municipal (Executive Officer) Bill."

Mr. President : The question is—

"That leave be granted to introduce the Punjab Municipal (Executive Officer) Bill."

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadian) Urban] : Sir, I find in the statement of Objects and Reasons attached to this Bill—

"The administration of a large municipality involves the supervision of a large staff, the enforcement of many provisions of the Punjab Municipal Act, 1911, and of rules and bye-laws made thereunder and personal inspection of all parts of a large area. The work is more than an unsalaried President with a private profession can be expected to perform, while the powers that can be delegated to a Secretary are not sufficient to enable him to carry out these duties satisfactorily. This Bill, therefore, provides for a whole-time salaried Executive Officer with ample statutory powers to perform the duties for which a President cannot find time and a Secretary does not possess sufficient powers. While, however, the Executive power, for the purpose of carrying out the provisions of the Punjab Municipal Act, 1911, will vest solely in the Executive Officer, the municipal committee will continue to perform all those functions which a body as opposed to an individual is best suited to perform: the power of taxation, of making bye-laws, of dictating policy in general will remain with the committee, but the duty of assessing and collecting taxation, of enforcing bye-laws and putting into execution the policy approved by the committee will be imposed upon the Executive Officer.

"This is the system of Municipal administration which experience in other parts of India and in other countries has shown to be the best for the large municipalities, and the Bill in principle is based on the City of Bombay and the Madras City Acts.

Now, Sir, what is the intention of this Bill? The object of this Bill is to take away the assessing power from the municipal committee altogether as stated in the objects and reasons which I read just now. Again, Sir, although the policy and framing of bye-laws rests with the municipal committee, carrying out of those policies and all those contracts made thereunder goes to the executive officer. Thus we see that as a matter of fact the municipal committee is altogether hampered in the exercise of its powers in practice. If you leave the assessment to the executive officer and if you also leave the carrying out of the contracts to him, then I submit that most of the work is left to the executive officer and the powers that will be left to the committee will be really only technical and not of any practical value at all. This is really a hindrance or rather I would say obstacle in the exercise of self-governing powers of the municipal committees. It means that what has been given to local bodies will really be taken away by the appointment of these executive officers, when the appointment lies with the Government.

The Honourable Malik Firoz Khan, Noon : No, it is not.

Dr. Shaikh Muhammad Alam : I am glad to hear that the Honourable Minister suggests that it does not lie with the Government. It only lies with the Government so far as approval is concerned. For my part, I would submit that it really lies with the Government. If the approval lies with the Government, the appointment also lies with the Government. If no appointment can be made without the approval of the Government then it is obvious the final appointment does lie with the Government.

I submit, Sir, that honourable members of this House will, instead of getting something more from the Government, really be committing a blunder in putting these obstacles in the exercise of the powers which are to-day possessed by the municipal committees. Again so far as the functions of the executive officer are concerned, we are told that the work that he has got to do cannot be done by the President of the municipal committee because the President has got no time for that and it cannot be done by the Secretary because the Secretary has got no powers for doing it. These two personalities are left aside altogether. That shows that this executive officer who is sought to be appointed by the Government would be a very independent personality altogether.

Diwan Bahadur Raja Narendra Nath : On a point of order, Sir. The honourable member is discussing the Bill itself at this stage ; is that right ?

Mr. President : The honourable member will not go into details, but he will be quite within his rights if he discusses the salient points or the principles underlying the Bill.

Dr. Shaikh Muhammad Alam : I am objecting to the introduction of this Bill on principle and so long as I discuss the principles, I submit, I will be in order. My humble submission is that I am not going into the details at all. My point is that the Bill takes away the most important powers of a municipality altogether and how does it effect so I have to show to the honourable members of this House. I imagine that this executive officer would probably be desired to be a very responsible personality. He would be imported most probably from the I.C.S. ranks or from such other ranks. Much responsibility is sought to be put on him and I submit that under the circumstances he would be altogether out of the control of the President and the Secretary of the municipal committee. He would control the President and the Secretary rather than be controlled by them and the members of the municipality. I therefore, say that on principle this is taking away some most important portion of the power already possessed by the municipal committee. You will be taking away all the powers now possessed by the municipal committee if you appoint an executive officer as sought for in the statement of objects and reasons of this Bill which is before the honourable members. Therefore, I submit that on principle I oppose the introduction of this Bill. It is no use sending it to the select committee and deciding on the details afterwards when we find that the principle itself is defective from the very start.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, I think there seems to be a misunderstanding about this Bill and if the honourable member who was just sat down had studied the provisions of the Bill, he would not have levelled those charges which he has just levelled. I presume that he has not read the Bill, because he made

the charge that the Government was going to appoint the executive officer. As a matter of fact what the Bill provides for is this ; that the municipal committee is being given the power to appoint its own executive officer and to dismiss its own executive officer. This course is being taken not only in Lahore, but it has already been taken in all the important cities in this country. That is the system which exists in Calcutta ; that is the system which exists in Madras ; that is the system which exists in Bombay. If the advanced people of those provinces felt that an executive officer for large cities was necessary, I think that we also should consider that matter seriously for the sake of our province. I do not wish to go into the details of the Bill at this moment. Those details will be thrashed out in the select committee and if there are any changes which honourable members wish to bring about here and there, they can do so in the select committee or in the Council when the Bill comes up for consideration. The question that has to be considered now is whether the principle that there should be an executive officer is a sound one or not. I will just tell the honourable members why an executive officer is needed for the municipal committee. There are certain provisions of the Municipal Act which involve infliction of punishments or which necessitate the President to carry out duties which are unpleasant. The members who are elected by the voters and who depend on their voters for their own success cannot act independently. Similarly the President who is elected by the members every three years has certainly to have a regard for their feelings. Those duties which are unpleasant cannot be carried out properly by the President and moreover in most of the municipalities we find that the work is in arrears and the reason for that is that the gentlemen who do that work are honorary workers and for the best part of the day they do their own work and the spare time they devote to the municipal administration. That is the reason why the need has been felt for the appointment of the executive officer. At this stage all that I would put to the Council is the question whether the principle that the executive officer is needed is a sound one or not. The details to which my honourable friend has referred can be dealt with later on and if there are any provisions which he or any other honourable members does not want to be incorporated in the Bill, I shall certainly be prepared to consider them very favourably in the light of the wishes of the House. I do not want now to go into such details as corruption and such other matters and thus waste the time of the House. I think that this is a very salutary legislation and is very badly needed for the administration of our municipalities. In order to establish a healthy administration in our municipalities I think an executive officer is certainly very necessary.

(Sardar Harbakhsh Singh rose to speak.)

Mr. President : The honourable member is new to the Council. Therefore, I would invite his attention to Standing Order 88 which 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."

So, further debate is not in order at this stage.

Sardar Harbakhsh Singh : I do not want to debate on the point. I was going to say something else. I was opposing the introduction of this bill on a point of convenience.

Mr. President : Order, order. Only one member can speak in opposition and that having been done now the question has to be put. The question is :—

"That leave be granted to introduce the Punjab Municipal (Executive Officer) Bill. The motion was carried.

The Honourable Malik Firoz Khan, Noon : I beg to introduce the Punjab Municipal (Executive Officer) Bill.

The Honourable Malik Firoz Khan, Noon : I beg to move :

"That the Punjab Municipal (Executive Officer) Bill be referred to a select committee consisting of the following :—

Nominee of the Honourable the President,
Secretary, Transferred Departments,
Secretary, Legislative Department,
Rai Sahib Chaudhri Chhotu Ram,
Diwan Bahadur Raja Narendra Nath,
Malik Nawab Major Talib Mehdi Khan,
Lieut. Sadar Sikandar Hayat Khan,
Sardar Habib Ullah,
Mr. Din Muhammad,
Lala Kesho Ram, Sekhri,
Sardar Ujjal Singh,
Sardar Mohinder Singh,
Lala Mohan Lal,
Rana Firoz-ud-Din Khan, and
the mover."

The motion was carried.

THE COURT FEES (PUNJAB AMENDMENT) BILL.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move—

"That leave be granted to introduce the Court Fees (Punjab Amendment) Bill."

Mr. President : The question is—

"That leave be granted to introduce the Court Fees (Punjab Amendment) Bill."

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan) Rural] : Sir, I beg to oppose the motion that has just now been made to introduce the Bill to amend the Court Fees Act, 1870. The statement of objects and reasons appended to the Bill, to my mind, does not disclose sufficient grounds for enacting this Bill into law. We have never been told that there have been an excessively large number of frivolous cases which need to be penalised by the enactment of this Bill (*Hear, hear*). It is true that the Civil Justice Committee made certain remarks in their report that sometimes executions are delayed and judgment creditors are defrauded of their dues by frivolous proceedings of the description which

this Bill seeks to cover. But so far as I am aware, the report of the Civil Justice Committee did not make any special reference to the conditions which prevail in this province; nor did they say that such kinds of frivolous suits were very rampant in the province. Moreover, it is also apparent that legislation of this kind on the recommendation of the Civil Justice Committee has not been undertaken in any other province of India and there are no special reasons why this province should take a lead in this matter. There is a very strong reason, I should submit, why this Bill should not be introduced and enacted into law and it is this, that it will be productive of real hardship to the poorer class of the people. (Hear, hear). It is a Bill imposing a burden, the incidence of which falls principally and primarily on the poorer classes. It is well known that judgment-creditors proceed not only against their judgment-debtors but are sometimes tempted also to proceed against the properties of their relations and other persons connected with the judgment-debtors on the allegation that the properties which they seek to attach belong to their judgment-debtors.

Under such circumstances these poor people are driven to court in order to establish their rights with respect to properties which are wrongly applied against by the judgment-creditors. It is only fair that these poor people should be given a chance to have their rights established at law on easy terms without being called upon to pay an amount of court-fee which in certain cases would prove to be really prohibitive and the levying of which would be tantamount to a denial of justice to these poor people. I would make one more remark at this stage, Sir, and it is this: that the whole of the Court Fees Act is an anomalous measure.

Mr. President : Order, order. That question is not before the House. The honourable member, if he refers to Standing Order 38, will see that at this stage only a brief explanatory statement is permissible and not a long speech.

Mr. Labh Singh : Sir, I have no desire to make a long speech. I only referred to the Court Fees Act as it is looked upon now as a revenue producing measure. This is in principle wrong and we should not promote any further extension of this wrong principle. We should not allow the Government to tax our people in the guise of levying court-fees, or to tax justice as it is called. We emphatically claim that justice should not be sold. That is the primary principle for which we are standing up. And, if justice is to be sold at all, it should be sold cheap. I submit that to allow this Bill to be enacted into law would be an inroad on that wholesome principle and should not be permitted. I therefore formally oppose, Sir, the motion for leave to introduce the Court Fees (Punjab Amendment) Bill.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : Sir, I should like to explain the position of the Government as regards this Bill. The Civil Justice Committee made certain recommendations as regards this measure. Their recommendations were referred to the High Court who took the opinions of Judicial Officers and reported to Government that there is a general consensus of feeling among judicial officers that the bill was required to stop unnecessary and vexatious litigation. The object of Government in introducing this Bill is not fiscal in any way. That is, it does not wish by the provisions of this bill to raise revenue. That is

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not its purpose. Its purpose is that if it is really true that this kind of litigation is redundant and vexatious and should be discouraged, then it would be prepared to go on with the Bill. If the honourable members who object to this Bill would look at the next motion, they would find that if leave to introduce is given, a motion would be moved for the circulation of the Bill for eliciting opinion thereon. That is, the Government has not finally made up its mind, as regards the desirability of this Bill and if after eliciting opinion, it is found that there is a substantial body of general opinion against it in the province, then Government would not proceed with the Bill.

Mr. President : The question is :—

“That leave be granted to introduce the Court Fees (Punjab Amendment) Bill.”

The motion was lost.

Pandit Nanak Chand claimed a division. The President then called the members who challenged his decision to stand in their places. Only two members having stood up, the President declared that the division was claimed frivolously.

THE PUNJAB TENANCY (AMENDMENT) BILL.

Mr. C. F. Strickland (Registrar, Co-operative Societies) : Sir, I beg to move :—

“That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.”

The motion was carried.

Mr. C. F. Strickland : I beg to introduce the Punjab Tenancy (Amendment) Bill.

Mr. C. F. Strickland : I beg to move :—

“That the Punjab Tenancy (Amendment) Bill be referred to a Select Committee consisting of the following :—

The Honourable the Minister for Agriculture,
Diwan Bahadur Raja Narendra Nath,
Chaudhri Zaffarullah Khan,
Nominee of the Honourable President,
Secretary to Government, Punjab, Legislative Department,
The Honourable the Revenue Member, and
the Mover.”

This motion was carried.

AMENDMENT OF STANDING ORDERS.

Mr. H. D. Craik (Chief Secretary) : Sir, I beg to present the report of the Select Committee appointed to consider the draft amendments of Standing Orders of the Punjab Legislative Council.

Mr. H. D. Craik : Sir, I beg to move :—

“That the report of the Select Committee appointed to consider the draft amendments of Standing Orders to the Punjab Legislative Council be taken into consideration.”

The motion was carried.

Mr. President : The question is :—

“That in the third column of Schedule I of the Standing Orders against item 1, “Finance,” for the figure “3” the figure “4”, in the fourth column for the figure “8”, the figure “9” and in the fifth column for the figure “12” the figure “14” shall be substituted.”

The motion was carried.

Mr. President : The question is :—

"That after Standing Order No. 76, the following new Standing Order shall be added namely—

" 77. The President may by order in writing delegate to the Deputy President all or any of his powers under these Standing Orders and may revoke any such delegations."

The motion was carried.

Mr. H. D. Craik : Sir, I beg to move :—

"That the draft amendments of Standing Orders be approved."

The motion was carried.

MOTION FOR ADJOURNMENT.

Mir Maqbool Mahmood [Amritsar (Muhammadan) Rural] : Sir, I beg to move :—

"That the House do adjourn for the purpose of discussing a definite matter of urgent public importance, to wit, the recent communal riot at Multan and to check the recurrence of such riots."

Sir, at this time of the day, when all members are tired I do not want to detain the House for a long time. Moreover experience of the debate on the cut on the additional police and the statement by the Honourable the Finance Member that information with respect to the Multan riots is not complete compel me not to enter into the details or the incidents of the Multan riots. I hope that those honourable members who will follow me in the discussion of this motion will try to keep clear of introducing or of bringing in communal fire in the discussion. I submit, Sir, that if those who follow me introduce bitterness and heat in the discussion of a motion of this type they would be really harming more than helping the solution of the problem which we are all anxious to solve. Personally I would confine myself with respect to the Multan riot with the remarks that those of us who have closely studied the information available so far do appreciate the wise and prompt action taken by Government at the crisis. Moreover, I feel this House will agree with me in condemning those responsible on both sides Hindu or Muhammadan, for creating mischief between the two communities, and I think we all equally sympathise with those who have suffered bereavement in these riots.

To my mind what is more important than the Multan riots themselves is the second part of my motion, that is to devise measures to check the recurrence of such riots. As my honourable friend from Jullundur pointed out this morning this seems to be the beginning of a second cycle of communal riots and I think the Council and the Government owe it to the province and the country at large to concentrate on how to check the recurrence of such riots. And I mean to confine my remarks to that end. My honourable friend from Sialkot in a very able speech this morning analysed what appeared to him to be the root cause of communal tension. I will take up the line of argument where he left it. I agree with him so far that prior to 1919 there was not this unfortunate acute phase in the communal feeling of the province. What happened then was, as he rightly suggested, that a unity or at least the wish of a unity was expressed on paper, but real unity was not established. At that time the Reforms scheme came, and in the words of the authors of the Montagu-Chelmsford reform, the reforms were meant to awaken

[Mir Maqbool Mahmood.]

the placent masses from their slumber and when they were awakened they came naturally to look forward to and claim their shares in the administration of the country, such as representation in the councils and in services. That emphasised points of communal differences which needed adjustment. And it is unfortunate, that whatever else may be said for it, the Reform Scheme brought nothing, so far as I can see, which particularly aimed at cementing communal union and in trying to eliminate communal differences. I feel, Sir, having had the privilege of sitting in this Chamber for nearly four years, that I can pass through another twenty years of similar Councils without contributing anything constructive towards the common object of the country as a whole. Not only that, there is no stimulus in the present scheme which might develop a new tradition under which every member of the House might feel some responsibility not only to his own community but to the country at large. To this end, the first thing that I would suggest is that the stage has come when the Government, which has constituted so many boards, such as the Economic Board and the Information Bureau which are doing very useful work, should also organise a representative board for encouraging communal goodwill and discouraging communal illwill. I feel that it will be not only a constructive gesture but it will take away from the criticism which is now often levelled—and I hope wrongly levelled—at the Government that they believe in the policy of divide and rule (A voice: why not this Council itself be that board?). My honourable friend suggests that this Council itself be the board. I would welcome that provided the Council, which is such a large body, had the patience and concentration to apply itself to some constructive solution of this problem.

To my mind, Sir, it is high time that the Hindu, Muhammadan and Sikh leaders and representatives should frankly own and confess to the country that they have tried among themselves, in the present acute stage of the country, to find some constructive solution of the communal problem and through their limitations which are obvious they have failed. It is time that the Government should realise its responsibility in this matter. Where we, because of our limitations have failed, the Government should come forward and make it possible by the unique position it enjoys to prepare the way for some constructive solution. To ensure that, I would suggest that Government should forthwith appoint a representative committee or convene a conference with wide terms of reference to go into the causes of communal riots and communal bitterness and to suggest necessary changes which might help to bring the communities together. It might be suggested at this stage, as it has been suggested to me, that you cannot very well with mere generalities enter into a broad question of that type. As soon as you enter into a question of that type, you will be face to face with the question of separate and joint electorates. I know on that question there is strong feeling in both communities. I know that my Muhammadan colleagues with few exceptions, are very keen on separate electorates and to the best of their lights are committed to separate electorates. I am also aware that my Hindu friends, believe that the country should have joint electorates and that joint electorate alone will encourage the formation of a national mentality. It may pertinently be asked, Sir, that you have no right to bring a general motion of this sort unless you have in view some

suggestion or scheme which offers a constructive compromise of these two points of view. This will require close thinking, this will require serious thrashing by the committee I suggest. It seems to me, however, that it is not impossible even from amongst the present system of electorates prevailing on the continent and in America and even in China to find a compromise which might help our state of affairs. The weakest point in the system of separate electorates is that every member has to look exclusively to his own community for his election and feels no responsibility to other communities. The main objection against joint electorates in the present communal stage of the country, is that it is open to any majority community to elect people, who are nobodies in the minority community as latter's representatives. Both of these objections, so it seems to me, could be eliminated by introducing a system of double ballot which has been successively tried elsewhere. For instance, every Muhammadan constituency can first select two or three members whose names will be placed again in a second ballot composed of the voters of other communities in that constituency who will finally select the Muhammadan member for that constituency. Similarly every Hindu constituency can elect two or three members which would go to non-Hindu voters of that constituency for a second ballot. The result of this will be that every one who is returned will not be a nobody in his constituency but will have some support in his community and will have to win the confidence of other communities also. Even minority votes will be respected under this system. I do not claim this is the best of schemes; I only suggest this as a possible alternative, as a basis for discussion. The committee, I have proposed, could go into it and suggest necessary improvements. It could also tackle the kindred question of services on some equitable basis. That will encourage a new tradition of bringing communities together and making it worth while for every member who is representative of one community to look to the support of other communities also; Moreover it will foster an attitude of mind of an impartial judge more than of a partisan on questions of national importance.

But there are other points also and what is more necessary immediately and forthwith is to eliminate those factors which contribute towards exciting communal bitterness. The worst factor of that kind unfortunately, as we all know and as has already been suggested in my remarks in the morning, is the gutter press. I have with me quotations in which references have been made to some of the most eminent Hindus and Muhammadans such as Sir Muhammad Iqbal and Mahatma Hans Raj, in terms which I feel sure would not bear repetition in decent society. I appeal to the press which is a force in shaping public opinion to give up this attitude and I appeal to the Government to control the communally irresponsible section of the press by special emergency legislation. I submit, Sir, that the stage has also come when the importance and the prominence which is given to communal cases by the public could be minimised by some scheme which should be considered by this committee or by the Member in charge, which might give power of summary disposal in such cases. Possibly these cases might be held *in camera* so that too much prominence may not be given to them.

Another thing which I would suggest is this. We are having a great deal of revival of physical culture movement in this province in these days, the *Tanzim* movement and the *Sangathan* movement. I for one, being

[Mir Maqbool Mahmood.]

a weak man myself, welcome this and lend my full support to the development of physical culture of this province, but I feel that the trend which some of these movements are taking is disgraceful. I feel the stage has come when something should be done to check this trend. It might perhaps help matters if in all *sangathan akharas* there are some Muhammadans and in *Tanzim akharas* there are some Hindus. That might produce good results. I submit, Sir, that the stage has come when.....

Mr. President : The honourable member will please stop. I invite the attention of the House to Standing Order 25 that no speech during the debate on an adjournment motion shall exceed fifteen minutes in duration. It is not even in the discretion of the Chair to give more than fifteen minutes.

Mir Maqbool Mahmood : One minute more and I shall have done.

Mr. President : Fifteen minutes are over and I have no power to give even one minute more.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, we should feel highly ashamed of what has recently happened at Lahore and Multan. No doubt there used to take place riots here and there even before this but there was always some cause or other for these riots. But what we see now ? An innocent person, feeling that nothing upward has happened, goes to buy something from the bazaar. He has perhaps done half of the transaction when suddenly he is attacked and stabbed from behind. I think a blacker crime than that can not be perpetrated, or thought of. No body, however, innocent, is sure in these days that he will reach his place back without being molested. Two respectable leaders of different communities happen to quarrel over a trifling matter and in their attempt to overthrow each other, they plunge their respective communities into turmoil. I ask, have you forgotten those days when every body used to feel for the other when this other was in trouble. Pandit Nanak Chand once said and I understand he repeated the same thing again to-day that our speeches in this honourable House represent the views of the public outside.....

Pandit Nanak Chand : On a point of personal explanation, Sir (continued in Urdu) I never said that. What I said was.....

Sayad Muhammad Husain : The honourable member can give explanation in English. I can very well understand that language.

Pandit Nanak Chand (Urdu) : I should like to explain in Urdu so that the honourable member may not misunderstand me again. What I said was that the outlook of the members of the First Reformed Council was quite different from what we see to-day and the reason of it was that the electors outside had love and sympathy for each other. But we in this Council represent the religious fanatics outside. I do not say that we should not strive for bringing about unity amongst different communities. I am on the other hand as solicitous to create goodwill in place of discord as any other member of the House is.....

Mr. President : Order, order.

Sayad Muhammad Hussain : Sir I am pleased to hear this explanation inasmuch as it appears that the outlook of the honourable member has undergone a change.

Pandit Nanak Chand : Sir, I protest against this remark. My outlook was not what the honourable member thinks and therefore it could not undergo any change.

Sayad Muhammad Husain (Urdu) : Now the question arises why such shameful deeds are being perpetrated. I am not one of those who would lay the blame for what is happening at the door of the Government. To my mind the present tension is the result of economic causes. The honourable member representing Sialkot was right when he said that economic troubles are at the root of all. With the introduction of Reforms, there sprung up this desire in the minds of the members of different communities to receive the greatest share in the administration of the province and the result was that a tug of war began as we see to-day. But we should not despair. The history of almost all nations records such troublous times. The British nation had also to pass through this ordeal once when the Catholics and the Protestants were at daggers drawn. But before long the Britishers found it necessary to adopt measures by which they could patch up their differences and they did it. We should take lesson from them. Let us put our heads together to find out means to remove the present tension. We should honestly face the facts. It is no use saying that suitable candidates from amongst the Muhammadans and for the matter of that from against the zamindars are not forthcoming to fill up the posts in different Government departments. This is now a thing of the past because I know that once the Chief Engineer told me, when I went to him to recommend a gentleman for employment in the Irrigation Department, that there were already so many approved candidates, Hindus, Muhammadans and Sikhs, on the waiting list that for five years hence there was no hope of any fresh candidate being taken. When such is the state of affairs, I do not understand why the Muhammadans and zamindars should not be employed in greater numbers in at least such departments of the Government on whose good administration depends the welfare of the zamindars. I take for example the Irrigation Department. If in this department zamindars are employed in greater number, they are sure to prove more useful so far as the interest of zamindars are concerned. And I say so because it is the zamindars alone who can realise to what extent the closure of the canals, for many days filling in proper outlets and other important matters adversely affect the crops and consequently the welfare of the zamindars. Likewise is the case of Agricultural Department. Take next the High Court. Almost all the Sub-Judges belong to that community which loves money as its own life. I am not blaming them for this love of money. But what I mean to say is that this love of money cannot make them feel for the poor debtors who are in most cases zamindars. Can any lawyer present here tell me in how many money suits the provisions of the Usurious Loans Act were availed of in reducing the rate of interest? So far as my knowledge goes only a negligible number of such cases is on record in which the rate of interest was reduced by the Sub-Judges. Before I close I would like to invite the attention of the honourable members to the report by Mr. Anderson suggesting measures for the improvement of the economic condition in the Muzaffargarh

[Sayed Mohammad Hussain:]

district. I have not gone through that report (*laughter*). But out of the portion I have read (*laughter*) I will read a relevant portion and that is as follows:—

"On the other hand, if any steps are taken to improve the material conditions of the district they will by themselves be useless to help nine-tenth of the peasants, unless measures are taken to put an end to the existing burden of debt. Controlled irrigation is the only way by which the crops of the district can be extended or made more secure, but the benefit will go to the money-lenders unless the debt caused by the present flood irrigation is wiped out."

Now you can guess for yourself why there is all this unrest and trouble in the province. I wonder at the attitude of the High Court. It has not been able to find any suitable Muhammadan Barrister in the whole of the Province to work as a Judge of the High Court and therefore it has imported a Barrister from another Province. I may say that we have absolutely no faith in that Muhammadan Judge of the High Court.

(Here the President rang the bell to indicate that the time of the honourable member was over). The honourable member, therefore, resumed his seat.

Mr. H. D. Craik (Chief Secretary): Sir, I understand that this debate has been initiated by my honourable friend Mir Maqbool Mahmood with the object of discussing practical suggestions for assuaging the present intense communal excitement, though it would certainly be difficult for any one to infer so much from the speech of the last speaker. The honourable mover has apologised for detaining us at this late hour. As stated by the Honourable the Finance Member, it would have been more convenient to Government to have had this discussion on an occasion when Government could have had somewhat longer notice and more time to consider the situation. But I do not think that any apology is needed for detaining us to consider this subject which is of such grave importance to the whole province and which must at the present moment be uppermost in the mind of every member of this House. As some member has remarked this morning, all Punjabis must feel ashamed of the communal riots and disorders which disfigure this province. It is for that reason that I welcome some of the suggestions made by the honourable mover. (*Hear, hear*). There is one suggestion in particular which I welcome as a practical one which may be of great assistance to Government. I refer to what the honourable mover has said about the press. He has quite truly remarked that one of the greatest difficulties which Government is up against in dealing with the situation is to be found in the writings in a certain section, I fear a very large section of the vernacular press of this province, writings which tend to foment hatred between the different communities. I have studied the press of this province closely for the last five or six years and to a certain extent the press of other provinces also; and I have no hesitation in saying that the Punjab vernacular press, or rather a great majority of the Punjab vernacular press exceeds in virulence, in obscenity and in deliberate fomentation of communal hatred the press of all other provinces in India. It is a reproach to this Province that we tolerate such a press; it is a reproach to our civilisation and reproach to our good name. Government would welcome, eagerly welcome, any expression from this House of encouragement in its efforts to deal with the press and to restrain this element which,

more than anything else, it seems to me, tends to keep communal hatred alive. Under the present law, Sir, the Government can deal with the press only in two ways, neither of which is effective. We can, if we consider that any article offends against section 153-A, proscribe it. On that order being passed it is lawful for any police officer to seize and forfeit to Government any copy of the offending issue. But the House will appreciate that that particular power is in most cases perfectly useless. The publication comes to our knowledge after or at the same time as it is available for sale to the public. We can proscribe and we do proscribe frequently; but the mischief is usually done before the whole of the issue can be seized. It was only during the communal riots in Lahore that we were able, thanks largely to the never ceasing vigilance of the Deputy Commissioner, Mr. Ogilvie, to whom Lahore on this account and on many other accounts, owes a great debt (*hear, hear*), it was only through his vigilance that we were able to improvise a system by which we can make proscription effective. I am prepared to take the House into my confidence as to how that system works. We gave Mr. Ogilvie a staff of press-readers and he arranged that a copy of every newspaper as it was published was brought to him and was in the hands of his press-readers within a few minutes of publication. Any offending article was brought immediately to his personal notice and he would then telephone to me and after I had taken the orders of Government the proscription order would be conveyed to him by telephone. In certain cases this enabled him to seize the whole of the offending issue before it got into the hands of the public. By that system the police were enabled to seize several offending newspapers, the whole edition, on one occasion, of a newspaper which would have added enormously to the present flame of communal hatred. But that system is only possible either at the headquarters of Government or where Government is so close to the local authorities that the orders can be conveyed by telephone. In most cases we can only proscribe a day or two after the publication has been made and when, as I say, the mischief is done. You might say, "you have also the ordinary criminal law and under section 153-A, you can prosecute editors and publishers." We do prosecute, but that is a lengthy process and it often secures publicity to publications or articles which otherwise would remain in the obscurity which they deserve. One has to remember that when Government gets the information 50 people may have read that article. If we publish it and the trial is reported in the newspapers 5,000 people will probably read it and the bad effect will be intensely magnified. But apart from that, you have the widespread practice in this gutter press to which I am referring of putting up a dummy editor. The person whose name is published as that of the editor in accordance with the law, and who makes a declaration before the Magistrate as the editor, is usually a dummy and very frequently an ex-convict for whom imprisonment has no terrors. At the present moment the editor of one of the principal daily papers of Lahore, is, on his own confession, a forger of currency notes and only escaped conviction as such by giving away his associates. Another paper at Amritsar is at the present moment edited or nominally edited by a man who does not know how to write, who has been in turn a barber, a syce, a deserter from an Indian Infantry Regiment and an ex-convict. These are sort of people who are the nominal editors of this gutter press and it is that sort of people who, if we prosecute under section 153-A, find themselves eventually in the jail. Does their conviction prevent the publication of these

[Mr. H. D. Craik.]

inflammatory articles? Certainly not. At this moment we are prosecuting a paper which almost every day repeats the article for which it is being prosecuted. The law has become almost a farce and these prosecutions are of very little use at all. What I would ask the House to do to-day is to give Government some definite expression, some clear expression, of its opinion or if possible of its encouragement of our view that the law requires to be strengthened, and of its recognition of the fact that this gutter press is the worst enemy of communal peace. I believe myself that the time has come when almost any measure against it would be welcomed by all in this House and by the province generally.

In conclusion I would like to remind the House of the words which His Excellency used in referring to this subject in his speech at the opening session of this Council last October. He said :

"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."

How much deeper should that Hell be when the damnation proceed from the worst of motives, the lowest of all human motives, the desire for pecuniary gain. And I am convinced from my study of the press, especially during the Lahore riots, that these papers deliberately foment communal hatred for motives of pecuniary gain. That is a grave charge to make, but I make it deliberately and with full knowledge of the facts. A paper comes out with inflammatory headlines, greatly exaggerating the casualties in a riot or declaring that there has been a general and pre-arranged massacre of one community by another, or something like that, and the result is that the sale of that paper is doubled or trebled. The more exciting its headlines, the wilder the false rumours it gives currency to, the more inflammatory its writings, the more explicitly it incites people to violence, the greater is its sale. I would ask honourable members to cast their minds back two short months to the days when Lahore was the scene of so many deplorable and terrible outrages. On the very first day those murders were committed, one of the local papers came out with headlines describing what it called the day of Judgment, a general massacre of Muslims, pre-arranged plots to slaughter them and so on. A day or two later another paper published two statements, neither of which had the very slightest foundation in fact. One was that all shop-keepers of a certain community were deliberately selling poisoned food to their customers of another community. Can the House conceive anything more calculated to embitter the already dangerous feeling which existed? The same paper had a statement that two Indian ladies had been waylaid and butchered by ruffians, I will not state the community because it is so ridiculous a story. I do not think it is fair to say. It said that the two ladies had been waylaid and murdered and that after death their bodies had been horribly mutilated. I challenged the editor of that paper. I asked him what right he had to publish that story and what evidence he had to give. He said, 'Oh, but this is true. One of my staff saw a wounded lady at the Kotwali.' I asked how she was wounded. 'Did you enquire how she was wounded?' 'No,' he said, 'I did not.' I was told that there was a wounded lady at the Kotwali. On that evidence, I ask the House to believe, this editor deliberately published a statement that two women

had been butchered and their bodies mutilated. I believe that subsequent enquiries showed that the woman in the Kotwali had nothing to do with the riots but had been wounded as a result of a private quarrel. But the man who could invent, from one wounded woman, two deaths and two mutilated corpses is surely beyond the pale of any sort of civilisation.

Pandit Nanak Chand (Hoshiarpur (Non-Muhammadan), Rural): Sir, I congratulate my honourable friend, Mir Maqbool Mahmood, for having brought this motion and for having made a very reasonable speech and for having suggested very reasonable remedies for the present-day troubles. That there are grievances from which the Muhammadans suffer, nobody will dispute. That there are grievances from which the Hindu community suffers, nobody will dispute; but these are matters which we should calmly place before the committee which my honourable friend, Mir Maqbool Mahmood, has suggested. Then, Sir, as regards the speech of the Chief Secretary on this point I myself was thinking of bringing in a private bill which I would have called 'the Communal Papers Suppression Bill' (*Hear, hear*). But I thought that a bill of this kind may not have the support of Government or other members. But if the Government brings a bill of this kind I assure the Chief Secretary and other Government Members that it will have our full support. We cannot possibly go on seeing these deliberate murders committed and innocent people butchered for no fault of theirs and if we are in any way fit for Sawaraj we should be prepared to shoulder these responsibilities for putting down the crime in every possible manner we can.

Therefore we shall be prepared to give full support to the Government in any reasonable measure that they may bring forward for putting down what is called the 'gutter press'. I assure the Government that by bringing forward such a measure they would really be putting the whole of the Punjab under a great obligation.

When we are discussing this problem from the point of view of how to remedy the communal tension, I think that while speaking on this motion we ought not to lay stress on our grievances. The more you go on talking in a fiery manner in order to win the approval of the outside public the more you will be really inflaming popular passions and increasing the tension which you want to put down. I therefore beg of the honourable members who will speak after me that they should suggest positive remedies and practical methods by which the communal trouble can be removed. It is no use trying to exaggerate our own community's difficulties, or the difficulties or the grievances of other communities. We know that each community has got its own legitimate grievances. I know that there are people who think that because they are Muhammadans, they should get this, that because they are Hindus, they should get that or because they are Sikhs they should get something else. All these problems must be carefully considered by the board or the committee which the honourable mover suggests. That is a very reasonable and proper suggestion and it should have the approval of the whole House. As regards the second point, namely the suppression of the communal papers, which talk about nothing else but filth and whose chief object is to inflame popular passions so far as our community is concerned, it will have our full support.

Shaikh Sir Abdul Qadir (Non-official, nominated): Sir, I thank the honourable mover for the spirit in which he brought forward this motion and for some of the constructive suggestions that he has made. He did not purport to be exhaustive in his constructive suggestions, nor is this a subject which can easily be exhausted. If we begin to explore the various useful avenues of finding a way out of the present difficulties, I am sure we can find a good many practical and useful measures to adopt. Among the measures which he has suggested is that the Government may co-operate with this Council or with the leaders of public opinion and form a committee which may try to find out the best practical methods of solving the present problem. I endorse the suggestion and I think it is full of possibilities, though I must admit that any committee that is appointed, either by the public, or by the Government in conjunction with the public, will have its limitations and in the present day circumstances, the task before the committee will not be an easy one. But it is worth while trying this experiment and if the men, who compose it, are earnest in their desire to bring about a solution I am not absolutely despondent as to the result. In certain conferences which some prominent men among the various communities recently had in Lahore and also on some previous occasions this very method was advocated, namely that there should be conciliatory boards everywhere, with a central board in Lahore, which may in the first place try to prevent communal tension, wherever they find it, becoming acute and in the second place, when it does become acute, they may try to prevent any untoward results. Now, as regards the other suggestions of Mir Maqbool Mahmood that the press or a certain section of the Press, which he described as 'gutter press' should be suppressed and strict measures should be adopted by Government with regard to it.

Mir Maqbool Mahmood: On a point of personal explanation, I said only with respect to communal matters.

Shaikh Sir Abdul Qadir: While I entirely agree with the honourable mover and with the speakers that have followed him in thinking that a great deal of mischief is done by such papers as resort to inflammatory writings, yet I must say that there are certain practical difficulties in the way of dealing with this matter by any further legislation. I would suggest under the present circumstances of the country that a preliminary step should be resorted to before we can advocate or undertake any fresh stringent legislation. I admit that certain writings in our province do call for stringent measures and if the Government decides to adopt them I am sure every reasonable member of this House will be prepared to support it. But before we take that step, there is one device which suggests itself to me and which I put forward for the consideration of the House, for whatever it is worth. Under this very committee that has been suggested, a small committee may be appointed to keep a watch on the press. It may consist of five men at the outset and every community may be represented in it. It should be the business of this committee to exercise a sort of private censorship over the press. If these five members are unanimous as to the undesirability of a particular article that has appeared in any paper, they may make their views on the article public. I am sure if they perform this duty in a reasonable spirit, their opinions will have the greatest influence on the public at large and will operate as a check on the vagaries of the press. The great difficulty which is at present hampering us

with regard to the prevention of inflammatory speeches as well as writings, is that people who make inflammatory speeches have their eye on a very innocent abstraction called the "gallery". The writers who write inflammatory articles have also their eye on that portion of the public which wants nothing but spicy writing and thus this game which everybody recognises to be harmful to the best interests of the country is going on. What we need is that some sort of corrective may be applied to this trend of public opinion. There is no doubt that the masses like only spicy speaking and spicy writing. If anybody is making a reasonable speech they get tired and bored and walk away. If anybody is talking loud and if anybody is denouncing what he wants to denounce in the very strongest terms possible or if he is abusing his opponents, he is listened to with great zest. The same is the case with regard to writing. The only way in which you can improve things is by shaping public opinion and for that it is necessary that all right thinking men should have the courage to express their views on such effusions publicly and openly. Then, I think reasonable sections of the public will lend us their moral support and the tendency towards inflammatory writing and speaking will diminish. If even after the adoption of some measure like the one I have described and even after friendly advice to the papers concerned, they continue to behave badly, there would be a strong case for fresh legislation.

Another point has been mentioned and that is that some way must be found of adjusting the requirements of the various communities, with regard to their representations in Councils or in the administration of the country. Some members in the course of the debate this morning spoke of this particular reform as a negligible item. I do not regard it as a negligible item nor do I agree with those who say that it is really a panacea for all our troubles. This is undoubtedly a contributory and a material cause of trouble and a remedy for it must be devised. But what is giving even further trouble than this adjustment is that there is such a tendency towards needlessly injuring the feelings of one another on the platform and the Press. Speakers resort to high flown language and think it is a sign of great bravery to express their views on any subject in very strong terms. I think if we learn to control ourselves in the expression of our thought, and if we express our views with due regard to the feelings of others, we would be avoiding a lot of friction. One of the chief sources of trouble is deliberately injuring the religious susceptibilities of others. This may have its origin in economic struggle or it may be due to political rivalry but things have come to such a pass that life is becoming intolerable. All of us, Hindus, Muhammadans and Sikhs and Christians should combine to stop this evil. There is no earthly justification for this kind of thing to be indulged in the Press or on the platform or anywhere else. It should be deprecated and very strongly and unreservedly deprecated by everybody. I think all the members of this House should make up their mind to do their duty in this respect and wherever they find any deliberate attack on the religious susceptibilities of another community, they should express themselves in unequivocal terms as to the undesirability of such an attack even at the risk of incurring some odium. In doing so they will be doing a great service to the cause of the province.

Chaudhri Zafrullah Khan (Sialkot (Muhammadan), Rural): Sir, we have thoroughly realised that the inter-communal situation at the present

[Chaudhri Zafrullah Khan]

moment is at its worst and all of us realise that some remedy is urgently required in order to ameliorate the present conditions. We have during the course of this debate and during the course of other debates this morning alternately congratulated each other and condemned each other and congratulated ourselves and condemned ourselves and expressed our abhorrence of and our shame over several matters, but we still continue to grope in the dark as to what is to be done in order to better the situation. Now, without any desire to lay a blame upon Government, I would suggest that it is the duty of Government at the present moment to take a lead in this matter. I know that Government might apprehend that interference at the present moment might lead to further trouble rather than to a cessation of the present troubles. But that is not so. The communities which are at present fighting each other will shortly get tired of reviling each other and injuring each other, and even the worst elements in the different communities will realise that the time has come for some settlement to be arrived at between themselves. If Government allows the present situation to continue and allows things to drift to such a pass that the different communities sit down and arrive at a settlement among themselves that again will be a source of fresh trouble. Government will be excluded from any such settlement and then a new phase of the situation will arise. The communities will unite and begin to fight with Government. I would therefore suggest that Government should not continue to remain aloof, and should not consider that its only duty is to enforce law and order and to control the different sections of the public in such a way that the peace of His Majesty should not be broken. Its duty is something more than that, viz., the entire welfare of the province and what I would suggest is, that Government should call together a conference of the leaders of the different communities in this province, not excluding any shade of opinion or any community however small. For instance, not only should it include Musalmans, Hindus and Sikhs, but it should also include Indian Christians, non-official Europeans, and Government should also be a party to such a conference. Government should give a lead in such a conference and invite those who take part in it to carefully deliberate upon the causes which have led to the present situation and taking up matters one by one try to arrive at some sort of settlement which would be binding upon all parties but not in the sense that nothing in it could be modified subsequently when it came to the stage of legislation. No doubt the task of such a conference would be difficult, but the experiment is certainly well worth trying. If previously in the histories of different countries, situations much acuter and much worse than the one at present existing in this province, have been handled successfully as a result of such conferences, there is no reason why such a result should not follow in this province. I would, therefore, suggest it to Government that they should take a keener interest in the matter, and that they should not only confine themselves to preventing such occurrences but should go further and call a conference on the lines indicated above and to try to find out the causes which lead to these unfortunate happenings and then to try and put into practice the conclusions which might be arrived at in such a conference.

Diwan Bahadur Raja Narendra Nath [(Punjab Landholders (General))] : Sir, I was amongst those who did not rise to support the motion for

adjournment and it behoves me to explain this attitude of mine. I was guided by two reasons in not supporting the motion for adjournment. I thought at first that the debate would give rise to controversial issues and a discussion of those controversial issues will aggravate the situation rather than soothe it or assuage it. Secondly, my fear was that the discussion would not lead to anything practical or anything which we could adopt at once or which would lead to any good result immediately. I am glad that the controversial spirit has found free vent in discussing other matters which preceded the discussion of this motion for adjournment. I think each side has manifested ample spleen in discussing the various cuts which were proposed and perhaps the controversial spirit is assuaged and the spirit of hostility has been set at rest and that is why the discussion on this motion for adjournment has assumed a more peaceful form. With regard to the second reason, I am not yet satisfied that any practical results will be achieved, but I am quite prepared to lend my support to any proposals which may be made for meeting the difficulty. From my friend the honourable member for Sialkot I expected a deeper analysis. With the first speech that he made I was satisfied and I did not rise to make a speech myself because he had anticipated me on many points, but in his last speech his analysis has not been as deep as I expected. He wants Government to help us. I do not know what he means by Government. Perhaps in using the word Government he means the local Government. But the causes lie deeper. The causes lie deeper than those which the local Government can tackle; they lie even deeper than those which the Government of India can tackle. (A voice: Even deeper than those that God can tackle). I will come to that afterwards. Then in the various speeches that have been made, references have been made to the press, to the gutter press. Everyone has condemned the press and my friend the member for Montgomery has traced the causes to the economic trouble whilst others have said that the whole dispute is due to conflicting economic interests. This is true, so far as it goes, but how to solve them? Some have one way of solving the difficulty, others have other ways. Therefore we are not united as to the way in which that economic conflict should be removed.

With regard to the press, let me remind the Council that we are very fond of blowing hot and cold at one and the same time. We, at one moment, are advocates of individual liberty and of curtailing the powers of the executive, and the very next moment we come forward with a proposal in directly the opposite direction. Section 144 was being discussed a short time ago and some of my friends were finding fault with the way in which the police has discharged its duty, as if the police when trying to disperse a mob should treat its members as their own brothers. And now, we hear a request being made to stop the gutter press at once. I would request my non-official friends to bring forward a bill which will meet the difficulty. Why put Government in that difficult situation? Whenever Government brings forward a restrictive measure, cries are raised that Government is interfering with the liberty of the public. I am not despondent. I do not despair. I think it is possible to reconcile these two conflicting principles, but the difficulties are by no means small for any one who undertakes the task. My friend the honourable mover of the motion which we are discussing, tried his legislative talent with the bill which we discussed last year and we know the fate of it. I am not at all disappointed. He is a gentleman who brings

[D. B. Raja Narendra Nath.]

to the consideration of questions a very fair mind and an acute intellect, and I would ask him to sit down and draft, with the help of his friends, who may be Hindus and Sikhs, a bill to control the press in matters connected with communal relations. With regard to control of the press by Government, the complaints which I hear and the complaints which my friends on the other side hear are these: that they are partial to one community, that they are not sufficiently strong while dealing with the offending community. As a matter of fact what does the press do? It only ministers to the taste of the public.

Any measure to control the press will be quite welcome and will receive the support of every intelligent well-wisher of the country. But it seems to me that the gentleman who undertakes the drafting of the bill will have to meet many difficulties. Those difficulties may prove to be surmountable, but I am not sanguine.

One thing has not been alluded to by any one of the speakers, and that is our system of education. The rising generations are being brought up in an atmosphere which is not conducive to communal conciliation. That is a subject which has not been tackled by any one of the speakers. When I was a student, a different atmosphere prevailed. I need not be egoistic, but I made some attempts to surmount the difficulties two years ago, but the proposal which I made was rejected summarily by the whole Council and I do not propose to bring it forward again. To instil into the minds of the younger generations a really national spirit is a question of vital importance and it will take many years to do it. At present the communal spirit is being instilled.

Next, Sir, avoiding all controversial issues, I will not even refer to matters which are apt to be looked upon from one point of view by the Hindus and from an opposite point of view by the Muhammadans. But a very vague and general sort of reference was made by my friend the honourable member for Sialkot (Chaudhri Zafrullah Khan) and in that very vague and general way I will meet the point which he raised. He said that the *karta* of the joint family should be prepared to meet in a conciliatory spirit any reasonable demand which the junior member of the joint family makes. (At this stage Chaudhri Zafrullah Khan interrupted).

He said something much worse than I thought he said. I thought he did not lay much stress upon them. I thought he said that the *karta* of a joint Hindu family was prepared to meet the reasonable wishes of the junior members of the family. That is what I understood him to mean, but now he explains that he did not say anything so good as that. In describing the future mutual relations of the two communities I say that the junior member of the family whoever he may be and whichever community may be meant by it does not want any special privileges or any special concessions. He simply insists on fair field and no favour. He simply wants justice, equal treatment and nothing else. If in any province the Muhammadans are in a majority all that the Hindus want is fair treatment, fair field, equal liberty; and I think that that demand is one which may be said to be the irreducible minimum.

Well, Sir, how these conflicts are to be removed is a matter for the future. It is not for this Council to tackle with these very difficult questions. The

Council can guide the educational curricula and lay down courses of education and also lay down certain policies on which the future generations should be brought up in schools. The Council can appoint committees to go into the question of curtailing the liberty of the press and all reasonable proposals will get the support of right thinking men. The Council can even bring forward a law to control the press. But I think these measures will not go sufficiently far to achieve the real object which we have in view. However I should be very glad to support any reasonable measure for controlling the press.

Rana Firoz-ud-Din Khan (South-East Towns (Muhammadan) Urban] (Urdu): Sir, my friends and myself had no intention of taking part in the debate which has been so ably initiated by my friend Mir Maqbool Mahmood. But the fact that an attempt is being made here to create an atmosphere of goodwill and amity in the country, has led me to say a few words on the subject under consideration, in order to avoid an impression, wrong of course, to be created that we have no sympathy with this laudable object.

In connection with the subject under discussion two constructive proposals have been put forward by my learned friends. The first is the reformation of the press and the second is the holding of a round table conference in which the representatives of all the communities should take part and in which the Government also should be asked to participate.

As regards the first I admit that some newspapers of this province have for some time past been indulging in language which does little credit to them and which no sane person will condone. Such writings deserve the severest condemnation inasmuch as they promote communal tension and communal hatred. But in my humble opinion it is no use curtailing the liberty of the press by imposing restrictions. The imposition of fresh restrictions on the liberty of the press will not mend matters. The press merely reflects the mentality of the masses. The press cannot mould public opinion here. From 1919 to 1923 the press was the same but the mentality of the people was different. Unfortunately a change for the worse has come over the mentality of the people. We have ceased to think of the interests of the nation as a body politic. Our outlook has become narrower and we have begun to think communally.

I am at one with Sir Abdul Qadir that some good may be achieved by appointing a committee of non-official censors. But what is of far greater import is that we should try to discover the causes of the existing state of affairs. If you want peace and order in the country, if you want progress, you must find the root causes of the evil that has crept into our body politic. It is no use making speeches in the Council. It is no use making mountains of mole hills. The country is passing through a poison belt. It is necessary to eliminate the poison which has putridified the atmosphere of the country. By resorting to make-shift arrangements the evil that is stalking through the country cannot be stopped from doing its work of destruction. The only remedy at hand is that Hindus and Muhammadans and if necessary Government also should form a conclave and give their best thought and consideration to the discovery of the reasons that have brought the matters in the country to such a pass. My learned friend Raja Narendra Nath has made any amount of destructive criticism. In his estimation neither the local Government nor the Government of India (A voice: Not even God) can do

[Rana Feroz-ud-Din Khan.]

anything in the matter. But he has not told us as to what steps should be taken for improving the relations between the different communities of this province so that they may learn to live like neighbours. Why cannot we cultivate the same spirit of toleration now? Why cannot we learn to respect the feelings and susceptibilities of each other? All these things are possible, only the will to do is wanting. We can find out ways for dealing with this question and for this a heart to heart exchange of views is necessary. It is no use restricting the liberty of the press. It is no use if we hold round table conferences every day. All that we need is a change of mentality and a spirit of toleration. Unless there is a change of heart these make-shift arrangements will not mend matters.

Dr. Sir Muhammad Iqbal [Lahore City (Muhammadan) Rural] (Urdu): Sir, the disease with which we are dealing is a chronic one. There are a good many physicians who have tried to diagnose it. Some have achieved a certain amount of success; others have failed signally in their undertaking. Different physicians have prescribed different remedies for the disease, but in the words of the poet—

شد پریشان خواب من از کثرت تدبیر ما

these remedies have failed to achieve the desired end, viz., they have failed to discover a panacea for the evil which has fallen to the lot of this unhappy province.

Some people have ascribed this evil to the struggle for securing more posts under the Government, while others have assigned reasons which are diametrically opposed to this contention. From the speech made by Pandit Nanak Chand one gathers the impression that his heart is full of love for humanity, but all this pious talk is nothing more than a mere cloak for the idea uppermost in the Pandit's mind. We are not prepared to let go what we have already got hold of. Lip service to God with an eye stealing glances at the property of others!

Some of the members are of opinion that the gutter press of the province is responsible for the existing state of affairs, while others are of opinion that the struggle for votes and posts is responsible for it. There is no dearth of suggestions, but nobody seems willing to act upon them. Just after the occurrence of the Lahore riots a joint committee representing all shades of opinion and thought was constituted at Lahore, and a meeting of the same was held at the house of R. B. Moti Sagar. But I regret very much to say that this meeting was the first and last meeting of this joint-committee. In this meeting, I suggested that in order to eradicate the spirit of mutual hatred it behoved the committee to appoint a number of small sub-committees whose business it should be to go about the different parts of the city and impress upon the people the futility of mutual warfare. But my suggestion met the usual fate of all such proposals. We indulged in much pious talk and everything ended in a fiasco.

In this Council impassioned speeches for inter-communal unity are made. We are asked to constitute joint committees and conciliation boards. But I wish to bring home this lesson to everybody in this Council that procrastination will not mend matters. If you want to do anything, do it without further loss of time. I wonder if the members have realised the fact that:

we are actually living in a state of civil war. If stringent measures are not taken to put this down, the atmosphere of the whole province will be poisoned.

I support Chaudhri Zafrullah Khan from the bottom of my heart that a round table conference should be held at the earliest possible moment in which Government should also be asked to participate. This conference should carefully consider the present situation and suggest ways to suppress the existing communal tension. If this communal hatred permeates the rest of the country and the people living in villages also come to loggerheads, God alone knows where eventually it will land us.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I rise to say one word. I have listened with very great pleasure to all the speeches that have been made. I feel that the practical good sense of the Punjab is asserting itself and members of all sections and communities are beginning to think and will find some remedy for the difficulties that we are now facing. It seems to me that we now recognise that if the present pace of communal tension is maintained it will be impossible to assure any measure of future progress. The very interesting speech which the honourable member for Sialkot made and which the other honourable members supported appears to be on the right lines, in that we are called upon to meet and discuss and reach a settlement. I am sure that we can overcome difficulties if we cultivate deliberate good will. As Sir Muhammad Iqbal pointed out, there is no time to be lost and the sooner we set our hearts in finding some way of restoring the communal peace, the better. I will not detain the House any more at this late hour but I appeal to the honourable members, as a private member of this House, to realise the seriousness of the situation and to work for peace. We certainly need a better press, and a greater restraint by our publicmen when they speak leading to a change in our mental attitude, so that we may learn to live together happily and restore the kindly feeling that used to exist in every village when I was a boy. I remember that in my village all of us were living together happily, Muhammadans, Sikhs and Hindus. We were all like relations. We used to call elders *chacha*, *baba*, *bhai*. I think it is our duty, and it is our immediate duty, to do all that we can to restore good relations in the province and I am quite sure that if the members of this House are resolved to attain peace, and they are not content with making speeches, they can do a great deal to ease the tension. I do hope that this House will not forget the very interesting discussion that has taken place but will do something to give practical shape to some of the ideas that have been expressed. I am quite sure that my community and the other communities will all join together in doing this great work for the province. Lastly I will appeal to you all not to forget the great problem which we have now discussed, and not to be despondent. The problem is of our making and on us depends its solution. I do not agree with Raja Sahib that even God cannot solve the problem.

Diwan Bahadur Raja Narendra Nath: I never said that.

The Honourable Sardar Jogendra Singh: I am glad to hear the Raja Sahib's denial.

Chaudhri Ram Singh [Kangra (Non-Muhammadian), Rural] (Urdu): Sir, there is no denying the fact that the press of this unfortunate province

[Chaudhri Ram Singh.]

is largely responsible for the communal outbreaks and communal riots that have disfigured the fair name of this land of the five rivers. All parties of this Council are agreed upon one thing, viz., that early steps should be taken to put a stop to the dishonest propaganda which is being carried on with so much vigour by the gutter press of this province. The honourable mover of this motion and other members of the Council have suggested various means for putting down the gutter press, but it will take time to consider and act upon these suggestions and during this period the matters are sure to grow from bad to worse unless immediate steps are taken to put down with a heavy hand the fulminations of the press.

In this connection I would like to put forward one proposal for the consideration of the Government and it is this. The Government should not show favour to the newspapers of one community or the other. All the papers which offend against the law of the land should be prosecuted and put down with a heavy hand. The offending papers should be proscribed and prosecutions launched against them, though I regret very much to say that Government has not so far prosecuted papers which have been guilty of the grossest misconduct. The system of private censorship advocated by some of the members of the Council may go a long way towards the solution of this problem, but I again insist that the offending papers should be dealt with severely and Government should not act in such a way as would lead one community to think that its papers are being more severely dealt with. The Government should act impartially in the matter of prosecuting papers, which are guilty of exciting hatred between different classes of His Majesty's subjects. In my opinion it would be desirable if a committee of Hindus and Muhammadans is constituted, and the Government should consult it before prosecuting any paper.

The Honourable Sir Geoffrey de Montmorency (Finance Member): Sir, I only want to say that I hope it will be understood that Government is no less anxious than any member of this House to find some solution for the communal tension. Day and night our thoughts are occupied with very little else and it is a very real and constant anxiety to us. We do our best, as some honourable members have observed, to preserve law and order, to keep the communities separate when they clash; but as honourable members have pointed out, that is not a solution of communal tension. Let me assure the House that Government will readily seek any way in which it can help on its part to end the situation which prevents all progress in the province, for until, at any rate, the great communities of the province can live as neighbours, no development or progress can be expected. Sir, I originally opposed this motion to adjourn the House and I opposed it because I thought that with very little time at our disposal we would not be able to arrive at any permanent and practical solution which Government and this House might adopt in putting an end to this difficult problem. The honourable mover himself observed in his speech that the whole matter required very close thinking. That I still consider it needs. Many different solutions have been put forward. We have had a very interesting debate. Government have welcomed the views which honourable members have expressed about the need for curbing the press. But even here the practical suggestions are not entirely without difficulty. For, if as one member suggested provincial legislation were introduced regarding press, it would be of very

little avail. Newspapers that want to write on communal subjects would merely go into the neighbouring Indian States or cross the border and go to Delhi or the United Provinces. Anything done about the press must be an all-India measure. If legislation is needed, as it appears to be, to curb this communal writing which is such a disgrace, it needs all-India legislation and not local legislation only. Sir Abdul Qadir made some interesting suggestions about a committee of public men who should go round and conduct a sort of censorship on the press. I may observe that this was at one time tried in Lahore. The press in Lahore was very bad in January last and certain gentlemen were asked, when a bad article appeared in a newspaper, to visit the persons connected with that newspaper and make suggestions to them that they should not write that sort of thing which only kindled communal tension. That committee did excellent work for a time and I think for a season it really had good effect. It might be tried again in a very intensive form. But its effect during the recent Lahore riots completely had waned; and there was no influence to prevent the excesses to which the different writers of the lower class press had resort. The suggestions as regards the round table conferences or in the alternative a committee will be carefully considered by Government. I am not sure that at the moment they are a real remedy. I take my thoughts back to the time when there was an all-India Unity Conference at Delhi. I think most of the leaders of Indian political parties were at that conference. They all expressed opinions in favour of unity, but the conference failed in its object and nothing was effected. The reason seems to have been that among the communities there was at the time no real desire for unity. If in the communities themselves, either by the influence of religious men or the secular leaders, there can be some real sort of urge created towards wishing for unity and wishing to live together as neighbours, then no doubt the stage will come when people will be anxious actually to achieve unity. At that stage there may be things they cannot settle among themselves. Then possibly the Government might usefully come forward as regards certain problems; they might be able in these questions to help to a conclusion which would satisfy all parties and from which unity would ensue. But while wounds are raw, while feelings are running high, I do not myself believe that an immediate conference at which the Government was represented will at the actual moment effect any good. The suggestion will be watched; it has germs of great utility in it; but it is a question of when it can be applied. The other thing I have mentioned, is I believe the real root of the matter, that is there must be some movement in every community manifesting a desire that every one should help each other and from which some real efforts should be born for better relations and for means to live together as neighbours. That, Sir, I hope may be forthcoming. If there are any signs of it, Government will give to such a spirit every help it has in its power.

Dr. Shaikh Muhammad Alam (West Punjab Towns, (Muhammadan) Urban): Sir, I think my honourable friend from Hoshiarpur has really voiced the feelings of those members of this honourable Council who are sitting on this side. I have very little to add to what he has said. All I am prepared to say is we are not altogether unreasonable people and if there is real reasoning to convince us, we are willing to give way. We are not out to fight with Government on grounds which are not reasonable. If the

[Dr. Shaikh Muhammad Alam.]

Government is really prepared to find out any solution and wants our help or our co-operation in that solution, our help and co-operation are at their entire disposal. The reason why we did not speak in the beginning of this discussion was mainly due, I would say, to one fact. We thought that perhaps those people who have made communal good as the basis of their political parties would be better able to suggest some solution for this communal tension. We thought we had never taken a share in the communal tension and those people who are responsible for creating the communal tension, those people who have really engendered those feelings, those people who are promoting ill-feeling and those who are keeping up these feelings in the province might be able to suggest better solution of the problem than ourselves. This is why we kept quiet in the beginning. I may further say that I am really convinced by the sound reasoning that has been advocated by Honourable the Finance Member in this proposition that so many suggestions made by members of this House really require very careful examination. These are not suggestions which can be accepted and carried out immediately by the House. I would say that those very papers which are today being condemned, some years ago, instead of preaching disunity preached unity. There was then communal love instead of communal disunity. The real remedy lies in forming strong public opinion and a strong public opinion in this province should condemn unequivocally anything that is likely to create communal tension and I think really it is the creation of that public opinion which would help us in the solution of this problem. Neither the Government nor the other suggestions which have been made so far would help us in solving the problem in any way. I would further say, that if really a conference is to be held, I am in favour of this conference. I am prepared to take a share in the working of that conference. Members of my party are prepared to take a share in that conference. But in that conference let the Government be a party and not a presiding factor. I submit this only for one reason, because I am afraid that if a Government official presides over the deliberations of the conference, much of the talk would be made out of fear and there would be very little truth and much falsehood in that. I want the Government to be aware of true facts and for that reason it should not be the presiding party but an ordinary party in that conference. Besides it would decrease the responsibility of Government if it should take a share in it only as an ordinary party and not as a presiding party.

In this connection, I may also say a word to the Honourable Ministers. They, especially the present Ministers, may not be responsible for creating this communal tension. But if they are really earnest and genuine in their desire to solve this communal problem, they may be very helpful and useful in doing so. If they would only keep in view at the time when they make appointments in the departments under their control, that they do not patronise the special communities to which they respectively belong. they would then be helpful in removing the cause of the present trouble. I think it is already very late and I do not propose to take a very long time over this proposition.

Khan Bahadur Nawab Muzaffar Khan (Director, Information Bureau) (Urdu): Sir, with your permission I wish to say a few words on the subject under discussion. My friend, Sir Abdul Qadir and others of his way of thinking were pleased to suggest that one of the ways in which the

existing communal tension can be assuaged and the riots can be averted is that a committee should be appointed to advise the press. It may be a good suggestion. But I should like to point out that we cannot pin our faith on this proposal alone. During the Lahore riots a poster throwing a portion of the responsibility for the communal hatred on the vernacular press was issued over the signatures of such eminent persons as Mahatma Hans Raj, Sir Muhammad Shafi, Sir Muhammad Iqbal and others, men whose names are well known throughout the length and breadth of this country and whose *bona fides* no one will think of doubting, but it gives me great pain to say that even such eminent personages were not considered worthy of speaking for their communities. The Hindu press vehemently attacked Mahatma Hans Raj and the Muslim press did not lag behind in heaping opprobrium upon Sir Muhammad Shafi and Sir Muhammad Iqbal. All these leaders were assailed and called all sorts of names by the gutter press. The press was not prepared to hear the well-considered advice of these eminent persons and called them sycophants and flatterers of Government.

Before I became the Director of Information Bureau I did not know the lengths to which this gutter press was prepared to go to wound the religious susceptibilities of the various communities inhabiting this unhappy country, but the experience I have gained during the last two years leads me to think that these papers far from being read by any respectable persons are not even worth the look of a respectable person. The gutter press simply caters to the taste of the public. Unlike the press of the other countries they do not lead the public, they do not help the public to form public opinion. On the contrary they inflame the feelings of the public and thus a great deal of mischief is done. The gutter press has only one end in view, *viz.*, to increase its circulation by giving sensational headlines to articles the contents of which are concocted by persons, whose only aim in life is to get as much out of the pockets of the people as possible.

(Two hours having elapsed since the commencement of the motion, the President declared that the debate terminated automatically.)

(The Council then adjourned till 10:30 A. M. on Tuesday, the 19th July 1927.)

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 19th July 1927.

THE Council met at Barnes Court, Simla, at 10-30 of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

Sardar Hari Singh [Ambala Division (Sikh), Rural].

STARRED QUESTIONS AND ANSWERS.

LICENSES OF FIRE ARMS.

***314. Chaudhri Afzal Haq :** Will the Home Secretary be pleased to state whether the Government have issued any instruction to the district magistrates that licenses of fire arms be not given to those persons who were in any way connected with non-violent non-co-operation movement ?

Mr. B. H. Dobson : No.

HONORARY MAGISTRATES.

***315. Lala Bodh Raj :** Will the Honourable Member for Finance please state the number of Honorary Magistrates in the province —

- (a) who are holding the office of zaildar and lambardar separately ;
- (b) who are the members of any local body or district Board (showing the elected and nominated members separately) ;
- (c) who have been granted lands or are holding jagirs ;
- (d) the total area of such land granted to Honorary Magistrates and the total income of jagirs per annum held by them ?

The Honourable Sir Geoffrey deMontmorency : (a) and (b) Steps will be taken to collect these statistics and the result communicated to the honourable member in due course.

(c) and (d) The collection of these statistics will require a great amount of labour and Government do not, in the circumstances, consider themselves justified in undertaking the task of collection.

HONORARY MAGISTRATES.

***316. Lala Bodh Raj :** Will the Honourable Member for Finance please state the number of Honorary Magistrates in the province —

- (i) who do not know English ;
- (ii) who do not know how to read and write Urdu ;
- (iii) who have not passed the matriculation standard ?

The Honourable Sir Geoffrey deMontmorency : (i) and (iii) It is regretted that statistics are not available.

(ii) 12 only, but this does not mean that these 12 are unable to read and write any vernacular.

CASES TRIED BY HONORARY MAGISTRATES.

***317. Lala Bodh Raj :** Will the Honourable Member for Finance please state according to districts for the year 1926 —

- (i) the number of cases sent to Honorary Magistrates for disposal ;
- (ii) in how many of them conviction was held ;
- (iii) in how many of them the complaints were withdrawn ;
- (iv) in how many of them the accused were discharged ;
- (v) in how many of them the offence was compounded ?

The Honourable Sir Geoffrey deMontmorency : Provincial Statements Nos. II and III of the Annual Criminal Justice Administration Report contain information of the kind which the honourable member asks for, regarding the disposal of criminal cases by Honorary Magistrates, and Government thinks no useful purpose will be served by the collection of special statistics of the precise nature specified in this question. The Criminal Justice Administration Report for 1926 is not yet in the hands of Government, but will shortly be published. The honourable member will then be in possession of as much information as Government is conveniently able without special and detailed enquiry to provide on the subject of his question.

CASES TRIED BY HONORARY MAGISTRATES.

***318. Lala Bodh Raj :** Will the Honourable Member for Finance please state according to districts for the year 1926 —

- (i) the number of cases sent to Honorary Magistrates sitting on Benches ;
- (ii) in how many of them the warrants were issued against the accused in the first instance ;
- (iii) in how many of them the offences charged were under such sections of the Penal Code that deal with criminal breach of trust, i.e., sections 406 to 409, I. P. C. ?

The Honourable Sir Geoffrey deMontmorency : (i) Information is being collected and the result will be communicated to the honourable member.

(ii) and (iii) In view of the labour involved, Government cannot undertake to collect this information by districts for the whole province. But if the honourable member desires statistics for any two districts and will name them, an attempt will be made to collect the required information for those two districts.

TUITION FEE.

***319. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education be pleased to state whether Government proposes to accept the recommendation of the local authorities of Jhang regarding the remission of tuition fees in case of the children of the newly reclaimed criminal tribe of Noor Mahram Bloches ?

The Honourable Mr. Manohar Lal : The matter is under consideration.

GRANT OF PROPRIETARY RIGHTS IN LYALLPUR.

***320. Lala Bodh Raj :** Will the Honourable Member for Revenue please state with reference to reply to part (b) of unstarred question No. 60¹ re grant of proprietary rights in the lands occupied by shop-keepers in Lyallpur, whether any action has been taken by the Government on the reply of the Commissioner ?

***Mr. C. A. H. Townsend :** The matter is still under the consideration of Government.

Jinsi Batai.

***321. Lala Bodh Raj :** With reference to reply to unstarred question No. 61,² will the Honourable Member for Revenue please state the result of the reference made to the local officer on the question of *Jinsi Batai* ?

***Mr. C. A. H. Townsend :** Reports have been received from the Deputy Commissioner, Dera Ghazi Khan, and the Commissioner, Multan, and the matter is now under consideration of Government. The matter is exceptionally complicated and now Government will endeavour to expedite a final decision.

EXEMPTION OF THE SWORD FROM THE OPERATION OF THE ARMS ACT.

***322. Lala Bodh Raj :** With reference to the reply to the unstarred question No. 62,³ will the Honourable Member for Revenue please state if the matter has arrived at a stage at which any useful communication can be made ? If so, what stage has the matter reached ?

***Mr. B. H. Dobson :** A Resolution on the subject passed by the Legislative Council on the 23rd of October 1926 has already been accepted and the Rules under the Arms Act modified accordingly.

As regards the Resolution regarding total exemption of swords from the Arms Act, the matter is under discussion between the local Government and the Government of India.

¹Vol. X-A, page 172.

²In the absence of the Honourable Revenue Member, questions addressed to him were answered by the Government members indicated against the respective questions.

³Vol. X-A, page 172.

⁴Vol. X-A, page 172.

TERMINAL TAX.

***323. Lala Bodh Raj :** With reference to unstarred question No. 64,¹ will the Honourable Minister for Local Self-Government please enquire from the Multan Committee why the proposals for the terminal tax have not been re-submitted and by what date they are likely to be submitted ?

The Honourable Malik Firoz Khan, Noon : Yes.

CATTLE SLAUGHTER AT TUHANA.

***324. Lala Bodh Raj :** With reference to the reply to unstarred question No. 70,² will the Honourable Minister for Agriculture please state if the enquiries have been made, and if so, with what results ?

The Honourable Sarar Jogendra Singh : Enquiries have been made and the result is laid on the table.

ANSWER TO QUESTION No. 70 (UNSTARRED).

(a) About 100 cattle mostly *Kattas* are slaughtered every day during the four winter months.

(b) No.

ARMS LICENSES.

***325. Lala Bodh Raj :** Will the Honourable Member for Revenue please state if it is a fact that the arms licenses of more than ten respectable Hindus of Kot Adu in the Muzaffargarh District have been either forfeited or not renewed ? If so, what are the reasons ?

Will the Honourable Member please state the number of Muhammadans of the place whose licenses have been either forfeited or not renewed for the current year ?

***Mr. B. H. Dobson :** The honourable member seems to suggest that in the places mentioned in his questions discrimination based on religion to the prejudice of the Hindu is apprehended. The figures and facts he wants are not available and have to be collected, but the honourable member has not suggested on what basis he wants the issue of licenses to be regulated.

LICENSES UNDER THE ARMS ACT.

***326. Lala Bodh Raj :** Will the Honourable Member for Revenue please state number of licenses under the Arms Act granted to the members of various communities in the district of Muzaffargarh according to several tahsils for the year 1926 ?

***Mr. B. H. Dobson :** The honourable member seems to suggest that in the places mentioned in his questions discrimination based on religion to the prejudice of the Hindus is apprehended. The figures and facts he wants are not available and have to be collected, but the honourable member has not suggested on what basis he wants the issue of licenses to be regulated.

¹Vol. X-A, page 173.

²Vol. X-A, page 175.

³Vide footnote 2 at page 883 ante.

PETITIONS OF APPEALS AND REVISIONS IN THE COURT OF COM-
MISSIONER, MULTAN.

***327. Lala Bodh Raj :** (i) With reference to reply to unstarred question No. 176,¹ will the Honourable Member for Revenue please state—

(a) if the necessary information has been collected ;

(b) how far the matter raised has been examined and with what results ?

(ii) Will the Honourable Member please lay on the table the said necessary information ?

Mr. C. A. H. Townsend : (i) (a) and (b). The enquiries as to procedure are complete. Notices of dates of hearing of appeals or applications for revisions are not usually given by Commissioners to petitioners when filling such appeals or revisions. So far as executive appeals and applications for revision are concerned, it is unnecessary under the law to summon the petitioners in person, unless this course is thought desirable. In the latter event, and in the case of judicial appeals, the petitioners are summoned as soon as possible, due regard being had to the exigencies of Commissioners' other work, and the petitioners' convenience, which is consulted so far as possible. No specific procedure has been laid down by Government but the procedure followed in the various Divisions is similar and is also similar to that followed in the Court of the Financial Commissioners. Government does not see any reason to direct a change.

Up to date figures of cases of revenue appeals and applications for revision pending over 6 months have been furnished by four Commissioners. Only one such was pending over 6 months with one Commissioner and 15 with another. Of these, however, many had been heard and were pending for special reasons. As to the remaining Division up to date figures are being obtained and will be communicated to the honourable member as soon as they are received.

(ii) The replies given to the two parts of the question render this unnecessary.

SMALL TOWN COMMITTEE OF JARANWALA.

***328. Lala Bodh Raj :** With reference to part (b) of unstarred question No. 177,² will the Honourable Minister for Local Self-Government please consider the advisability of enquiring from the Committee concerned the cases referred to and looking into them ?

The Honourable Malik Firoz Khan, Noon : As already intimated in the reply given to part (b) of question No. 177, Government will be glad to look into cases which may be brought to their notice, but they are not prepared to make any enquiry until specific cases are reported to them.

¹Vol. X-A, page 574.

²Vide foot note 2 at page 833 ante.

³Vol. X-A, page 574.

SALE OF LAND TO SARDAR KIRPAL SINGH.

***329. Lala Bodh Raj :** Will the Honourable Member for Revenue, with reference to reply to starred question No. 165¹ asked on 21st March 1927, please state if the necessary information asked for has been received from the local officers? If so, will he please lay it on the table?

***Mr. C. A. H. Townsend :** The honourable member is referred to the answer given to starred question No. 165¹ a copy of which is laid on the table.

ANSWER TO QUESTION No. *165.

The Honourable Mian Sir Fazl-i-Husain : (a) Five acres of land adjoining a garden he had planted were sold to S. Kirpal Singh in Chak No. 102-15 L., Tahsil Khanewal, in accordance with the general orders of Government for the disposal of such small plots. An offer of a higher price was made by another person after the sale to S. Kirpal Singh had been sanctioned.

(b) The only neighbouring grantee, one Bishan Singh was not summoned by the S. D. O., as his offer had already been made.

Nothing was suppressed in the S. D. O.'s recommendation.

(c) S. Bishan Singh made an application to the Deputy Commissioner on the subject ten days after the latter had sanctioned the sale.

(d) No.

(e) Yes, mutation has been effected in favour of S. Kirpal Singh. No question of any action by Government arises as there has been no loss of revenue.

IRRIGATION IN MULTAN.

***330. Lala Bodh Raj :** (a) With reference to reply to starred question No. 166,² asked on 21st March 1927, will the Honourable Member for Revenue please state the result of his reference to local officers?

(b) Will he please state further if he intends to take any steps for the realisation of assurance referred to in part (a) and for removing the grievances of the zamindars referred to in part (b) of the said question?

***Mr. J. B. G. Smith :** The honourable member is referred to the reply to Council Question No. 166 (copy enclosed), and it is regretted that the question is not so well understood as to admit of any other reply.

ANSWER TO QUESTION No. 166.

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, the speech referred to has been seen. The possibility of giving a perennial supply to the Sidhnai from the Lower Bari Doab Canal was carefully examined in 1914-15 and had to be given up as impracticable.

The alternative scheme of feeding the Sidhnai under the Haveli Project was submitted to the Government of India in 1915 but was received back unsanctioned with the remark that it should be held over till the Sutlej Valley Project was complete. This scheme is now being re-examined and will be ready for sanction by the time the Sutlej Valley Project is complete.

(b) Complaints when received are dealt with on their merits.

¹ Vol. X-A, page 554.

² Vide foot note 2 at page 3 ante.

³ Vol. X-A, page 556.

MUSSAMMAT LACHHYA, PRISONER IN LAHORE FEMALE JAIL.

***331. Lala Bodh Raj :** With reference to the reply to starred question No. 168,¹ asked on 21st March 1927, will the Honourable Member for Finance please state if the necessary information asked for has been received? If so, will he please lay it on the table?

Will he please also state what action has been taken against the officials responsible?

The Honourable Sir Geoffrey deMontmorency : Will the honourable member please refer to the answer given to starred question No. 168¹?

MUNICIPAL COMMITTEE, BHIWANI.

***332. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the Tahsildar, Bhiwani, has been asked to report on several files connected with the municipal committee of the place and if so under what provision of the Municipal Act or any other law he has been asked to do so?

The Honourable Malik Firoz Khan, Noon : The Tahsildar of Bhiwani has been asked on one or two occasions to report the value of municipal land which had been encroached upon and in one case a municipal file was forwarded to him for verification of certain facts alleged by certain people against whom the Municipal Committee was contemplating action for encroachment. The cases were sent to the Tahsildar by the Deputy Commissioner, and it is not clear why it is considered that statutory authority was necessary for such proceedings. If, however, it was necessary, section 231, of the Punjab Municipal Act, 1911, would appear to confer sufficient authority.

APPLICATIONS OF PRIMARY SCHOOL TEACHERS.

***333. Lala Bodh Raj :** Will the Honourable Minister for Education please state if it is a fact that several applications of primary school teachers have been pending for disposal with the Deputy Commissioner, Hissar? If so, since how long? What are the reasons for their non-disposal up till now?

The Honourable Mr. Manohar Lal : Government has no information on the subject which is under the control of the local authority.

WAGES FOR PRISONERS.

***334. Lala Bodh Raj :** (a) Will the Honourable Member for Finance please state:—

(i) if, under the rules, a prisoner is allowed to earn Re. 1-4-0 per mensem as his wages:

(ii) if it is a fact that Sundays, other holidays and the days when the prisoner is sick are not allowed to the prisoner in the calculation of wages; if so, why?

[Lala Bodh Raj.]

(b) Will the Honourable Member please state the highest amount earned by any prisoner in Lahore Central Jail?

(c) Will the Honourable Member please state if there is any prisoner in any of the jails in the province who has earned the full wages of Rs. 1-4-0?

The Honourable Sir Geoffrey deMontmorency: (a) (i) Yes.

(ii) If a prisoner completes his full task on all the working days of a month, he can earn Rs. 1-4-0 irrespective of Sundays or holidays. But the *pecule* system applies to work actually performed, and so does not include payment for days spent on the sick list.

(b) Rs. 1-1-5.

(c) There are such prisoners.

LIST OF PRISONERS.

*335. **Lala Bodh Raj:** (a) Will the Honourable Member for Finance please state if it is a fact that lists of prisoners are required to be submitted annually to the office of Inspector-General of Prisons for remission being allowed to them by the Inspector-General? If so, on what dates are the lists to be submitted?

(b) Will he please state the date on which the last return was submitted from the Lahore Central Jail?

(c) Will he please state the names of such jails the authorities of which did not submit the returns on due dates in any of the years since 1921?

The Honourable Sir Geoffrey deMontmorency: (a) No such lists are required.

(b) and (c) do not arise.

PERSONAL ASSISTANTS TO DEPUTY INSPECTORS OF SCHOOLS.

*336. **Chaudhri Afzal Haq:** Will the Honourable Minister for Education be pleased to state whether Assistant Deputy Inspectors of Schools have been posted as Personal Assistants to Deputy Inspectors of Schools? If so, what is the justification for creating this new post?

The Honourable Mr. Manohar Lal: The answer is in the negative.

RESOLUTIONS OF THE PUNJAB ZAMINDAR LEAGUE.

*337. **Chaudhri Afzal Haq:** Will the Financial Commissioner be pleased to state:—

(a) whether the attention of the Government has been invited to the resolutions passed in the meeting of the Punjab Zamindar League that came off on 13th April 1927 at Amritsar;

(b) whether the resolutions are receiving the attention of the Government?

Mr. C. A. H. Townsend: (a) Yes.

(b) Will the honourable member please state to which particular resolution he refers?

Chaudhri Afzal Haq : I refer to the seven or eight resolutions which were passed on the 18th of April. Some were to the effect that Honorary Magistrates should not stand as candidates for election, some were regarding the police department and some others.

Mr. C. A. H. Townsend : Many of the matters to which the honourable member referred do not concern the Honourable Member for Revenue. May I suggest to the honourable member that he should send in detailed questions pointing out the exact points on which he requires a reply.

RESOLUTIONS OF TIBBIA CONFERENCE.

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

- (a) whether the attention of the Government has been invited to the resolutions passed in the different meetings of Tibbia Conference that have been held in the different parts of the province ;
- (b) the steps, if any, taken on these resolutions ?

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

(b) The matter is still under consideration.

HONORARY MAGISTRATES AND COUNCIL ELECTIONS.

***339. Chaudhri Afzal Haq :** (a) Will the Honourable Finance Member be pleased to state if the attention of the Government has been invited to the resolution of the Punjab Zamindar League requesting the Government to prohibit the Honorary Magistrates from taking part in the Council elections and standing as candidates ?

(b) If so, will the Honourable Member for Finance be pleased to state if the Government is considering the advisability of taking necessary steps to prohibit the Honorary Magistrates from taking any part in Punjab elections and offering themselves as candidates in elections ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) The honourable member is referred to my reply to question No. 108,¹ part (a). Government is not at present prepared to issue any more stringent orders in regard to participation in elections by Honorary Magistrates, and does not propose to forbid any person qualified under rule from standing as a candidate for election to the Legislative Council.

MUNICIPAL COMMITTEES AND SMALL TOWNS.

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

- (a) the names of the municipal committees and small towns where the Hindus in spite of majority of population are inadequately represented ;
- (b) the names of those municipal committees and small towns on which Muhammadans have not got seats according to their population ;

[Ch. Afzal Haq.]

- (c) whether the Government is considering the advisability of rearranging the wards in such a way or devising means by which seats may be insured for the members of the various communities according to their numerical strength?

The Honourable Malik Firoz Khan, Noon : (a) and (b). Government do not consider that the value of the result would be commensurate with the labour that would be involved in collecting the information desired by the honourable member.

(c) Government always make every effort to meet the just claims of all communities in the matter of their representation on local bodies. If the honourable member will bring to my notice any particular small town or municipality where adjustment of seats is called for, I shall be pleased to look into the matter.

Chaudhri Afzal Haq : What about the Kartarpur Municipal Committee?

The Honourable Malik Firoz Khan, Noon : I should require a regular question on that, please.

HASIAT TAX.

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

- (a) whether the hasiat tax officer in District Board, Amritsar, is empowered to search the houses for assessing the hasiat tax;
- (b) whether he is provided with any armed force;
- (c) whether the Honourable Minister's attention has been invited to an editorial note that appeared in "*Vakil*" Amritsar, dated the 30th March 1927, under the heading "sorrowful event in Wadala-Verm (district Amritsar);"
- (d) if so, whether he called for any explanation from the District Board, Amritsar?

The Honourable Malik Firoz Khan, Noon : (a), (b), (c) and (d). No.

D. B. HIGH SCHOOLS.

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

- (i) whether it is a fact that city bred young men are generally appointed as teachers in the district board high schools instead of those agriculturist young teachers who have sympathetic inclination towards the rural population;
- (ii) whether the Ministry of Education have very recently issued instructions or propose to do so to the Inspectors of Schools to the effect that while appointing the teachers in district board high schools preference should be given to agriculturists?

The Honourable Mr. Manohar Lal :

- (i) Government has no information that this is the fact.

(ii) No.

NORMAL SCHOOLS.

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

- (i) the number of admissions in the normal schools of agriculturist and non-agriculturist boys in 1927 as compared with 1926 in each division ;
- (ii) whether he issued instructions or proposes to issue instructions to the Inspector of Schools to the effect that more non-agriculturists be admitted in the normal schools than the number hitherto admitted?

The Honourable Mr. Manohar Lal :

- (i) The information is being collected and will be communicated to the honourable member when ready.
- (ii) No.

IRRIGATION BRANCH MEMORANDUM No. 5064-E. I., DATED THE 28TH APRIL 1926.

***344. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state why the Irrigation Branch Memorandum No. 5064-E. I., dated the 28th April 1926, has not so far been given effect to ?

Mr. J. B. G. Smith : The honourable member is not apparently correct in the statement of facts. As a matter of fact, effect was given to the Memorandum referred to in this question to a large extent last month and the remaining vacancies are about to be filled.

GAZETTED OFFICERS AT HISSAR.

***345. Lala Bodh Raj :** With reference to the reply to unstarred question No. 68,¹ will the Chief Secretary please state :—

- (a) why the Government is not willing to furnish the information asked for ;
- (b) what are the special reasons for retaining Chaudhri Din Muhammad for over five years at the same station ?

Mr. H. D. Craik : (a) As has been stated in reply to a previous question, it is not the practice of Government to give the names of its officers in such cases.

(b) The officer in question had special qualifications which rendered his retention desirable in the public interest during the introduction of the experimental scheme for amalgamating the subordinate revenue and canal establishments. He has now been transferred to another district.

¹ Vide foot note 2 at page 833 ante.

² Vol. X-A, page 174.

VILLAGE LIBRARIES.

***346. Chaudhri Afzal Haq :** With reference to my question No. 8^a (unstarred) put on 28th February 1927, will the Honourable Minister for Education be pleased to state why the information referred to in the question is not available and whether it will be now made available?

The Honourable Mr. Manohar Lal : The value of this information will not be commensurate with the time and money spent in its collection.

CO-OPERATIVE SOCIETIES.

***347. Chaudhri Afzal Haq :** With reference to my question No. 5^a (unstarred) put on 28th February 1927, will the Honourable Minister for Agriculture be pleased to state :—

- (a) whether Government proposes to maintain the record of expenditure by Co-operative Societies on benevolent institutions ;
- (b) if not, the reasons for not doing this ;
- (c) whether the Government invited the opinion of co-operative officers in this respect ?

The Honourable Sardar Jogendra Singh : (a) No.

- (b) Because the information would not be of any apparent value.
- (c) The Registrar was asked whether the statistics were maintained, and replied in the negative.

REPORT OF DEPUTY COMMISSIONER, HOSHIARPUR, re. CERTAIN TROUBLE IN *ilaga* Beit.

***348. Chaudhri Afzal Haq :** With reference to my question No. 13^a (unstarred) put on 28th February 1927, will the Honourable Minister for Local Self-Government be pleased to state why the Government takes objection to lay on the table the report of Deputy Commissioner, Hoshiarpur, on the subject of the particular troubles in *ilaga* Beit ?

The Honourable Malik Firoz Khan, Noon : No formal report was submitted by the Deputy Commissioner : he wrote informally to the Director of Public Health and Government are of opinion that such informal correspondence between officers should not be published.

RE-ORGANISATION OF THE SENATE.

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

- (a) whether the Government has received any reply from the Punjab University regarding the re-organisation of the Senate ;
- (b) if not, the causes of its delay ?

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

(b) This important matter is still under consideration.

^a Vol. X-A, page 33.

^b Vol. X-A, page 31.

^c Vol. X-A, page 38.

MASTER MOTA SINGH.

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

- (a) whether the Government received any report regarding the state-ment of health of Master Mota Singh who is undergoing his term of imprisonment in a jail of another province ?
- (b) the term of his imprisonment and the date on which he will be released ?

The Honourable Sir Geoffrey deMontmorency : (a) He has recently suffered from pyorrhea and is being supplied with a set of dentures.

(b) Transportation for 5 years and rigorous imprisonment for 2 years and 6 months. He is due for release approximately on the 20th August 1929.

JAGGAT RAM, SON OF DITTA MAL.

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

- (a) whether it is a fact that Jaggat Ram, son of Ditta Mal, is under-going his term of imprisonment in a jail of another province ;
- (b) whether any report of his illness has been received by the Govern-ment ;
- (c) whether it is a fact that he has been constantly ill ;
- (d) whether it is a fact that he is very much reduced ;
- (e) whether the Government propose to put Jaggat Ram in any of the jails of this province ;
- (f) if the answer to part (e) above is in the negative, will the Honourable Member be pleased to state the reasons for not doing so ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) He is reported to have suffered from dysentery on occasions.

(c) and (d) No.

(e) No.

(f) The serious nature of his offence.

JAGGAT RAM, SON OF DITTA MAL.

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

- (a) the name of the provinces and of the jail where Jaggat Ram, son of Ditta Mal of Haryana, district Hoshiarpur, is confined ;
- (b) whether he was given 18 months' remission which was given on the conclusion of peace terms in the year 1918 ;
- (c) when he will be released ?

The Honourable Sir Geoffrey deMontmorency : (a) Jabulpore Jail in the Central Provinces.

(b) Yes.

(c) The question of his release will be considered about the middle of next year.

ARTILLERY PRACTICE IN *ilaga* KANDI.

***353. Chaudhri Afzal Haq :** With reference to my question No. 2¹ (unstarred) put on 28th February 1927, will the Honourable Finance Member be pleased to state whether the Government has received any reply from the Military authorities with respect to artillery practices in *ilaga* Kandi, Hoshiarpur district.

The Honourable Sir Geoffrey de Montmorency : The answer to Council question No. 2 is laid on the table. Government has not yet heard of the decision arrived at regarding the proposals made to the military authorities. As soon as the decision is known, the honourable member will be informed.

ANSWER TO QUESTION No. 2 (UNSTARRED)

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 "Locked 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.

CORRUPTION.

***354. Chaudhri Afzal Haq :** With reference to my question No. 18² (starred) put on the 28th February 1927, will the Honourable the Finance Member be pleased to state :—

(a) whether it is not a fact that in spite of the measures taken by the gazetted officers as stated in the answer, the corrupt practices in tahsils and district headquarters continue to exist;

(b) if so, what other measures Government proposes to take to effectively stop these corrupt practices?

The Honourable Sir Geoffrey de Montmorency : I have nothing to add to the reply given to the honourable member's question of the 28th February last.

¹Vol. X-A. page 30.

²Vol. X-A. page 23.

DECORATIONS OF TAHSIL BUILDINGS.

***355. Chaudhri Afzal Haq:** Will the Financial Commissioner be pleased to state :—

- (a) whether it is not a fact that when Deputy Commissioners go on tour to tahsil headquarters, tahsildars decorate the tahsil buildings with *phulkaris* ;
- (b) whether it is a fact that these *phulkaris* are collected from villages by zaildars and lambardars ;
- (c) if so, whether the Government will issue any instructions prohibiting such decorations ?

Mr. C. A. Barron : (a) and (b). Government has no such information.
(c) Does not arise.

Chaudhri Afzal Haq : Will Government now ask for the information ?

Mr. C. A. Barron : Government is not interested whether *phulkari* are hung in tahsil buildings or not.

Nazrana.

***356. Chaudhri Afzal Haq :** With reference to my question No. 10¹ (starred) put on 28th February 1927, will the Honourable the Finance Member be pleased to state :—

- (a) whether the Government is aware of the fact that when Deputy Commissioners go on tour the zaildars and lambardars not only offer them one rupee as *nazar*, but are also made to offer sugar (مصري) by way of *nazrana* ;
- (b) whether the Government favours both of these ancient customs ;
- (c) if not, whether the Government now proposes to issue a circular prohibiting these practices ?

The Honourable Sir Geoffrey deMontmorency : (a) Government understands that in some districts an offering of sugar is sometimes tendered and remitted. Government has no reason at all to believe that there is any compulsion on the subject, and it is entirely optional for those concerned to practise the custom or not.

(b) and (c). Government consequently sees no reason to issue a circular forbidding this ancient custom.

Chaudhri Afzal Haq : Will Government please say whether they will take the opinion of zaildars and lambardars of three districts at least as to whether they like the custom of offering sugar and *nazar* ?

The Honourable Sir Geoffrey deMontmorency : (a) Government sees no reason to make any special enquiry. There is no compulsion about these offerings. If they do not wish to make them, they can discontinue doing so.

Raizada Hans Raj (Urdu) : Is there any proposal that members of the Council should also offer sugar and *nazrana* to the Honourable the President in this Council ?

Mr. President : Order, order.

Chaudhri Afzal Haq : Will Government please say whether they will ask the zaildars and lambardars whether there is any compulsion or not ?

The Honourable Sir Geoffrey deMontmorency : Government is satisfied that there is no compulsion. They do not therefore propose to make these enquiries from zaildars and lambardars.

JAIL OFFICIALS.

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

- (a) whether the Government has now examined the past record of the jail officials ;
- (b) the names of those whom they wish to remove ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) For the present it is proposed to bring under reduction three posts of jailors with effect from the 1st September 1927 and notices have issued accordingly ; their pensionary claims will be decided in accordance with the provisions of article 426 of the Civil Service Regulations. I do not propose to give names.

BAN ON THE RETURN OF SEVERAL PUNJABIS FROM ABROAD.

***358. Chaudhri Afzal Haq :** With reference to my Council question No. 71 (starred) put on the 28th February 1927, will the Honourable the Finance Member be pleased to state whether the Government have been in correspondence with the Government of India on the question of imposing ban on the return of several Punjabis who are now abroad ?

If so, will the Honourable Member be pleased to lay the correspondence on the table ? If it be not possible, will he be pleased to state the names of such persons ?

The Honourable Sir Geoffrey deMontmorency : I have nothing to add to my answer to the honourable member's previous question. I am not prepared to lay any correspondence or to give names.

PUNJAB POLICE COMMITTEE REPORT.

***359. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether the Government is now considering the advisability of publishing the full report of the Punjab Police Committee ?

The Honourable Sir Geoffrey deMontmorency : The answer is in the negative.

PUNJAB POLICE COMMITTEE REPORT.

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

- (a) the time the Government will take to consider the Punjab Police Committee Report ;
- (b) the causes of so much delay ?

The Honourable Sir Geoffrey deMontmorency: The Punjab Government has already passed orders regarding a number of administrative measures which formed the subject of recommendations of the Punjab Provincial Police Committee. These orders are in most instances in the process of being embodied in a revised edition of the Punjab Police Rules which is about to be issued. It is proposed to lay the conclusions of Government regarding the recommendations of the Committee relating to changes and additions in the structure of the police force and its emoluments, which involve expenditure, before the Legislative Council during the next session.

The reasons for delay have been—

- (i) the necessity of eliciting public opinion on the report by publication ;
- (ii) the necessity of obtaining departmental criticism, e.g., the views of the Commissioners, Deputy Inspectors-General, Deputy Commissioners and Superintendents of Police ;
- (iii) the necessity of financial scrutiny and of re-casting the exact financial effect of the various proposals and in many cases of alternative proposals.
- (iv) the necessity, in view of the recent recurring remissions of provincial contributions, of forecasting the general future financial position before supplementary demands for considerable sums of recurring expenditure are laid before the legislature.

BOARD OF MEDICINE.

***361. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Local Self-Government be pleased to state :—

- (a) if the Government is aware that the United Provinces Government has established a Government Board of Medicine for affording protection and promoting indigenous system of medicine ;
- (b) if so, whether the Punjab Government will consider the question of establishing a similar Board here ;
- (c) if the Government is aware that the Tibbi classes of the Islamia College have been converted into a college and that a new Ayurvedic and Unani Hospital has been amalgamated with it ;
- (d) if the Government will consider the possibility of sanctioning a substantial annual grant for maintaining a building for the same ?

The Honourable Malik Firoz Khan, Noon : (a) and (c) Government have no information.

(b) and (d). A statement of the policy of Government with reference to the indigenous systems of medicine is being printed and will be circulated to honourable members of the Council in a day or two.

ZANANA INDUSTRIAL SCHOOL, LAHORE.

***362. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Industries, Punjab, be pleased to state:—

- (a) the number of *zanana* industrial schools in Lahore;
- (b) the number of *zanana* industrial schools outside Lahore;
- (c) the names of places where such schools are established;
- (d) the number of ladies taking education in such schools outside Lahore;
- (e) the number of ladies taking education in such schools in Lahore;
- (f) what facilities has the Government so far afforded for development of *zanana* industrial schools;
- (g) whether the Government considers the advisability of—
 - (i) opening such schools outside Lahore;
 - (ii) increasing the number here; and
 - (iii) encouraging development of *zanana* industrial education on broad lines.

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

(b) Nil.

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

(e) 114.

(f) Government is affording facilities for the industrial training of ladies in the *Zanana* Industrial School, Lahore. Government is also organising a special section in the Department of Industries for the industrial training of women.

(g) The question is under consideration at present.

PROMOTIONS OF TEACHERS IN THE BHERA GOVERNMENT HIGH SCHOOL.

***363. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Education be pleased to state:—

- (a) whether the Government is aware that in case of certain recent promotions of teachers in the Bhera Government High School, seniority in service has altogether been ignored;
- (b) if the answer to question (a) above be in the affirmative, what grounds formed the basis of ignoring seniority in service;
- (c) whether the Government is prepared to reconsider the question of these promotions?

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

(b) and (c) Do not arise.

RESOLUTIONS.

RESOLUTION RE REMISSION OF LAND REVENUE IN CERTAIN TRACTS OF THE ROHTAK, GURGAON AND HISSAR DISTRICTS.

Chaudhri Baldeo Singh [North West Rohtak (Non-Muhammadan) Rural] (Urdu): Sir, I beg to move the following resolution which stands in my name:—

"This Council recommends to the Government that in order to ameliorate the unhappy plight of zamindars of Rohtak, Gurgaon and Hissar districts living in tracts where canal or well irrigation is not practicable, total land revenue of such tracts for one crop during the current year be remitted and a scheme for the construction of reservoir tanks to collect and hold rain water for irrigating their crops be sanctioned."

Sir, the object of this resolution is to bring to the notice of the Government and this House the unhappy plight of the Hindu zamindars residing in the Rohtak, Gurgaon and Hissar districts, and to request the Government to lose no time in extending to these zamindars the concessions demanded by me on their behalf. The zamindars of Haryana for want of irrigation facilities are labouring under numerous difficulties, and it is really a pity that whenever there is a scheme for the extension of irrigation to this part of the province some kind of objection is raised against it. In the resolution moved by me only a very small concession has been demanded by me on behalf of my constituents, but I regret to say that members of the Council are not prepared to support even this and are of opinion that if this concession is to be granted at all it should be granted to the zamindars of all the *barani* tracts of the province. The amendment of which notice has been given by a learned member of this Council points to this. In this connection I am reminded of a story which is current in our parts. A certain jat became very indigent. His people advised him to take up the profession of begging if he could not earn his livelihood otherwise. The jat promised to act up to this advice. He got hold of a bamboo stick to which he tied an earthen pot and followed in the wake of a mendicant (*jogi*). Whenever the mendicant got anything in the shape of alms, the jat pushed forward the earthen pot and cried that he should receive his share first. Similar is the case with the gentleman who has given notice of an amendment to this resolution. I was begging alms for the Hindu zamindars of the Rohtak, Hissar and Gurgaon districts, but he wants to share my alms and desires that the concession demanded by me should be given to zamindars of the whole province. By putting forward this amendment the honourable gentleman probably means that the resolution should be withdrawn.

In this Council the Bhakra dam scheme has twice been brought forward for discussion and if this dam had been constructed the condition of the people of Haryana would have been ameliorated but it is a pity that every time some sort of technical objection has been raised against its construction, and the objection to which most weight is being attached is that even Rai Sahib Chaudhri Chhottu Ram thinks that the scheme should be taken in hand after the Thal Project has matured. This objection if I may be allowed to do so, may be likened to the proverbial tying of the cat around the neck of the camel. It is said that once upon a time a certain person lost his camel. He vowed to his goddess that if his camel was found he would sell it for five rupees and give away the proceeds in charity. When the thieves heard of

[Ch. Baldeo Singh.]

this they let go the camel and asked the owner if he was prepared to sell it to them. The owner of the camel said that he was prepared to sell the camel for Rs. 5, but he also wanted to sell along with it a cat which was priced at Rs. 200. The construction of the Bhakra Dam Scheme made dependent on that of Thal Project is on a par with the story I have just related.

I think that it is well known that the Rohtak, Hissar and Gurgaon districts supplied the largest number of recruits during the great war, but the zamindars who supplied these recruits have not benefitted at all. It was in the case of only a few villages that land revenue was remitted in recognition of war services but on the whole the zamindars have not benefitted to any appreciable extent by the favours which have been so bountifully showered by Government on other parts of the province.

The districts mentioned above have been the subject of untold miseries during the past few years. Famine, plague and other diseases have taken a heavy toll, and to add to these calamities cattle have also died in large numbers. At the present moment there is a dearth of able-bodied men as well as of cattle. There are no canals in these districts. Well-irrigation is well nigh impossible because the water is brackish and too much below the surface. Under these conditions what are the people to do and how are they to keep body and soul together? Something must be done to ameliorate their condition, and the only way in which some help can be rendered to these unfortunate people is that land revenue may be remitted for at least one crop during the current year and a scheme for the construction of reservoir tanks to collect and hold rain water for irrigating their crops be sanctioned. With these few words I commend my resolution for the acceptance of the House.

Mr. President : The resolution proposed runs :

"This Council recommends to the Government that in order to ameliorate the unhappy plight of zamindars of Rohtak, Gurgaon and Hissar districts, living in tracts where canal or well irrigation is not practicable, total land revenue of such tracts for one crop during the current year be remitted and a scheme for the construction of reservoir tanks to collect and hold rain water for irrigating their crops be sanctioned."

The question is that that resolution be adopted.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, I listened with interest to the speech of the honourable mover of this resolution. I lived for many years in one of the districts which forms the subject of his resolution, and I have very great sympathy with the people of that part of the province. Nevertheless it is entirely impossible for Government to accept this resolution.

To a casual visitor to this Council as he listened to the honourable mover's speech it might well appear that there are only three districts in the province, the three that he mentions. No reference was made by him to the many other parts of the province, *barani* tracts also, which suffer from troubles no less than those which he refers to. As I listened to him, I remembered that not very long ago this Council expressed a wish that the revenue on well-irrigated lands in the province as a whole should be reduced. We heard yesterday from the honourable member from Montgomery (Sayad Muhammad Husain) that the question of *abiana* is agitating the minds of those who have to pay canal revenue. Government has before it at present

RESOLUTION FOR REMISSION OF LAND REVENUE IN CERTAIN TRACTS OF 851
ROHTAK, GURGAON AND HISSAR DISTRICTS.

the problem of the people who suffer from water-logging in many parts of the province. Their plight is no less serious than is that of the residents of the districts which the honourable member refers to.

The acceptance of the resolution would entirely upset the provincial budget and it would be entirely unfair to the residents of other poor districts of the province, as

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Muzaffargarh, Kangra and Jhelum. The assessments the settlement officers imposed at the last settlement on the districts mentioned by the honourable mover were very carefully worked out: and on this matter I speak with personal knowledge, as I was one of them myself. On two large assessment circles, at any rate, of the district I assessed, the assessment imposed by me was lower than that which I found in force in them. I know all officers have every sympathy with the residents of *barani* tracts. The honourable member referred with considerable force to the war services of the Rohtak district. I do not desire in any way to minimise those services, but I would remind that other districts in the province also rendered good service during the war. What about Jhelum and the Kharian Tahsil of Gujrat district as to which the Deputy Commissioner wrote that every young man on attaining maturity joined the army at once as a matter of course. Another point which I wish to submit is that the residents of the unirrigated tracts of the districts in question are no doubt poor, but the average holding in those districts, particularly in Hissar, is greater in size than the average Punjab holding. In the poorer parts of Hissar the holdings run to 30, 40 even 50 acres each: and as the pressure on the soil is less the people are better able to withstand bad years than are the residents of the more congested tracts.

In the second part of the resolution, the honourable member has asked that canal irrigation should be extended in the districts in question. With that part of the question my honourable friend, the Chief Engineer, will deal, if necessary. As to wells, we do all we can to encourage them; but in the greater part of the tract in question wells are very deep. In Hissar indeed they generally are over 100 feet deep and it is not economic to work them much. They are generally worked only in the rabi season to grow wheat gram or barley. The water, however in the wells is often salt and this prevents much use being made of them. The honourable mover also referred to tanks. Well, Sir, I happened to be serving in the Gurgaon district in the famine of 1900 and the principal famine work on which Government concentrated its attention then was the making of tanks. The same was the case in Hissar; tanks were prescribed as the standard form of famine work; many tanks were made. As I already said I know Hissar well: hardly any of the famine tanks held water and even where they do so, the catchment areas are not sufficient, and where we want to increase such areas the people object. They say, why should you take our rain water which we need for our crops and run it into tanks? In the Gurgaon district circumstances are rather different. There are in it many small hills and, as the honourable member is doubtless aware, there exists in that district a system of bunds into which water runs in the rainy season which are used for irrigation purposes in the dry months. The bunds are well managed: Mr. Brayne, the present Deputy Commissioner of Gurgaon takes great interest in them.

I think I have now dealt with all the points the honourable member has raised. I would, however, like to assure him, before I sit

[Mr. C. A. H. Townsend.]

down, that the condition of the *barani* inhabitants of the districts he mentions is ever before Government. We know that they are not as flourishing as are the residents of many other parts of the province and, if anything in reason, I emphasise the words 'in reason', can be done to help them, I am confident that Government will be ready to do so. Sir, I oppose the resolution.

Chaudhri Baldeo Singh : In view of the assurance that has been given by the honourable member, I beg leave to withdraw the resolution.

The resolution was by leave withdrawn.

RESOLUTION RE. DISTRIBUTION OF INCOME DERIVED FROM RESIN TO THE
ZAMINDAR PROPRIETORS OF THE SHAMILAT FORESTS IN THE KANGRA
DISTRICT.

Chandhri Ram Singh [Kangra Non-Muhammadian Rural] (Urdu):
Sir, the resolution which stands in my name runs as follows :

"This Council recommends to the Governor in Council that the income derived from resin obtained from the *Shamilat* forests of the Kangra district be distributed amongst the zamindar proprietors of the *Shamilat*."

Sir, with your permission I want to explain to the House the anomalous position which the people of the Kangra district occupy in regard to the *shamilat* forests of this district. In the Kangra district the area of forests is about 7 lakhs of acres, of which about 23 or 24 thousand acres of forests are the property of the State and the remaining are owned by the zamindar proprietors. The Government has recognised these zamindars as proprietors of the land but the trees standing on these lands are considered to be the property of the Government. The Government has obtained this right by the systems known as *Dakhal Bachh* and *Kharaj Bachh*. When the first regular settlement began the simple people of the Kangra district agreed to pay land revenue for the *shamilat* forests as well as other lands. Land revenue was assessed on both the forests and lands under cultivation, but the burden of land revenue was thrown on cultivated lands alone. The Government admits and the revenue papers also bear testimony to the fact that the *shamilat* forests are the property of the zamindars. The zamindars are entitled to graze their cattle in these forests, and they can get wood for the construction of agricultural implements. In addition to that the proprietors of these forests are entitled to one-fourth share of the income derived from the sale of trees growing on these *shamilat* forests. Now the question arises that when the Government recognises the right of the zamindar proprietors to a share of the produce of the forests why they do not recognise the right of the zamindars in the matter of getting a share of the resin, which is extracted from the trees growing on these *shamilat* forests. The people of Hoshiarpur, a district adjoining the Kangra district, agitated for a share of the income derived from resin and about two years ago they were granted this right. There seems no reason why the same right should not be given to the zamindar proprietors of the Kangra district. When the income derived from the sale of forest trees in the Kangra district is being shared by Government and the zamindar proprietors, there seems no reason why these people should not get a share of the income derived from

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the sale of resin, which is extracted from trees standing on *shamilat* forests, which as I have already explained are the property of zamindar proprietors. With these words I request the Government to do justice to the claims of zamindars of the Kangra district and I entreat my worthy colleagues to extend their heartiest support to my resolution.

Mr. President : The resolution proposed runs—

“ This Council recommends to the Governor in Council, that the income derived from resin obtained from the *Shamilat* forests of the Kangra District be distributed amongst the zamindar proprietors of the *Shamilat*.

The question is that that resolution be adopted.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural (Urdu) : Sir, I extend my heartiest support to the resolution so ably moved by my learned friend the representative of the Kangra non-Muhammadian constituency. But there is one thing which he has mentioned about my district, i.e., Hoshiarpur which perhaps does not seem to be based upon a matter of fact. He said in his speech that the zamindar proprietors of the Hoshiarpur district, under similar conditions and circumstances have been conceded their right to a share of the income derived from resin. This I beg to submit is either not correct, or most anomalous. So far as my information goes it is incorrect since on the eve of my departure from my district to attend the Council session here I was asked by some friends of my district who border on the adjoining district of Kangra to support this resolution as it affected our district also, but even if otherwise I hope that the Government member incharge of this subject will be able to throw some light on it and explain the anomaly.

I admit that Government is entitled to a share of the minerals or treasure troves found in somebody's land, but I fail to understand how the Government has established its right to trees growing on the private property of individuals. There is no law which can justify this usurpation of the right of private individuals. If the Government wants to avoid discontent and is solicitous of maintaining law and order in the Kangra district, it behoves the Government to recognise the right of zamindar proprietors of the Kangra district to a share of the resin obtained from trees which are the property of these zamindars.

My honourable friend Chaudhri Ram Singh was also pleased to remark that people of the Hoshiarpur district are past masters in the art of agitation, and have, therefore, succeeded in obtaining their right. In reply to this I want to tell him that it is the right of every district, every community and if I may be allowed to say so, it is the right of every individual to agitate properly for rights. If the people of the Kangra district have not yet learnt the art of agitation they have themselves to thank for it. If the Kangra people take to agitation on the right lines we are all prepared to support them. With these words of support for the resolution of my friend I resume my seat.

Chaudhri Zafullah Khan [Sialkot (Muhammadian) Rural] : Sir, it appears to me after listening to the speeches made in support of this resolution that this is a matter which can better be thrashed out in a court of law rather than in this House. It seems to me that the dispute is not really with regard to resin only, but with regard to several rights in these forests which are claimed by the zamindars and are denied by the Government or

[Chaudhri Zafrullah Khan.]

have been usurped by the Government, as the honourable mover of this resolution put it. Now, that may be so or that may not be so. The question actually turns on this point: What are the respective rights of the zamindars and the Government in these trees from which the resin is obtained? I do not think that on the materials available in the speeches that have been made or may be made in support of or in opposition to this resolution, this House will be in a position to judge as to what they ought to recommend to the Government in respect of these trees or in respect of the income derived from the resin obtained from these trees. The argument of the honourable mover is this: He says 'we are not aware how the Government has gradually usurped the rights of the people in these forests but we claim that we are entitled to the price of the resin obtained from these trees.' But this usurpation has been going on for a long period of time. The argument of the honourable mover was, that when the zamindars have the fullest rights over these trees why not give them the income? That argument appears to me to be rather inconsistent. If the Government have usurped the rights over these trees from the zamindars and have excluded the zamindars from the enjoyment of these rights, then the zamindars have not the fullest rights over these trees. On the other hand if the zamindars have actually exercised the fullest rights over these trees hitherto then it seems to me that there can be no ground for complaint.

Then my honourable friend went on to say that they have got pasture and grazing rights in respect of these trees. That has nothing to do with proprietary rights. It is for the first time I have been told that with respect to trees you can have pasture and grazing rights. One has always understood that pasture and grazing rights refer to grass grown upon land and not to the trees. (A voice: Trees.) Very well, then, I was not aware that in the Kangra district cattle are accustomed to graze upon trees. If that is so that is a right which they enjoy and they are welcome to it. Then my honourable friend went on to say that the zamindars get one-quarter of the share of the price of timber and fuel wood sold out of these forests. I am not aware of that, but when it is alleged that it is so, I believe it is so. It remains, however, to be seen and I hope we will be enlightened on this point, as to why or under what right this payment is made. It may be in recognition of some sort of proprietary right or it may be by way of compensation in respect of some rights of which they have been deprived and which they have already surrendered. But merely because such a payment is made, it does not follow that the trees belong to the zamindars. If the trees really belong to the zamindars, another question arises. In that view all that has happened is this. Some income to which the zamindars are entitled has been taken away by the Government. The proper remedy then is to institute a suit in a court of law to recover that income unlawfully appropriated by the Government.

Then my honourable friend concluded by saying that as they have these grazing rights, and are entitled to one-fourth of the income from timber a share of the price of resin should be given to them in the same way. The resolution as it is worded at present does not want merely one-fourth of the income derived from the resin obtained from *shamilat* forests of the Kangra district but wants the whole of it. If my honourable friend desired to proceed by analogy, he should have limited his claim to the income derived

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from resin in the same proportion in which the zamindars are entitled, if they are at all entitled to the price of timber and fuel wood sold. My submission is that this resolution really raises a difficult question of rights and that is a question which cannot be decided in the form of a resolution here. The honourable mover of the resolution refers to the fact that in the Hoshiarpur district as a result of agitation these rights have been conceded and therefore they ought to be conceded in Kangra too, because Kangra people have also started agitation with respect to them. That is exactly the reason why these rights should not be conceded. For once you begin to concede rights in this way in property which is claimed by Government, each district would follow suit in some form or other and begin to assert various kinds of rights on the ground that other districts which have agitated have obtained those rights. The honourable member for Hoshiarpur said "No, these rights have not been conceded to us, but we have sympathy with you, because if these rights are conceded to you they will also be conceded to us." That is the reason why this resolution has been brought in, in the first instance in respect of those tracts where such forests exist at present. This is the thin end of the wedge. If this is conceded, then other districts will follow not only with regard to resin but with regard to fuel wood and so on. Then they may ask for other things and ultimately it would happen that you might have to surrender the forests entirely to the zamindars. The question really resolves itself into this: do these trees belong to the Government or do they belong to the zamindars? That is not a question which we can decide on this resolution. On these considerations I beg to oppose this resolution and I think if there is any grievance with regard to this that ought to be settled in the courts of law.

Mr. C. A. Barron (Financial Commissioner): Sir, in rising to oppose this resolution, I am afraid that if I attempted to give the House a full account of the history of the Kangra forests members would be sitting here listening to me at least till lunch time. Perhaps the House is not quite aware of the number of times in which the rights of the people in the forests of Kangra have been investigated in the course of revenue and forest settlements. The first regular settlement by a most experienced officer, Mr. Barnes, took place in 1849-1852. This was revised by that great authority on revenue matters, Sir James Lyall, in the years 1865-1872. It took seven years for the process. Then the third settlement of Mr. Alec. Anderson actually lasted for ten years from 1887-1897, and its final orders were issued under the authority not of a revenue officer, but of a distinguished legal officer, Sir Dennis Fitz Patrick. So that if the people of Kangra were the simple people that the honourable mover of the motion asks us to believe, they had altogether something like 20 years in which to place their grievances before the different officers, appointed to enquire into their rights and their liabilities.

The origin of the rights of the Kangra people in their forest has been carefully omitted from mention by the honourable mover of the resolution. When the first regular settlement began, it was found that not only the forests, but all the land, cultivated and uncultivated, was considered to belong to the Raja. He gave leases for cultivation of the plots actually cultivated. The uncultivated land, including the forests, all remained the property then of the Raja, and when the British Government succeeded, the property of the State. During the course of these settlements, which I have mentioned,

[Mr. C. A. Barron.]

endeavours were made to secure to the people right of some sort in their lands. They were recognised gradually as proprietors of the lands which they were found to be cultivating, and a certain proportion of the hill side covered with forests in their true sense remained for the sake of forest conservancy the property of Government. Uncultivated land attached to the hamlets were classed as *shamilat deh* and on those lands the *khewatdars* were recognised as having proprietary rights in the lands. As to the trees, while the trees standing on lands declared to be proprietary were allowed to become the property of the owners of those lands, trees standing on *shamilat* lands remained the property of the Government. The reason is very simple. A man will no doubt take care of a tree standing on his own land, but who is going to care for trees standing on common *shamilat* land? If these operations, started as long ago as 1849-52, had not been undertaken, by this time it is pretty certain that there would not be a single tree standing on *shamilat* lands. That then is a brief history of how the present position has come about. There was no question of usurpation by Government as it has been described. Government found that its claims were recognised by the people and by every one concerned as the sole proprietor of the whole lands. Instead of usurping any rights Government has gradually given what rights it could in the interests of the people to the people, preserving the right to save them from themselves in the matter of denuding their forests.

This leads me to the explanation of the grant of a quarter share of the income from sales of trees and brushwood which has puzzled the previous speakers. The grant of this quarter share was a device introduced in Mr. Anderson's settlement of 1897 in order to induce the people to take an interest in the conservancy of their forests. There was no recognition of rights in the trees but they were told that if they would assist in the preservation of these trees they would be given a quarter share of the income; and, as a corollary, that quarter share or a part of it is withheld if it is found that the people are destroying trees instead of assisting in their conservancy. Have I made that quite clear to the House?

The distinction in the rights possessed by the people in the Hoshiarpur district is also very simply explained. In Hoshiarpur there were in ancient times no Rajas such as the Rajas of Kangra and we found the people in possession of their lands. The ordinary settlement procedure defined what was proprietary land and what was *shamilat* land and, as in other districts, the proprietary rights in the trees on the *shamilat* lands naturally were recorded as belonging to the owners. There is that distinction between the record of rights in Kangra and in Hoshiarpur. In Kangra the trees on *shamilat* land belong to Government. In Hoshiarpur the trees belong to the people and, therefore, if there is any resin extracted they get the income.

Perhaps the House does not quite realise the exact importance of this resolution. This resin tapping operations were begun by the forest department as recently as 1919. According to the latest figures which I have I find that 6,750 maunds of resin were extracted in the year.

The cost of extraction was Rs. 4-4-4 per maund and the price obtained at the Jallo Factory was Rs. 4-8-0 per maund. The profit was As. 3-8 per maund or a total sum of Rs. 1,547. I have not taken the trouble to ascertain how many thousands of *khewatdars* or owners of the *shamilat* land there are in Kangra, but the division of Rs. 1,547 among those thousands would

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not leave very much to the individual owner. The reservation therefore of the right to the income from the resin of these trees is not a very severe burden on the people of Kangra, while the reason for that reservation has the very salutary result that their trees are preserved for them against wanton destruction. If the trees belong to Government, it is difficult to understand why the small bye-product of resin should belong to anyone else. The whole forest policy of Government in Kangra has been in all these years to preserve the trees for the people, and not only for the people of Kangra but for the sake of the people living further down the streams which flow down from the Kangra hills, to prevent denudation such as has happened in the Hoshiarpur district amongst the chos. These being the reasons for the present position, on behalf of Government I have to oppose the resolution.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban] : Sir, I beg to support the resolution which has been moved by my honourable friend from Kangra. From the speech of the Honourable Financial Commissioner, Development, it is clear now that the zamindars of the Kangra district get one-fourth of their share of the price of trees on the *shamilat* land. The Honourable Financial Commissioner has admitted this fact. I fail to understand the reasons why Government should now deny ?

Mr. C. A. Barron : May I rise to a point of explanation ? The quarter share is not out of the whole income, but it is out of the profits from the sale of trees.

Lala Mohan Lal : So much the better, and the resin is the outcome of the trees and that clearly shows that the zamindars are entitled to one-quarter share out of the price of the resin trees at least as they are entitled to one-fourth share of the price of the trees. The only reason given by the Financial Commissioner is that there are so many *khewatdars* in the Kangra district that it will be very difficult to distribute that amount. I fail to understand it. It is a question of right. If the people of the Kangra district are entitled to a certain amount by virtue of their right to the proceeds from the sale of resin which comes out of the trees, they should be paid. There is no question of difficulties in the way of Government in distributing them. If Government levies a cess, it takes all possible care to collect it through *lambardars* and *zaildars* even though it may be one pie. This share of the zamindars also can very well be distributed to them through the *lambardars* and *zaildars*. That is the way in which, I understand, the price of other produce is distributed among zamindars. If that is so, I fail to understand why it cannot be done in this case also.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] : Sir, I wish to say a few words about certain points which have been raised in the course of the discussion. It was suggested by my friend the honourable member for Sialkot that recourse should be had to civil litigation. The history of forest rights given by the Honourable Financial Commissioner shows that it is not always the eventual course of civil litigation which carries weight with Government ; there are other considerations too which lead Government to consider zamindari rights. Secondly, if the case were strong enough to go to court, civil litigation is not always the right course to adopt. When Government finds that a certain person has got a strong claim which he can establish in a civil court, Government generally avoids litigation and settles matters privately with him. Therefore it is no

[D. B. Raja Narendra Nath.]

answer to the resolution that has been put forward by my friend the member for Kangra that the proper course for the zamindars of Kangra district is to have recourse to civil litigation.

My honourable friend the member for Simla, Lala Mohan Lal has very forcibly pointed out that there is no reason to discriminate between the rights in the price realised by the sale of resin and rights in the price realised by the sale of trees. If the zamindars are entitled to one-fourth of the share of the sale of trees, there is no reason why they should be denied similar proportion of the price realised by the sale of resin. I cannot for one understand where the discrimination lies and how the distinction is justified.

The Honourable the Financial Commissioner said that rights in trees were recognised in the case of forest growth situated in *shamilat* land because it was not any particular individual's responsibility to look after trees standing in *shamilat* land. Well, I think, Sir, that if that theory were to hold good, there would be difficulty in many things. Rights in common land are generally managed by the inhabitants of the village and the fact that *shamilat* land does not belong to any particular individual does not give rise to any unsurmountable difficulty in managing the produce of *shamilat* land. It is true that the rights of zamindars in the Kangra district have been gradually recognised according as they have been brought to the notice of Government and where Government has realised that there is some moral force behind the claim laid before Government, Government has recognised that claim. It seems to me that rights in the sale of resin have been very forcibly put before Government, and I think this is the first time that the matter comes up before them. I have no doubt that it will receive a favourable consideration. As far as I can see, zamindars of the Kangra district have got a strong claim to the rights in the sale of resin, and I strongly support this resolution and recommend it for the sympathetic consideration by Government.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadian) Rural] (Urdu): Sir, I wish to say only a few words in support of the resolution so ably moved by my honourable friend Chaudhri Ram Singh. The Financial Commissioner has admitted that the zamindar proprietors of the Kangra district are entitled to one-fourth share of the income derived from the sale of trees. In these circumstances I wonder as to why the Government should not pay to the proprietors at least one-fourth of the income derived from a thing which is extracted from these trees.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural]: I have patiently listened to the speech of the Honourable the Financial Commissioner on this point and it has convinced me that the zamindars of Kangra have got an undoubted right to the produce of the trees which is called resin. Now, there were one or two points which the Financial Commissioner brought forward against this resolution. One was this. He said that if Government were to let the zamindars have proprietary rights in these trees, they would cut down these forests and the condition of the district will be that of the Hoshiarpur district. On the other hand, the argument works the other way. Resin is a valuable product. If people are allowed an interest in the produce of these trees, they will see that every single tree is preserved and not cut. People are not foolish. They know what is for their benefit and what is not. In

Hoshiarpur people started cutting trees which brought no income, but if the Financial Commissioner will study the conditions at Hoshiarpur so far as *chil* trees are concerned from which resin is produced, they are preserved because they get one-half of the produce of those trees. One-half is taken by Government and the other half by the people. In the Hoshiarpur district also at one time Government claimed all the money which came from the sale of resin. The people of course persisted and laid claim to the produce of the trees and afterwards their rights were recognised. In the same way it is not a case for the civil court to decide, it is a case where Government should recognise the justice of the demand made by the Kangra people and Government has in a way, as was said by the Financial Commissioner himself, recognised the people's proprietary rights in these trees.

Mr. C. A. Barron : No, Sir. That is not exactly what I said. I said that their rights were not recognised.

Pandit Nanak Chand : They are not recognised in direct manner, but they are recognised in an indirect manner. What Government is unwilling to say directly and where it knows that the people have got some right it settles indirectly, and that is what is being done in the Hoshiarpur district and in the Kangra district. Raja Sahib and other gentlemen have asked why Government does not give one-fourth of the produce of these trees. The reason is simple. Resin is a very valuable product. It brings in a large amount of money and Government wants to appropriate that money so long as it can conveniently do so. The price of the tree is much less than that of the produce which it yields, and that is the reason why Government wishes to keep the sale produce as long as possible while allowing the people a share in the sale of the trees themselves. The Honourable the Financial Commissioner went on saying that in the Kangra district there have been so many settlements and that it took so many years to settle the district. But who had to decide the matter? It was Government itself who had to decide. Here Government was a party, Government was the judge, not a very satisfactory condition. Because you have taken ten or twelve years in doing the settlement of the Kangra district and because you have given your decision in your own favour, it is no reason why people should not open their lips now. That is no argument at all, and I cannot understand how it could have been brought forward by a gentleman of Mr. Barron's love of justice and one who is always ready to concede to people what belongs to people. Though in theory all land belongs to the State, so far as actual practice is concerned and so far as the British Government is concerned, it is recognised that people have proprietary rights in the land. It is no time to talk of the divine right of kings; people are the owners of the soil and they are the owners of the trees; and therefore I submit that the Kangra people are entirely within their rights to claim the produce of these trees.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, I had no intention to speak on this resolution, but I cannot allow the remarks which fell from the lips of the last speaker pass without a word of remonstrance from me. He said that settlement officers in the Kangra district always decided in favour of the State. I have the pleasure of knowing the late Mr. Anderson, a most experienced officer with much sympathy for the people of the Kangra district.

Mr. President : Order, order. I think the honourable member is not speaking from his place.

(Then Mr. C. A. H. Townsend came to his seat and continued.)

Mr. C. A. H. Townsend : I beg your pardon, Sir. Now the argument of the honourable member in regard to this matter, namely, that where the rights of the people and of the Government are involved, Government officers always decide in favour of the Government is entirely baseless. Every day cases come before the officers of Government in which the rights of the people on one hand and the rights of the Government on the other are involved : in very many of them the decision goes in favour of the people. I need hardly say, though the honourable member will, I fear, not agree with me, that the officers who have to arrive at these decisions always follow the principles of equity and justice in doing so.

If this motion is carried it will be the thin end of the wedge ; common place though the remark may be, it is nevertheless true as regards this motion. I have already said that the attitude of Mr. Anderson was always sympathetic to the people ; even more so was that of this predecessor Sir James Lyall, whose name is still remembered in every house in the Kangra district. The result of his settlement was, that the land was held to be the property of the people, and the trees the property of Government. As my colleague, Mr. Barron, pointed out this is a much more sympathetic attitude to the people than that which the British Government inherited from the hill Rajas of the Kangra district who were their predecessors. When they were the rulers, not only the trees but also the land was the property of the Government.

The last speaker said that the amount of money involved was very great. I do not think he listened carefully to what Mr. Barron said. The amount of money involved is not great. The profits accruing to Government are extremely small. He also made the extraordinary statement that the price of the tree was much more than that of the produce of it. I wish he had given some figures in support of it.

(A voice : He meant trees when cut.)

Raja Narendra Nath said that he could not understand what difficulty there was to prevent the village people of the Kangra district from managing their common land in the same manner as the people in the plains manage their common lands. Well, Sir, the Raja Sahib knows the plains of this province and also some of the hills. But the reply to his question is obvious : it is that the ordinary *shamilat* in the Punjab village is not generally a mere catchment area for the village tank, otherwise it is of not much use and very little attention is paid to it. Generally it is conspicuous by the absence of any trees. If, however, an unfortunate *kikar* happens to grow on it it is usually cut down by the most powerful land owner of the village. The *shamilat* forests in the Kangra district are quite different : they are, generally, covered with trees. I can only trust, Sir, that I have done something to remove some misconceptions of the members of the House on this matter. I oppose the resolution.

Captain Sardar Sikandar Hayat Khan (Muhammadan Land-holders): Sir, I just want to say a word in connection with the history of these *shamilat* lands. The honourable the Financial Commissioner said something about

it which I could not hear. The last speaker explained to us that these *shamilat* lands were inherited by the Government from the hill Rajas of Kangra and that the people had no right to these lands under those Rajas, and that when they were taken over by the British Government the people did not enjoy any of these rights and privileges. Mr. Barron also pointed out that there was no agitation in the Kangra district nor any representation made by the people when the first, the second and even when the third settlement took place, and that if the people had any grievance they would probably have brought it to the notice of the Government. In this connection I wish to point out that the people in these forests had certain rights when they were under the hill Rajas, and that when the British Government took over these forests they considered that if the forests were left with the people, the trees would be cut down, and that this would affect the rainfall of those areas. But as Mr. Townsend has just pointed out the love of the justice and equity for which the British Government stands made them give back some of those rights to the people with the result that the *shamilats* were handed over and entered in the revenue papers as owned by the villagers who live round those forests. The only condition which was imposed by the Government was that the trees should not be cut down, but if any of the trees fell down by accident or by fire, then the price of those trees that were damaged would be divided between the Government and the people. In the second settlement of Sir James Lyall this question was raised again and strong agitation was made by the people at that time and I think the Government records will clearly show (that on account of this agitation) certain rights which the Government wanted to curtail were not curtailed. I know it for myself that during the last settlement, in 1915 or 1916, Government again tried to revive those conditions which they had given up in the previous settlement. There was strong agitation then in the district and I remember people came miles from all over the district to Dharmasala to put their case before Sir Michael O'Dwyer, and it was Sir Michael O'Dwyer who considering all the grievances of the people, ordered that Government should not further curtail the rights of the people in those areas. It was then, Sir, that the conditions on which the people agreed to let the Government protect these *shamilat* trees, the condition that the trees should not be cut except under certain conditions were then recorded. These conditions the people are abiding by now. But as has been stated by the previous speakers and also admitted by the Government a portion of this produce or its price in cash go to the people and I see no reason why the price of resin should not also be divided between the Government and the owners of these *shamilat* lands. Of course the Government is perfectly justified to deduct the expense of tapping the trees and extracting resin, and I do not think the people will object to the payment of a portion of the cost involved in extracting resin out of those trees. I submit that it is only equitable that the owners of the *shamilats* and the Government should share the profits from resin in the same proportion as is done in the case of other produce of the forests. With these few words, Sir, I support the resolution.

The Honourable Malik Firoz Khan, Noon. (Minister for Local Self-Government): Sir, I am afraid we are dealing with a complicated question of rights of property, on the one hand claimed by the State and the public and on the other by certain residents of the districts. Unfortunately all

[The Hon'ble Malik Firoz Khan Noon.]

seem to be arguing on facts that have been brought forward into the Council by one member or another. We actually seem not to be in possession of any of those original records on which the title of the contending parties is based. I have personally not studied this question, but I have just glanced through this Forest Settlement Report of the Kangra district in the year 1887. This has several paragraphs which deal most elaborately with the forest products in the Kangra District. What seems to have happened there was this, that the forests originally belonged to the hill Rajas and later naturally to the British Government and thus to the public. But as far as the growth in those forests is concerned Government has conceded certain rights to the people. This Settlement Report gives in a detailed paragraph the various kinds of forest products that can be used by the villagers. For instance, it says that if wood was required for burning a dead body then the villagers had a right to cut wood free of cost. If a villager wants wood to build a house then also he can cut wood from the forest. In the same way brushwood also can be cut for burning purposes, because it is of no value to the State. So far as valuable trees are concerned, there are two kinds of trees, one priced trees and the other unpriced trees. As far as the priced trees are concerned they are absolutely reserved by Government and they cannot be cut. As far as unpriced trees are concerned, there are certain conditions attached to them, that trees of certain sizes or certain kinds or qualities should not be cut. What seems to have happened is this. Government although they had the right to the whole of the produce in forests would seem to have given away the produce of those forests which they thought could not be marketed by Government and money made out of it, such as brushwood or dried trees and so on. As regards valuable trees Government have so far reserved the rights to themselves and the villagers cannot cut those trees without the permission of the Forest Officers or the Deputy Commissioner. Now this resin is being extracted from those valuable trees which have been entirely reserved by Government and which have not been given over to the residents of those villages. It is now for the House to decide whether by a vote on this resolution they are prepared to fritter away their own rights in that manner or whether they would like a thorough investigation made in that matter.

Now, the second point that I should like the House to consider is this. The total amount of money that is being made by the Government out of these forests is a very small one, that is, Rs. 1,547. That sum, if it were to be distributed among all the *khwatdars*, then you can imagine what that will come to. Each *khwatdar* will not get more than, say, a few annas, perhaps one anna or even less. That is a point which is worth considering. On the other hand, you have the danger that if you force the Government to spend the Rs. 1,547 in the way you desire in the resolution then very little money will be left for the Government to develop the industry, and if this industry stops, then a large number of people who are at present being employed by Government in the extraction of resin will all be thrown out of employment. After all they are all Kangra people. I should like the House to consider that matter very carefully and not to give away the State rights by a vote of the Council. Let the matter be thrashed out in a court of law as the learned member suggested.

Mr. H. W. Emerson (Finance Secretary) : Sir, I would like to say just a few words on one aspect of the case. I gather that the members of the House are perhaps inclined to

12 Noon.

the view that Government has been a little hard and a little grasping in dealing with the zamindars of the Kangra district. Some years ago I was settlement officer and Superintendent of the neighbouring State of Mandi, and as part of my duties I was connected with the forest settlement of the State. The actual settlement was carried out by a forest officer of the Forest department, but it was carried out in close consultation with me and the rights of the zamindars were investigated by myself. The rights of the zamindars in the forests of Mandi in relation to the rights of the State are, I imagine, very much the same as the rights which the zamindars of Kangra enjoyed when the British Government succeeded to the Rajahs of the Kangra district. In the Mandi State, and I think in every hill State, the Rajahs very closely and very jealously guard their rights in the forests. They admit as concessions certain rights of user. The zamindars in the Mandi State, unlike the zamindars in the Kangra district, are not owners of the property which they cultivate. The hill Rajahs, certainly of Mandi, and I know also in the Bashahr State and I fancy in most of the hill States, have never admitted any right of property to the cultivator in his land. They have admitted to them certain rights of enjoyment of the produce and in some cases they have admitted what we call occupancy rights. Similarly in the forest they do not admit to the cultivators or occupiers of the land any right of property in the tree. They allow them certain concessions of user such as the Honourable Minister for Local Self-Government has described. Those rights include fuel for use for the cremation of corpses, the right of using fresh wood and dead trees for fuel, rights of collecting certain herbs in the forests, sometimes of cutting grass and sometimes, but not always, the concession of being allowed to cut timber for building purposes for their own houses at concession rates. But so far as I am aware, and I know the settlement of the Mandi and Bashahr States fairly closely, no State has allowed the concession to the cultivators of extracting resin from the forest trees. No such concession is given in the State of Mandi which immediately adjoins the Kangra district and in which the conditions are undoubtedly the same as those which obtained when the British Government took over the Kangra district. The idea, therefore, which I think may influence the feelings of the members of this House, that the British Government has in any way treated the zamindars of the Kangra district more ungenerously than the neighbouring Rajahs are treating their subjects in their States is entirely unfounded. (*Hear, hear*). In fact, it is because the British Government has treated the owners of land in the Kangra district more generously than the neighbouring States are treating their subjects that various difficulties have arisen regarding the rights of the Government and the rights of the zamindars respectively in the produce of the forests. I have spoken these few words in order to remove from the minds of the members of this House that the Government has in any way been grasping or unjust in its dealings with the people of the Kangra district. (*Hear, hear and applause.*)

Chaudhri Ram Singh [Kangra (Non-Muhammadan) Rural] (Urdu) : Sir, as far as I can think the arguments advanced against the resolution moved by me are not very weighty. No case has been made out against my contention that the zamindar proprietors of shamilat forests in the Kangra

[Chaudhri Ram Singh.]

district cannot be deprived of their right to a share of the profits accruing to Government from resin. But before I proceed with this subject I should like to remove one misunderstanding which has found its way into the mind of my honourable friend from Hoshiarpur. I want to assure him, on the strength of answers given to my questions by Government, that the zamindars of the Hoshiarpur district have been granted the right of sharing with Government the income derived from resin, and if his compatriots have secured this right by agitating on right lines I offer him and his friends my heartiest congratulations.

Again, the honourable member for Sialkot, has advised the zamindars concerned to go to a court of law and have this matter decided once for all. In reply to this, I wish to point out to him that the people of Kangra district are notoriously poor, and that they cannot afford to have recourse to law, and even if they did go to a court of law, where is the guarantee that these poor people will be able to get justice done to their claims.

Chaudhri Afzal Haq : Kangra district has had the honour of producing two judges of the Lahore High Court.

Chaudhri Ram Singh : We are proud of that, but that does not in any way benefit the zamindars. If the zamindars obtain the rights to which they are entitled, they would surely gain. However, leaving this matter aside I want to remove another misunderstanding which seems to have been created in the Council. It has been said that cows and buffaloes do not feed on trees. I want to tell my learned friends that cows and buffaloes do feed on the leaves of trees and that especially in the winter. I may also inform them that they give more milk in the winter, so it is wrong to say that cows and buffaloes do not feed on the leaves of trees. Again, the Financial Commissioner (Development) was pleased to say that one-fourth of the produce of trees is given to zamindars on the ground that they take an interest in the preservation of the forests. But my contention is that zamindars have a right to the produce of the trees. They regard this share as a right to which they are entitled by virtue of the fact that they are proprietors of the land.

Then it was said that it is rather difficult to distribute the income so derived from resin. I do not see any force in this argument. This income can very well be distributed amongst the zamindars concerned through the agency of lambardars, just as the income derived from the sale of trees is being distributed. It has also been said that these forests have come down to Government from the hill Rajahs of the Kangra district. I do not know anything about Rampur or Bashahr, but I can say with some amount of certainty with regard to my own district that the rights which the people enjoyed under the hill Rajahs were much larger in number than they possess now. When the land belongs to the people and it has been recognised as such by Government, there is no earthly reason why the people should be deprived of anything which grows on that land. If anything valuable is obtained from these valuable trees, the zamindars are certainly entitled to it. When one-fourth of the income derived from the sale of trees is given to the zamindar proprietors concerned, there is no reason why they should not get one-fourth of the income derived from resin, which is extracted from these very trees.

RESOLUTION ON DISTRIBUTION OF INCOME DERIVED FROM RESIN 865
TO THE ZAMINDAR PROPRIETORS OF THE SHAMILAT FORESTS IN
THE KANGRA DISTRICT.

It has been said that after paying the various charges Rs. 1,500 only remain with the Government, and that it will not be quite convenient to distribute this paltry sum amongst a host of zamindars. To this my reply is that, however small the sum may be, it ought to be distributed amongst the people concerned. It would be only doing justice to the claims of these poor people if this sum is distributed amongst them. The Government would be earning the eternal gratitude of these people if it sees its way to falling in with their wishes. I also want the Government not to lose sight of the fact that the Kangra district people helped the Government with men and money during the great war, and it is but reasonable that in recognition of their services the Government should give them their due. I hope the Government will see its way to accept this resolution which does not make any extravagant demand upon the purse of the Government.

Mr. C. A. Barron (Financial Commissioner) : Sir, there is one point which I feel it necessary to attempt once more to clear up before the House decides on this resolution. That refers to the quarter share which is now being described as a *haq*.

When I explained why the grant of this one-quarter share of the income from the sale of trees has been originally made, I asked whether I had made myself clear. No one in the House at that time asked me to give any further explanation of this grant of one-quarter share of income. If it was the *haq* which the honourable mover of this resolution now makes out it is, it would be a long standing right. But up till 1897 this one-fourth share was not given to the zamindars. It was as I said a device introduced in the settlement of Mr. Anderson in order to attempt to associate the people in the preservation of their trees. It is rather a curious result of that officer's attempt to be far-seeing and to give the people an interest in the preservation of their trees, that it should now be twisted round as a *haq* to which they are entitled, whether they help in the preservation of the trees or not. As a matter of fact, the fact that it is not a *haq* is clearly shown by the condition that if a village misbehaves and allows its trees to be damaged or damages the trees itself, this one-quarter share of the income is withheld either in whole or in part. If, on the other hand, a village does better than usual, the quarter share may be increased on the recommendation of the Forest Officer and the Deputy Commissioner. I hope I have now made it quite clear that there is no *haq* to this one-quarter share and the analogy that is sought to be drawn with regard to resin, that because the people get a quarter share of the income from the sale of the more valuable trees, therefore they are entitled to a quarter share of the produce of the standing trees falls to the ground. It is hardly necessary to add that a one-quarter share of the profit from resin would come to Rs. 400. It is easy enough to give a village its quarter share in any tree or trees that may be cut within that village, because you then know exactly who are entitled to this quarter of the income. They are the villagers and also I may say the *kamins* who are admitted to have as good a claim as the owners. But if in all the resin operations throughout the year the total profit is only Rs. 1,500, it is very difficult to realise how that is to be distributed all over the district amongst all the owners of the *shamilat* lands.

Mr. President : The resolution proposed runs :—

“ This Council recommends to the Governor in Council that the income derived from resin obtained from the *shamilat* forests of the Kangra district be distributed amongst the zamindar proprietors of the *shamilat*. ”

[Mr. President.]

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION 72 FILLING OF POSTS BY OPEN COMPETITIVE EXAMINATION.

Sardar Ujjal Singh [Sikh (Urban)]: Sir, I beg to move:—

"This Council recommends to the Government that in future all posts under Government in all departments should be filled by open competition as far as possible and where this cannot be done and selection has to be made the most highly qualified candidate should be selected without regard to caste, creed or colour."

Sir, the resolution that I have just moved, formed the subject of discussion yesterday on the police grant and on the adjournment motion. I deliberately refrained from taking any part in the debate yesterday and simply played the role of a judicial listener as the House was to have a full opportunity of discussing this resolution to-day. The existing system of recruitment to services, with some wholesome exceptions, is based on nominations by communal considerations. This system is open to various objections. The first objection is that it results in a lower standard of efficiency in services (A voice: Question). It means in plain English that an inferior man is placed in a position where a better man is available. The Government of India in their report to the Indian Franchise Committee suggested the lines of legislation with regard to recruitment of provincial services and the first suggestion that they made was to secure the selection on the widest field on merits and qualifications and to reduce the risks of nepotism. That suggestion has not been acted upon to any great extent. Sir, a bad doctor is a source of inconvenience and embarrassment to all whatever his creed or colour. But this communal outlook prevents us from realising to the fullest extent the harm that an inefficient man in service does to the State. I submit that efficiency should not be sacrificed at the altar of communalism.

My second objection to the existing system is that it puts a premium on one religion against another, on one community against another community. If a candidate with the highest qualification is rejected on the ground that he belongs to a particular creed or a particular caste, it is only natural that he feels himself and his community greatly humiliated. By this patronage of one community, Government unconsciously and indirectly promotes the cause of one religion and of one community. Sir, since the proclamation of the Great Queen Victoria Government has pledged itself not to interfere in any direct or indirect manner in the religions of the people. But this is unconsciously and indirectly done when the method of recruitment on communal system is adopted.

My third objection is that this system feeds on favouritism with all the demoralising consequences on the candidates and on the people at large. The Indian Franchise Committee pointed out that the aim with regard to recruitment to provincial services should be to eliminate the element of patronage and to establish a system of appointment by examination before or after selection or where appointments are made direct to set some external authority for the purpose of advising.

The existing system, to quote the words from the Public Services Commission report, encourages servility among the applicants and is at the root of the prevailing hunting for certificates, which every self-respecting Indian anxious for the maintenance and development of manly independence in the youth of the country now denounces. This does not end here. This system is doubly cursed; it demoralises him that gives and him that takes. If India is to grow up into a self-governing country and a self-respecting nation, a system of recruitment should be adopted which does not lead to the encouragement of a spirit of servility or moral weakness in the rising generations.

My fourth objection is that this system of recruitment on communal lines is a serious impediment to the growth of nationalism and citizenship. In the debate of yesterday, my honourable friends from Sialkot and Lahore very candidly admitted that the question of loaves and fishes is mainly responsible for the present deplorable communal bitterness. I entirely agree with them that it is the immediate underlying cause of our communal trouble. But I cannot see eye to eye with them in regard to the remedy they suggested. By the remedy they suggest this evil is perpetuated rather than eradicated. Their argument runs in a vicious circle. This craving for communalism started with the inauguration of reforms scheme. The first outcome of the reforms scheme was the representation in various legislatures on communal lines. It percolated to local bodies and to educational institutions and ultimately to every phase of civic life. But, Sir, I ask, has this produced good-will? Has this produced amity and good understanding between the communities? I say emphatically, no. To hope to achieve good-will by satisfying this craving is as impossible as the hope to quench the craving of fire by adding fuel.

Another thing is that there is no end to this sub-division, and we do not know where it would stop. We will distribute posts first on communal lines between Muhammadans, Sikhs and Hindus and Christians. But it will not end there. Then there will be other sub-divisions, such as agriculturists and non-agriculturists and we have no hopeful signs of these sub-divisions coming to an end. Then, further, there will be Sayads, Shias, Shaikhs, Sunnis, Ahirs and Gujars and various other sub-division and there can be no end to it. We cannot reach a point when we can say, thus far and no further.

The disease requires scraping from the root. It does not require any dressing. It was said yesterday that we ought to create an atmosphere of good-will. But, Sir, I ask: can an atmosphere of good-will be created so long as we are divided into so many communities? We think of ourselves first as Hindus, Muhammadans and Sikhs, and everything else afterwards. The spirit of nationality cannot be developed and self-government advanced if we continue to place ourselves in water-tight compartments. The framers of the Reforms Scheme very pertinently remark:—

"We conclude unhesitatingly that the history of self-government among the nations who developed it and spread it through the world is decisively against the admission by the State of any divided allegiance; against the State's arranging its members in a way which encourages them to think of themselves primarily as citizens of any smaller unit than itself."

[Sardar Ujjal Singh.]

Sir, my community is as dear to me as the Muslim community to any staunch Muhammadan. I fully realise that my community stands to lose if this communal system is dispensed with. If any minority community requires any protection, it is the Sikh community. Even now it is hopelessly represented everywhere, but I submit that the loss to my community will be infinitesimal compared with the great good to the national cause of the country. Another point is the fact that a person who has got an appointment because of his community or of his particular creed or caste makes his outlook very narrow, and he carries that narrow communal outlook throughout his official career. What are the remedies to check the evils of the existing system? The first remedy is that, as far as possible, recruitment to services should be by open competition, and where this is not possible selection should be made on merit and qualifications without regard to caste, creed or colour. With regard to competitive system, I would refer to the report of the Public Services Commission. The success of the system of competition in other countries is a fair guide to us. With regard to the system and experience in England they say:

"Experience of the competitive system has been obtained principally in England. Two important branches of the Indian administration, the Indian Civil Service and the Indian Police Service, are now recruited by an open competitive examination held in London, and a similar method is followed in the case of the Indian Medical Service. Moreover, since the abolition of the system of purchase, commissions in the army in England have ordinarily been given upon the results of such a test. Since 1870 also the British civil service, to the extent, directly or indirectly, of 20,000 posts, has been recruited in the manner. The results of these arrangements have been encouraging. The Indian Civil Service has achieved a distinction equal to that of any other service in the world. The Indian Medical Service has a widely established reputation. The Indian Police Service we were told in India, has been much improved, though how far this is to be ascribed to the merits of competition itself, and how far to the abolition of the specially unsatisfactory form of nomination which preceded it in this service, is a point on which full agreement has not been reached."

Then again they say:

"With the progress of this development the efficiency of the service has grown until at the present time the State possesses a body of public officers who are far more competent and zealous than their predecessors, appointed under the regime of patronage, are stated on official authority to have been. We have no doubt whatever that to this highly satisfactory result the system of competitive examination has mainly contributed. The system has, in our opinion, entirely justified the expectations of its originators. It is true that it has never been, and is not now, exempt from hostile criticism, and we do not affirm that the written examination is an infallible or a final test of the best results of education. But the defects attaching to the system, which we shall in due place examine, are, perhaps, susceptible of some mitigation. In existing political conditions, and in such developments of them as can be reasonably anticipated, we believe that the advantages of the system of competitive examination as a means of recruitment for the civil service far outweigh any defects which have come to our notice, and we are convinced of the importance not only of adhering to the system, but of extending it whenever possible."

Sir, it is true that literal test is not the only criterion. And in some services nomination has to be resorted to. But, I submit that the system of competitive examination should be extended and given a greater chance than hitherto when facilities for education are fairly widespread.

Then the second remedy is that where a competitive examination is not possible, selection ought to be based on merits and qualifications of the candidates and not on any other extraneous considerations. With regard to selection, the Public Services Commission suggested some safeguards

that are absolutely necessary in making selections. The first was the importance of the selecting agency, second, the publicity given to the vacancy and, third, the credential of a candidate submitted to expert scrutiny and, fourth, outside pressure should not be brought to bear, and, fifthly, a minimum educational qualification. The Indian Franchise Committee further suggested later on :

"The Public Services Commission have proposed not merely that for certain services examinations should be held in India, but that to a great extent direct appointments, on the advice of Selecting Committees, should also be made. For the former purpose no agency exists and some agency must be set up. As regards nominations the need for regulation is obvious. The present distribution of patronage, however conscientious, does not escape criticism, and is extremely laborious for which reason it is very desirable to set up without delay some more impersonal method of selection."

I assure the House that I have brought forward this resolution with no other object than to ensure greater efficiency in services, to eliminate the element of patronage and to provide equal opportunities for all, high or low, of whatever caste or creed, and, lastly, to nip the evil of communalism which has made life in this province very unpleasant to the shame and disgrace of us all in the eyes of the civilised world. With these few words I beg to commend this resolution.

Mr. President : The resolution proposed runs :

"This Council recommends to the Government that in future all posts under Government in all departments should be filled by open competition as far as possible ; and where this cannot be done and selection has to be made the most highly qualified candidate should be selected without regard to caste, creed or colour."

The question is that that resolution be adopted.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu) : Sir, I mean to discuss the resolution which my honourable friend Sardar Ujjal Singh has moved from two stand-points : (i) the spirit of the resolution and (ii) the wording. Talking of the first point, I submit that the resolution tends to keep the monopoly of the class, which has been holding it so far, in tact in the services under the Government even to the point of setting at naught the resolution of the Punjab Government issued in the Circular of 1919. I will not say anything in detail about the monopoly and the men who hold it. It is abundantly clear that a class of people hold almost all the posts under the Government to the entire exclusion of the others.

(A voice : Which is that class).

That class is the class of non-agriculturists. In the Pre-Reform Council, in 1919, a resolution was passed under which the Government decided to give certain concessions to zamindars. But ever since then the non-zamindars have been opposing this as they have been doing in connection with the Land Alienation Act though in this particular case they have done so with much greater success. This is the spirit of the resolution. It will tend to keep the monopoly of one class over the services under the Government, and to shut out the 90 per cent. of the population who sweat and toil for the rest. This, I submit, is highly unjust.

I now come to the wording of the resolution. It is suggested that there should be an open competition. But it has not been explained what sort of competition it will be. Will it be a competition for the test of intellectual powers, physical powers, morals or services rendered to the State. If the test

[Chandhri Duli Chand.]

is to be confined to the testing of intellectual powers alone, then, I submit, that it would not help us everywhere. Take the case of admission into the veterinary service. If we admit a weakling only because he is an intellectual giant, the moment he goes near an animal with long horns and the animal frowns at him he will jump away from the animal and will never come near it. How will intellectual powers help him in that department? It has not been explained what sort of competition is wanted. There are departments in which the intellectual powers are really very much in need, but there are other departments in which only strong physical powers will be a great asset. Take the case of the army where if we were to recruit people only on the score of their intellectual powers we will be disappointed like a Maharaja of Kashmir, probably Maharaja Gulab Singh, who seeing that the Kashmiris were a beautiful people ordered that they should be recruited in the Army. But when ordered to proceed against the Pathans, they requested that a few Gurkhas or Sikhs should be recruited so that the Pathans may not take their arms away. It should therefore be made clear in what departments they should prefer people with higher intellectual qualifications and in which others regard should be paid to the physical or other qualifications.

Then, Sir, it has not been mentioned how the competition should be held. But these are matters of detail and I leave them aside. Again the honourable mover of the resolution wants an open competition to be held. Does he mean by open competition that even foreigners like Europeans should be included in the competition? If the competition were to be open to everybody where will the Indianisation go? I am sure you will have practically all Englishmen in the services. By demanding open competition, we are simply insulting our leaders who have been crying for Indianisation. I know that the honourable member has made provision for nomination as well. But, Sir, who is to determine the efficiency? Is it to be left to those who already hold the monopoly? Or is it to be left to the clerks of the Secretariat? The words that look most surprising to me are "caste, creed, and colour," the exclusion of colour prejudice as well. This, in simple language, means that we Punjabis who are educationally most backward, will have to go to the wall, and you will see Englishmen and probably Bengalis and Madrasis occupying all the posts under the Government. Punjabis will find no place. We shall be required only in times of war and commotion when we have to shed our blood, but when it is time for tasting the fruits of our sacrifices, others will step in. If this is to be the state of affairs, why not let intellectuals do the fighting as well? I submit, it is not patriotic to say that appointments should be made without any regard for a man's nationality. Delete these words at least. Then, Sir, there is the word caste. We pay due regard to the candidates' caste and we must pay it. Only those should go into the police, army, veterinary services, etc., who belong to such tribes as are physically strong. Recruit the physically weak tribes in the army and see how they cause the ruin of your country.

There is yet another aspect of the case. The honourable mover has stated that although by competition Sikhs will have to lose and will have very little representation, yet he is prepared to sacrifice the interest of his community at the altar of the general good of the nation. But, Sir, I submit that the Sikhs in general have very little to lose. Only Jat Sikhs will have less

representation in service by competition. The same will be the case with Hindu Jats, among Hindus. You will find very few Hindu Jats Ahirs, Gujars and Bajputs in services under Government. The honourable mover has quoted from the Report of the Royal Commissions. But, Sir, the views of these Commissions are the views of the papers or of the few witnesses who give evidence before them and who unfortunately represent not the 90 per cent. of the population but only the 10 per cent. of the people. Look at the Royal Commission on Agriculture. There is not a single statutory agriculturist on it. Nor was there any on the Commission referred to by the mover, and I am afraid, there will be none on the Royal Commission on Reforms.

(A voice : Shame, shame).

Yes it is very shameful. The leaders should strive to lift the 90 per cent. of the population. Then only can there be any real progress in the land. India lives in villages, and in the improvement of the rural conditions only lies the secret of India's progress. This resolution does not voice the feelings of the Indians in villages. I, therefore, oppose it.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, I admit that the honourable mover really believed that the resolution if carried out will create an atmosphere of amity and love and will root out the spirit of communalism from this land. But in my humble opinion this will, on the contrary, fan that fire still stronger. The whole cause of the present trouble is this question of loaves and fishes of appointments. Everybody wants to have a share in the administration of the province. But, Sir, will this resolution give the different people their due share of the appointments. Look at Madras, the Brahmans have monopoly in all the services. In fact a friend of mine told me that he believed that the whole of India was for the exploitation of the Brahmans.....

Khan Bahadur Nawab Muzaffar Khan : And also for the Sayads.

Sayad Muhammad Husain : No, Sayads are forbidden from accepting any charity, so that they may not become Brahmans of Islam. Here in the Punjab we have *banias* in all the departments from top to bottom. They want to take everything for themselves. Will the resolution break that monopoly.

Then, Sir, these competitions are no good tests. We know so many I.C.S. men and other candidates who have topped the list in different examinations proved utter failure in the actual performance of their duty. Sir Michael O'Dwyer in his book "India As I knew it" wrote that his teachers considered his class which included very famous men, men who became subsequently Governors, as the most wretched class. But, Sir, how these wretched students turned out to be the most successful administrators of their times.....

Raizada Hans Raj : No, Sir, the opinion of the country is with the teacher.

Sayad Muhammad Husain : No, Sir, they were considered the saviours of the Empire.

Let us proceed further. It is suggested that all appointments should be made on the result of an open competition. But, Sir, what sort of competition will you hold for recruitment into the co-operative department. This

[Sayad Muhammad Husain.]

department seeks to save people from the clutches of the *banias*. It exhibits films and carries on propaganda for the achievement of that end. Now will you succeed in your efforts by appointing as a result of competition those very men from whose clutches you want to save the people. The same will happen in the Department of Agriculture. People who never possessed an inch of land for generations, will secure all the appointments. They are there even now, but they will come in much larger numbers, and this department will meet with failure. I know that even now the money is not being properly spent. For as long as you do not appoint the very men for whose good you run the departments you cannot succeed. I can, however, understand if competitions are held between Hindus to select Hindu candidates and between Muhammadan candidates to select Muhammadans and soon.

The matter of appointments is in the hands of the Government. They should in order to stop all quarrels between the various communities not only oppose the resolution but also should give due representation to every creed and community in the services under its control. As long as this is not done you can never achieve peace and love and unity by means of these resolutions and speeches. (A voice: But speeches are delivered to create discord and disunity). The strength and stability of the Government in this country rests on the equal and fair distribution of services among various communities. In this alone rests the good of the Government. Otherwise the Government itself will be endangered. See how the trouble first rose between the two communities in Lahore, and now it has fallen on the head of the Government. These communities can reunite, as they did once before, and then they will shake the foundations of the Government.

Then, Sir, outsiders will come into the competition, and will you like to see the Punjab ruled over by the Madrasis and others?

1 P.M.

At this stage the Council rose for lunch till 2 P.M.

The Council re-assembled after lunch at 2 P.M. Mr. President in the chair.

Sayad Muhammad Husain [Montgomery, (Muhammadan), Rural] (Urdu): As I was saying, Sir, before we rose for luncheon, the resolution before the House is not going to ease the present situation.....

Mr. President: Order, order. The honourable member is informed that he can speak only for 15 minutes, not 15 minutes to be reckoned afresh but including the period he has already taken.

Sayad Muhammad Husain: I will only take 5 minutes more, Sir. (Continued in Urdu). Sir, the resolution, therefore, is not acceptable to us particularly at such a critical moment when the communal riots are taking place for no other reason but because of the desire of each community to receive a due share in the public services. Instead of bringing forward a resolution asking the Government to equalise the number of the members of different communities in different departments of the Government, the honourable mover has brought forward a diametrically opposite resolution. If this resolution is accepted, that section of the population, which is far

advanced in education, is sure to monopolise all the services if it has not already done so. The other natural result that will follow on the acceptance of this resolution is that the backward classes and particularly the untouchables will be deprived of their due share in the services for ever. It is a matter of common knowledge that these classes are backward in education, so much so that if they were to take to educating themselves to-day, it will take them at least 50 years to come up to the desired standard. It is neither reasonable nor expedient to leave the administration of the Province exclusively into the hands of one section of the population, and knowing it to be so, we cannot reasonably give our support to the resolution before us. The justice, on the other hand, demands that the greater share of the services should now go to those classes of His Majesty's subjects who are at present poorly represented in them, and to achieve that object it is essential that the power of making of appointments in the different Government departments should continue to rest with the Government. This will allow the Government to make up the deficiency in the numbers of any community in a public service by nomination and selection as is done at present. The fear of efficiency of the services suffering does not exist any longer because the Government has now prescribed that in higher and more responsible services such as P.C.S.² at least graduates should be taken.

Then I oppose the introduction of the system of competitions on another important consideration. In these days of keen struggle, the candidates intending to sit in the competition examinations have to work very hard. In their attempt to come out successful most of them lose their health, and almost all of them their eye sight. Their vitality is gone, and before they enter the service, they become physical wrecks and as such they can not prove very useful for the purposes of administration. Besides there are certain departments of the Government, such as Co-operative Societies and Agriculture, where only men belonging to particular classes can prove useful. Therefore the interests of such departments are sure to suffer if the system of open competition is introduced. We have already many grievances awaiting redress. Our greatest grievance is against the administration of the High Court. If you will excuse, Sir, the repetition of what I said yesterday, I will ask those members of the Council who are to-day waxing eloquent in support of the resolution, in how many money suits the Sub-Judges in the Punjab reduced the rate of interest in exercise of the powers given to them under the Usurious Loans Act. The records will show that the provisions of the said Act were availed of only in few cases, and why, because most of the Sub-Judges happen to belong to the community which will never sympathise with the agriculturists and, for that matter, with the debtors. Do you want to introduce competition to make the situation still worse? We want that a commission should be appointed to enquire into the present working of the High Court. We want that our existing grievances should be removed, but in direct opposition to our wishes the system of competition is sought to be introduced. That is far from fair. With these few words I oppose the resolution.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, no doubt a good deal of sympathy will be felt with the objects of the honourable mover of this resolution in several directions. Sir, in the first place he obviously aims at trying to secure the maximum efficiency in the

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services. In the second place, Sir, he desires to root out nepotism and favouritism. In this desire I am sure the whole House is with him; and behind his general proposition there is a good sound democratic ideal of equalisation and giving a fair field to all talents. Now, Sir, let me explain in some detail the principles which it has been the policy of the Government to follow in making recruitment to the provincial and subordinate services. Among these, first and foremost comes the consideration of efficiency. This must always be a paramount consideration, as any deviation from it results in a deterioration in the standards of administration and waste of public money. It is useless to recruit a person who is not qualified for the duties entrusted to the services; but it must, at the same time, be remembered, as one honourable member has observed, that 'qualifications' is a term which not only includes educational and scientific attainments but also includes other characteristics, such as in the case of some services, strength of character and in case of some services, special physical fitness and general alertness and general intelligence which is not always the same thing perhaps as mere educational attainments. In the second place, as I said yesterday, always bearing in mind the supreme need for efficiency, Government aims at avoiding the undue preponderance of any one class in the public service, to the prejudice of the reasonable claims of other classes of the community. This is the ideal to which we work, some honourable members may consider unsuccessfully, but nevertheless let me assure them that we do work sincerely and constantly to try to secure this principle.

Now, Sir, the latter consideration has got a very long history behind it. I need not travel through all the pronouncements of Government from time to time; but I should like to remark upon some of the most salient so that you may see that a perpetual principle has been in operation practically from the beginning. When British rule first began to expand in India it was found that ministerial and administrative functions in India were largely concentrated in the hands of a privileged and special class. As early as 1833, long before the Crown assumed direct responsibility for the Government in India, the famous pronouncement was made by the Governor-General in Council that "there shall be no governing class in British India, and whatever other tests or qualifications may be adopted in the public services, distinction of caste or religion shall not be among the number." That, Sir, put the axe to the root of the tree of monopoly and privilege. Leaving aside the consideration of relevant principles in Queen Victoria's Proclamation to which one honourable member alluded in his speech, I next pass to the published conclusions of the Government of India on the recommendations of the Public Services Commission of 1911 which, summed up, were to the following effect: You should get the best men available for public services in India and you should not allow the predominance of a class or caste in Government service. (Hear, hear). Twelve years later, in 1928, there was a very important debate on this subject in the Central Legislature and Government accepted the resolution of a private member which was framed in the following formula: Government should take steps to see that the services are not unduly over-weighted with representatives of any one community, but that as far as possible the claims of all communities are considered. With that resolution the Punjab Government was in entire agreement. The spirit of it indeed ran through the resolution of 1919 which

has already been quoted by the honourable member from Karnal. To this resolution we still adhere. The zamindars were considered to be the most numerous class in the province and they paid the bulk of the taxes. We considered that they had insufficient representation in the Provincial and Subordinate services; and that resolution aimed, always bearing in mind the question of efficiency, at securing that where there were suitable men of that class for any particular service or posts recruitment from that class thereto shall proceed in certain percentages. No doubt, Sir, if favour is to be completely avoided, the ideal would be to have competitive examination in as many cases as possible and in the majority of cases and in other cases to have selection on the advice of a Public Service Commission. But, Sir, until there has been a more general spread of education, until there has been an equalisation among all classes of opportunities for education and training, performance must fall short of the ideal because by the use of competition alone the reasonable claims of many communities will be in danger, and there will be a risk of reverting to that system of monopoly and privilege which was rightly condemned nearly a hundred years ago.

Sir, we already resort to competition in several cases, as, for instance, the P. C. S. But it is competition accompanied by and tempered by selection. We have recently substantially increased the proportion of places to be filled in this service by competition. But we still feel that in order to secure the best composition of the services, we must retain some element of nomination also so as to make the services really representative and efficient for the purposes of administration and sympathetic and responsive to the needs of all classes in the province. We are anxious to expand that system of competition subject to this limitation and the safe-guards regarding the proper composition of services, and we shall continue to take steps towards this end. I may remind the House that the Secretary of State and the Government of India have felt just the same difficulty as we have. In the Allahabad examination for the I. C. S., as honourable members are aware, a number of places are reserved to be filled by nomination from candidates who although not successful in competition stand high on the list. I think with two exceptions all recent Punjabi recruits to the I. C. S. through the Allahabad examination have got their places by nomination, and if this nomination system did not exist there would have been practically no Punjabis in the I. C. S. as a result of the examination alone. The theory is that India wants Indians in the I. C. S. as representatives of the communities in India generally. If competition results alone had been followed, the I. C. S. would be mainly representative of the southernmost province in India. The candidates of that province almost invariably secure the top places in the list of examinees. As regards efficiency, we recently markedly raised the educational standard necessary for the qualifications for admission to the various services, and we intend to continue to do so in this province as education expands so as to secure the maximum of efficiency in the services.

While I admit that the honourable member has qualified the first part of his motion with the words "as far as possible" he has nevertheless made it very embracing in that he has laid stress on making his system of competition apply to all posts in all services. I think honourable members will realise that this is not a practical proposition. The Government employ a vast multitude of different kinds of employees. Many technical posts require

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such a very high degree of scientific attainment or special experience that we often find it difficult even after advertisements to discover any person with the requisite qualifications; and the holding of a competitive examination in such cases would merely be a waste of time and money. When we advertise for candidates for posts of this nature, the replies often show that there is probably only one candidate or at the most two, who need be taken into consideration at all.

In many cases it would be incongruous to resort to competitive examination, and we should only expose ourselves to derision and ridicule if we did so. May I take an example concerning which a supplementary demand has been moved during the present session of the Council? We at present require a person with sound experience of banking to assist the Registrar of Co-operative Societies with expert advice on the banking side regarding the provincial co-operative banks or the central banks which are rather technical mortgage banks. Now, Sir, I ask you, will any banker of established reputation and with considerable number of years of experience think it worth his while to leave his strong room and ledger and sit down for an examination at this time of his life.

Take another instance. We want a public prosecutor. We know the qualifications of candidates. We know whether the man has passed his M.A.; whether he has passed his B.A. and in what division; and we also know how he stood in his LL.B. list. Are we going to force the candidates to sit again for a book examination, a sort of super LL.B.? All that we really want to test is their actual experience in courts, their trustworthiness and their forensic ability. Are we, Sir, to set down to a competitive examination to ladies who teach knitting and hosiery to the female convicts in the female jail? Are we to sit down to an examination the carpenters who impart manual dexterity in their trade to vocational classes? Are we, Sir, to hold a competitive examination for peons in insomnia and in resistance to taking vails? Are candidates for the post of foot constables to enter a sort of Marathon race to prove their ability to run down criminals? Are Mukkadams to vie with each other in a contest with the plough?

There is another difficulty, Sir, which I foresee; if pure competition is resorted to, I suppose the honourable member means competition by persons from all over the province (A voice: all over the country). I am giving a more reasonable interpretation. There are what I may refer to as district places: there are a lot of small posts at head-quarters of districts and out in the districts and tahsils. No very high degree of qualification is required for them. The indigenous product of the district thinks that he has a claim to posts in his own districts. Many parents have slender means. Many districts are backward in education compared with others. The country is usually behind towns. Many persons are unable to educate their children up to that point where they can compete for posts requiring the highest degree of qualification, e.g., the provincial posts. But they do justifiably expect that their sons' claims may be considered in the place of their birth in preference to those of people outside the district. Yet, if these district posts were open to general competition, they would probably go to persons mainly from towns outside the district. Such a result, I think, might create consternation and dismay.

If opportunities were equal, competition would be the fairest field for all. Some day it will be ; but meanwhile the general interest seems best served by the present policy of Government, and I will once more formulate that policy very carefully in greater detail.

The policy is —

- (1) always to keep the supreme need for efficiency in view, that is, efficiency in the fullest sense ;
- (2) as education progresses and spreads, to continue to raise as far as may be practicable the minimum educational requirements of various posts ;
- (3) to employ the element of competition as the test wherever the best interests of a service render it possible ; and
- (4) in all cases so to conduct recruitments as to avoid any undue preponderance of any one class in the public services to the exclusion of the reasonable claims of other classes of the community.

Sir, that formula represents the present policy of Government and it represents the policy which the Government will stick to until there has been a widespread change in the composition of what we may call educated classes throughout the province (Cheers).

Rai Sahib Chaudhri Chhotu Ram [South-East, Bohtak (Non-Muham-madan), Rural] : Sir, one of the objects which was stated by the honourable mover of the resolution as his motive in moving it was that the interests of efficiency required that competition should be the method of recruitment to various posts under the Government. I beg to submit that though competition may be a rough guide of the intellectual capacity of various candidates, it is by no means a true index of the real and inherent capacity of those candidates. Again in keeping the ends of efficiency in view, it is necessary to remember that it is not mere intellectual capacity which is the true requisite for every post that is to be filled by Government. There are certain departments and there are certain posts, for instance, the technical branches of services, where competition may properly be regarded as a good method of recruitment for the purposes of efficiency. But there are other departments where real intellectual superiority will not serve the best interests of efficiency. After all efficiency requires not only intellectual capacity but also the possession of certain moral qualities which may be lacking in a man who may be intellectually a very good man. For instance, the quality of courage and capacity to handle and control men, driving power and power of initiative may be lacking in a person who has high intellectual attainments. Can my honourable friend really contend that a competitive examination will be any index to the possession of these qualities in any particular candidate.

It will be readily conceded by all reasonable men that there are a large number of posts under Government which require these qualities much more than the mere possession of intellect. Then I will just take one more department. Take the department of police. Everybody who has any experience of examinations will admit that the results of university examinations are to a very large extent influenced by the number of marks which a candidate is able to secure in mathematics, and mathematics is really a subject

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in which you can secure almost cent. per cent. marks. A man who can secure cent. per cent. marks in mathematics or 90 per cent. of marks in Sanskrit or chemistry will be of no use as a Sub-Inspector or Inspector of Police who has to arrest a gang of dacoits or to raid a den of robbers. Unless that man possesses a certain amount of physical courage and knows how to handle and control men, he would be a complete failure even though he may intellectually be a very superior man. Take another instance, the executive branch of the provincial service. Magistrates have very frequently to deal with unruly mobs. Will a man who has done very well in mathematics be able to control huge numbers of men who are determined on a fight? I do not mean to say that every man who is good at mathematics or good at languages will necessarily lack the qualities of manliness, but I beg to submit that the mere fact that a man can shine in mathematics, chemistry or Sanskrit or Physics will not necessarily possess those qualities which are required in officers who have to deal with men, control men and require pluck and nerve. My friend on my right reminds me that mathematicians have very little of commonsense (*laughter*). That may or may not be true, but if it is true I beg to submit that a mathematician will fail very miserably when it comes to dealing with acute situations. In the accounts branch of the service he will do very well, but when it comes to the controlling of men, to the maintenance of discipline or the getting of work out of subordinates, he will probably prove a failure.

Then the actual wording of the resolution is such that if my honourable friend who moved this resolution were to analyse it and calmly consider what the results would be if his resolution is accepted, he would himself probably try to seek permission to withdraw it. He simply says "all posts under Government" without any reservation. Does my friend really require a competition for recruiting chaprasis? (Sardar Ujjal Singh: as far as possible). Does he want a competition for mukaddams, foot constables, just as the Honourable the Finance Member brought out in his learned speech? Then again will he introduce competition for the recruitment of High Court Judges? (*Laughter*). He has made no reference to that. (A voice: what about Ministers?) If mathematics is to be the criterion of the ability of a man, he would prefer Ministers to be recruited by competition. So, I was saying that if my friend were to analyse the wording of his resolution, he would not like it after he had given it careful thought. All posts cannot really be thrown open to competition, some posts at the top very possibly will have to be filled up by selection and nomination. Most of the posts at the lowest rung will have to be filled up by selection and nomination, in any case. Then again he says "open competition." If the ordinary meaning is to be attached to these words, then the result will be that he will not be able to exclude either Madrasis or Bengalis or Biharis or Bombayites from entering the competition and if Bengalis, Madrasis and Bombayites are allowed to compete freely, I think very few Punjabis will be able to enter any department (A voice: Shame) and the province will be deluged with Bengalis and Madrasis. That would be a result which will not be viewed by any member with equanimity. The mover of the resolution will himself dislike these disastrous results.

Then from another point of view I wish to draw the attention of the members of this House to the results of this resolution. If this resolution is

accepted, the result will be the cancellation of the circular of 1919 which prescribes certain proportions of posts which should be given to agricultural classes. Then there is a further consideration which will have to be kept in view before we make up our minds as to how to vote on this resolution. At present there are certain posts which are reserved for His Majesty's Indian subjects. Does my friend want to throw the posts open to everybody wherever he may come from? Will he allow Russians and Germans, Chinamen and Japanese to compete for them? I beg to submit that the resolution as it stands will on analysis be found to be unacceptable even to the honourable mover of the resolution.

I just want to make a few observations with regard to the words which he has used as a guide to qualification. He says that those people only are to be appointed to posts under Government who are the most highly qualified. What is the test? What does he mean by qualification? Does he mean only the possession of a university degree? Does he include under the word 'qualification' those qualities to which I made a reference just now? (Sardar Ujjal Singh: Yes). How are they going to be tested? If there is to be a board to make a selection, then competition goes out. The mere appointment of a board for selection means the exclusion of the idea of competition. I was trying to bring out the absurdity of the results which flow from the wording of the resolution. If my friend had meant only a certain class of posts, he ought to have specified it. He simply says: "all posts under Government should be filled as a result of competition." If he had confined himself to particular posts, he could have reasonably made the remark which he has made now, but as his resolution covers posts of all sorts and of all classes he will find himself in great difficulty.

My friend also made a reference to the growth of nationalism and an atmosphere of peace in the province which he thinks has been seriously disturbed on account of the advent of communalism, and by communalism he meant, I think, the giving away of a certain portion of Government posts to certain classes or communities along with those who had a monopoly of those posts in previous years. If my friend means by the growth of nationalism the monopolisation of Government service by any particular class, I am afraid that nationalism will have to be killed and put an end to. That is not nationalism, that is monopolism. If he really wants the growth of nationalism in this province, then he ought to allow a fairly large proportion of posts to go to that section of the population of this province which really forms the backbone of the province. Ninety per cent. of the population has gone without really any share in Government posts. It is only the remaining 10 per cent. of the population which has in past years monopolised almost all the branches of public services in this province, and if by nationalism he means the monopolisation of public services by that particular section of the population, I am afraid that nationalism will be killed, ought to be killed, and it is the duty of everybody to kill it.

Then he also made a reference to the necessity of creating an atmosphere of peace. Does my friend mean the peace which comes from the slumber of 90 per cent. of the population and the usurpation of their rights by the remaining 10 per cent. of the population? That would be peace indeed! When a large section of the population is not conscious of its rights, the advanced portion of the society may usurp their rights, may monopolise all that

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is good in this world. But as soon as consciousness of their rights springs up in the heart of the backward portion of the population, peace can only come if you concede to them their due right. The best means by which peace can be promoted is to concede to them their reasonable share of all the good things of the world. Backward classes form a very large and important portion of the population, it is a portion of the population which contributes the bulk of public revenue, and it renders services of the highest order, when Government stands in need of those services. I think there ought to be a frank admission of the claim of this large portion of the population before any peace can be attained. If they want peace, let it be on fair and honourable terms, let it be on the frank recognition of the just rights of others. There can be no peace, there should be no peace on the basis of the monopolisation of all power and of Government posts by the 10 per cent. of the Punjab population. My humble submission is that if you want peace in this province—and I think everybody wants it—the only method to attain it is to concede the just rights of all classes of the province and not by making an attempt to secure all Government patronage and official leaves and fishes for the benefit of a very minor portion of the population of the province.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural]] : Sir, I congratulate Sardar Ujjal Singh for having given us an opportunity to discuss one of the most momentous and vital problems which confront us to-day. It must not be forgotten that the mover of the resolution belongs to a community which is a minority community in this province. I also belong to a community which is a minority community. I really consider it a great step in the right direction which the minority communities are taking when they are supporting the resolution which the honourable mover has brought forward before the Council. I am afraid that the spirit of the resolution has not been understood by the gentlemen who are opposing it and also, I make bold to say it, by the honourable member who spoke on behalf of the Government. If you were to read the resolution very carefully you will find that the honourable mover nowhere says that all the posts are to be filled by competition entirely. He says "where competition is not possible selection is to be made of the most highly qualified candidate without regard to his caste, creed or colour." The most important point in his resolution is the exclusion of the considerations of caste, creed and colour in the matter of appointments to public services. Now, Sir, if you are talking of nationalism, if you are talking of democratic form of Government it is necessary that you should cease to think as Hindus, Muhammadans and Sikhs as such; you must think as citizens of the Punjab; and that is the spirit of this resolution when Sardar Sahib says that appointments to the posts under the Government should be made not on the ground of caste, creed or colour, but on considerations of merit and efficiency alone.

Now, Sir, it is true that in most of the appointments in some of the departments literary qualifications alone cannot be taken into consideration. So far as I am concerned I am prepared to go so far as to say that the Government should lay down a test for selection for posts. Say, for instance, in the matter of employment in the police department the test of weight may be fixed. Say that a man should weigh three maunds, or four maunds or even five maunds if he is to be appointed in the police department. That would be a test. What I mean is that a certain test should be fixed. We

are not afraid if the test of physical fitness or ability to ride a horse and so on is fixed. But don't go merely by the consideration of caste, creed or colour. Fix a standard, fix a test, and if anybody comes up to that standard he must be able to get the post.

Sir, only the other day the whole population of India, the vocal population I mean, was condemning the Government because appointments were made on the ground of colour because the Government made racial distinctions. It was stated by the various people from various platforms that Europeans are called in to fill the posts while the highly qualified Indians are entirely ignored. Government has conceded that principal in various matters and the Government has accepted this principle when it proclaimed that most of the posts shall be open to men of ability who come up to a certain standard. I think it will be wrong if after having ruled out racial considerations posts were now to be given on the basis of creed. The honourable mover was perfectly correct when he said that while to-day you have fights between the Hindus, Muhammadans and Sikhs for these Government posts, a time will come, why, it has already come, when every caste will clamour for the posts under Government on the basis of castes. Some gentlemen say that 90 per cent. of the population live in the villages and by that 90 per cent. of the population they mean particular caste or castes. But what about those castes, those men who are lowest in the scale of society lower even than the so-called agriculturists? There are seven crores of them in the whole of India. Are you going to reserve certain posts for them? Then there are a large number of people who are landless, who are not zamindars, who do not own an inch of land. Do they not require the greatest protection and encouragement. They have not got land to fall back upon, they have not got any other means of livelihood; and it is they who ought to be selected for these posts where educational or other qualifications are not required. Why stick to the circular which makes the landed classes the proper persons to be given Government appointments. If any consideration of equity or justice were to prevail, the landless classes ought to be the classes which should be given greater preference in those services where educational and other tests are not required. (*Hear, hear*).

Sir, we have to follow in the wake of those nations who have achieved self-government. There was a time in the history of England when the Roman Catholics did not get any posts, when they were disallowed from entering the higher ranks and even the lower ranks of Government service. It is the same sort of thing in India that is taking place, the same kind of feeling prevails here. There is a clamour for communal representation in the services on the population basis, a thing unheard of in the civilised countries of Europe or America to-day. That is an impossible thing. If you were to examine the history of the Punjab during the last five or six years, you will find that the efficiency of the services has gone down, that corruption has increased, and that communal considerations prevail in all departments, and this is the result of the policy which some honourable members would like the Government to pursue and the Government unfortunately is pursuing to a certain extent. There can be only one method to avoid this communal tension and to avoid this clash between caste and caste and between creed, and creed and that is the one which the honourable mover has rightly placed before the Council for its acceptance. I do not

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think that this will be accepted as the majority of the members here are in favour of caste or class divisions. But it is a bold step which the honourable mover of this resolution has taken and we, the members of another minority community wholeheartedly associate ourselves with this resolution. We are not afraid of competition, and for the matter of that I do not see any reason why any particular community or caste should be afraid of accepting this resolution. If it is fixed that all posts are to be filled on considerations of ability, character, or physical or moral fitness and if as a result of such a decision all the posts go to Muhammadans I would not mind. (*Hear, hear.*) I do not mind if all the posts go to Christians. But what I want is that these considerations of caste and creed and colour should not be imported, because they are leading to favouritism, they are leading to lack of efficiency in the services (*hear, hear*), they are leading to corruption on a large scale and the history of the Punjab in a short time will be such that the Government and the people will be faced with a very serious problem which it will be very difficult to tackle.

Now my honourable friend from Rohtak (Rai Sahib Chaudhri Chhotu Ram) said that we cannot have competitive examination here and that we cannot have competitive examination there. But the mover of the resolution definitely stated that where this competitive examination cannot be resorted to, selection should be made with regard to merit and efficiency. He nowhere says that it should be educational qualifications or any other qualifications that should be the test for appointments to these posts. Whatever be the standard, that must be strictly adhered to irrespective of caste, creed or colour. Some of my friends asked, how are these selections to be made? I submit that there should be a Public Service Commission consisting of most honourable men who have got reputation for fair play and justice. (At this stage some members interrupted.) Unfortunately there are certain members here who cannot give up their frivolity when discussing momentous and vital questions. Those who stand for good Government and for national progress are obstructed in their work by those who are frivolous and who do not want to discuss this question with any seriousness. But we have to pass through all these troubles. I welcome this resolution on behalf of our party and I can say that we fully appreciate this resolution and we cordially support it.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I just want to add a few words to the discussion that has taken place. Sardar Ujjal Singh has really drawn attention to a very serious problem which deserves consideration of all the Punjabis. The problem before us is to maintain the traditions of the services which has secured for us prosperity, peace and avenues of future progress. We must not in our anxiety to make changes jeopardise the future of the good administration of the province. I can quite see that competition is not at present possible. The policy of the Government has been very clearly stated by the Honourable the Finance Member. But I wish to add that it is a problem which deserves very serious attention of all the Punjabis. It is a problem which will need increased attention in the future. We must save the services from communal bias. (*Hear, hear.*) We must maintain the British character of the administration which has made progress possible. As long as we maintain

that tradition we can certainly secure the future well-being of our province. I think I may say without hesitation that there is a great future before the province if the province will give attention to the practical problems of the day and meet them in a spirit of co-operation and good will, and if any arrangement is necessary on communal basis reach that communal arrangement.

I think one or two suggestions have already been made. One of them is that recruitment to services should be in the hands of the Public Service Commission and that thereby impartiality of recruitment to the services may be secured.

— I will not labour the point because it is a suggestion which will have to be carefully considered.

(A voice : If all commissioners are Europeans then justice will be done.)

3 P. M. I am interested to hear that the Punjabis feel that they can only get justice from a Public Service Commission which consists of Europeans. If the people desire it, the matter should be considered. Regarding what Sardar Ujjal Singh has said about the efficiency of services, there can be no question. What we require is efficient administration and efficient administration can only be secured if you have the most competent men ; physically, mentally, morally, fitted by character, fitted by training to carry on the administration. If you need an officer to disperse the crowds, you need a man who has got sufficient grit to disperse the crowds. If you need the administration of justice to be carried out between man and man, you need a man of character who can deal out even handed justice irrespectively of caste or creed. It is absolutely essential that our service should be efficient, strong, and able to carry on the administration in the way in which it has been carried on for the last 50 or 60 years. Taking into consideration the mental attitude of the people of the province, I feel that the time for introducing competition has not arrived. I would, therefore, request my honourable friend, Sardar Ujjal Singh, not to press the resolution to a division. His resolution has served its purpose. He has drawn attention to a very serious problem and I think he will be satisfied if it receives attention from the House and outside the House because the problem is an urgent one.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan) Rural] : Sir, light has been thrown upon this question from various angles and it has been discussed from various points of view. I shall try not to cover the same ground over again, with regard to efficiency, difficulty in holding competitive examinations for every branch of the public service and so on. I shall merely draw the attention of the House to one flaw, as it appears to me, in the arguments cited in support of this resolution. Nobody doubts that this resolution asks for an ideal state of things in an ideal country and like all ideal things, I am afraid, it is impracticable. Its impracticability from various points of views has been sufficiently demonstrated already. The resolution sounds very well. When it is put in another form, it sounds better still "Fair field and no favour." But what do you call a "fair field?" A fair field is that in which all the competitors are placed on an equal footing, having an equal start and with no handicaps. You have first to remove all the handicaps between the different competitors before you can say that they have a fair field. Now, with regard to competitive examina-

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tions, whatever other qualifications you might bring in, the principal qualifications would necessarily be educational and intellectual? There is no doubt that either owing to the faults of the backward communities themselves or owing to some merit in those communities who have gone forward in these matters, the real state of things, not the ideal state of things, but the real state of things at the present moment is that certain communities have progressed much further in matters educational, intellectual and scientific, than other communities. Now you say 'stop here,' and in order to recruit men to your services adopt the maxim "Fair field and no favour." That is to say, 'Let us have open competition in the present state of things and select the best candidates', knowing all the time—I will not mince matters—being conscious all the time that you will be able to supply better educated and better trained men in larger numbers than the other communities who will have to compete with you. You control the educational institutions in this province; you control the University and you know that it is in your hands to give or withhold opportunities for education and training to those communities who are not educated and trained up to the requisite standards. I shall give you one instance of "fair field and no favour and no communalism", among those who are supporting this resolution. I believe there are 8 Fellows of the Punjab University who are elected by registered graduates. Now the University is a purely educational institution and controls both secondary and higher education in this province. Can a single instance be cited, ever since this election of Fellows by registered graduates was introduced, of a Muhamamaden ever having been elected to one of the eight fellowships? No. That shows what you are prepared to do where you have the power to control, especially in those departments which qualify people for entering into competitive examinations and that is what you call a fair field. So that, it comes to this you go on producing recruits yourselves who will be able to compete among themselves and will be provided with suitable posts in the various departments of Government and the fair field is this, that you do not allow others even to qualify for competitive examinations. That is one instance. Another instance of a fair field is this. My honourable friend, Pandit Nanak Chand says, "You insist upon the special interests of the agriculturists and of the landed classes; but what about the landless classes? You want a preponderance of agriculturists. We want open competition for all. Let even the sweepers and other such classes come forward and have their proper share in the administration of the province." Very good, that sounds, very well, but I ask "Would there be a fair field for these people under the system you advocate or is there a fairer field for them under the system which at present prevails? Now, under the system advocated what do we find? There are hardly any opportunities for education for those landless classes, for those untouchables. There has recently been a case of the admission of a student of an inferior caste into one of the denominational colleges in Lahore, a college belonging to the community which as a community and as a party in this House to-day is advocating the cause of the untouchables. That student was, unfortunately for him, admitted into that institution. Having been admitted to that institution and to one of the hostels of that institution, he naturally had to feed himself and wanted to become a member of one of the messes. But he could not be admitted as his admission to the mess would defile the kitchen.

Lala Mohan Lal : It is absolutely wrong.

Chaudhri Zafrullah Khan : Taking it generally, without quoting any instances, is the community on whose behalf this advocacy of the untouchable classes is being put forward, prepared to allow the children of these untouchables, sweepers for instance, to enter the schools and sit mixed up with the other boys? (A voice : Absolutely, yes). It is a very good sign. But at present what really happens is this.

Lala Mohan Lal : It is happening now.

Chaudhri Zafrullah Khan : When such a child goes to a school there is immediately a cry of "Hari" "Hari" "Hari", and you run away from him. You won't allow him to sit in the class and then you say 'Let him come forward in open competition and compete for these posts if he is qualified.' How is he to be qualified? On the other hand what is being advocated by those who oppose this resolution is this. Government have at present a free choice in this matter. They have laid down certain lines which guide them in making selection for appointments to these posts. If they consider that any particular community ought to be represented in any particular department they can grant special facilities to the members of that community to qualify themselves for those posts and then appoint them by nomination if it is not possible to bring in any of them by open competition. (Hear, hear). Then the untouchables will have a chance; but under your system they would have none. Really the advocacy of these untouchables is a very good thing in theory; but in practice we find that it is that community alone which is advocating in the House the cause of the untouchables which in practice erects barriers against the progress of these communities. Among the Hindu Jats or Sikh Jats or Muhammadan Jats there is much less, hardly anything, of the spirit of opposition towards untouchables as compared with those who live in towns. Agricultural labourers in many parts of the Province are drawn from the sweeper class and Muhammadan Jats, Sikh Jats and Hindu Jats all work with them in the fields without any question of untouchability arising. I, therefore, wish that this advocacy of untouchables were supported by some practical instances in this province; there is no use in merely professing it. Apart from many other considerations which have been put forward in this House in opposition to this resolution or may be put forward by speakers who come after me, I would oppose this resolution on the ground that it is premature, in the sense that you have first to equalise the opportunities of the various communities. You have first to equalise the starting place, as it were, in this competition race. You have first to take away the handicaps. Then and then alone can you insist on this principle being applied. With regard to efficiency you can have a written examination or you can have a measure of weight or other capacities as has been suggested by various honourable members of this House. Or better still perhaps for that purpose some scientific inventor will invent some instrument, some efficiency meter, like the thermometer, by the application of which to a candidate you could at once determine the degree of his efficiency from all points of view and that candidate could be selected who satisfied the test. But that is a consideration for the future. At present you have got to see that you are not carried away merely by the attractive sound of the maxim that there should be a fair field and open competition for

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all. At the bottom of it all you will find that there is no fair field in the real sense of the term. So long as a fair field is not open to us, so long as a particular community monopolises the control of almost every institution, so long as you are barring all the avenues by which we could qualify ourselves, so long will the application of this principle be impracticable and unwise.

Lala Mohan Lal [North-East Towns (Non-Muhammadian), Urban] : Sir, I have listened to some of the speeches but not to all and I rise to reply to some of the remarks made by my honourable friend from Sialkot. He said that the Hindu community which wants to keep a monopoly of all the posts advocates untouchability. He complained that the Hindus would not admit the depressed classes into their fold. As an illustration thereof, he cited the example of what occurred at the D. A. V. College, Lahore. The real facts are these. An untouchable was admitted into the College, and the servants, over one hundred in number who were employed in the College refused to serve the untouchable in the kitchen. The D.A.V. College authorities said to the servants: "You go to hell, we are not on your account going to turn out the so-called untouchable." My submission is that my honourable friends are not right in accusing the Hindu community of want of sympathy towards the untouchables. After all what is the sympathy that is evinced by those who at present accuse the Hindus of want of sympathy. It may be within the recollection of the House that when Lala Mohan Lal, Bhatnagar, moved a resolution in the last Council to the effect that the so-called untouchables should be allowed free access to public wells who were those that opposed the resolution? My honourable friends who are now adorning the opposite benches were the loudest in their denunciation of that resolution. Even the Honourable Minister in charge of the department opposed that resolution on behalf of the Government. This was merely for political reasons. I know what their inner motive was. They thought that if Hindus did not admit the untouchables and if the Muslims opposed the resolution regarding giving access to wells, then the untouchables would all get themselves converted to Muhammadanism (*Laughter*). Sir, we are not prepared to listen to this laugh. We have taken these so-called untouchables into our fold. The untouchables, whether they are *churas* or *chamars*, are all our brothers. So long as they say the name of "Rama" we are prepared to admit them into our fold (*Laughter*). I do not care a tuppence for that laugh. That is our position as Hindus. With regard to the touchables what is the position in the province? My Musalman friends say that they form a majority of the population of the province. They say all the lands are their ancestral property. As regards posts, the residents of towns have probably got a majority and our Musalman friends say they want all the posts for themselves. If that is the case where has the poor Hindu to go? Probably my friends want them to go to hell. This is the position at present taken by the Musalmans. Is it fairness? The greatest stumbling block in our way is the Land Alienation Act. My friends say the Government gave them the Land Alienation Act and they want to stand upon their rights with regard to that measure. What is the position. I, Sir, belong to the Kangra district and to a village. I hold lands, probably more than what some of my honourable friends possess. But an artificial bar has been created by the Government in the form of Land Alienation Act and I am not permitted to acquire any more land.

although I belong to a village and I own land and my ancestors were owning lands. (A voice: How did you acquire those lands). In the same way as you acquired land. But surely not by plunder or loot as your ancestors did. Your ancestors took possession of lands by force.

Mr. President: I think I have given sufficient latitude to honourable members of the House. When an honourable member is in possession of the House and he is addressing the chair, other honourable members are requested to listen to him silently and not to interfere or interrupt him in any way. That is quite unparliamentary.

Lala Mohan Lal: I think, Sir, that those who sit on those benches should be fair to us. I say a Muhammadan has got as much right to appointment as a Hindu. But the clamour of the Musalmans resolves itself into this, that there should be an immediate change of incumbents of these posts. They want that the present men should be turned out and those places should be filled by their own men. My honourable friend the member for Montgomery made a speech yesterday which is quite expressive of the general mentality of the Muslims. Though the Government has been pleased to appoint two Muslim Judges to the High Court of Lahore, yet our friends in the Council would not be satisfied. They say that because those two gentlemen were imported from other provinces, they do not claim them to belong to the Muslim community. Surely this is a perverted mentality of the worst type. (A voice: We want Punjabi Muslim Judges). Well, now the cat is out of the bag. It is because some of my friends on the opposite side want to become High Court Judges, they have set up this made-up and bogus agitation against the High Court. Some interested persons who wish to be elevated to the High Court Bench, owing to absolutely selfish motives have started this agitation. First they excite the mob and then they say that the real cause is the absence of a Muslim Judge on the High Court Bench. They start this agitation under the pretext of economic causes. I agree that to a certain extent that is also a fact. Some of us whether we live in towns or villages are really poor and are really deserving of sympathy.

Then, Sir, with regard to the remarks of my honourable friends on the opposite side about education, I am one of those who do feel that all communities should be given a fair chance and those who are backward in education should be pushed through and given proper facilities to come to the level of those who are advanced in education. Has any Hindu ever raised his voice in this House against any proposal for the educational advancement of any community. Whenever the Minister in charge brought forward any educational programme for the upliftment of the backward classes, we never raised any opposition. The Honourable Ministers are in charge of the subjects and the Government is looking after the interests of all communities. Whenever any financial programme comes before us, the opposite side must be aware that that programme is put forward by the Government and that the Government are taking all possible steps to safeguard the interests of all communities. The Government are at present helping those communities who are backward in the matter of education. The whole agitation of my honourable Muslim friends now centres round the High Court and the University. In season and out of season, they are attacking the High Court, because the Chief Justice happens to be a non-agriculturist. So far as the Syndicate is concerned, so long as Sir John Maynard was here,

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my friends could not of course raise any howl. The members of the Senate are all educated people and they are capable of setting right the grievances if any. If they want to come in large numbers, certainly they have a right to do so, but they must qualify themselves for these posts. (A voice: How to qualify). You possess brains, you possess money, you possess lands and you can compete with us openly and come in. (A voice: But the examiners all belong to your clan). Well the examiners are all appointed by the Government.

Mr. President: The honourable member should address the Chair and not court replies to his arguments from the opposite side.

Lala Mohan Lal: My submission to the House is that the resolution moved by my honourable friend for the Sikh Urban constituency is a very reasonable one. If all the communities want to be useful to one another, the first suggestion that I would make is that we should not abuse one another. The Hindu, or the Muhammadan or the Christian or the Sikh should not make inflammatory speeches and create a howl here and then give the impression to the public that we are fighting for the rights of the masses. One of us gets up and makes speeches attacking the other community. A member belonging to the other community gets up and replies to the attack. Both the speeches are published in the Press. One community gets the impression that when steps are taken to safeguard their interests, the other community is putting obstacles in the way. (A voice: Are you not doing the same thing) I plead guilty to that. I do not exclude myself from that category. I already said that all of us, whether Hindus, or Muhammadans or Sikhs make speeches here simply to satisfy our constituency. If we are to really help our constituency, no useful purpose would be served by making the speeches that we do at present. Let us all sit together and devise ways and means to do some good to the country.

Mr. President: The honourable member is digressing. I will request him to speak to the question.

Lala Mohan Lal: Sir, with these remarks I entirely give my support to the resolution moved by my friend Sardar Ujjal Singh.

Dr. Sir Muhammad Iqbal [Lahore City Muhammadan], Urban: Sir, after the Honourable the Finance Member's speech which, to my mind, constitutes a most crushing reply to the resolution as framed, it is hardly possible for any one in this House to make a substantial addition to the discussion. However, I cannot but admire the innocent idealism of Sardar Ujjal Singh, which idealism, like all idealism, sees everything except realities. I can assure my honourable friend that the principle of competition, pure and simple, is absolutely inapplicable in this country, specially in this province. I suppose many honourable members of this House know that such a non-communal institution as the Punjab University has had to adopt the system of fictitious roll numbers in the various University examinations. The examiner, according to this system, does not know as to the caste or creed or colour of the candidate whose paper he is examining or the college from which he comes. This system was adopted because it was feared that Hindu examiners might fail Muhammadan candidates and Muhammadan examiners might fail Hindu candidates (Shame). Yes, it is a shameful thing; but it does exist. With all that both Hindu and Muhammadan candidates leave certain marks in their examination papers to indicate

to the examiner of the candidate's caste or creed. Only the other day, I was reading the LL.B. examination papers. I found the number "786" which is the numerical value of an Arabic formula, and on others I found "Om" marks meant to invoke the blessing of God as well as to reveal to the examiner the community of the candidate. Such is the state of things in a non-communal institution. Take another instance. During the recent riots in Lahore, both Hindu and Muhammadan citizens went in deputations to the Deputy Commissioner on several occasions—each community complaining of the investigating officers belonging to the opposite community. I happened to be a member of one such deputation. (Shame). It is not a matter to be ashamed of. We have to see things as they are; and it is a pity that they have come to such a pass. You know, Sir, what the Deputy Commissioner told us. I think he was perfectly right in saying what he did. He said: "Before the Reform Scheme came into operation, there were 120 British officers in the police department, but that they were only 68 now. We have not got a sufficient number of British officers. Both communities want European officers."

My friend Pandit Nanak Chand is unfortunately not here at the present moment. He told us that Government had removed the colour distinction, so that the posts which formerly went to British gentlemen now go to Hindus and Muhammadans; but I assure my friend that Government had made a very great mistake, and I would welcome if there were more British officers. (Voices: no, no). I fully realise my responsibility when I say this and I also realise the meaning of this voice of no, no. I am not enamoured of that false and shallow nationalism which speaks like this.

Dr. Shaikh Muhammad Alam: Everybody is not the same.

Dr. Sir Muhammad Iqbal: Well it may be so, yet the talk of a united nationalism is futile, and will perhaps remain so for a long time to come. The word has existed on the lips of the people of this country for the last fifty years and like a hen it has cackled a great deal without laying a single egg. However I will tell you that the state of this country is such that it is not possible for us to introduce the principle of competition pure and simple. The best method for this country is the one indicated by Sir Geoffrey deMontmorency in his speech, that is to say, the principle of competition tempered by selection and nomination.

One other thing I should like to point out. I was very glad to hear the honourable member for Simla. I mean his advocacy of the untouchables almost in an almost apostolic tone. I welcome it though I do not know what Pandit Madan Mohan Malaviya's verdict would be in this matter. (Lala Mohan Lal: it is the same as mine). Only a short time ago he ex-communicated one of his nearest relatives because he had given his daughter to a Brahmin of an inferior caste.

Lala Mohan Lal: He did not.

Dr. Sir Muhammad Iqbal: It was in the papers and Pandit Madan Mohan was called upon to publish a reply to open letters which were addressed to him and he published no contradiction. However I welcome the change, if it is not in theory alone, and I hope that through the efforts of my friend the honourable member for Simla untouchability will be removed in this province. In the south of India we hear that when a Brahmin is constrained

[Dr. Sir Muhammad Iqbal.]

to talk to an untouchable he must talk to some wall or tree near by, and the untouchable, too has to address, in reply, the same wall or the tree since the Brahmin is too sacred to be addressed by a Sudra. I shall welcome the day when such bans are entirely removed and the Hindus of this province adopt better principles of equality.

Sir, I need not say anything more with regard to the principle of competition. My friend has pointed out certain defects in the present system which he has enumerated. He refers to the success of the principle of competition in other countries. I must say that the state of things in this country is totally different to the state of things in other countries. For this reason, the principles the application of which is good in other countries would not apply to this country. In this country one community is always aiming at the destruction of the other community. Therefore the power in whose hands lies the destiny of this country must adopt a line of action which is calculated equally to elevate all communities that form the population of this country. It has been argued that the present system tends to retard the progress of what my friend called nationality. Well, I do not know whether it is desirable to become a nation. It is a proposition which can be controverted but assuming that it is so, I would suggest that it is first desirable to develop mutual trust in the communities of this country. The present state of things is such that the communities do not trust each other, they have no faith in each other. When we meet each other we talk of nationalism, we talk of philanthropy and of love of mankind. Only a few days ago a friend of mine told me that he had overheard two Hindu gentlemen talking. One of these asked the other as to what should be our policy now. The other gentleman said: Let nationalism be on your lips, but fix your gaze always on your own community.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, this discussion seems to be rather catching because it is connected with such an interesting and important subject. There are two questions now before the House. One is the proposition put forward by the honourable member who has moved this resolution. He wishes competition to be introduced for all services. By competition, I presume, he means competition in order to test their educational qualifications. The other system is the one propounded by the Honourable Member for Finance and which is in vogue in our province. It is now for the Council to decide as to which of these two systems is the more suitable one for our province. As far as the system advocated by the honourable mover of the resolution is concerned, he only wants you to test the candidates for Government employment in their educational qualification, and that is all the test that he wishes Government to make when making their choice of future employees. But I should like to bring to his notice the fact that when selecting your servant, the educational test is not the only test which you apply to him, specially in the sphere of administration besides education there are other qualifications which are necessary. For instance, take the appointment of Extra Assistant Commissioners. For an Extra Assistant Commissioner I submit besides educational qualifications, the following other qualifications are absolutely essential: (1) good physique, (2) administrative capacity and (3) personality. It may be that by the system that the honourable mover advocates you do get hold of a man who is able to secure more marks

in a competitive examination, but if that man does not possess any one of these other qualifications that I have enumerated, I submit, Sir, that that man is not fit to be taken in that service (A voice: what about the result of medical test?). I will come to that. There was a certain accused who stood charged in the Court of a certain magistrate. He went and secured the services of an English barrister as his counsel. The English barrister appeared in the Court of the gentleman who was to judge the case. As soon as he entered the room, the judge said to the barrister: "sallam hazur."

Dr. Shaikh Muhammad Alam : Any action taken by Government against that Magistrate?

The Honourable Malik Firoz Khan, Noon : This happened long before your time and mine. Well, the magistrate wanted the barrister to go and sit by his side next to him, but the barrister who was a gentleman said: "No, Sir, I have to stand here at the bar and plead at your door." Do you think a magistrate of that type and with that personality is fit to administer justice in a court of law? (Several voices: was he a competition man?). No, perhaps not. What I am saying is this that education is not everything, the candidate must possess personality also. I can give many such instances, but I will not go into personalities. I have given an instance of a man who was excellent as far educational qualifications were concerned, but who did not possess a personality. Similarly I say that physique is certainly one of the things that ought to be considered. You have to see whether a candidate is strong enough to tour about in the hottest part of the year, whether he can ride a horse and so on. These are qualifications which certainly have to be considered. We have to see whether these qualifications are better judged by the suggestions made by the honourable member or by the system which the Finance Member has propounded. In my opinion in the Government system there is a greater element of competition than in the system now suggested by the honourable mover, because in the former system the man possessing the best of qualifications is taken in Government service. So I say that the system propounded by the Finance Member is superior to that suggested by the honourable mover.

Sir, there has been a great deal said about this competition between the various communities. There is no harm in being frank and saying that if this competition is introduced the agricultural classes who are backward in education will suffer. If it is the wish of the honourable mover that all portions of the body politic in this province should have an equal opportunity of competing for these posts then the system required would not have been the one that he has suggested. He should have said take so many men from class A, so many from class B and so many from Class C and so many from class D, taking the best men in those classes by competition if necessary.

Sir, I just want to say one word more. There was a hint by my honourable friend on my right that there should be a Public Service Commission. I am afraid I am not at one with him, (*Hear, hear*) because he has not been fair to himself nor fair to his colleagues in this matter. Just think for a moment, who is this commission to consist of. This commission will consist

[The Hon. Malik Firoz Khan Noon.]

of the same sort of human beings as we are of this province. If the commission is to consist of the same class of people as the heads of departments, and Ministers and Members then, where does the difference come in? Then it has been said that the heads of departments and the members of Government are approachable. Do you imagine that the members of the commission will be such gods that they will not be approachable? They will be as approachable as the heads of departments now are. Again, if you have a commission, then who will decide as to whether there should be one Muhammadan or one Hindu or one Sikh as its members. I think the system that exists at present is certainly far superior to the system that you could devise for the future. I think you must wait till all the communities are on the same level of education so that with equal opportunities each can stand his own chance.

Chaudhri Duli Chand : Sir, I move—

“That the question be now put.”

Mr. H. D. Craik : Sir, may I ask one question of the chair? If this debate is not closed to-day before 4 o'clock, will the discussion on it be adjourned till Thursday?

Mr. President : Yes, it will be resumed on the 21st.

The question is—

“That the question be now put.”

The motion was carried.

Sardar Ujjal Singh : Sir, I never thought that so much heat would be imported in the debate on the resolution that I have moved to-day. There was nothing further from my mind than to seek to keep the monopoly of one class against another by moving this resolution. What I wanted in fact was that all class monopoly should be removed altogether and there should be fair field and no favour. But as I see that the atmosphere in this House is surcharged with the spirit of communalism I do not want to press this resolution to vote. (*Hear, hear*). I accordingly beg leave to withdraw it.

The resolution was by leave withdrawn.

RESOLUTION RE LICENSE FOR PLYING MOTOR CARS AND LORRIES BETWEEN PATHANKOTE AND DALHOUSIE.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu) : Sir, in view of the promise given to me by the Home Secretary, I do not want to move the following resolution :—

“This Council recommends to the Government that a small committee consisting of the following officials and non-officials be appointed to consider in all its aspects the question of granting license and fixing the future rates of hire of motor cars and lorries plying between Pathankote and Dalhousie and submit its report before the end of July :—

Raizada Hans Raj,

Sardar Habib Ullah,

Chaudhri Ram Singh,

The Deputy Commissioner of Gurdaspur, and

The Home Secretary to the Punjab Government.”

RESOLUTION RE RELEASE OF POLITICAL PRISONERS.

Sardar Hari Singh [Ambala Division (Sikh), Rural] (Urdu): Sir, I beg to move that—

“This Council recommends to the Government to forthwith release all political prisoners now undergoing imprisonment who were convicted and imprisoned for offences committed against the State.”

In doing so, I may submit that the prisoners for whose release I am now urging are not criminals in the ordinary sense. They were incarcerated simply because they wanted Swaraj for their country. Those movements have now altogether subsided and, therefore, it is quite improper to keep them any longer in jails. Besides a majority of them have already come out of jails after undergoing their sentence and only a few of them are rotting in them. The Government, under these circumstances, will be well advised to release these remaining prisoners at once. With these few words I commend the resolution for the acceptance of the House.

Mr. President: The resolution proposed runs:—

“This Council recommends to the Government to forthwith release all political prisoners now undergoing imprisonment who were convicted and imprisoned for offences committed against the State.”

The question is that that resolution be adopted.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Sir, such resolutions as the one under consideration have more than once been discussed in this honourable House and a unanimous verdict had always been given in favour of the release of political prisoners. It is not politic on the part of the Government to disregard the wishes of the House in this respect when the various movements such as the Akali and the non-co-operation movements have gone. Let the Government release the Martial Law prisoners and those who were sent to jail in connection with the Akali movement as well as under section 144, Criminal Procedure Code. I do not want to depict what is going on now-a-days. But I would submit this much that the Musalmans being most favourably impressed with the well-known speech of His Excellency the Governor of the Punjab, have suspended the civil disobedience at the instance of the Khilafat Committee.

Mr. President: Order, order. May I ask the honourable member to speak to the question now before the House that is, the release of political prisoners who are undergoing imprisonment? This question has nothing to do with the recent events which took place at Lahore.

Chaudhri Afzal Haq (continued in Urdu): Sir, I do not want to discuss the case of undertrial prisoners. I was referring to the case of those persons who have been sent to jail for the offence of offering civil disobedience to the order of the District Magistrate, Lahore. Sir, the Government cannot maintain its prestige by inspiring awe and fear in the minds of the people. A good Government always looks to the best means of maintaining law and order. If you really want to pacify the outraged feelings of the people release the political prisoners. There are two ways of doing so. First the special remission granted at the time of Jubilee and such other occasions to the ordinary prisoners in accordance with the instructions issued in May 1920 may also be granted to the Martial Law prisoners and I hope that the Government would be able in this way to release a majority of them. In

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the case of those prisoners who even if they are granted the special remissions referred to above cannot be set at liberty the Government should devise some other means for their release, because the prisoners let off before the expiry of their sentences are usually impressed with the kindness of the Government shown to them at the time of their release and are reluctant to go against the Government a second time. But on the other hand the prisoners who are released after the expiry of the term of their sentence come out of the jail with revengeful spirit. Therefore it is both in the interests of the Government and the community at large that the Martial Law prisoners should be released.

The Council then adjourned till 10-30 A.M. on Thursday, the 21st July 1927.

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PUNJAB LEGISLATIVE COUNCIL

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL

Thursday, the 21st July 1927.

The Council met at Barnes Court, Simla, at 10-30 of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

Sardar Bishan Singh (Sialkot-cum-Gurdaspur (Sikh) Rural).

STARRED QUESTIONS AND ANSWERS.

PRIVATE TUITIONS.

*364. **Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Education be pleased to state :—

(a) if the Government is aware that some of the teachers including Mr. Faqir Chand, Mr. Sohan Lal Chadda and Mr. Sohan Lal Bedi, of the Bhera Government High School have taken up private tuitions worth about Rs. 200 with the connivance of its Head Master, but without proper sanction ;

(b) whether a teacher employed in a Government School is allowed to accept such private tuitions without sanction from higher authorities concerned ?

The Honourable Mr. Manohar Lal : (a) No. Further there is not even a teacher of the name Sohan Lal Bedi, in the school.

(b) No.

OFFER OF PRAYERS BY MUSLIMS DURING OFFICE HOURS.

*365. **Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to state :—

(a) the Government rules, instructions or orders allowing the offering of prayers by the Muslims during office hours ;

(b) whether the Government is aware that these orders are not being complied with at several places ;

(c) whether any case of non-compliance with these orders has come to the notice of the Government ;

(d) whether it is a fact that the reader of Lala Amrit Rai, Sub-Judge, Lyallpur, asked for permission to offer his prayers during court hours ;

(e) whether it is a fact that the said Sub-Judge made a remark that if his reader wanted to say prayers, he should submit his resignation which would be readily accepted ;

[Dr. Shaikh Muhammad Alam.]

- (f) whether it is a fact that the said Sub-Judge refused permission to his said reader to offer his prayers during court hours ;
- (g) whether the Government is aware that in a public meeting the Muslims of Lyallpur emphatically protested against the action of the said Sub-Judge.
- (h) whether it has come to the notice of the Government that Diwan Bahadur Dewan Som Nath, District and Sessions Judge, Lyallpur, timely intervened in the matter and allowed the said reader to perform his religious duties ;
- (i) whether the Government is aware that in a public meeting the Muslims of Lyallpur offered their heartfelt thanks to the said Dewan Sahib for this above act of kindness ;
- (j) whether it is a fact that copies of the resolutions passed in the said public meeting, were forwarded to—
 - (i) His Excellency the Governor,
 - (ii) the High Court,
 - (iii) the Deputy Commissioner of Lyallpur,
 - (iv) the District and Sessions Judge, Lyallpur, and
 - (v) the press ;
- (k) whether the Government has led any inquiry in the matter and with what result ;
- (l) if answers to questions (d), (e) and (f) be in the affirmative, whether the Government intends to take any action against the Sub-Judge ;
- (m) whether the Honourable Finance Member of the Government after his knowledge of the said occurrences has sent any further instructions in this concern and what, if any ?

The Honourable Sir Geoffrey deMontmorency : (a) The orders of Government are to the effect that leave of absence should be given on Fridays to such Muhammadan employees of Government who ask for it for a sufficient period to enable them to attend the *Jumâ* prayers, provided that the time so spent is made up, if necessary, outside the ordinary office hours, on the same or other days of the week.

(b) and (c) No.

(d) Yes, on Wednesday, the 16th of March 1927.

(e) A statement to this effect was made in a resolution passed by the meeting referred to in part (g) of the question ; but Government have no knowledge whether it is correct.

(f), (g), (h), (i) and (j) Yes.

(k) Yes. The enquiries made show that the incident took place on a Wednesday. The action of the Sub-Judge in refusing permission did not therefore contravene the orders of Government in any way. It is not, so far as Government is aware, usual to grant Government employees opportunities for saying their prayers during office hours except on Fridays.

(l) No.

(m) No.

HEADMASTER, GOVERNMENT HIGH SCHOOL, LAHORE.

***366. Dr. Shaikh Muhammad Alam :** Will the Honourable Minister for Education be pleased to state —

- (a) the qualifications of the Head Master, Government Technical School, Lahore, regarding his practical knowledge of mechanism, carpentry or any other technical arts;
- (b) the age of the said Head-Master;
- (c) the period of service of the said Head-Master;
- (d) the complaint, if any, against the said Head-Master;
- (e) whether it is a fact that the said Head-Master has in addition to his own duties to do inspection of all the Technical Schools of the Division;
- (f) whether the said Head Master has to perform the inspection duties —
 - (i) during his school hours from 9 A. M. to 5 P. M. without any hindrance to his own duties in the school; and
 - (ii) has to order the boys of other schools to remain present in their schools after their school hours for his inspection;
- (g) how many hours daily he allots to his own duties as the Head-Master of his own school;
- (h) whether the said multifarious duties prevent the said Head-Master in any way from devoting his whole time in the interest of his own school;
- (i) whether it is true that at the meeting of the Punjab Legislative Council Industries Committee, certain proposals were accepted, which aimed at doing away with the necessity of the Head-Master acting in a dual capacity;
- (j) if answers to questions (e), (f) and (h) be in the affirmative, what steps the Government proposes to take in the matter?

The Honourable Mr. Manohar Lal : (a) The Head-Master, Government Technical School, Lahore, has had 22 years' experience in the organization of the teaching of crafts and has also been in touch with the requirements of industrial work. He has written a book on wood-work which has been prescribed by the Text Book Committee as a text book for industrial schools.

(b) 50 years.

(c) 30 years, out of which 24 years have been spent in the Government Technical School.

(d) The Honourable Member is referred to the official *communiqué* issued by the Punjab Government in March last.

(e) Yes.

(f) There is no local industrial school, hence the question does not arise.

(g) Whole time, when he is at headquarters, viz., 9 A. M. to 4 P. M., in the winter and 6-80 A. M. to 12 midday in the summer.

(h) The answer is in the negative.

[Hon. Mr. Manohar Lal.]

(i) The honourable member has not specified any meeting at which such a decision is thought to have been taken. But the question of a whole time Inspector of Industrial Schools is under the consideration of Government.

(j) Does not arise.

MONEY-LENDERS' BILL.

*367. **Sardar Habib Ullah :** Will the Honourable Finance Member be pleased to state the probable date on which the Government proposes to introduce the Money-Lenders' Bill in the Council ?

The Honourable Sir Geoffrey de Montmorency : Alternative suggestions regarding legislation, all of which present elements of difficulty, are under the consideration of the Government. I am not in a position to make a statement regarding the date of introduction at present, but Government will make or publish a statement at a later date.

PENSION RULES.

*368. **Sardar Habib Ullah :** Will the Honourable Finance Member please state (a) if the new rules for pension are under consideration ;

(b) if so, when he proposes to introduce them ?

The Honourable Sir Geoffrey de Montmorency : (a) If the honourable member refers to the Pension Rules which were to issue when the new Fundamental (Pension) Rules had been issued by the Secretary of State, it may be explained that the Punjab Government's views on those Pension Rules were forwarded to the Government of India about four years ago, and that the orders of the Government of India are still awaited. If, however, the question refers to the rules for pensions of provincial and subordinate services and officers holding special posts, the power to frame which has been delegated to local Governments by the Civil Services (Governors' Provinces) Delegation Rules, 1926, it may be explained that rules are being drafted.

(b) The rules referred to in the latter part of the answer will be issued when they have been approved by the Local Government. It is not possible at present to state an approximate date.

PROSECUTING AGENCY AND MAGISTRACY.

*369. **Sardar Habib Ullah :** Will the Honourable Finance Member be pleased to state—

(a) whether the Government have received any representation from the Punjab Muslim League and from other Muslim bodies regarding the prosecuting agency and the magistracy employed for the disposal of riot cases in Lahore ;

(b) if so, the action taken by the Government to remove the grievances of the Muslims stated in their representations ?

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

(b) No, as the alleged grievances do not rest on any substantial basis of fact.

COMMUNAL RIOTS AT LAHORE.

***370. Sardar Habib Ullah :** (a) Will the Honourable Finance Member be pleased to state whether the Government received any official report from the local authorities regarding the origin and incidents of the communal riots at Lahore ?

(b) If so, the date on which this report was first submitted by the local authorities ?

(c) Will the Honourable Member be pleased to lay on the table a copy of this report ?

The Honourable Sir Geoffrey deMontmorency : No report has been called for from the local authorities, as the facts are within the knowledge of the local Government, who were in Lahore during the time of the disturbances and kept in touch with the situation and its developments throughout.

NEWSPAPERS.

***371. Rai Sahib Lala Ganga Ram :** Will the Honourable Member for Finance be pleased to state :—

(a) whether it is a fact that the attention of the Government has been invited to an article published in the *Milap*, dated the 19th June 1927, complaining against certain papers, namely, *Muslim Outlook*, *Zamindar*, *Siyasat*, *Inqilab*, etc., that the said papers have been exciting the Muslims against the Hindu Government officers and advocating to boycott the Hindus ;

(b) whether the Government intends to take necessary steps for stopping such objectionable writings by all the papers to whichsoever community they might belong ?

The Honourable Sir Geoffrey deMontmorency : (a) Government has noticed the article in question.

(b) Government deplors the objectionable writings in which almost every section of the press constantly indulges. Government does its best to check by legal action and otherwise such writings.

HAISIAT TAX.

***372. Rai Sahib Lala Ganga Ram :** (a) With reference to my question No. 183, dated the 14th March 1927 regarding the haisiat tax, will the Honourable Minister for Local Self-Government be pleased to state whether the matter has received a careful consideration of the Government ?

(b) If the answer to (a) is in the affirmative, will the Honourable Minister for Local Self-Government be pleased to state the result of the said consideration of the Government, and if the answer to (a) is in the negative, will he state the reasons for not doing so ?

The Honourable Malik Firoz Khan, Noon : (a) and (b). Further consideration of the matter has been postponed pending a decision by the High Court on the appeal that has been lodged against the decree of the Senior Sub-Judge, Sialkot.

Rai Sahib Lala Ganga Ram : Is the tax realised by the District Board refundable ?

The Honourable Malik Firoz Khan Noon : That is a matter of opinion; and it will be decided according to the legal advice given to the Government.

SCREEN PLAYS.

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

(a) whether his attention has been drawn to a type of screen plays in the Punjab which glorifies vice and misrepresents sexual emotions ;

(b) if so, what steps the Government proposes to take or has already taken to suppress such films ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. The honourable member presumably has in mind a particular film or films. If he will send me the names of these, with a note of the place and the approximate date of their exhibition, I shall be glad to look into the matter. Government is always ready to take suitable action in regard to any film of a vicious character.

(b) Does not arise.

CHILDREN AND CINEMAS.

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

(a) whether there is any restriction imposed on the children of tender age for going to cinemas and theatres ;

(b) whether the Government is considering the advisability of exercising some sort of control on children in this respect ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) The question was only recently exhaustively considered by Government, when it was found that it would be extremely difficult to define the class of persons whom it was proposed to protect and still more difficult to enforce an executive order against the admission of children to film cinemas and theatres. Moreover, Government, has ample powers to ban a film which is for any good reason objectionable. Restrictions on the display of objectionable films have hitherto been imposed without discrimination as between juveniles and adults, but the harmful effect of such films upon young persons is always prominently before the mind of Government in disposing of such cases. I may inform the honourable member that the constitution of a special board of censors for the Punjab is now under consideration. It is hoped that the new board will be actually functioning before long, and it will then be in a position to pay particular attention to matters like that to which the honourable member has referred.

COMPLAINTS AGAINST THE POLICE.

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

(a) whether it is a fact that relief committees of different communities subsequent to Lahore riots made several complaints against the high-handedness of the police to the Superintendent of Police, Lahore, and to the Inspector-General of Police ;

(b) what steps, if any, the Government has taken on these complaints ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) Does not arise.

COMPULSORY EDUCATION IN JAILS.

***376. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state the names of those jails in the province where the system of compulsory education is expected to be introduced this year ?

The Honourable Sir Geoffrey deMontmorency : A system of elementary education for persons under 30 years of age is being introduced in the Rawalpindi Jail this year.

GOVERNMENT SCHOOLS IN JULLUNDUR DIVISION AND JHATKA CONTROVERSY.

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

(a) the number of Government schools in Jullundur Division in which Jhatka controversy had arisen last year amongst the students ;

(b) the names of the officers who inquired into these cases ;

(c) whether these officers suggested any remedy to effectively check the controversy ?

The Honourable Mr. Manohar Lal : (a) Government is not aware of any such controversy.

(b) and (c) Do not arise.

PUBLICATION OF BOOKS.

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

(a) whether it is a fact that Mr. Godley during his tenure of the office of the Director of Public Instruction of the Punjab issued orders that no officer of the education department without his express permission was entitled to give any document or book to a publisher for publication ;

(b) whether it is a fact that he further ordered that in no case the name of the officer should appear on any book ;

(c) whether that order referred to in (a) and (b) is still in force ; if not why not ?

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

(b) No.

(c) Does not arise.

CASES OF NON-CO-OPERATORS.

***379. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether it is a fact that a Judge of the High Court was appointed in the year 1922 to reconsider the cases of those non-co-operators who did not put in their defence; if so, will the Honourable Member be pleased to state the number of such cases?

The Honourable Sir Geoffrey deMontmorency : A Judge of the High Court was appointed in 1922 to examine all cases of a political or semi-political character in which the offenders had been arrested between March the 20th and April the 30th, 1922, and in which they had not defended themselves or utilized their right of appeal. The number of such cases was 887, involving 456 persons.

PUNISHMENT OF NON-CO-OPERATORS.

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

(a) whether any instructions were issued to the Magistrates in the year 1921 to the effect that Secretary and President of the Congress and Khilafat organisations be not given more than six months' imprisonment; and

(b) whether again in the year 1922 instructions were issued to give severe sentences to all the non-co-operators?

The Honourable Sir Geoffrey deMontmorency : The answer to both parts to this question is in the negative.

TEXT-BOOK COMMITTEE.

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

(a) the year in which the Text-Book Committee was constituted;

(b) whether it is a fact that since the formation of the Text-Book Committee its constitution has not been changed;

(c) whether the Government is considering the desirability of now changing its constitution?

The Honourable Mr. Manohar Lal : (a) The Punjab Text-Book Committee was established in 1877, but was registered as an Association only in 1890.

(b) No.

(c) No.

CANAL AND REVENUE AMALGAMATION.

***382. Lala Joti Parshad :** Will the Honourable the Revenue Member please state whether he is now in a position to announce the decision of the Government with respect to the canal and revenue amalgamation now being conducted on the Western Jumna Canal? If so, will he please lay a copy of it on the table?

The Honourable Mian Sir Fazl-i-Husain : Yes.

It was in pursuance of a clearly expressed wish of the Legislative Council that the amalgamation of the canal and revenue staffs was undertaken as an experimental measure on the Western Jumna Canal. It has been in operation for more than three years. In order to watch the working of the experiment the Honourable Member for Revenue and the Financial Commissioner visited the localities under the experiment in 1925, and the former again visited them in 1926. After very careful consideration Government has arrived at the decision that the amalgamation of the canal and revenue staffs has not worked successfully, and has therefore decided to revert to the position which existed before the experiment with one modification, *viz.*, single patwari system in place of two revenue and canal patwari system. One important change, however, has been introduced in the rules governing the assessment of *kharaba* on the canal, and under the new rule Collectors and Commissioners will be given joint control along with the irrigation officials in the assessment of *kharaba* in estates where the damage to crops extends to a considerable area, and also in cases of wide-spread calamity.

IRRIGATION FACILITIES IN THE HISSAR DISTRICT.

***383. Lala Joti Parshad :** Will the Honourable the Revenue Member please state—

- (a) if it is a fact that zamindars of Hissar district have repeatedly been requesting all officers of Government who have been visiting Hissar from time to time to extend irrigation facilities in the Hissar district; if so, what action, if any, the Government intends to take in this direction;
- (b) whether it is a fact that Hissar has been frequently visited by famines and failure of crops during the last 35 years? If so, will Government consider the advisability of appointing a committee to suggest measures for getting rid of these famines?

The Honourable Mian Sir Fazl-i-Husain : (a) The Honourable Member is informed that Government is aware that the zamindars of Hissar District have represented that irrigation may be extended to that district, but as all the existing supplies on the Western Jumna Canal and Sirhind Canal are fully utilized at present no water can be made available from these canals for extensions in this tract. In order to provide irrigation facilities to this tract the Bhakra Dam Scheme was taken up by Government, and to show what action has been taken on this scheme the honourable member is referred to the reply given to part (c) of Council Question No. 190 (*vide* Volume X-A, page 572) by Rai Sahib Chaudhri Chhotu Ram. His attention is also invited to the speech by Honourable Member Revenue on pages 459-461 of Volume X-A of the Punjab Legislative Council Debates.

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

from which it will be observed that Government is taking all possible steps to bring relief to these distressed areas.

(b) Hissar has been visited by famine twice in the last 85 years, the last occasion was in 1899, but failure of crops to a greater or less extent owing to shortage of rainfall have occurred from time to time and have been dealt with under the ordinary suspension and remission rules. Government does not consider that any useful purpose would be served by the appointment of a committee as suggested.

EXTENSION OF IRRIGATION ON THE SIRSA BRANCH.

*384. **Lala Joti Parshad** : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that all applications by the zamindars for extension of irrigation on the Sirsa Branch have been refused by the canal officers on the ground that already there is shortage of water supply on this Branch of the Western Jumna Canal ;
- (b) whether it is a fact that the Government Cattle Farm, Hissar, has been given an additional supply of 12 cusecs of water from the Sirsa Branch ;
- (c) whether it is a fact that a very large portion of the Government Cattle Farm area irrigated by canal is let on lease to private individuals for cultivation purposes, and that the cattle section of the farm derives little or no benefit from the canal water ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. The present supplies in the river Jumna do not admit of any extension of irrigation from the Western Jumna Canal either by lift or flow.

(b) It is proposed to increase the supply to the Farm from the Sirsa Branch by 12 cusecs, but a reduction on the Hansi Branch will be made at the same time.

The total increase to the Farm will be less than 8 cusecs altogether.

(c) Yes. A small portion of culturable irrigated area is let out to tenants, the average for such area for the past 3 years being only 17·2 per cent. The area thus let out includes small isolated plots, which it is difficult to cultivate directly ; also plots on the boundary of the cultivated blocks at the Farm. In addition Bir lands required to be brought under cultivation are also let out for purposes of clearing and levelling, which is in the interests of the Farm.

PUNITIVE POLICE TAX.

*385. **Lala Joti Parshad** : Will the Honourable the Finance Member please state—

- (a) whether Government has received any representation from Hindu residents of Rewari against the imposition of punitive police tax ;
- (b) whether a punitive police has been posted there on account of Hindu-Muslim riots which took place last year ;

- (c) whether it is a fact that Mr. Pool, the special magistrate who tried the riot cases discharged all the Hindu accused and convicted the Muhammadans and sentenced them to varying terms of imprisonment ;
- (d) whether it is a fact that the magistrate in his judgment clearly found that the Muhammadans alone were primarily responsible for the disturbance ;
- (e) whether it is a fact that in spite of this finding, the Hindus alone have been ordered to pay this tax ;
- (f) whether it is a fact that a number of Hindu residents have by way of protest, declined to pay the tax, and the Deputy Commissioner, Gurgaon, has issued orders for its realisation by attachment and sale of moveable property ;
- (g) whether Government will see its way to exempt the Hindus and issue orders for its realisation from the community which was mainly responsible for the trouble ?

The Honourable Sir Geoffrey deMontmorency : (a), (b), (c) and (d) : Yes.

(e) No.

(f) A certain number both of Hindus and Muhammadans failed to pay after repeated demands and warrants were issued against an approximately equal number of both communities.

(g) No, because it has been held that the Hindus were equally to blame in creating the tension which led up to the riots.

MUSIC BEFORE MOSQUES.

***386. Lala Joti Parshad :** Will the Honourable the Finance Member please state—

- (a) whether several prominent Hindus and Arya Samajists of Rewari are being prosecuted in Gurgaon for playing music before mosques ;
- (b) whether any condition about stopping music before mosques was imposed in the license issued by police authorities ; and, if not, why the prosecution has been ordered ?

The Honourable Sir Geoffrey deMontmorency : (a) Twenty-one persons are being prosecuted, not for playing music before mosques but for provocation to rioting, rioting and obstructing public servants in the discharge of their duties.

(b) Does not arise.

SLAUGHTER OF COWS.

***387. Lala Joti Parshad :** Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that instructions were issued to the Karnal district authorities in the year 1926, asking them to see that cows are slaughtered in the slaughter-houses and not in the private houses on the occasion of Bakrid ;

[Lala Joti Parshad.]

- (b) whether similar orders were issued this year also ;
- (c) whether the attention of the Government has been invited to the orders issued by the Deputy Commissioner, Karnal, granting permission to several *mohallas* in the town of Panipat to slaughter cows in their houses on the occasion of Bakrid ;
- (d) if it is a fact that the orders of the Deputy Commissioner have caused widespread unrest and discontent amongst the Hindu inhabitants of these *mohallas* in particular and the whole town in general ; and, if so, whether Government intends to take any steps to respect the sentiments of the Hindu community in future on such occasions ?

The Honourable Sir Geoffrey de Montmorency : (a) and (b) No.

(c) Yes.

(d) A protest was received from the Panipat Hindu Sabha, but Government does not consider that the Hindus have any general ground for complaint. The *mohallas* in regard to which permission has been granted to slaughter kine in private houses are wholly or predominantly Muhammadan *mohallas* and were chosen as a result of recommendations made by a Hindu and a Muslim Extra Assistant Commissioners who held a joint enquiry on the spot and took the advice of the leading persons of both communities.

DEPUTY COMMISSIONER, GURGAON.

*388. **Lala Joti Parshad :** Will the Chief Secretary kindly state—

- (a) whether the present Deputy Commissioner, Gurgaon, has been posted there for about six years ;
- (b) whether there is any Deputy Commissioner in the Punjab who has been permitted to remain at one station for such a long period ;
- (c) whether it is a fact that during the same period about a dozen Deputy Commissioners have been posted to the neighbouring district of Hissar ?

Mr. H. D. Craik : (a) Yes.

(b) No.

(c) Yes.

ROAD COMMUNICATIONS IN THE HISSAR DISTRICT.

*389. **Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state whether the Government is aware that there are no metalled roads or other ways of communication in the Hissar district, and that the tahsil headquarters are not even reached by roads ; and, if so, what steps the Government proposes to take to remove this inconvenience ?

The Honourable Sardar Jogendra Singh : Government is not aware of the facts as stated. There are in Hissar some 210 miles of railway and some 70 miles of metalled road existing or under construction. Of the four tahsil and two sub-tahsil headquarters, three—Sirsa, Hansi and Bhiwani—

are directly connected by railway with Hissar, to Tohana and Dabwali have circuitous railway connections, and Fatehabad has had at one time a metalled road to the railway at Bhattu, a road which, unfortunately, the district board has allowed to fall into ruin.

Government is however engaged in schemes of improvement. It has recently relieved the District Board of the charge of the Rohtak-Bhiwani and Delhi-Montgomery roads. With the improvement and the metalling of the latter there will be a trunk road running from end to end of the district connecting three tahsils and one sub-tahsil with Hissar. The Railway Board has sanctioned a revenue survey being made for a railway from Bhattu through Fatehabad to Jakhal and the Communications Board is considering a grant-in-aid of half the cost of re-metalling the Bhattu-Fatehabad road. The Communications Board is prepared to consider other schemes of development provided it is satisfied, particularly in the case of projects of metalling, that the District Board will maintain any road made.

The revised scheme of road classification now before Government makes generous provision for Hissar in the mileage of roads already in Class I and proposed for Class II.

GOVERNMENT CATTLE FARM, HISSAR.

***390. Lala Joti Parshad :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that at the time of acquiring lands for the Government Cattle Farm, Hissar, express agreements were entered into by the Government with the landowners whose lands were acquired to the effect that on no account will the lands be leased to tenants for cultivation;
- (b) the total irrigated area under the Government Cattle Farm, Hissar, showing how much of it has been leased to tenants on rent during the year 1924-25, 1925-26 and 1926-27 respectively?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

HANSI AND BHIWANI MUNICIPALITIES.

***391. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government is aware that serious complaints were made by the public to Mr. Abraham, the Deputy Commissioner of Hissar, sometime ago against the working of the Hansi and Bhiwani municipalities;
- (b) whether it is a fact that the Deputy Commissioner inspected the two committees for several days and his inspection revealed a very bad state of affairs;
- (c) whether it is a fact that the Government has appointed some officer to examine into the working of several municipalities? If so, whether the Government proposes to depute the said officer to examine the affairs of these two committees also?

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

(c) An officer was placed on special duty to examine the working of several municipal committees; but his special duty has now terminated, and he has gone on leave. It is therefore not possible to adopt the suggestion made by the honourable member.

DISTRICT BOARD ELECTION DRAFT RULES.

***332. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government has received any objections to the district board election draft rules published in the *Punjab Government Gazette*, dated the 6th May 1927? If so, whether the Government has come to any final decision about them?
- (b) whether it is a fact that under these draft rules big land-owners who pay very large amounts as local rate but do not own any residential house under the authority of the district board have been deprived of the district board franchise;
- (c) whether it is a fact that in these drafts rules distinction is made by using the word "pay" for the haisiat tax and the word "assessed" for the land revenue under clause (f) and (g) when the haisiat tax is equally realisable;
- (d) if the reply to (b) and (c) of the question be in the affirmative, will Government state the reasons for this distinction and what action Government contemplates to take in the matter?

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

(b) This would have been the effect of the draft rules as published; but the defect is being remedied in the rules as finally made.

(c) Yes.

(d) The expression "assessed to land revenue" is the usual expression, and owing to the efficiency of the arrangements made for the collection of land revenue there is very little difference between the number of persons assessed to land revenue and the number who pay. In the case of haisiat tax, however, there is very great difference, and it has been considered desirable to enfranchise only those who actually paid in the preceding year.

FATAHABAD DISTRICT BOARD VERNACULAR MIDDLE SCHOOL.

***333. Lala Joti Parshad :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the number of students on the roll of the Fatahabad district vernacular middle school, Hissar district, is about 400, and that there is no high school there;

If so, whether the opening of a high school in the near future is under the consideration of the authorities?

The Honourable Mr. Manohar Lal : The question of extending facilities for anglo-vernacular education in the Hissar District is under consideration.

MUNICIPAL COMMITTEE, REWARI.

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

- (a) whether the municipal committee of Rewari is considering the question of raising the terminal tax from Re. $1\frac{1}{2}$ to Rs. 2 or $2\frac{1}{4}$ per maund on cloth ;
- (b) whether it is a fact that the price of cloth has considerably gone down since the imposition of the tax at the rate of Rs. $1\frac{1}{2}$ per maund ;
- (c) if the answers to (a) and (b) be in the affirmative, will the Government take some action to remove the hardship caused to the public by this change ?

Hon'ble Malik Firoz Khan, Noon : (a) Government have no information.

- (b) Yes ; but terminal tax is levied by weight and never *ad valorem*.
- (c) The initiative lies with the municipal committee.

MUNICIPAL COMMITTEE, SIRSA.

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

- (a) whether it is a fact that the present municipal committee, Sirsa, for the time being consists of seven nominated and four elected members ;
- (b) whether it is a fact that the general election of the Sirsa municipality was due to be held in the month of July 1927, and for one reason or the other was postponed by the Deputy Commissioner, Hissar, to August 1927 ;
- (c) whether it is a fact that so far no cancellation of notification No. 8227-A., dated the 15th March 1927, has been gazetted and that the right of election to three Muslim and two non-Muslim seats has not yet been restored to the Muslims and non-Muslims of Sirsa ;
- (d) whether the Government propose to issue a notification restoring the right of election to three Muslims and two non-Muslim seats to the Muslims and non-Muslims of Sirsa ?

The Honourable Malik Firoz Khan, Noon : (a), (b), (c) and (d). Yes.

HEADMASTER OF THE MIDDLE SCHOOL, RANGPUR, MUZAFFARGARH.

***396. Lala Bodh Raj :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the Head-Master of the Middle School, Rangpur, Muzaffargarh, at the last middle school examination withheld the examination fees of four students with himself and did not submit their names for the examination ;

[Lala Bodh Raj.]

- (b) Whether the District Inspector of Schools has reported the matter to the authorities for necessary action being taken against him, and, if so, what action has been taken against him?

The Honourable Mr. Manchar Lal : (a) Yes, but the fees are said to have been subsequently returned.

- (b) Yes.. The local authorities are considering suitable action.

PUNISHMENT OF DISHONEST OR CORRUPT OFFICIALS IN THE
JAIL DEPARTMENT.

***337. Lala Bodh Raj :** Will the Honourable Member for Finance please state with reference to the answer to question No. 131, asked on the 28th February 1927 :—

- (a) the names of officials of the jail department who have been made to retire compulsorily ;
(b) the names of such officials as have been considered fit for retention and incorporated in the new cadre ?

The Honourable Sir Geoffrey de Montmorency : (a) Notices have been issued to three Jailors to the effect that their posts will be brought under reduction with effect from the 1st September 1927, and that their pensionary claims will be decided in accordance with the provisions of article 426 of the Civil Service Regulations :

- (b) As there are further reductions to be made concurrently with new appointments, which are still under consideration, it is not possible to give the names of existing officers who will be incorporated permanently in the new cadre.

RAILWAY COMMUNICATION IN THE HISSAR DISTRICT.

***338. Lala Joti Parshad :** Will the Honourable Revenue Member please state whether it is a fact that no extension of railway line has been undertaken in the Hissar District during the last fifteen years, and, if so, whether the Government intends to move the Railway Board to grant extension of railway line in this district ?

The Honourable Mian Sir Fazl-i-Husain : An estimate for connecting Rohtak with Bhiwani in Hissar District by a broad gauge line is at present under consideration by the Railway Board, and it is hoped that their sanction to its construction will shortly be given. The Railway Board has also sanctioned a revenue survey being made for a railway from Bhattu to Fatahabad to Jakhal.

BARDA FROSHI.

***339. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Member for Finance be pleased to state whether it is a fact that *Barda Froshi* (selling of females) is becoming more and more prevalent in the province and has created many disputes among the people ;

(b) if so, will the Government be pleased to consider the advisability of taking serious steps for the purpose of checking this evil?

The Honourable Sir Geoffrey deMontmorency : Government are aware that there is considerable traffic in women between parts of the United Provinces and Bengal and the Punjab, but are not in possession of information to show that this traffic is increasing. The shortage of marriageable females in the Punjab which exists in certain tracts, such as the Majha, Malwa and Colony areas, is an undeniable economic fact which can apparently only be remedied by the importation of women from outside. Consequently, individual organizations exist which further the traffic in question. It should, however, be borne in mind that matrimonial agencies, however objectionable their business, are not necessarily illegal and Government believes that numbers of the women imported are superfluous or friendless in the places to which they originally belong, and are generally not indisposed to exchange their lot for the comparative affluence of rural life in the Punjab. The Police can only interfere when compulsion or cheating are a part of the transaction. Such cases invariably form the subject of police enquiry and of judicial action where proof is forthcoming. Local officers are also ready and willing to furnish information to the relatives of women concerned where there is reason to believe that they have been abducted. No other form of administrative action has so far suggested itself to Government, but they would welcome any public movement or suggestions which will have the effect of removing any undesirable features which may be connected with a traffic largely promoted for purposes of profits.

ROAD FROM BILASPUR TO GOPALMOCHNA.

***400. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that Kacha road from Bilaspur, District Ambala, to Gopalmochna, about 2 miles in length, is in a very wretched condition and is a source of great inconvenience and trouble to the pilgrims who assemble there in large numbers at the time of the annual fair;

(b) if so, will the Government be pleased to draw the attention of the District Board, Ambala, towards the question of constructing a *pacca* road to remove the discomfort of the said pilgrims?

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

(b) The road is repaired annually before the fair at Gopalmochna takes place, and Government are not prepared to recommend the construction of a metalled road in view of the present state of the finances of the district board.

LAHORE RIOTS.

***401. Dr. Gokul Chand, Narang :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that on the 4th of May 1927, a large crowd of Muhammadans attended the funeral procession of the three persons killed on the night of the 3rd in a fracas which took place near Kabli Mal's haveli in Lahore;

[Dr. Gokal Chand Narang.]

- (b) whether it is a fact that the bodies of the said Muhammadans had been removed from the Hospital to a *khangah* near the Delhi Gate where speeches were made to large crowds of Muhammadans assembled round the dead bodies;
- (c) whether it is a fact that the procession was attended by a number of demagogues who made speeches both on the way to the burial ground and in the burial ground itself;
- (d) whether it is a fact that on the return from the burial ground some members of the procession committed acts of violence in the Anarkali Bazar and elsewhere;
- (e) whether it is a fact that the riot broke out immediately on the return of the funeral procession;
- (f) the number of Hindus, Muhammadans and Sikhs killed or wounded on the 4th of May and subsequent days;
- (g) whether any judicial finding has been given as to the allegations made by certain Muhammadans and in a press *communiqué* that stones were thrown by some Hindu boys at the funeral procession?

The Honourable Sir Geoffrey deMontmorency: (a) Yes.

(b) According to the information received by Government this statement is incorrect. The bodies were taken direct from the mortuary at the hospital to the homes of the victims.

(c) Speeches were made by certain persons at the Choburji ground, but not, so far as Government is aware elsewhere.

(d) Yes.

(e) Murderous assaults on individuals began to be reported to the police from about 7 P.M. on the 4th of May.

(f) The number of killed was 27, of whom 15 were Hindus, 5 Sikhs and 7 Muhammadans. The number of wounded, so far as has been ascertained, was 192. Of these 96 were Hindus, 42 Sikhs, 43 Muhammadans, and 1 Christian.

(g) Not so far as Government is aware though certain persons arrested on the charge of throwing stones were subsequently discharged.

LAHORE RIOTS.

***402. Dr. Gokal Chand, Narang:** Will [the Honourable Finance Member be pleased to state—

- (a) whether any complaints were received by the District Magistrate of Lahore from the Hindus against the conduct of some of the police constables for their failure to prevent unprovoked assaults on innocent passers-by;
- (b) whether the Government has been pleased to institute any enquiry into the matter; if so, what was the result of the enquiry;
- (c) whether complaints were received by the District Magistrate of Lahore against some Muslim leaders for having instigated and encouraged attacks on Hindus and for having obstructed police investigation;

(d) whether the Government is aware that several murder cases and a large number of cases of serious assault on Hindus resulting in grievous hurts have not been properly attended to by the police on account of inadequacy of police and magisterial staff;

(e) whether the Government will be pleased to assist the District Magistrate of Lahore by placing more police and magistrates at his service to enable him to make proper enquiries into such cases?

The Honourable Sir Geoffrey deMontmorency: (a) and (b) Yes.

All the complaints received were carefully investigated. Some were shown to be deliberately false and none were substantiated. In some instances enquiry showed that the subordinate police have behaved with great courage in difficult circumstances.

(c) Yes, numerous complaints of this nature were received.

(d) No; but the police received instructions that cases of simple hurt, which were not cognizable, should not be registered, and that cases of grievous hurt in which the complainant could not identify his assailants were to be registered, but filed as untraced.

(e) In addition to a large number of officers temporarily detailed for magisterial duty during the actual disturbances, 4 extra Magistrates, including 2 Europeans, were posted to Lahore during May last, and the district staff is still 2 officers above its ordinary strength. As regards police, a British Superintendent has been placed in general charge of the investigations and he had the temporary assistance of a Superintendent and Deputy Superintendent of the Criminal Investigation Department. The police reserves of 4 districts were called into Lahore and the City and Anarkali Stations were strengthened by over 300 Sub-Inspectors, head constables and constables in addition to some mounted police. The force of Additional police now sanctioned for Lahore consists of 1 Deputy Superintendent, 10 Sub-Inspectors, 53 head constables and 350 constables. In the opinion of the local authorities this assistance is adequate.

OFFENSIVE AND INFLAMMATORY ARTICLES IN THE PRESS.

***403. Dr. Gokul Chand, Narang:** Will the Honourable Finance Member be pleased to state—

(a) whether Government is aware that most offensive and inflammatory poems and articles have been and are appearing in a section of the Muhammadan press which are likely to create and promote hatred and enmity between two sections of His Majesty's subjects;

(b) what action, if any, has the Government taken or contemplates to take against such newspapers;

(c) whether the Government is aware that the newspapers of Khwaja Hassan Nizami of Delhi are most offensive in their tone and are calculated to provoke a breach of the peace;

(d) whether the Government will consider the advisability of prohibiting the circulation of his newspapers in the Punjab;

[Dr. Gokal Chand Narang.]

- (e) whether the Government is aware that during the month of May and June inflammatory speeches have been delivered in various mosques in Lahore calculated to excite the Muhammadans against the Hindus; if so, will the Government be pleased to take necessary steps to prevent the delivery of inflammatory speeches in mosques?

The Honourable Sir Geoffrey de Montmorency: (a) Government has observed with regret that offensive and inflammatory poems and articles have been constantly appearing both in the Muhammadan and in the Hindu press.

(b) In a number of cases, Government has proscribed or prosecuted the newspapers in question.

(c) Government is not aware whether the person named edits any newspapers. It knows of no paper published in the Punjab of which he is registered as the editor.

(d) Unfortunately Government has not the power to prohibit the circulation of newspapers.

(e) Yes, Government is aware that certain objectionable speeches have been delivered and criminal proceedings have been instituted in several cases.

HINDU REPRESENTATION IN THE POLICE.

*404. **Dr. Gokal Chand, Narang:** Will the Honourable Finance Member be pleased to state—

(a) the total number of police constables in the Punjab and the number of Hindu constables in the province;

(b) whether the Government is aware that a Press *communiqué* issued by the Commissioner of Lahore invited the Hindus to enlist in the police;

(c) whether he will be pleased to see that instructions are issued to the Superintendents of Police in the province for the encouragement of Hindu recruitment in the Police Department;

(d) whether it is not a fact that the allegation that qualified Hindus are not available for enlistment as police constables is no longer correct;

(e) how many Hindu recruits the Government is prepared to enlist?

The Honourable Sir Geoffrey de Montmorency: (a) In the regular force (excluding additional police) the figures are approximately 17,000 and 8,200.

(b) Government is aware that efforts have been and are being made by the local officials in Lahore to encourage the enlistment of Hindus in the police force.

(c) All Superintendents of Police are required by rule to maintain equilibrium between the principal communities as far as possible.

(d) A precise answer to this part of the question is not possible as conditions vary. In certain districts qualified Hindus are not available in appreciable numbers.

(e) Recruits can only be enlisted as vacancies occur. Government cannot therefore undertake to enlist any fixed number, but is prepared to enlist Hindus, if suitable candidates present themselves, until they have a fair share of appointments.

AKALGARHI GATE, WAZIRABAD.

***405. Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government is aware that servants of the Wazirabad Municipal Committee have demolished an ancient building, namely, the Akalgarhi Gate, before placing the matter before any meeting of the municipal committee;
- (b) whether it is a fact that the building belonged to the Government, being *nazul* property, and that the municipal committee was responsible for its maintenance;
- (c) whether the Government knows that the whole material of the building, while it was standing, was sold without any resolution of the committee for a paltry amount to the brother of a member of the committee and has been removed and used partly by one member in his factory and partly by another member in his buildings;
- (d) whether any sanction of the Commissioner has been obtained for the sale of the material to the brother of a member, what amount has been realised and how it has been accounted for;
- (e) whether it is a fact that there is no resolution of the Committee nor any report by any Engineer or other expert that the building should be demolished?

Honourable Malik Firoz Khan, Noon : Local officers have been asked to report, and the reply will be furnished to the honourable member in due course.

STATIONERY FOR MUNICIPAL COMMITTEE, WAZIRABAD.

***406. Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self-Government be pleased to state;

- (a) the amount spent by the Municipal Committee of Wazirabad in purchasing stationery in each year from 1922 to 1926;
- (b) what is the cause for large difference between the amounts of 1922 to 1924 and 1925 to 1926;
- (c) whether all these entries are made on the stock register of the Municipal Committee?

The Honourable Malik Firoz Khan, Noon : (a)

					Rs.	s.	p.
1922	..	..	..	..	310	10	0
1923	..	..	..	..	149	0	0
1924	..	..	..	..	326	15	0
1925	..	..	..	..	526	2	0
1926	..	..	..	..	665	14	0

[Hon. Malik Firoz Khan Noon.]

(b) The purchase of a number of pens for the use of the executive officers of the committee and the supply of stationery to the Municipal High School.

(c) Yes.

WAZIRABAD MUNICIPALITY AND OCTROI DUTY.

*497. **Dr. Gokul Chand, Narang:** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether the Government is aware that since the schedule of rates of the octroi duty was revised in November 1924, the trade in the municipality of Wazirabad has decreased by about 50 per cent. and that several traders have closed their doors;

(b) what was the net annual income of committee from octroi before the duty was enhanced and what it is now in spite of the duty having been doubled?

The Honourable Malik Firoz Khan, Noon: (a) Government are aware that the revision of the octroi schedule is alleged to have had a prejudicial effect upon the trade of Wazirabad, but are not in a position to say to what extent the trade has been affected.

(b) The net income from octroi during 1923-24 was Rs. 55,511; in 1925-26 after revision of the schedule it was 68,402.

OCTROI DUTY AND TERMINAL TAX.

*498. **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 nearest markets at railway station Gujrat on the north, the town of Gujranwala on the south, the towns of Akalgarh and Hafizabad on the west and the Gunj market of Sialkot on the east of Wazirabad are all free of octroi duty, and that situated centrally among them, the market of Wazirabad cannot possibly keep up its trade in competition with the surrounding markets under a heavier tax unless brought into conformity with them;

(b) whether it is a fact that His Excellency the Governor, while in camp at Wazirabad on 24th July 1925, received in audience a deputation of the Traders' Association with a memorial for the introduction of the terminal tax in the municipality and was pleased to assure them that the octroi duty would be soon replaced by the terminal tax;

(c) whether it is also a fact that, at the instance of the Government, the Municipal Committee of Wazirabad passed a resolution for the introduction of the terminal tax, prepared and published a schedule, invited and considered objections as required by section 62 of the Municipal Act, and that the objections were on a subsequent date personally enquired into and heard by the Commissioner of Lahore Division in camp at Wazirabad while the schedule was under consideration of the Government;

- (d) whether the Government is aware that all of a sudden the municipal committee has recently ended the matter by rejecting the proposal of terminal tax altogether in a special meeting held this time in camera;
- (e) whether the Government is also aware that none of the fifteen members of the municipal committee, as at present constituted, with the solitary exception of a cloth merchant, pays directly any octroi duty whatever on his trade or profession and that a strong majority of them is strenuously exerting against the proposal;
- (f) what steps, if any, the Government proposes to take in replacing the heavy tax with a lighter one, which may amount to the same extent of income as at present, but be in conformity with the surrounding markets;
- (g) whether it is also a fact that the whole town of Wazirabad observed a complete hartal on 3rd September 1926 as a protest against the heavy burden of the present octroi duty?

The Honourable Malik Firoz Khan, Noon : (a) Terminal tax has been imposed in Akalgarh, Hafizabad and Gujranwala, and octroi has been imposed in Sialkot and Gujrat. The latter part of the question is a matter of opinion.

(b) His Excellency received a deputation of the Traders' Association, but gave no such assurance.

(c) It is a fact that the Municipal Committee of Wazirabad passed a resolution proposing the imposition of terminal tax, prepared and published a schedule and invited and considered objections, but this action was not taken at the instance of Government. It is also a fact that the objections received were on a subsequent date enquired into by the Commissioner of Lahore in person, but the proposal to impose the tax was never forwarded to Government for consideration.

(d) A resolution not to proceed with the proposal was passed at a meeting held on the 30th of May 1927, but Government are not aware that the meeting was held in camera.

(e) Further enquiries are being made in connection with this part of the question, and the result will be communicated to the honourable member in due course.

(f) The octroi rates at Wazirabad are about the same as those in force at Sialkot and Gujrat. If any change is required, it is for the committee and not for Government to take the initiative.

(g) Government have no information on the point.

CONSTRUCTION OF SHOPS BY WAZIRABAD MUNICIPAL COMMITTEE WITHOUT PROPER SANCTION.

***409. Dr. Gokul Chand, Narang :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) when the answer to my question No. 3251¹, asked on 29th June 1926, will be ready?

[Dr. Gokul Chand Narang.]

(b) whether it is a fact that the municipal committee has since passed a resolution to the effect that the case of the embezzlement be made over to the police and that the whole amount spent on this unauthorised work be recovered from the members who were personally responsible for its construction without sanction;

(c) whether the police has made any investigation in the matter; and, if so, with what results;

(d) what action, if any, does the Government intend to take in order to recover the amount from the responsible members as resolved by the municipal committee?

The Honourable Malik Firoz Khan Noon: (a) The answer, was forwarded to the Secretary of the Council on the 17th of July 1926, for communication to the honourable member.

(b) Yes.

(c) Yes; the conclusion reached is that no embezzlement has taken place.

(d) The results of the police investigation has only just been received and will be communicated to the committee, on the receipt of whose reply the further action to be taken will be considered. Meanwhile, the payment of certain bills to the contractor has been stopped.

SLAUGHTER-HOUSE IN WAZIRABAD MUNICIPALITY.

*410. **Dr. Gokul Chand Narang:** (i) Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) what amount of Government grant was given to the municipal committee of Wazirabad for the construction of new slaughter-house;

(b) whether the Government has satisfied itself that the slaughter-house has been built strictly according to the plan and estimate sanctioned by the proper authority;

(c) whether the accounts have been checked by the Government auditor, and, if so, what overpayments and variations from the estimate and plan have been reported by him?

(ii) If the work is not done according to the sanctioned plan and estimate, will the Government kindly find out who is responsible for this waste of public money, and will it please consider the question of recovering the same from the responsible member?

The Honourable Malik Firoz Khan Noon: (i) (a) Rs. 4,865-10-8. (b) and (c) The auditor of the Urban Sanitary Board checked the accounts and noted that the work had not been carried out according to the sanctioned plan and estimate; but as the variations from the sanctioned plan and estimate were unimportant, the audit objection was withdrawn by the Sanitary Board. The work cost less than the estimate, and a sum of Rs. 329-6-4 representing the unspent balance of the Sanitary Board grant has been refunded.

(ii) No public money having been wasted, the question of making any recovery does not arise.

AMERICAN MISSION HIGH SCHOOL, SIALKOT.

***411. Chaudhri Zaffarullah Khan :** Will the Honourable Minister for Education please state :—

- (a) whether the American Mission High School, Sialkot, has been closed down ;
- (b) if the answer to (a) be in the negative, what is the present strength of the staff of that school and whether such staff is adequate for the proper running of the school ;
- (c) if the answer to (a) above be in the affirmative, whether it is a fact that the students on the rolls of the American Mission High School, Sialkot, or some of them, have been transferred to the rolls of the Scotch Mission High School, Sialkot, under some arrangement between the managements of the two schools without any reference to the students themselves or their guardians ;
- (d) if the answer to (c) be in the affirmative, what steps does the Education Department propose to take so as to enable the students, so transferred, to exercise a free choice in the matter of selection of a school in which they should continue their further studies?

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

(b) Does not arise.

(c) Before the closing of the American Mission School, the Inspector instructed head masters of the district that the boys of the Mission School could join any institution provided that they had the requisite leaving certificates and the written consent of their parents or guardians and that in the case of any difficulty, reference was to be made to the Inspector.

(d) Does not arise.

GUJRAT BHIMBER ROAD.

***412. Dr. Gokul Chand Narang :** (a) Has the attention of the Honourable the Minister for Agriculture been drawn to an article on Gujrat Bhimber road published in the *Tribune*, dated the 19th of May 1927, describing the dangerous condition of the road between Gujrat and Bhimber ?

(b) What steps, if any, does the Honourable Minister contemplate to remove the trouble ?

The Honourable Sardar Jogendra Singh : (a) Yes, a letter, not an article. The statement in the letter that in May last the Communications Board sanctioned this road to be made pucca, is incorrect.

(b) The road is a district board road; the facts related suggest neglect by that body of its duty. A proposal involving the transfer of this road to the arterial class in charge of Government is at present under consideration. If and when such a transfer is decided on, it is found that the district board has recently neglected the maintenance of the road in anticipation of such transfer, Government will probably decline to take it over until the results of such neglect have been made good by the district board.

CANAL SCHEME FOR PIND DADAN KHAN.

***413. Dr. Cokul Chand Narang :** (a) Will the Honourable Revenue Member please state whether the Government is aware that large areas of culturable land in the vicinity of Pind Dadan Khan have been ruined on account of inroads of salt water from the Salt Range Hills?

(b) Is the Government aware of its promise made a few years ago that a canal would be started in that *ilaga*?

(c) Will the Hon'ble Member be pleased to state at what stage the canal scheme is at present and whether efforts would be made to expedite the completion of the scheme?

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

(b) No.

(c) The present scheme is under anxious consideration in its technical details. Every effort is being made to expedite the issue.

UNSTARRED QUESTIONS AND ANSWERS.

UNEMPLOYMENT COMMITTEE.

253. Chaudhri Afzal Haq : Will the Chief Secretary be pleased to state:—

(a) whether the unemployment committee appointed in accordance with the Punjab Government Resolution No. 4920 (Home-Genl.), has completed its enquiries;

(b) if so, whether copies of the report will be made available to the members of the Council?

Mr. H. D. Craik : (a) A very large amount of written evidence has been received and is now being examined and it will be for the committee to decide at its next meeting whether further oral evidence is required.

(b) The question of printing the report when received will depend on its nature and length.

EXCISE CASES.

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

(a) the number of excise cases challaned by the present Excise Sub-Inspector of Garhshankar, District Hoshiarpur;

(b) the number of cases in which conviction was secured;

(c) the number of cases in which searches were made under the Excise Act by the present Excise Sub-Inspector, but no one was challaned?

The Honourable Sardar Jogendra Singh : (a) 11. (6 Opium Cases; 5 cases under the Excise Act. Cases are actually challaned by the police and not by Excise Sub-Inspectors).

(b) 6. (All opium cases. Of the other cases 3 cases have been withdrawn; 2 are pending).

(c) 2. (In one case under the Opium Act a search was made and no one was challaned. If this be included the figure should be "8").

SALARIES OF TAHSILDARS AND NAIB-TAHSILDARS.

255. Sardar Habib Ullah : Will the Honourable the Revenue Member be pleased to state if the question of increases in the salaries of Tahsildars and Naib-Tahsildars is under consideration; and if so, when they are likely to be enforced?

The Honourable Mian Sir Fazl-i-Husain : The question of the revision of salaries of Tahsildars is under consideration: until orders, if any, are passed it cannot be stated from what date they will be enforced.

Representations from Naib-Tahsildars in regard to salary were received in 1922. The question was considered at that time, but it was decided that in view of the increase already granted in their emoluments and of the fact that sufficient suitable men were obtainable on these emoluments, no increase was necessary. Since that time there has been no change in the circumstances to justify the reconsideration of this decision.

ABOHAR BRANCH, SIRHIND CANAL.

256. Pir Akbar Ali : Will the Honourable Revenue Member please state whether it is a fact:—

- (a) that from 19th February 1927 to 19th March 1927 no rotation turn due to Malookpur, Pujawa, Arniwala and other distributaries of the Abohar Branch, Sirhind Canal, running in the Ferozepore District was given to them excepting some balance water (jhara);
- (b) that there were no rains during the last winter in the area irrigated by the aforesaid canals;
- (c) that rabi crops have this year generally failed for want of water in that part of Ferozepore District which used to be irrigated by the above-mentioned canals;
- (d) if the answer to (a) be in the affirmative will the Honourable Member kindly state the reasons;
- (e) if the answer to (c) be in the affirmative will the Honourable Member please say if Government has taken any steps for the relief of the occupiers of the land whose crops have failed for want of canal water;
- (f) that the rotation turn due from 9th March 1927 to 19th March 1927 to the Abohar Branch, Sirhind Canal (running in the Ferozepore District) was given to Patiala State; if so will the Honourable Member state reasons for such a preference?

The Honourable Mian Sir Fazl-i-Husain : The Honourable Member is informed that the information is not available at headquarters and has

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necessitated a reference to the local authorities and the result is awaited. The information when received will be communicated to the honourable member.

GOVERNMENT ADVERTISEMENTS.

257. Chaudhri Afzal Haq : (i) Will the Honourable the Finance Member be pleased to state whether Government advertisements are given to the papers of other provinces;

(ii) if so, will the Honourable Member be pleased to further state the estimated cost of such advertisements for the year 1926?

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

(ii) The information asked for is not available and cannot be furnished except after an enquiry from all departments, courts and districts in the Punjab. Government is not prepared to undertake such an enquiry.

GOVERNMENT NORMAL SCHOOL, HOSHIARPUR.

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

(a) whether it is a fact that the following 9 Hindu students of the Government Normal School, Hoshiarpur, were converted to Sikhism in the School premises; (1) Gurbux Ram, (2) Chanan Ram, (3) Atma Ram, (4) Charan Dass, (5) Amir Chand, (6) Bhagwan Dass, (7) Bishan Dass, (8) Mul Chand, and (9) Gurdass Ram;

(b) whether the Head Master and second Masters of the school are Sikhs;

(c) whether the Government buildings can be used for conversion purposes?

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

(b) The headmaster is a Sikh, and the second master is a Hindu.

(c) They are not so used.

STIPENDS IN THE GOVERNMENT NORMAL SCHOOL, HOSHIARPUR.

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

(a) (i) the number of stipends awarded to students community-wise in the Government Normal School, Hoshiarpur;

(ii) whether the proportion of stipends awarded to each community is in accordance with the instructions of the education department;

(b) if not, which community has been awarded less stipends than it deserved;

The Honourable Mr. Manohar Lal : (a) (i) A statement showing the information is laid on the table.

(ii) No such instructions have been given.

(b) Does not arise.

Statement showing the number of students admitted in J. V. Class of the Government Normal School, Hoshiarpur.

No.	Religion.	Population of the Hoshiarpur District according to religion.	Stipends awarded to students Community-wise.	Non-stipendaries admitted.	Total.	REMARKS.
1	Hindus	500,339	50	9	59	Total number of Agriculturists admitted 105.
2	Muhammadans	289,298	40	2	42	
3	Sikhs	132,958	30	2	32	
4	Others	4,824	..	..	..
	Total	927,419	120	13	133	

LAHORE RIOTS.

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

- (i) if it is a fact that a person named Abdul Hamid was detained in *thana*, Anarkali, in connection with Lahore riots ;
- (ii) whether the said Abdul Hamid was suspected of any offence ;
- (iii) whether the period for which he was detained is entered in the case diary ? If not, why not ?

The Honourable Sir Geoffrey deMontmorency : (i) No.

(ii) and (iii) do not arise.

MAULVI FAZAL AHMAD AND LAHORE RIOTS.

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

- (a) whether it is a fact that one Maulvi Fazal Ahmad was severely wounded in the Lahore riots ;
- (b) whether it is a fact that so far the police has not been able to trace the culprits ?

The Honourable Sir Geoffrey deMontmorency : (a) He received simple hurt only.

(b) No action was taken by the police as no cognizable offence had been committed.

TEXT-BOOK COMMITTEE.

262. Chaudhri Afzal Haq : (a) Will the Honourable the Minister for Education be pleased to state if it is a fact that there are altogether thirty members of the Text-Book Committee and the number of Muhammadan members is one-fourth of the total ?

(b) If so, is the Government going to increase the number of Muhammadans on that committee ?

[Chaudhri Afzal Haq.]

(c) If not, will the Honourable Minister be pleased to state the reasons for not giving the due share to the Muhammadans on this important committee?

The Honourable Mr. Manohar Lal: (a) Apart from the Director of Public Instruction, who is an *ex-officio* member of the Text-Book Committee, there are 24 members. The representation of communities at present is as follows:—

Europeans	..	..	..	8
Hindus	..	..	..	5
Muhammadans	..	..	..	7
Sikhs	..	..	..	2
Indian-Christians	..	..	..	2

(b) and (c) Do not arise.

MUNSHI GULAB SINGH AND SONS.

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

(a) whether it is a fact that the firm of Munshi Gulab Singh and Sons is the sole publisher of the books of the Education Department for the last quarter of a century;

(b) whether it is a fact that another non-Muslim firm is shortly to be granted the right of publishing the books of the Text-Book Committee;

(c) whether it is a fact that Government is considering the desirability of granting the right of publishing the books of the Education Department to any Muhammadan firm also?

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

(b) No.

(c) Does not arise.

LAHORE RIOTS.

264. Chaudhri Afzal Haq: (a) Will the Honourable the Finance Member be pleased to state whether it is a fact that Hindu pleaders were present while Lahore riot cases were being investigated?

(b) Is it a fact that Shaikh Hasan Din, Dr. Khalifa Shajah-ud-Din and Mian Muhammadan Sharif, pleaders were not allowed to be present at the time of investigation?

(c) Is it a fact that this complaint was brought to the notice of the police and the district authorities by a deputation of the Muslim relief committee? If so, will the Honourable Member be pleased to state whether any step was taken to remove this grievance?

The Honourable Sir Geoffrey deMontmorency: (a) No Hindu pleader was present in a professional capacity during the investigation of the Lahore riot cases.

(b) No pleaders of any community were allowed to be present during the investigations in their professional capacity.

(c) It was explained that no pleaders of any community would be permitted to take part in the investigation.

INTRODUCTION OF SCHEMES SUCH AS "REFRESHMENT FOR ALL"
ETC., IN SCHOOLS OF THE PROVINCE.

265. Chaudhri Afzal Haq : With reference to my question No. 351 (starred) put on the 8th March, will the Honourable Minister for Education be pleased to state, whether the information asked for in the question will be made available?

The Honourable Mr. Manohar Lal : Government has no further information than was given by my answer to the last question.

HASIAT TAX.

266. Chaudhri Afzal Haq : With reference to my question No. 372 (starred) put on the 8th March 1927, will the Honourable Minister for Local Self-Government be pleased to state whether the Government have considered the resolution of the teachers of private schools of Jullundur district praying for exemption from hasiat-tax.

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

TEACHERS IN GOVERNMENT NORMAL SCHOOL, HOSHIARPUR.

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

- (a) the number of teachers community-wise in Government Normal School, Hoshiarpur;
- (b) whether he proposes to take the necessary steps to appoint more teachers of the community which has less proportion in the teaching staff of the school?

The Honourable Mr. Manohar Lal : The Honourable Member is referred to the answer given to Council questions Nos. 1961-1975³.

TEACHERS IN GOVERNMENT NORMAL SCHOOLS OF JULLUNDUR DIVISION.

268. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state the number of teachers community-wise in all the Government Normal Schools of Jullundur Division?

The Honourable Mr. Manohar Lal : The Honourable Member is referred to the answer given to Council questions Nos. 1961-1975³.

CHAUKIDARS.

269. Lala Joti Parshad : (a) Will the Hon'ble Finance Member please state whether Government is aware that the chaukidars who visit the rural police stations in Hissar district to file weekly birth and death returns are detained for several days by the thana officials to do private work for them, and, on account of the absence of chaukidars from the villages,

¹Vol. X-A, Page 161.

²Vol. X-A, Page 162.

³Vol. VIII, pages 1167-1181 and page CIII, Appendix VIII.

[Lala Joti Parshad.]

serious offences under sections 379 and 457, Indian Penal Code, are frequently committed ?

(b) If so, does the Government intend to direct the Superintendent of Police, Hissar, to issue strict orders to all officers in charge of police stations not to detain the chankidars ?

The Honourable Sir Geoffrey de Montmorency : (a) It is a fact that in the past village chankidars have sometimes been irregularly detained by the police when visiting police stations to make their reports. Strict orders were issued by the Superintendent of Police on the 29th April 1927, however, forbidding their detention, and if any specific case is brought to notice in which that order has not been complied with drastic action will be taken against the offender.

(b) Does not arise.

MUTATIONS.

270. Lala Joti Parshad : Will the Honourable Revenue Member please state whether the Tahsildars and Naib-Tahsildars frequently attest mutations at places other than the villages to which the mutations relate, and as a result of this the zamindars are put to serious trouble, particularly during harvest seasons ?

If so, will he please issue instructions to Tahsildars and Naib-Tahsildars to attest mutations in the villages concerned ?

The Honourable Mian Sir Fazl-i-Husain : Tahsildars and Naib-Tahsildars are expected to deal with revenue work within the estates concerned. By this means attendance of all parties can be easily secured and the facts of each case ascertained. In the case of estates for which a detailed jamabandi is to be drawn up during the agricultural year mutation work must be disposed of in the village itself. In other cases the Naib-Tahsildar or Tahsildar, if he cannot conveniently visit the estate, may pass orders on its mutations at any other place within the patwari's circle. It is the duty of the inspecting officers to see that these instructions, to which great importance is attached, are carried out. Government has no reason to suppose that these instructions are not generally complied with.

HINDI PRIMARY SCHOOLS IN HISSAR DISTRICT.

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

- (a) whether it is a fact that there is a keen demand for Hindi Primary Schools in Hissar District and yet the district education authorities decline to open Hindi Schools and insist upon opening Urdu classes ;
- (b) whether it is a fact that the residents of Jewra, tahsil Hissar, submitted a written representation for Hindi being taught in the primary classes, but in spite of it a school where Urdu alone is taught has been opened ;
- (c) whether it is a fact that formerly only Hindi was taught in the school at Ugalan and only recently an Urdu knowing teacher was posted there and so teaching of Hindi has been discontinued ;

- (d) whether it is a fact that there are no Hindi books in the rural library opened by the Education Department in the Hissar District?

The Honourable Mr. Manohar Lal : (a), (b) and (c) Government has no information as to the representations received by the District Board, Hissar, or as to the action taken by it.

- (d) The village libraries are under the control of the District Board, but in the case of the literature supplied by the Education Department, Hindi translations are often included.

HINDI PRACHARNI SABHA.

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

- (a) whether the Government is aware that a society for promoting the teaching of Hindi language named Hindi Pracharni Sabha has been started at Hissar by Pandit Thakur Das, M.L.A., and a large number of schools have been opened by that society ;
- (b) whether the district education authorities are opening their schools in these very centres with the result that there is keen competition between the two kinds of schools ;
- (c) whether the Honourable Minister is aware of the fact that a charge of theft against Pandit Shambu Nath, Teacher, Hindi Pracharni Sabha, Ladwa, was brought by District Inspector of Schools and that the Sub-Inspector of Police who was deputed to investigate the theft case found the charge absolutely false?

The Honourable Mr. Manohar Lal : (a) Government has no information on the subject.

- (b) This matter is under the control of the local authority.

(c) Government has no information on the subject, which is under the control of the local authority.

MUSLIM COMMUNITY IN THE IRRIGATION DEPARTMENT.

273. Chaudhri Afzal Haq : (a) Has the attention of the Honourable Revenue Member been invited to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1926?

- (b) Will the Honourable Member be pleased to state the reason for the paucity of Muslim community in the Irrigation Department?

(c) What steps does the Honourable Member propose taking to make up the number of Muhammadans in this department?

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

- (b) In the Engineering service, the reason was lack of men possessing the technical qualifications prescribed by the rules of recruitment. In

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other branches, it is not easy to state the reasons with any certainty, but I will be very glad to hear the honourable member's views on the subject, if he has any.

(c) Government has more than once stated its policy of giving equal facilities to all, to share the responsibilities of administration provided that they show the necessary qualifications, educational or technical. Government will endeavour to give full effect to their principle.

MUSLIM COMMUNITY IN THE FOREST DEPARTMENT.

274. Chaudhri Afzal Haq : (a) Has the attention of the Honourable the Revenue Member been invited to the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st January 1926?

(b) Will the Honourable Member be pleased to state the reason for the paucity of Muslim community in the Forest Department?

(c) What steps does the Honourable Member propose taking to making up the number of Muhammadans in this department?

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

(b) and (c) Various reasons have been assigned for it, and amongst these one is in the answer to question No. 2543¹ asked and answered in the last Council but I will be glad to hear the honourable members's theory if he has any.

MOTOR LICENSES IN THE KANGRA DISTRICT.

275. Chaudhri Ram Singh : Will the Honourable the Revenue Member be pleased to state the number of motor licenses issued in the Kangra District for plying taxis on hire and also state the number of licenses belonging to the Kangra District?

The Honourable Mian Sir Fazl-i-Husain : Forty-nine motor vehicles hold road certificates valid within the Kangra District. Of these, eleven are owned by residents of the District.

BADHIS LIVING IN THE KANGRA DISTRICT.

276. Chaudhri Ram Singh : Will the Honourable the Revenue Member be pleased to state if it is a fact :—

(a) that the Badhis living in the Kangra District are owners of land, as well as the tillers of the soil;

(b) that the Badhis represented to Government praying that they may be included in the class of statutory agriculturists; if so, will he be pleased to state the reasons for not including the Badhis in that class?

The Honourable Mian Sir Fazl-i-Husain : A reference has been made to the local officers and on receipt of reply an answer will be given.

GOORKHA INHABITANTS OF THE KANGRA DISTRICT.

277. Chaudhri Ram Singh : Will the Honourable the Revenue Member be pleased to state if it is a fact that the Goorkha inhabitants of the Kangra district are not included amongst the agriculturist classes of that district? If so, will he be pleased to state the reasons for the same?

The Honourable Mian Sir Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

AGRICULTURAL FARM IN THE KANGRA DISTRICT.

278. Chaudhri Ram Singh : Will the Honourable the Minister for Agriculture be pleased to state the reasons for the delay in the opening of an agricultural farm in the Kangra District?

The Honourable Sardar Jogendra Singh : The delay is due to the difficulties in connection with the selection of the best site for the farm and the decision as to its area. These have, it is hoped, now been solved.

COMMUNAL REPRESENTATION IN THE POLICE FORCE.

279. Chaudhri Ram Singh : Will the Honourable Finance Member be pleased to state the number of Superintendents of Police, Deputy Superintendents of Police, Inspectors, Sub-Inspectors, head constables, constables and clerks in the Police Department and the number of Hindus, Mussalmans, Sikhs and Christians, respectively, amongst them?

The Honourable Sir Jeffrey deMontmorcency: A statement is attached which furnishes the required information:—

Statement showing the proportionate representation of various communities in Government services in the Punjab.									
Department Police.									
Year 31st March 1927.									
Serial No.	Nature of appointment.	Total number of appointments.	Europeans and Anglo-Indians.	INDIANS.				Sikhs.	Others.
				Muslims.		Hindus.			
				Members of notified agricultural tribes.	Others.	Members of notified agricultural tribes.	Others.		
1	Superintendents of Police	24	21	0	1	1	1	1	1
2	Asstt. Supdts. of Police	21	15	2	1	1	1	1	1
3	Deputy Superintendent of Police.	47	8	21	3	2	3	1	1
4	Inspectors of Police	134	25	36	11	9	7	12	12
5	Sub-Inspectors of Police	945	..	347	106	97	85	51	51
6	Head Constables	2,849	..	1,541	441	236	140	91	91
7	Office Superintendents	2	1	..	1	..	..	..	..
8	Head Assistants	4	1	..	1	..	..	1	1
9	Stenotypists	2	2	..	..	..	..	..	..
10	Assistants	13	..	4	2	2	..	..	..
11	Senior Clerks	24	..	5	2	2	1	1	1
12	Junior Clerks	35	..	7	5	..	1	1	1
13	Munshis	3	..	..	3	..	..	..	..
14	Auditors	3	..	..	2	..	..	..	..
15	Constables	17,058	..	13,137	..	3,198	..	705	48

GRANT OF LAND TO PETTY HOLDERS IN THE SUN ILAQA.

280. Khan Bahadur Mian Muhammad Hayat, Qureshi : (a) Will the Honourable Revenue Member be pleased to state whether it is a fact that the average culturable area owned by the individual holders of the Sun Ilaqa in Tahsil Khushab of the Shahpur District is very small and they are consequently in a miserable plight, particularly in case of the failure of rains ;

(b) if so, is the Honourable Member prepared to consider the advisability of granting the petty holders lands in the new colonies ?

The Honourable Mian Sir Fazl-i-Husain : A reference has been made to the Deputy Commissioner, Shahpur, whose reply has not yet been received.

ZAMINDARS IN THE SHAHPUR DISTRICT.

281. Khan Bahadur Mian Muhammad Hayat, Qureshi : Will the Honourable Revenue Member be pleased to state—

(a) what action he proposes to take to ameliorate the condition of the zamindars holding lands on either bank of the river Jhelum in the Shahpur district, who have been adversely affected by the opening of the Lower and Upper Jhelum Canals ;

(b) whether he is prepared to consider the advisability of granting these zamindars land in the new colonies ?

The Honourable Mian Sir Fazl-i-Husain : (a) Government has under its consideration the question of affording relief to those who have suffered severely owing to their lands having become water-logged through seepage from canals in Shahpur and other districts. Government admits no legal liability in the matter, but desires to help the sufferers as far as circumstances permit. Enquiries are being made in the tracts affected.

(b) The question of the nature and extent of the relief to be afforded is also under consideration. In many villages now affected by water-logging, the advent of the canal caused an increase in cultivation and the loss sustained from water-logging has not been so great as the gain from irrigation. In other villages the loss has exceeded the gain or there has been loss without gain, e.g., in villages which are not irrigated by a canal but in which water-logging has occurred through proximity to a canal.

The cases of those villages which have suffered most severely will be given priority in considering claims to relief.

282. Cancelled.

KHOL-KIARA TAWAN.

283. Khan Bahadur Mian Muhammad Hayat, Qureshi : (a) Will the Honourable Revenue Member be pleased to state whether it is a fact that a penalty called *Khul-Kiara Tawan* is imposed on the failure of the zamindars on the perennial canals to observe certain rules regarding the division of fields into definite plots (*Kiraras*) for the purposes of irrigation ;

[K. B. Mian Muhammad Hayat Qureshi.]

(b) if the answer to (a) is in the affirmative what is the amount of penalty realised on the Lower Jhelum Canal during the last three years?

(c) Is the Honourable Member aware that the carrying out of the rules referred to above involves hardship to the zamindars and that it is well nigh impracticable in case of fields under the cotton crop, which have to be ploughed more than once to weed out grass?

(d) Is the Honourable Member prepared to consider the cancellation of the rules?

The Honourable Mian Sir Fazl-i-Husain: (a) Reply is in the affirmative.

(b) The amount of penalty realised on the Lower Jhelum Canal during the last 3 years is as follows:—

	Rs.	A.	P.
1924-25	4,011	2	0
1925-26	37,082	2	0
1926-27	47,628	5	0

(c) It does involve more labour, but it is believed to bring very good return.

(d) The question of revision is now under consideration.

ANNOUNCEMENT FROM THE CHAIR.

PANEL OF CHAIRMEN.

Mr. President: Under rule 3, clause (1), I appoint the following honourable members to the panel of Chairmen for the current session —

11 A. M.

Dr. Sir Muhammad Iqbal.

Mr. Labh Singh.

Capt. Sardar Sikandar Hayat Khan.

Sardar Ujjal Singh.

RESOLUTIONS.

RESOLUTION RE. RELEASE OF POLITICAL PRISONERS (concluded).

Mr. President: The council will resume discussion on the resolution re: release of political prisoners moved yesterday by Sardar Hari Singh.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural), (Urdu): Sir, yesterday I was saying that it is the treatment or attitude of the rulers towards the ruled that is mostly responsible for the conditions prevailing in a country. If the Government of a country is lenient and sympathetic, it is sure to win the hearts of its subjects and that is why I ask the Government to lose no time in releasing the political prisoners. If I correctly read the human nature, I can say that by showing a little kindness to these prisoners, by releasing them before the time for their release is due, the Government will win their hearts and make them its staunch supporters. But

if, on the other hand, the Government continues to treat them indifferently it will make them its enemies. They will after undergoing their sentences, will very likely try to break the law again and thus create a situation in the country to control which, the officers of the Government will have to pass many a sleepless night. I remember it perfectly well that I and the party to which I belonged, had come here to break the law and not to make it. But the kind attitude of the predecessor of the Honourable the Home Member made that party respect these defective laws.

Having said this much, I will now request my friend, the honourable mover of the resolution, to see his way to withdraw his motion. I make this request because I see that the present circumstances are not favourable for pressing such a resolution. The political party, which once claimed to have the welfare of the political prisoners at heart has since grown indifferent towards them. The officers of the Government, I should say responsible officers of the Government, are trying to make a mountain of a mole hill. Even the most insignificant matters are being represented by them to the Government as conspiracies against the State. I see that not only the Chief Secretary, whom I have always known to have no place in his heart for our aspirations, but even more responsible members of the Council, like the Home Member, pay no heed to our reasonable demands. They rather laugh at us when we make any requests and on more than one occasion our most moderate wishes have been trampled down as if it were a child's play. Not only that: efforts are sometimes made to degrade the public-spirited and sincere national workers in the eyes of their fellow-workers and their countrymen. I say again that it is not the proper time to ask for mercy for the political prisoners because we have only recently found that responsible members of both the principal communities in the province do not feel ashamed in asking the Government to appoint English officers even on lower posts, because they say that they have lost all faith in their own men. It is a pity that things have come to such a pass, but since it is so, I think my honourable friend ought to withdraw his resolution.

Mr. M. A. Ghani (Non-official, nominated): Sir, I have so far refrained from taking part in the deliberations of this Council, for, whenever I attended it I found that almost all the talk here related to those base, degraded and demoralised politics which are called communal politics. Being a labourite, I have always simply hated these politics. Even outside this Council hall I have always very scrupulously kept myself aloof from the clutches of communalism which is mainly responsible for our slavery and for almost all the ills this beautiful land of the five rivers is so sorely suffering from. I am very glad to find that the present resolution of the release of political prisoners has on its face nothing to do with communalism. It is therefore that I propose to speak on it.

The resolution asks for the immediate release of all 'political prisoners' now undergoing imprisonment who were convicted and imprisoned for offences committed against the State. I wish I could have supported this resolution, but I feel a little embarrassment in understanding the real import of the words 'political prisoners'. There are different kinds of political prisoners. The science of politics has developed immensely during the last century or so. There is nothing in this world that may not now come under the science of politics. Even the science of economics now forms a very

[Mr. M. A. Ghani.]

important part of the science of politics. This being so, may I understand that the honourable mover also wants the Government to release those prisoners who might be called economic prisoners as for instance, thieves, robbers, dacoits, thugs, cheats, etc.? I take it, sir, that with the Muslims religion and politics are one thing. Then, does the honourable mover want the Government to release religious prisoners as well, for instance the khilafat prisoners, (*He r, hear*) and the editor and publisher of the *Muslim Outlook* also? Similarly, I would like to know whether he includes the Babar Akali prisoners in his expression 'political prisoners,' the Babar Akalis who were mainly responsible for many cold blooded murders of our own countrymen. (*Hea, hear*). May I understand that the expression also includes the Gurdwara prisoners, for the Gurdwara movement with the Sikhs was more or less a political movement? The honourable mover has tried to qualify the term 'political prisoners' by adding the words 'now undergoing imprisonment who were convicted and imprisoned for offences against the State.' Now, sir, this word 'State' has been defined in many books of jurisprudence, notably of Pollock, Salmond, Holland and so forth in its primary meaning as synonymous with the term public; and as a lawyer I know that the term 'offences against the State' is synonymous with the term 'offences against the public.' (*Hea, hear*) For every offence against the State is an offence against the public. So I cannot understand the meaning of the term 'political prisoners.' Taking the word 'State' in its primary meaning as synonymous with the term public, am I to understand that the honourable mover wants all the prisoners to be released. If that is so, I think it will be simply absurd. If by the words 'offences against the State' my honourable friend means those offences which are described in Chapter VI of the Indian Penal Code, then I think that will not serve his purpose. For, under that chapter there are certain offences whose descriptions do not come directly under the term 'political prisoners.' Offences against section 126 and section 130 form part of the offences against the State also, but they refer to public servants who have not only let the political prisoners escape from jail, but have allowed them to escape for certain political purposes. If the words 'political prisoners' are used by the honourable member in the sense in which they are used in the Jail Manual, am I to understand that the honourable member includes in his term of political prisoners, prisoners under section 158-A of the Indian Penal Code and that he wants the communal leaders also to be released? This is a technical side of the resolution, and I think that the words taken technically are very vague in this respect and the resolution also becomes very vague and indefinite. Perhaps the honourable mover wants Government to release all the political prisoners who were sent to jail under sections 121 and 121-A and 124-A of the Indian Penal Code in connection with the swaraj movement of 1920-21. We know that a number of people were sent to jail during the non-co-operation days for various terms of imprisonment for waging war against the King, for conspiring against the Government, for sedition and so forth. It may be said, Sir, that as these political prisoners wanted to release us from the foreign yoke which is a sort of jail, therefore they desire that we should try to have them released from the jail. This being so, Sir, I take it that if a man is doing something good to me and in doing that he has to suffer it becomes my duty to alleviate his suffering and to do something for him. The ques-

tion is, whether these political prisoners or the so-called political prisoners were really doing anything good to us during those days. It may be said, Sir, that they were trying their best to get swaraj for this country, to get self-government for us, but I am sorry to say that that term swaraj has nowhere been defined. We never knew what was the constitution of the so-called swaraj Government. But what we do know is that labourers and workmen had no place whatsoever in the swaraj politics of those days. Labour as labour had no place in those politics. I always regarded the movement as a big capitalistic movement. Swaraj Government if it ever had come into force would have been simply another capitalistic government in this country. These political prisoners or leaders simply wanted to substitute Indian capitalistic government in place of the present British Government. They only wanted to have offices under Government. Many of them saw a very good chance of becoming very rich and wealthy. Many of them saw good chances of becoming rulers of this country. They had no thought whatsoever for the poor labourer or workman of this country. We know from experience that those people wanted to establish in this country an Indian state like so many native states in India. We also know, Sir, that after all British capitalistic Government is far better than the Indian capitalistic Government. The labour party has always been against such a movement; they do not want this sort of swaraj for this country. It is, therefore, Sir, that I beg to oppose this resolution. So long as sections 121 and 124-A exist on the statute book, the offenders against those sections are criminals and I do not see any reason why the Government should make any distinction between criminal and criminal. If any prisoner in jail deserves any sympathy from the Government or any amnesty from Government it is those who are economical prisoners, who on account of necessity have chosen to help themselves from the wealth of those who have hoarded it somehow or other. With these words I beg to oppose this resolution.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural] : Sir, I am rather in an unfortunate position, because I was not present when the honourable mover proposed this resolution. But, Sir, some very interesting questions have been put to the mover by the last speaker. There were some doubts in my mind with regard to the definition of the term 'political prisoners.' I hope and trust that the honourable mover does not mean by the term 'political prisoners' those who have been guilty of murderous assaults or who have been guilty of arson and loot. Because we find that when there was a certain amount of excitement prevailing, a large number of people took advantage of this excitement and were guilty of murderous assaults and taking away of innocent lives and also of loot. If I remember aright, more than one speaker from the Sikh benches dissociated himself from such persons who were guilty of such crimes as I have mentioned. If the object of the mover is to exclude those persons and his resolution is merely confined to those people who have been imprisoned on account of their political opinions or for the propagation of their political opinions, then I have got sympathy for his resolution. It should be made quite clear by him that so far as his resolution is concerned he has got nothing to do whatever with the violent crimes which sometimes goes by the name of political crimes. It is a very essential thing because if we want to get self-government or swaraj, swaraj government shall also have to maintain law and order

[Pandit Nanak Chand.]

and it will have to undertake those duties which unfortunately are termed satanic. Governments, whether British, Indian, Hindu, Muhammadan or Sikh are both satanic and angelic. Sometimes they have to adopt the methods of constitution, by which I mean harsh methods for dealing with hard crimes and sometimes they have to assume angelic forms in order to preserve law and order in various ways. As a matter of fact Government are neither satanic nor angelic; they are just human, but for our own safety it is necessary that the Council should make it quite clear that so far as we are concerned we have got absolutely no sympathy with those who in the name of politics or political progress commit such crimes which disgrace the name of humanity, and I think it should be absolutely made clear, because otherwise we shall have to vote against the resolution, speaking for myself only. Therefore in his speech, while replying to the debate the honourable mover will refer to this point and make it clear to us.

Honorary Captain Sardar Bahadur Dalpat Singh (Non-official-Nominated) (Urdu): Sir, as is apparent, the honourable mover of the resolution wants that all political prisoners should be released forthwith. It appears to me that the honourable mover is perhaps unaware of the fact that most of these political prisoners are military men. He ought to have known that these persons committed a serious crime in raising the storm of opposition against the Government and in creating mischief in the country at a time when our armies were still engaged in fighting the Germans at different fronts. These persons committed serious crimes against the Government at such places like Singapore, Lahore and Mesopotamia. It will, therefore, be a slur on the good name of our country if the Government were to yield and release the political prisoners. Supposing our armies had caught the contagion from their brethren, whose cause is being pleaded here, do you think that what they have now earned, would have been their lot? Certainly not. With these words I oppose the resolution.

Sardar Hira Singh [Lahore, (Sikh), Rural] (Urdu): Sir, the resolution before us can be considered, in my opinion, from two stand-points. The first is that these political prisoners were not convicted by the ordinary law courts and the other is that they were tried and convicted under extraordinary circumstances. Generally speaking all the political prisoners fall under four categories. Those who come under the first category are those persons who came from countries abroad and who were sent to jails because they were suspected to have come back to India with the intention of overthrowing the present Government. No evidence or proof was called forth to substantiate this suspicion. Nor were they given the opportunity to defend themselves and prefer appeals in higher courts of law. They were convicted by special courts. Next in order come the prisoners who are generally called Martial Law prisoners. Every body knows that these persons were not partners in any conspiracy against the Government. They incurred the displeasure of the Government at the time of general and reasonable excitement. I have used the word "reasonable", advisedly because, after having helped the Government by men and money at a time this help was mostly needed, the people of this country had naturally expected that they would get something substantial in return for their services. But quite contrary to their expectations, they were rewarded with Rowlett Act.

which was opposed to the very elementary principles of justice. The result was, as I have said before, a general upheaval at different places, Amritsar being one of them. The matters were made worse when General Dyer fired at the unarmed crowds at Amritsar. Instead of showing sympathy with the excited masses, the Government punished some of them with deterrent sentences of imprisonment and a few of them were hanged.

The third kind of political prisoners are those who are termed Gurdwara prisoners. In this category I have also included those persons who were convicted for writing the so-called offensive articles in newspapers. The last class of these prisoners are those who were employed in armies and who took to wearing black turbans and kirpans. I do not urge the release of prisoners who tried to create mischief in the armies. But at the same time, it is not unreasonable to ask for the release of those prisoners who were sentenced to as much as 14 years' imprisonment for wearing black turbans or kirpans. As might have become clear, no justice was done in the case of all these political prisoners. But even admitting that they were rightly punished, the changed conditions of the country now demand that these prisoners should not be kept in jails any longer. In every civilised country the practice is that with the change of conditions political prisoners are at once released. I can also assure the Government that it will earn the lasting gratitude of these prisoners by releasing them forthwith and thus allowing them to see and live amongst their near and dear ones from whom they were separated a long time ago. In conclusion I would appeal to the House to give its whole-hearted support to the resolution.

Rai Bahadur Pandit Daulat Ram, Kalia [East and West Central Towns (Non-Muhammadan), Urban] : Sir, some sort of distinction has to be made between offences which are political and offences which are most heinous and against all canons of society. Under the last category fall all the offences committed by those people who are in jail, in connection with the Ghadar conspiracy in India. These are the people who were trained in America and other countries of the world and who were sent to India so that they might commit these offences here, when all the world was fighting against the enemies of civilisation. These people came to India not with a view to work for the political reformation of India but simply for the purpose of embarrassing the Government and they are the enemies not only of the British Empire but of all civilisation in the world. That was a time when the whole of the Punjab was under different conditions from those existing now. Fortunately conditions then were not as they are now. The Muhammadans, Sikhs, Hindus, Christians and all other communities were helping the Government in their attempt to win the war on the fields of France. But these people who came into India were trained by Germany, with German money and they came with instructions from German spies to work against the British Empire and against civilisation in general. These are the people who least of all deserve the consideration of the House. I think I must resume my seat with these remarks and I appeal to the House not to let out these prisoners from the jail. (*Hear, hear*).

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan), Rural] (Urdu) : Sir, the resolution before the House is too wide to be comprehended. The term 'political prisoners' may include even those who were sent to jails for having committed serious crimes. I, therefore, cannot but oppose the resolution.

Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadan), Rural] : Sir, with all such prisoners, whether political or otherwise, as have committed any crime against life or property, I have no sympathy whatever, and to ask in this House, that such prisoners should be released is almost to go beyond the limits of reason and propriety. But there might be other political prisoners who are in jail merely on account of their opinions and who have not committed or attempted any crime whatever. I do not think there are many such prisoners in the Punjab, but if there are any such prisoners who have not committed any crime against life or property and who are in jail simply on account of their opinion, I think they deserve our sympathetic consideration and if Government are willing to consider their case sympathetically, I see no reason why the House should not commend this resolution for its acceptance. With these remarks I resume my seat.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : If this debate, Sir, is memorable for no other reason, I feel sure it will be memorable for the reason that it has produced more than one maiden speech from different honourable members. I am also gratified that it has produced some very sound views about persons convicted of crimes of violence. I should like to make clear the actual number of political prisoners who are now in confinement. I use the words of the honourable mover of this resolution who says "all political prisoners who were convicted and imprisoned for offences committed against the State." I think exaggerated ideas are prevalent on the subject. These prisoners fall into 3 classes: persons convicted of offences against the State and the Army and Navy before 1919, chiefly in the years between 1915 and 1917—they are often loosely described as the bomb conspiracy and Ghadar conspiracy convicts and there are 33 falling in this category; secondly, prisoners convicted of offences against the State in 1919, there are 41 falling in this category; thirdly, prisoners convicted after 1919 in connection with the Gurdwara agitation—there are 23 prisoners to be considered in connection with this class. Of these, however, very few of a once large number fall into the category described by the honourable member because only 9 of those still in confinement were convicted of non-violent political crime. All the remainder may properly be described as ordinary convicts as they are undergoing sentences for dacoity, attempts at dacoity, attempts to murder, causing hurt to public servants, house breaking after preparations for causing hurt and such like offences. Of the 9 convicted for non-violent crimes, 3 are due for release before the 1st of August next. The balance left in confinement will then be 6. A list of the prisoners falling in each of these two divisions was published in the press on Monday last with names. The figures in each category then are, by the 1st of August next, 33 prisoners convicted before 1919, 41 convicted during 1919 and 6 convicted in connection with the Gurdwara agitation, making a total of 80. These convicts are confined in the following detail: in the Punjab jails 31; in jails in other provinces, 34; in the Andamans, 15. It will be recollected that last spring this Council passed a resolution that political prisoners confined in jails in other provinces should be retransferred to jails in this province. I gave a promise on behalf of the Government that their cases would be examined. I entered into an actual engagement that where in the best interests of the province and of jail discipline it seemed prudent to do so, steps would be taken to transfer such prisoners back to the Punjab.

Records of these prisoners have now been very carefully examined and it has been decided to recommend to the Government of India that one-third of the prisoners confined in jails in other provinces should be retransferred to this province.

Honourable members will have observed that the figures I have given contain no figures for prisoners of the very large number of persons who were convicted after 1919 for offences against the State, in connection with the various manifestations of the non-co-operation movement so prominent up to 1923. All these prisoners as far as I can ascertain have been released.

I will now deal with each class of prisoners *seriatim*. First of all the prisoners convicted before 1919. These were convicted with one exception during the years between 1915 and 1917. Those still in confinement are the residue of a very dangerous class. They were convicted of one or more of the following offences:—

Conspiracy to wage war against the King, waging war against the King, abetments or attempts to mutiny, dacoity with murder, attempts at dacoity connected with such conspiracies.

These offences fall into very serious categories. They were committed at a time of great danger when India and the Empire were at war. There is abundant proof that those who committed them received assistance from sources outside India and were instigated by the enemies of the Empire to commit those offences. The men who remain in custody are the leaders of that very dangerous class, a class who, if their schemes had not, owing to the vigilance of the Government, miscarried, would have transplanted the horrors of a great war and revolution into the homesteads and countryside of India itself. Some of them escaped arrest. They are still plotting from bases outside India to disturb the tranquility and constitutional progress of India to greater destinies. With these, many of those still in jail would rapidly re-establish touch, if they were released, to the detriment of the common weal. As regards this class Government has no intention of taking any special or general step to release those of this class who still remain in confinement.

Sir, I need not dwell on the class of offences or the dangers to the state which arose from the offences which were committed in the case of the 1919 convicts. They are well known to the members of this House. I need only say that the men at present in custody are the residue of very much larger number. At one time the number was over 1,700. Many of these received short sentences and these mosquito craft, if I may call them so, of the cruiser of the battleship fleet of the revolutionaries were either swiftly pardoned or speedily released on the completion of their sentences. As regards the more serious cases, very shortly after their conviction Government reviewed their cases and released 241 persons. A little later they submitted the files of the remainder to the late Mr. Justice Martineau, who examined them with very great care and made a report to the Government. Acting on his advice they released 99 more. They submitted a list of 697 more at the time of the Royal Proclamation with a recommendation that these should be released in a general amnesty. This also was done. In addition, the sentences were very carefully scrutinised and reviewed. Numerous sentences of death were commuted to transportation for life, and numerous sentences

[The Hon'ble Sir Geoffrey deMontmorency.]

of transportation for life were changed to shorter sentences of imprisonment. Those remaining therefore are the dangerous conspirators and bloodthirsty men whose records were not found to warrant action at the time of any of these numerous examinations. These are men who have been unable to pass any of the very generous tests of clemency which have been so widely applied and on so many occasions. The rolls of these convicts now come up just like those of other convicts in the ordinary course for the orders of Government but Government has no intention of taking any special or general action for their premature release.

As regards prisoners convicted of non-violent crimes in connection with the Gurdwaras I have pointed out that there are only nine such prisoners still in confinement now and that by the 1st August they will be only six. These are, as the honourable members of this House are well aware, the minute rearguard of what was at one time a vast army of convicts. I need not recall to this House the conditions which were offered to these convicts and under which they could at any time have obtained their release. They were eminently reasonable and many convicts have availed themselves of those conditions. Those still incarcerated can follow their example at any moment. I showed in the debate last spring that these conditions only referred to the future. They did not exact any apology, any admission of past mistakes. They can be accepted at any time by those who wish to work in the best interests of Sikhs without stigma and without remorse.

I need not also recapitulate the clemencies which have been exercised on various occasions resulting in extensive gaol deliveries in the case of Gurdwara prisoners. As I look back over the events, they stretch out to me in one long vista of successive clemencies. I need only recall to your memories the cases of extensive gaol deliveries in connection with Guru-ka-Bagh on more than one occasion, on the occasion of Hindu-Muhammadan riots at Amritsar and later on another occasion.

I have explained at some length in the debate last spring the reasons why the Government is unable to release those in this category who still remain in custody. Those reasons still hold good. I think I made it clear that Government had made every allowance for this class of prisoners and thoroughly understood with sympathetic understanding the motives by which they were actuated. Since that debate the Government has again examined all their records and the sentences of those who are still in confinement. A few who had served their substantive sentences of imprisonment and were in prison serving imprisonment in default of paying fine alone have been released. A few who were in prison having served their substantive sentences and were only still detained on account of punishment for jail offences have also been released. Some who had received consecutive sentence on several charges connected with much the same set of events have had their sentences reviewed with the result that they will be released at an early date. As regards the remainder, Government does not propose to take any general or special steps for their premature enlargement. We have had enough trouble recently in the province with direct action, this time last year at Rawalpindi and in May of this year in Lahore and now in Multan. Those for whom direct action has its attractions must also learn that it has a price which must be paid. They cannot have it both ways.

As regards the first two classes of prisoners as the ones convicted before 1919 and the ones convicted in 1919, I must make it clear that Government has not a shred of sympathy with them. These men by their acts brought danger and suffering to India. They threatened the very foundations of civilisation and of established Government in this country. Apart from the material danger they inflicted they also wounded India in reputation in the eyes of the Empire and in the eyes of the world, in a more subtle and in a far more permanent manner. It is difficult to understand the morbid interest that some people take in this class of prisoners. I believe some people are misguided enough to call them patriots. If this is patriotism, then happy indeed is the country that breeds no patriots (*Hear, hear*). With these words, I oppose the resolution.

Sardar Hari Singh [Ambala Division (Sikh), Rural] (Urdu): Sir,

12 Noon.

I had already known what would be the fate of my resolution. My honourable friend has asked me to withdraw my resolution which I am not prepared to do. In my opinion no convincing arguments have been advanced against my resolution. By political prisoners I do not mean those prisoners who were guilty of murder or arson or of waging war against the King, but I meant those who endeavoured to establish Swaraj in the country. Therefore, I commend my resolution to the consideration of the House.

Mr. President: The resolution proposed runs:

"This Council recommends to the Government to forthwith release all political prisoners now undergoing imprisonment who were convicted and imprisoned for offences committed against the State."

The question is that that resolution be adopted.

(The motion was lost.)

RESOLUTION RE COMPLETION AND OPENING OF THE SHAHPUR CANAL BRANCH.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan); Urban] (Urdu): Sir, the resolution that stands in my name runs thus:—

"This Council recommends to the Government that Shahpur Canal Branch be completed and opened without any further delay."

Sir, I feel that I should make it clear in the very beginning that by moving this resolution I have not in view the opposition of the Government. Whenever I deem it advisable to oppose the Government I do so openly and without fear. Sir, to-day my task is very unpleasant. I have to narrate the neglected tales of miseries and sufferings of the zamindars of that unfortunate (so I should say) tract of land which goes by the name of Shahpur district. Sir, I have no personal bias or prejudice against the owners of the private canals in the Shahpur district but on the other hand we are closely connected with them by long ties of friendship and love. I fully realise the seriousness of the situation. I understand that I am risking my personal friendship with the leading men of my district but at the same time I feel it my moral duty to voice the feelings of those zamindars who are leading a very miserable life in the district. The most unspeakable atrocities are being perpetrated on them and even the Government whose subjects they are have deemed it fit to turn deaf ears to their legitimate grievances. I pity their miserable lot. They are going from bad to worse every day. Sir, it is not a recent trouble, but they have been passing a very hard life for the

[Dr. Shaikh Muhammad Alam.]

last twenty years. For the sake of convenience I may submit that lands of zamindars of my *ilaga* may be divided under four heads. Firstly those zamindars whose lands are irrigated by the Government canals. Secondly, the zamindars whose lands are *barani*. Thirdly, the zamindars whose lands are irrigated by private canals. Of course those zamindars are lucky who get water from Government canals. Then come those zamindars whose lands are *barani*. I understand that even those zamindars who come under the second category are better off than the zamindars who come under the third category. Sir, I forgot to mention the fourth kind of zamindars, that is, those whose lands are irrigated by Government inundation canals. Sir, what I pity most is the condition of those zamindars who depend on the mercy of god No. 3, as I remarked in my speech delivered in the last session of the Council. I wish these people had not been born in that tract of land or if they were born they had come under the first category of zamindars or else their lands had been totally destroyed and they had migrated to other parts of the province. Sir, these people are tyrannised beyond their power of endurance and no one sympathises with them. Their crops fail and their labours are rendered fruitless for want of water. When we are badly in need of water the god No. 3 says that he cannot spare it and when there is abundance of rain water, he sends all water into our lands. The result is that this overflow of water creates pits in our lands and renders them unfit for cultivation. Sir, I do not want to criticise the Government in and out of season. If I find any thing good in the Government I appreciate it. It is really a blessing of the British Government that we find a network of canals constructed throughout the Punjab and as a result of this large tracts of lands have been rendered fit for cultivation. For this act of kindness the zamindars of the Punjab must be grateful to the Government. But along with this I must submit that there are certain relics of the barbarous times to be found in the custom in vogue in the Shahpur district according to which one-fourth share of the produce is taken in lieu of *abiana*. This cruel custom is not in vogue in any other part of the province. Sir, when our crops are ripe we have to wait for the mukhtars (agents) of god No. 3 for an unlimited time. We cannot carry our Dheris until the produce is appraised in the presence of the agents of god No. 3. We cannot touch a single grain even if we be in a state of starvation. Sir, there would be no exaggeration if I would submit that more than often the zamindars have to starve to death because of the produce not being divided in time. If unfortunately any one dares to carry away his Dheri, he is sent to jail. Where the owners of the private canals are big landowners they also exercise judicial powers. Most of them are honorary magistrates of the first class, and a very few of them are exercising powers of second or third class magistrates. Even the Government never hesitates to confer on them the powers of a first class magistrate in the first instance. The Persian verse

خود کو زہ و خود کو زہ گلرو خود گلے کو زہ

most appropriately applies to them. On the application of the mukhtars not only the tenant himself but all the members of the household are summoned to stand their trial. Sir, under these circumstances cannot I appeal, in the name of justice, for the sake of loyalty to the Crown and in the name of humanity, that something must be done to ameliorate the

condition of these poor zamindars? Sir, if books or articles be written on the subject it would not help in the least the zamindars in their present hardship and embarrassments.

The Honourable Mian Sir Fazl-i-Husain : Sir, would the honourable member please explain the difficulties involved in the *batai* system because what he has said may be equally true in case of cash payments.

Dr. Shaikh Muhammad Alam : I think it would have been better to deal with all the points raised in the discussion at the time of exercising my right of reply, but Sir, as you have raised this point now, my reply is that the appraisement of the produce between the tenant and the landlord is a quite different matter. It is the bounden duty of the landlord to be present at the time of appraisement of produce. But because these landlords have no leisure to do so their mukhtars (agents) attend the division of the produce on their behalf. The latter never come in time and when the tenant says that the corn was 50 maunds in weight, they say, no, it was 200 maunds in weight. The more the matter of appraisement is delayed the more their claim is strengthened and because the landlords are most influential people and exercise judicial powers their mukhtars (agents) take undue advantage of their position. Sir, I do not claim to know as much as the Honourable the Member for Revenue about the matter under consideration. Let him devise some means for the betterment of the zamindars of the said *ilaga*. He may not depend on my knowledge of the matter. Sir, the question of opening the Shahpur Canal Branch has been in contemplation for the last 20 years and the zamindars have all the time been saying :—

کل پہنچتے ہیں او روں کی طرف بلکہ تھر بھی
اے ابر کرم بہر سٹا کچھ تو ادھر بھی

Sir, there are canals in every part of the province and we being the subjects of the same Government claim the same irrigation facilities as are provided to zamindars of other parts of the province. Sir when the canal has been dug, the buildings and bungalows have been constructed I cannot understand what else stands in the way of opening the canal.... The people of the *ilaga* are anxiously waiting for water. They are always cherishing false hopes. They say there the water is coming

The Honourable Mian Sir Fazl-i-Husain : From below ?

Dr. Shaikh Muhammad Alam : No Sir, from above, but alas.

مدت سے لگ رہے تھی لب باہی ٹنگی
آخر کو گر پڑی نگہ (نظارا) آج

Sir, so far as I understand, the only objection that is being raised against the opening of the canal is the false danger of water-logging. Mr. Sangster has after full inquiry arrived at the conclusion that the opening of the canal does not involve the danger of water-logging. But afterwards the position changed. I cannot say what considerations led the Government to drop the scheme. I admit that certain committees were appointed to go into the matter, though the members of the said committees were none but the officials and the retired Government servants. Sir, can you imagine for a moment that the people who have for the last three or four days left no stone

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returned in canvassing against my resolution would not have influenced the members of the said committees, who stayed with them and dined with them. The last committee reported against the scheme because in their opinion the opening of the canal involved the danger of water-logging. Sir, I am at a loss to understand how this change in the policy of the Government took place. Why have the authorities after so long a time felt so sympathetic towards the zamindars? Why are they now so anxious to save the zamindars from destruction? In this connection I am reminded of a story about iron and salt. Both were under water when the former said to the latter that the former was being dissolved whereupon the latter replied that no one cared for the latter which was really in trouble. Sir, I think that the honourable members of the House are well aware of the fact that these landlords have approached most of the members of the House in connection with the resolution under consideration and this shows to what extent they are anxious about the matter. They have also distributed pamphlets among the members of the House, a copy of which I have also been able to get hold of.

The Honourable Mian Sir Fazl-i-Husain : No one has supplied me with a copy of that pamphlet.

Dr. Shaikh Muhammad Alam : I am sure no body could have dared to supply you with a copy of that pamphlet.

The Honourable Mian Sir Fazl-i-Husain : Nor has the Honourable Minister for Education been supplied with one.

Dr. Shaikh Muhammad Alam : I believe that no one had the courage to approach him either. Sir, the said pamphlet purports to be published on behalf of the zamindars of the *Raga Nashab*. I cannot understand how those poor people could have arranged to come over here and have that pamphlet published in the Army Press, Simla. I am not in a position to enquire into the truth of the matter. The Government alone can ascertain the facts. I do not think that the zamindars of the *Raga Nashab* have anything to do with this pamphlet. Sir, imagine when these big landlords whose representatives are present here in the gallery, (I mean the son of the colonel and others) could influence the honourable members of the House by such underhand means, is it impossible for them to influence the members of those committees which were appointed to enquire into the matter under consideration. Sir, let the canal be opened and our lands be water-logged. In that case we will have to leave our home for good. That would be far better than this miserable life which we are leading now a days. I cannot understand that when there are already Government and private canals running in the *Raga* without any serious danger of water-logging, how is it conceivable that the opening of the Shahpur Canal Branch alone would involve a serious danger of water-logging and thus destroy the lands of the zamindars? The Shahpur Canal Branch if opened can be looked after by expert engineers and if there be any danger of water-logging, they can remove it. We as the subjects of the Government and inhabitants of the country will have a right to ask the Government to remedy the defect of water-logging. Sir, this very House has sanctioned lakhs of rupees for various canals and it is only the other day that you have sanctioned six lakhs of rupees for an other canal. If Shahpur Canal Branch is opened, cannot we ask the Government to do what they can to remove the supposed danger of water-logging? It is but all delusion and false belief.

There is absolutely no danger of water-logging. Sir, in the pamphlet it is written that it is a matter of 20 years when the digging of the canal was begun and that the canal was meant for the irrigation of that part of land which is now being irrigated by private canals and Government inundation canals. But at that time the idea was that the construction of the canal would not be profitable unless the Government acquired the private canals previous to construction of the canal. Consequently the Government intended to acquire the private canals but the amount of compensation demanded by the owners was enormous and in view of this demand the Government deemed the scheme unprofitable and therefore dropped it. Sir, here is the real point. The whole trouble is about the compensation. Moreover the Government do not like to displease the owners of the private canals. Sir, there are canals running in other places as well and there is water-logging also but no canal has been stopped. Why then should the question of water-logging stand in the way of opening the Shahpur Canal Branch? It is idle to say that because there is a danger of water-logging let the people perish for want of water. It is the same as once a person complained of headache and the person to whom he addressed proposed that his head should be cut off. In the end, Sir, I would request the Government that in the interest of thousands of people and for the benefit of large tracts of land they should open the Shahpur Canal Branch without any further delay.

Mr. President : The resolution moved is :—

" This Council recommends to the Government that Shahpur Canal Branch be completed and opened without any further delay."

The question is that that resolution be adopted.

Mir Maqbool Mahmood [Amritsar (Muhammadian), Rural] (Urdu): Sir, I whole heartedly congratulate my honourable friend the mover of the resolution for his well-worded speech and the spirit in which he has placed the feelings of the zamindars of the Shahpur district before the House. Important schemes like the one under consideration naturally lead to differences of opinion and therefore it would not be strange if I differed from the honourable the mover. I have gathered information from independent sources and have come to the conclusion that the real question in issue is, why the Government have not so far completed the Shahpur Canal Branch. Sir, so far as the financial policy of the Government is concerned I am at one with them. The only objection that is being raised against the opening of the Shahpur Canal Branch is the danger of water-logging. Sir, I have also been supplied with a copy of the pamphlet referred to by my honourable friend the mover (*Hear, hear*). But my opinion is not based on the contents of the pamphlet. Three or four committees were constituted to enquire into the matter under consideration. The last committee was composed of experts like Colonel Holme, Mr. Blacker and Mr. Wilsdon. In the opinion of this committee there is really a serious danger of water-logging involved in the opening of the Shahpur Canal Branch. Sir, even now about seventy thousand acres of land are affected with water-logging and in order to remove it a sum of 5 lakhs of rupees has been sanctioned. According to the opinion of experts if proper action is not taken there is a serious danger of about two lakhs of acres of land being water-logged within the next five years. Sir, the Honourable the Member for Revenue in the last Council announced that after full inquiry into the matter under consideration he had

[Mir. Maqbool Mahmood.]

come to the conclusion that it was injurious to the best interests of the district to open the said Canal. So far as I could follow the honourable mover he has advanced only two arguments in favour of his resolution. First that the plight of the zamindars of the *ilaga* is most deplorable. Secondly, that when there is water-logging on other canals also why should it stand in the way of opening the Shahpur Canal Branch. In reply to the second argument I would submit that there is already water-logging in the Shahpur District for the prevention of which a sum of five lakhs of rupees has been sanctioned and if the Shahpur Canal Branch is opened there would be a considerable increase in the water-logging which I hope even in the opinion of the honourable mover of the resolution cannot be justified. Sir, I would ask the honourable mover that when the zamindars of the *ilaga* are in a state of starvation, when the questions of water-logging and compensation are still undecided why he does not ask the Government to appoint a committee to go into the whole affair. If he is not prepared to do so I would ask the owners of the private canals to request the Government for the appointment of such a committee or the Government should themselves in order to clear the position of the owners of the private canals constitute such a committee of which the honourable mover should himself be a member. Besides this, in the District Board of Shahpur the representation of the zamindars is 66 per cent. and I am at a loss to understand why if the condition of the zamindars is such as has been described by the honourable mover no member of the District Board has ever tabled a resolution of the nature of the one now under consideration. Moreover, Sir, the honourable mover has remarked that when the zamindars are badly in need of water, it is not given and when there is abundance of rain water, all water is let into their lands. Sir, if he can quote a single instance of this kind I am sure the honourable members of the House now opposed to his resolution would vote in his favour. But as the matter stands I think the assertion is groundless. Sir, I also honestly hold that landlords should not be allowed to take undue advantage over their tenants or small land holders, but this does not mean that I sympathise with the Bolshevik method of the distribution of property and wealth. With these words I resume my seat.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammdan), Rural] (Urdu): Sir, I belong to the Shahpur district. I represent those people about whom it has been said that they are in a state of starvation. Therefore I wish to make certain observations in connection with the subject under consideration. The allegations made against the owners of the private canals are untrue. They are respectable gentlemen of our district. They treat us with consideration. Sir, no nation or country in the world can make progress unless it learns to respect the high and help the low. Sir, I admit that most of the owners of private canals exercise judicial powers but to say that they institute proceedings against their tenants and themselves bear the cases arising out of irrigation is as untrue as it is uncalled for. There is a standing order of the District Magistrate to the effect that the honorary magistrates should not themselves hear such canal cases. These should be heard by tahsildars and magistrates of the District. As regards the one-fourth share of the produce I would submit that it is the right of the owners of the private canals to take it in lieu of *abiana*. All other allegations against them are false.

Moreover Sir, the honourable mover of the resolution should not lose sight of the fact that the zamindars whose supposed sufferings have been narrated by him could not be benefited by the opening of the Shahpur Canal because it would only irrigate that tract of the land which is being already irrigated by Government canals.

Now, Sir, I turn to the history of the Shahpur Canal Branch. It was undertaken to be constructed some twenty years ago. It was meant for the irrigation of that tract of land which is now being irrigated by private canals and Government inundation canals. No doubt about eight lakhs of rupees have been spent on the construction of this canal. We may take it as the mistake of the Government who had not settled the question of compensation before they undertook the construction of the canal. Consequently it had to be postponed. After this the Great War broke out. Sir, I admit that committees were appointed to go into the matter under consideration. The last committee was composed of experts. They expressed their opinion that the opening of the Shahpur Canal would involve the danger of water-logging and that it can be removed if the bed of the canal in contemplation be cemented. In reality there is a great danger of water-logging on the upper part of the canal and the water has already penetrated the soil two or three feet deep. Sir, there is an *ilaga* in the upper part of the canal where there is no danger of water-logging. This *ilaga* extends over a tahsil. The people of the *ilaga* are really in a miserable condition. There, is great scarcity of water. Their lands are irrigated by Government canals which supply water during the months of May and June and afterwards are dried up. Sir, in that *ilaga* much depends on the rainfall. There, Sir, the problem of the supply of water has become very acute. Let the Government try to solve this problem. In my opinion there are two ways to do so, that is, either the bed of the Shahpur Canal Branch be cemented or from Jalalpur Canal scheme for which water would be taken out of the river by means of Hydro-Electric Scheme a current of water be taken and made use of at the time of need. If the latter arrangement is made I am sure it would be very useful. Besides this, the Shahpur Canal Branch for which only 25 per cent. water would be supplied, would not meet the demands of the zamindars. Sir, the Government are also giving their full attention to this problem and I think it is better for us to leave this matter to the discretion of the Honourable the

1 P. 3.

Member for Revenue.

The Council then adjourned for lunch till 2 P.M.

THE COUNCIL REASSEMBLED AT 2 P.M., AFTER LUNCH. MR. PRESIDENT
IN THE CHAIR.

Sayad Muhammad Husain [Montgomery, Muhammadan, Rural] (Urdu): Sir, I also feel called upon to say a few words in the light of my personal knowledge on this much vexed question of Shahpur Branch Canal. Before entering upon the subject, I hope I shall be excused if I briefly trace the history of land-revenue in this country. There was a time when the sweepers and *Chamar* and such other low class were the owners of lands. They had

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perhaps not enjoyed their easy time for long when the Aryans came as conquerors in India and began to charge land-revenue in the shape of a part of the produce of lands. This charge reduced the owners of lands to the state of mere labourers. Then came the Muhammadan rulers, who, though recognised the claims and rights of the owners of lands, continued to charge land-revenue in kind. This state of things continued till the time of the Sikh rulers. With the advent of British Government into India and as a matter of that into the province, the old system of collecting land-revenue was abolished. The land-revenue began to be charged in cash. For that innovation we are very grateful to the Government. But in certain other places the assignees of land-revenue and Jagirdars continued the old practice of exacting their share in kind. Nevertheless this vicious system of *batul* has since disappeared from almost all parts of the province. Its remnants are now only to be seen in the district of Dera Ghazi Khan and Shahpur. About Dera Ghazi Khan Government has already promised to help the poor people against the Tumandars. It is, therefore, Shahpur alone which is unfortunate in this respect. I am not one of those who would lay the whole blame for this injustice to the Shahpur district at the door of the Government. I know that since the time of Sir Louis Dane, Government has been making efforts to convert all private owned canals into Government canals. I know, too, that Government has full sympathy with the people of Shahpur and but for certain political reasons the long delayed justice must have been done. Whatever be the reasons, the fact is, that so far Government has not opened its canal there. If I may say, it is a slur on the British sense of justice. The zamindars of the Shahpur district long to obtain the same freedom which the zamindars in other parts of the province are enjoying.

Now I may briefly state how these inundation canals came into existence. The Malikis, who had vast areas of lands, got these nallas constructed to irrigate their lands. Any surplus water in these nallas they used to give to other petty zamindars in return for one-fourth of the produce of their lands. That practice has continued till now. We have been told to-day that this practice works hardship on these zamindars. But I have now no personal knowledge of it and therefore I will not touch this debatable point. All the same one thing is quite clear. It is my personal knowledge that very often water flows in these inundation canals at a time when it is not much needed and stops flowing when it is mostly needed. To give a specific instance of this nature I may say that only a week or so ago the water began to flow into Khanwah and Katora inundation canals on which my own lands are situated. I need hardly say that flowing of water in these nallas at this time will not serve any useful purpose. In the course of the present discussion my friend Mir Sahib, who fortunately represents the zamindars of his constituency has suggested that a committee should be appointed, to go into this question. I may inform him that if ever a committee is appointed it will and it can come to one and only one decision and that is that the people of Shahpur should be given a perennial canal. Mr. Anderson who has recently submitted his report has expressed the same opinion that a perennial canal is the only means by which the miserable plight of the people of Dera Ghazi Khan can be ameliorated. To ensure that zamindars get water to irrigate their lands at the proper time, it is but essen-

tial to have weir protected canals. I am aware, that sometime back Government tried to relieve the zamindars of Bhatwal and Shahpur Tahsil and, in their attempt to do so entered into negotiations with the Maliks. But these negotiations failed to achieve any satisfactory result. Thereupon it was proposed to run a canal along with the inundation canal owned by the Maliks. The proposal was carried out at a great expense. The canal was constructed but before water could be made available to the zamindars, the Great War commenced. The Government, therefore, could not attend to this reform and the matter had to be postponed indefinitely. Since then another move has not been made in this direction for reasons of which we have cognizance. In view of the fact that the greatest number of recruits were supplied by the zamindars of this *ilaga*, Government ought to have taken the earliest opportunity to do justice to these zamindars. I think the opening of a canal would have satisfied them more than anything else. But it is a pity to note that the rewards of all those services has gone to a few big persons in the shape of grants of lands or titles. The poor people who shed their blood have gone uncared for. This question of the Shahpur Branch Canal has been agitating the minds of the public since a very long time. It was brought before this Council sometime back and Government was pleased to appoint a committee consisting of Sardar Hotu Singh and Sir Rahim Bux to submit its report on this vexed question. However no officer of the canal department was included in this committee. And without that element, the findings of the committee could not be of great value. Therefore this report was not considered. Then it was represented that the opening of a perennial canal might result in water-logging. But it proved to be an imaginary view as the experts, appointed to go into the question, reported that there was no fear of water-logging in this particular case. They further advised that if there was any fear, it could be avoided by running the canal for a few miles. But inspite of all this, the question of the opening of the canal has been delayed. It appears that the Honourable the Revenue Member does not like to incur the displeasure of Maliks (*laughter*). I would have done the same thing if I had been in his position (*laughter*).

(Mr. President at this stage sounded the bell to indicate that the time of the honourable member was over.)

Sir, I am advocating the cause of the poor, as I request you to allow me some more time (continued in Urdu). Sir, I request that it is now high time that some *via media* should be found out to solve this vexed question. I realise that Maliks would suffer loss to a certain extent on the opening of a perennial canal. I wish I could have opposed this resolution to satisfy the Maliks some of whom are my personal friends since the time we were studying together in the Christ's College. But I cannot help it. I am here to advocate the cause of the poor people. If Government cannot see its way to support this resolution, it would do best to remain neutral at the time of voting. It will then, be able to ascertain the public opinion on the subject. Its hands will be strengthened if majority of the elected members vote for it. I feel sure that the Government will not lose more time in bringing about this reform and thus prove true to its traditions. It will not be out of place to mention in this connection that United Provinces Government has determined to stand by the poor against the Taluqdars. I hope our Government will not lag behind and thus win a place in the hearts of the people of Shahpur. By doing this favour it will be

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remembered always as a benevolent Government. The names of Dewan Sawan Mal, Sarup Lal, Akbar and Tadar Mal are remembered to this day for doing good to the public. I close my remarks here with an appeal to all present here that they should whole-heartedly support this resolution.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) (Urdu): Sir, fortunately I belong to the district to which this resolution relates. My position, therefore, as a representative of those who own private canals and also of those who seek to obtain water from Government canals, is very anomalous one, and much though I desired to avoid making any speech on the subject, the tone and the language in which the honourable mover elected to convey his thoughts and also the references he condescended to make to the owners of those private canals has forced me to be an unwilling partner in the debate. Justice demands—justice to this honourable House as well as to the owner of the private canals—demands that I should acquaint the members of the facts of the case. The one great matter before the House is whether the Shahpur canal should be opened or not. A good many arguments have been advanced in favour of the proposal. Some of them being (i) that the cultivators suffer a great deal of inconvenience in taking water from the private canals, and (ii) that the owners do not come to share the crops with the cultivators for two or three months after they are gathered, with the result that they are often wasted. I am afraid, the honourable mover betrays a great lack of knowledge of agricultural conditions. Generally these crops are gathered in the month of May and if they are not removed immediately they are thrashed and they are always in danger of being spoiled by rains which set in, generally, in the months of July and August, therefore even the canal owners cannot afford to wait 2 or 3 months for the division of the grain. It is to their interest, to the interest of both the cultivators and the owners of the private canal to share and store them without any unnecessary delay. My honourable friend is, therefore, wrong in saying that often rains set in and wash away or destroy most of the crops before they are divided, with the result that the poor children of the zamindars starve. But I am afraid, this is not a fact and if he were to make such a statement outside the protecting walls of this House, he will have to face some very serious consequences.

Dr. Shaikh Muhammad Alam: Another threat.

The Honourable Malik Firoz Khan, Noon: I am afraid he may perhaps be sorry for having made that statement.....

Dr. Shaikh Muhammad Alam: Sir, I rise to a point of order. Are these threats also allowed?

The Honourable Malik Firoz Khan, Noon: This is not a threat at all.

Mr. President: The honourable member will please proceed with his speech.

The Honourable Malik Firoz Khan, Noon (Urdu): I hope, Sir, I will be allowed to state facts for the information of the House. It is not very just to relate events against facts before members who are not aware of the actual conditions prevailing in a particular locality. This is an improper way of influencing the members. He also said that most of the

owners are honorary magistrates and that they harass the zamindars by instituting false cases against them. Now, Sir, this a baseless charge and a blot which no gentleman may make against another. This also casts a blame on the Government. But happily my friend Khan Bahadur Muhammad Hayat, Qureshi, who belongs to the same district has amply refuted the charge. He has given his own frank and independent opinion and denied any such thing. He has told us that no such cases are allowed to be instituted in the courts of these honorary magistrates and that Government has issued orders that all such cases should be tried by the staff of the District Courts.

It has also been advanced that the zamindars being dependent on the owners for the irrigation of their lands are afraid of expressing their grievances and representing their cause before the Government. But, Sir, my greatest argument against this unfounded insinuation is the honourable member himself who himself gets water from these private canals. Will he tell us what have the owners done to injure him or his.....

Sayad Muhammad Husain : Stop his supply of water.

The Honourable Malik Firoz Khan, Noon : The question is whether the Shahpur Canal be opened or not. I also hold a share in the private canals. It is, no doubt, the wish of the people who pay one-fourth share, that they should be supplied water from Government canals. They will have greater freedom. But, Sir, is the water supply from Government canals being withheld from them because the owners of private canals are keeping the Government in the dark or because they are deceiving the high and capable Government officers. Government have already announced their readiness to open the branch provided there is no danger of water-logging. But if there is a danger of water-logging and the proposal is being pushed only for the good of a few land owners and to the ruin of the zamindars in general, the Government ought never agree to its opening. The Government has already decided to open the Raniwah drainage scheme and even money has been sanctioned by the Council, in this very session. If the scheme proves successful and the danger of water-logging is removed the Government no doubt will certainly proceed to consider the opening of the Shahpur Canal. I, therefore, request the honourable member not to make the House a means of settling old scores. If you have some private enmities please keep them outside the sacred walls of this House.

Mr. J. B. G. Smith [Chief Engineer, Public Works Department (Irrigation Branch)] : Sir, the honourable mover opened this resolution with a very lengthy and I must say somewhat humorous speech the first part of which however as far as my care of the subject is concerned, is irrelevant. I rather hoped that some of my honourable friends in this House would dispose of those arguments. The member from Shahpur did so before lunch and my honourable friend, the Minister for Local Self-Government, has given what further answer was required. I am really concerned with the second portion of his opening speech. Before I deal in detail with what the honourable mover has said, I should like to deal with the position a little. Many histories have been sketched of this scheme. The most authentic was that sketched in this House in June last year. After the Honourable Member for Revenue had sketched it, he stated that the position then was this : that Government has decided not to proceed with the Shahpur Canal

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Branch for the present in consequence of the report of the special committee which indicated the danger to be expected from water-logging. Certain measures were being taken in hand then in respect of the drainage to overcome this evil and when we saw what the results of that were we wanted to consider the modified scheme recommended by that expert committee. The modified scheme was to carry a lined channel across the upper reaches of the tract to feed the areas irrigated by the Government canals below, near Shahpur. Whatever may have been the position or the reasons that led to the Shahpur Branch being held up, formerly the difficulties at present are two. One is a minor one, the existence of the private canals; the second a very major one, the fear of water-logging in the tract. The Honourable Member for Revenue touched in his speech last year on both these points. I do not propose to say anything more just now about the privately-owned canal areas, but I want to say that though the matter of water-logging was stressed in that speech last year, it is advisable for me to say something more on the subject now. That fear is not merely chimerical as the Honourable member would have us think. It is not a myth: and since the Honourable Member for Revenue spoke in this Council last year, the matter has been the subject of a very close and anxious investigation by expert members. There has been a lot of reference in this House that the last committee included no irrigation officer. I would like to point out that that was wrong. It did include an irrigation officer, Mr. Blaker. But I think the House would admit that whether the argument held true or not formerly, it does not hold now.

I will try to describe this area. It is not easy without a black-board, but I will do my best. As everybody knows, the area is a low-lying tract between the uplands of the Jhelum Doab commonly known as Chaj and the high left bank of the Jhelum river. It formerly was the bed of not of the main river, of a branch of the river Jhelum. With volumes of water being poured on to the whole Doab it follows that the sub-soil water surface must rise. There is only one outlet for it and that is the river. It cannot get to the river unless it flows through the soil.

It cannot flow there unless it has got a slope to make the water move. Now if I were to give you a graphic representation of the slope that the water has now or rather, more what it is tending to, that slope would cut the natural surface at the Raniwah area or the area served by these inundation canals, more particularly the private inundation canals. If the natural surface line is reached it means that it is going to cause water-logging. I was going to give you a few figures to make you realise this position better. But Mir Maqbool Mahmood has already forestalled me; he was wrong in one point where he said that the present water-logged area is 70,000 acres; it is only 7,000. But his other figure of the area that might be water-logged five years hence, as far as we can tell on the advice of our experts, is substantially correct, 200,000 acres; it is rather a different figure. Another thing is that the sub-soil water level in that area is now from 10 to 8 feet only. Our position is this: that it is absolutely essential that we should be thoroughly satisfied that no action on our part will tend to increase this danger, rather that we should do all we can to arrest it if not remove it altogether. So unless we are satisfied that the construction of the Shahpur branch will not aggravate this trouble, it would be the height of folly to recommend to Government to

proceed with the scheme immediately, I lay stress on the word 'immediately'. That is what the resolution wanted.

The House, of course, has a right to ask what we are doing about this water-logging. Some of my honourable friends have already answered the question in part. The immediate steps we are taking are to see what we can do by draining this area and we are now considering a scheme of rather drastic closures on the Lower Jhelum Canal. It will not be popular: all remedies are not always pleasant, but they have got to be faced. One difficulty in the drainage problem that we are tackling is that those private inundation canals run all over the place, in the drainage; out of them, across them, all over the shop. The Raniwah drainage if it has got to be effective, has got either to have those crossings removed or to have them of a size sufficiently large to prevent obstruction of the natural drainage water which must come down that drainage line. That we are looking into at present, to see which of the two measures we can adopt.

The sponsor of this resolution, Sir, spoke a lot of the iniquity in the tract but did not tell us why Government should immediately open the Shahpur branch. The honourable member for Shahpur seems to have supplied the reason. He wants irrigation provided to the areas now served by the Government inundation canals. That is his concern. Now the point I wish to make is this that area is at present sufficiently well off so as to make it unnecessary for us to proceed precipitately with this scheme. I will give you figures. In 1904, before the Lower Jhelum Canal came, before it was fully in operations, the area irrigated by the Government inundation canals was 48,000 acres. In 1918, after the Lower Jhelum Canal had had its effect, the area was still 48,000 acres. The average of the last 10 years, 1915-16 to 1924-25, is 51,000 acres, all assessed. I will ask you to look at it in another way. The last average figure I gave you is 53 per cent. of the total culturable commanded area served by the inundation canals. It is 8 per cent. more than what the original project promised. I now go back a little, for 30 years. In 1897 the Shahpur Civil station was seriously threatened. I am quoting from a printed document. "Most of the public and private buildings have fallen, are falling, or are in danger of coming down." That was the state of affairs when severe restriction of irrigation saved the station. In 1901, four years later, it was agreed by the Financial Commissioner and the Chief Engineer that irrigation of areas with a high water table should be restricted as follows. Mark it well.

Sub-soil water, depth 10 to 20 feet .. 10 per cent. of irrigation.

Sub-soil water, less than 10 feet .. Nothing.

The Financial Commissioner expressed the hope that Government would see that these limits were never allowed to be exceeded so that water-logging would never come near us. Nevertheless we have not stuck to it. While I personally agree with the latter that if the depth of water is more than 10 feet there should be no irrigation in that area, I consider the former, that is the 10 per cent. restriction rather too severe. But the House will note the speech of my honourable friend from Shahpur who particularly begged the House to have nothing to do with such a restriction of area as 25 per cent. Nevertheless whatever the decision on that may be, 50 per cent. in that area is certainly much too much, until we control the water-logging situation. If we can check the rise, if we can lower it, if even we can control

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it, there is no harm in giving 50 per cent. of irrigation: but it means more money. You will not get water for Rs. 4; you would be lucky if you get it for Rs. 10. If we can control it, namely the water-logging, then the 50 per cent. of irrigation can be given only in the *kharif*: but not till then. The honourable mover talking rather contemptuously about 'sem' wanted to know whether the present inundation canals did not cause that 'sem'. Certainly they do. But you cannot expect me because those canals help to contribute to 'sem' to recommend that we should go and make another canal to aggravate the evil. I have dealt with the point made by my honourable friend from Shahpur as to why it is not wise to open the Shahpur branch to irrigate that portion of the area that he is particularly interested in; and I need not say anything further on it.

One other point he mentioned was that these canals commence to run in May and ceased in June. That is not correct. They usually start to run in April and end in September. Without that they could not do the irrigation that I have just given figures for. He suggested that if the Shahpur branch could not be put through that we ought to have a similar hydro-electric project as we have for the Jalalpur. That is a very big question. We certainly will consider it. My honourable friend from Montgomery started giving a history and asked me to correct him if he was wrong. Unfortunately he went so fast that I could not possibly keep pace with him. However he quoted as a parallel the Sutlej inundation canals to which we have taken water in the Sutlej valley project. Suffice it to say that it is no parallel. The Sutlej river, as everybody knows, has got very little water for the size of its Doab. The uplands of that Sutlej tract that he referred to will never get the excessive waterings that the Lower Jhelum Canal has had and though it is quite possible that it may suffer from water-logging too. I doubt if the evil will be anything like what is threatening the Lower Jhelum area. He asks us to earn the gratitude of the "*chaharami*" people by opening the Shahpur branch. I think I can assure the House that Government will be only too pleased to do that provided it did not bring in its train evils to a far greater body of people. My honourable friend from Montgomery also concluded with the remark that the resolution was meant to strengthen the hands of Government. I welcome that most in the speech that he made as it was my intention to ask the House to bear with us a little, have a little more patience and give us another few months in which to reach a decision. It has probably been asked before, I do not know. At the Honourable Member for Revenue's request when I took charge of this administration, we began to work out certain figures; these figures are all but ready, and we hope the next few months will enable us to reach a decision, whether for or against the Shahpur branch, I cannot yet tell.

Chaudhri Umar Hayat [Gujrat West (Muhammadan), Rural] (Urdu): Sir, I belong to the Shahpur district and my lands lie on the border of the Gujrat and the Shahpur districts. I can, therefore, say with better knowledge of the conditions that there is a great danger of water-logging if the proposed canals were to be opened. This question does not concern the zamindars of the *i'aqa* only. Some of them possess lands at a higher level.....

(At this stage Sayad Muhammad Husain crossed between the speaker and the Chair).

Mr. President : Order, order.

Sayad Muhammad Husain : I am sorry, Sir.

Chaudhri Umar Hayat : Sir, my lands are irrigated by the *chaharami nala* owned by my honourable friend Malik Sahib. I have never felt any inconvenience. I, therefore, beg to inform the House on behalf of a large number of zamindars of the *Ilaga Nasheb* that the opening of the Shahpur Canal will entail great hardship on the people. Even now the water level is only 5-6 feet deep and there is great water-logging on Lower Jhelum Canal and in spite of the above, the Government wants to open the canal, it should be prepared to grant compensation to three-fourths of the *ilaga* by way of land and house property which will be destroyed by the opening of the canal. With these words I oppose the resolution.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadans), Rural] (Urdu) : Sir, before I proceed to answer the arguments advanced by my honourable friends the Minister for Local Self-Government and the Chief Engineer, I would request your permission to say a few words in reply to what the honourable member for Amritsar had to say. I wish he had taken the House into his confidence and given us the names of the gentlemen who gave him the benefit of their advice. The House could have been in a better position to believe in and appreciate his views. I, however, being without any information on the point, am inclined to believe that those gentlemen were no friends of the zamindars and they only represented one side of the shield. The same honourable gentlemen suggested that if there is any point of conflict between the people of the District, a Committee may be appointed to inquire into those affairs and that another may also be appointed to investigate into the hardships and the grievances of the people against the Tiwana clan. Well, Sir, if he wants to have an inquiry of the sort suggested let him have the same, but I do not want them. I only want the canal to be opened. This is just like the proverb :

زر مے خواہی سخن در این است

If thou demandest gold, it is feared that cannot be given to you. It was also said that in the Honourable Revenue Member's opinion the opening of the canal was injurious to the interest of the province as a whole. But, Sir, my submission is that I have never said it was so. I only demanded it for the benefit of the district. It is very possible it is detrimental to the interests of the owners of the private canals.

We are also told that this demand is not real and general. The reason for such a view is that the question has never been raised in the District Board. Sir, I thank God that the matter was brought in the Council even during the last year. My honourable friend the Minister for Local Self-Government who in his speech represented the views both of the Government and the owners of the private canals, threatened me with dire consequences if I had the audacity of expressing my views outside the House. I do not know what sort of punishment awaits me, whether it is personal or legal, whether I would be beheaded or dealt with according to law. Anyhow if such threats can be held out to a member of this honourable House, how can a poor member of the District Board dare to rush where angels fear to tread. Sir, I have already divided the lands into two classes (i) lands irrigated by inundation canals and (ii) lands irrigated by private canals.

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As far as the first is concerned the honorary magistrate from Shahpur has admitted that they are really greatly inconvenienced and that they do not get enough water. About the second, the Honourable Minister for Local Self-Government stated that the *chaharamis* are also not content and some scheme should be sought out to afford them relief. Now, Sir, these are the two things which my resolution demands, and both of these have been conceded to, one by a responsible representative of the owners of private canals and the other by an Honorary Magistrate which two put together make up my resolution.

They say that it has been ordered by the Deputy Commissioner that no *chaharami* case should be tried in the courts of these honorary magistrates and that no false *chaharami* case is instituted. But, Sir, when do I say that the false cases that are instituted are only *chaharami* cases and that they are heard in the courts of these honorary magistrates. We all know that it is not necessary to institute only a *chaharami* case to harass a poor zamindar other cases can be instituted that are tried by these magistrates. We know of these things. Have we never heard of false cases being challaned and false witnesses being produced or even pleaders advocating false cases or the magistrates convicting innocent people? These things are arranged, all of us, know how. Then why need they only institute *chaharami* cases. There is no flaw in my argument, nor do I see any strength in theirs. I have never talked to the Deputy Commissioner about these *chaharami* cases, nor has any deputation gone to him requesting him to issue the order he actually has issued. Then how did the Deputy Commissioner come to think and act as he did? If there was no false charge levelled, no false case challaned and no innocent person penalised, how did the Deputy Commissioner come to smell rats, for the prevention of which he had to take these steps? This clearly shows that such cases had occurred. My honourable friend Khan Bahadur Muhammad Hayat Qureshi stated that they do not try such cases. What does it matter. The proverb goes—

شاہان بہ شاعان مے دھند

A magistrate must oblige a magistrate. Even my honourable friend the Chief Engineer has not been able to advance any powerful argument against the proposal. The canal cost us 8 lakhs and the drainage will cost another few thousands. Then only shall we be in a position to know whether the expenditure incurred is profitable or not. Sir, it is our duty to see that not a pie is wasted out of the 8 lakhs of public money spent and it does not matter much if we have to spend a few thousands more to prevent any unnecessary waste.

The Honourable Minister for Local Self-Government has been kind enough to warn me of the consequences if I made the statement outside the House that the people starved. I do not know what the consequences are. I do not know whether I will be hung, quartered or drawn. The Honourable Minister has also accused me of being sharp-tongued (زبان دراز) But, Sir, with what moderation and politeness has that charge been brought against me? If I have been sharp-tongued in expressing my grievances, he has been more so in accusing me of it. If I enjoy the protection of this House, he also enjoys the same and if I can be threatened with dire con-

sequences, let him also repeat this word outside the House and he will see if I can also make him dance a devils dance. Sir, we complain of the tyrannies before the Honourable House, we state the truth and we make no exaggeration in vocalising the grievances of the people and we are called sharp-tongued, foul mouthed, immoderate, impolite persons, but they threaten us and are guilty of all these offences even ten times more violently and no notice is taken of them. Well has the poet said :—

ہم آہ بھی کرتے ہیں تو ہوجاتے ہیں بدنام
وہ قتل بھی کرتے ہیں تو چرچا نہیں ہوتا

Sir, you will be the judge if I am sharp-tongued (زبان دراز) in the utterance of our grievances or he is himself open to that charge in calling a member of this House names. I may tell him what the word means.....

The Honourable Malik Firoz Khan, Noon : Sir, I never meant to insult him. If he has felt it in that way, I withdraw the words. I only meant by them a little exaggeration.

Dr. Shaikh Muhammad Alam : Thank you, Sir, thank you for it. A gentleman should not accuse another of such ungentlemanly things. Then, Sir, the House was told that I possess no knowledge of agricultural conditions. But, Sir, the Honourable Minister did not understand me quite well. I have not blamed the owners directly for all that is happening. But unfortunately he has still less knowledge of the doings of his agents than he says I possess of agriculture. I never said that the owners go in person to heaps of corn for the distribution thereof, or they themselves institute false cases. Great men and big employers, like the Governments are ruined by the deeds of their employees. They are the cases of their disgrace and it is a pity that they neither possess, the ability, the time nor the toleration to listen to and enquire into the grievances of the people against such agents. The Colonel nor the Honourable Minister is guilty of ever inquiring about the convenience of the people. My complaint is against the agents who bring about the misery and the ruin of the people as well as their employers. But whenever a complaint is made against them and inquiry is urged against their deeds, then, Sir, the gentlemen get angry.

I am told that we must consider the question coolheadedly. I have listened with all patience to the speech of the Chief Engineer, and I am thankful for the information he has provided us with about the history of the canals. But my complaint is neither against the Chief Engineer, nor against the Honourable Minister, nor even against any member of this House. I only request the Government that it should come to the rescue of these poor, unbefriended starving agriculturists who in the time of Government's need are so ready and will ever be ready to sacrifice their dearest ones. I only begged for a little favour for these pitiable unfortunate people that they may get a few drops of water. I have been told that more area is now commanded than was in the years, 1904-05, 1913-14 or 1924-25 and that the uncommanded areas are daily decreasing. I never doubted it. But my request was that canal water if possible should be given to those remaining 45 or 47 per cent. of the people who starve for the lack of it. We are told that unless they are satisfied that opening of the canal will not be

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harmful in other ways, it will not be opened. But, Sir, then, who is to satisfy you and how. They say it is not possible to open the canal immediately. I am afraid they have misunderstood me. I only request "that Shahpur Canal Branch be completed and opened without any further delay." I meant by "further delay" that all possible delay should be avoided.....

The Honourable Mian Sir Fazl-i-Husain : Very nice. As if "without any further delay" does not mean immediately.

Dr. Shaikh Muhammad Alam : Sir, I meant without any unnecessary delay, and if the Government has misunderstood me, I am prepared to make it clear that I shall be satisfied if the canal is opened without any unnecessary delay. The evil, they admit is not irremediable. They know it can be remedied. But the time they have taken is unconscionably long and the progress made during this period is highly insufficient and unsatisfactory. I want that much quicker measures should be taken in view of the loss to the people. We are advised to wait and watch patiently the results of their investigation. But, Sir, what that result will be the Government itself is not in a position to say. They cannot say whether at the end of such long inquiries they will be in a position to come to a favourable decision or otherwise. The position of the Government is not settled. They are sitting on the fence. They have no definite course of action to pursue. We must wait patiently. If this is so, the best course, for the Government as has been advised by my honourable friend the Member for Montgomery is to remain neutral and see what way the House decides this question. That is the only right way for the Government. They will see that the House decides for the poor zamindars and this decision will influence the doings of the Government. If they have no settled course of action, let them remain neutral and get the opinion of the House. With these few words I commend the resolution to the favourable consideration of the House.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, it is with some hesitation that I proceed to address this Council on the question before it. I had the privilege of addressing the last Council when it met here in Simla in June 1926 at considerable length on this very question. In my speech I had given a historical outline of the case which, I felt, if listened to and understood by the honourable members would at all events have placed them in a position to understand the problem that they are called upon to decide. I had achieved some success at the time. The same subject was broached last March in Lahore and at the time I felt that I was hardly called upon to meet a speech which, however, eloquent it may have been, contained very little indeed relating to the subject itself. To-day the honourable member opposite (Dr. Shaikh Muhammad Alam) has moved his resolution which with the permission of the Council I would read once more :—

"This Council recommends to the Government that Shahpur Canal Branch be completed and opened *without any further delay.*"

I, Sir, have devoted myself to this problem now for nearly 18 months. Ever since I took up office in January 1926, within a month or two, I found this problem calling for a solution and certain contemplated measures for either approval or disapproval. This morning I felt sure that what the

Honourable Council would be called upon to decide would be whether the Shahpur Canal Branch should be opened without any further delay or not? or whether the decision on this difficult question should be postponed for a while. On the other hand, it is with some regret that I have to say, the time of the Council has been taken up not in going into the merits of the case itself, but in indulging in more or less attacks which harsh critics might describe as acrimonious, in general vague allegations which a strict critic might describe as not likely to enhance the reputation of the House in which they are made. Sir, it is easy enough to say 'we represent the people', but then 'we' and the 'people' really convey very little significance in a body of men who are bent on approaching the problems that come before them in a spirit of practical statesmanship. Now, Sir, it is said that there is a great deal of *rumor* going on. It appears from what the honourable mover has said that criminal, civil and revenue administration of the Shahpur district is all wrong. As a matter of fact if even a part of what is stated before us by the honourable mover were true it would appear that the district is not within the Punjab at all, that there are no courts; that the British administration is not functioning there, and that there is no Deputy Commissioner who is responsible to the Punjab Government in these affairs. As I have said before, such vague allegations do no credit to the House, bring no strength to the motion which is before the House, and as a matter of fact they really do more harm both to the cause of the resolution and to the prestige of the Council than good. Sir, we must remember that when we are dealing with a problem it is our duty in the public interest that we should address ourselves to the problem and try to keep away from either attacks on individuals or attacks on classes of individuals, however much we may hate and detest them or differ from them. It seems to me that not only the general administration of the district has been impugned, but it is alleged that a reign of terror is prevailing there, and that the Maliks and their agents have recourse to intimidation, brow-beating, and things of that sort, and that there is not a single public spirited man to stand up against these tyrants and take a case to civil courts, and if the civil courts are hand in gloves with them at all events bring it up to higher courts. I cannot believe that the district courts are so corrupt as not to listen to the grievances of the poor. To paint the district administration in such colours and to call it exercise of privilege of free speech in the legislature is not really befitting the dignity of practical men who are in the Council Chamber trying to arrive at a decision on a most momentous question not only of the district, but of the whole province. I repeat, Sir, the question is of provincial importance, inasmuch as if this Government decides to introduce another canal into that territory, with water-logging facing it, surely it is thereby jeopardising the revenues of the whole province which will be required to face the situation. It is, therefore, not a district problem, but a provincial problem. This problem is of such a technical nature that it requires all the experience of great engineers, of great experts in water-logging and great experts in revenue matters to tackle it and arrive at a decision. I, Sir, am free to confess that I doubt my own competence, without the help of the experts, to arrive at a decision which would satisfy me and my conscience. I have said more than once that it is my one ambition, even when I am in charge of the reserved departments, to act in such a way as may meet the wishes of this House. But when I have to deal with a subject which requires expert ad-

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vice, which is of such great engineering importance, if I am asked to adopt a certain course of action based on arguments which consist in the abuse of a class of men, or of their *mukhtars*, on the gravest reflections implying grave dereliction of duty in protecting the poor while there is nothing to support such serious allegation, Sir, I feel that the House is being called upon to do something for which no reason is adduced.

If we, Sir, proceed a little further what do we see? A hopeless confusion of ideas. The honourable member does not realise that the *chaharmi* question is entirely foreign to the problem before the House, namely, whether the Shahpur branch should be opened or not. Had the honourable mover taken the slightest pains to glance through the previous debates on this very question, and cared to study the case, he would have realised that it has been stated by more speakers than one that the *chaharmi* has got absolutely nothing to do with this question. Government is bound to honour the contracts that have been entered into between the suppliers and the consumers of water, between the Government on the one hand and the other people on the other and that the final decision in such matters rests with the Civil Courts. Government if it finds it necessary, in the public interest, to acquire private canals, it will certainly do so (*hear, hear*) provided that the cost of acquisition is such that in the opinion of Government it gives a return to the province, however, low that may be. Surely the Government has to see that the acquisition does not involve a loss. How will it be possible for me to put a proposal before Government—“I want to acquire all these private canals, at a cost of say, an imaginary figure of 2 crores of rupees”? Naturally the Finance Department will call upon me to show what income I am going to derive for the Government for the two crores of rupees that I have to call upon the Government to invest in this venture. It is all very well to say that in the interest of the “poor” I must spend any amount of money to acquire these private canals. Again, these canals have been referred to as private and in existence solely to enrich their owners. But don't let us forget the history of these private canals. These canals let me remind the House, were constructed not only to benefit the makers of them, but also to confer great benefits on those whose lands were to be irrigated by them. These canals, if the honourable mover of the resolution, or for the matter of that those who had taken part in the debate had studied their history, which history again is not only in the official records which are not available to the public, would have found were made at the request of Government officials, not only as private investments for private benefit, but as acts of public utility and benefit.

Those people who made them were given titles and honours and distinctions of all sorts. It was their public spirit which helped them to invest the money in these canals, from which the poor people were enabled to irrigate their lands, and thereby increase their incomes. The consumers of water entered into certain contracts with the suppliers. These contracts may be good or they may be bad but those who hold that they are not good can impugn them in a civil court. The honourable mover of the resolution knows perfectly well that if any of the *chaharmi* people feel oppressed, under the law they have a remedy. Is this Council going to usurp the functions of the civil courts or the judicial courts? Surely not.

The resolution concerning the opening of Shahpur branch being a technical proposition involves two points, firstly whether the opening of the Shahpur canal from the engineering point of view is sound or not? and secondly, whether, from the economic or revenue point of view, it is in the interests of the province that this venture be undertaken. These are the two questions which determine whether the canal extension scheme should be proceeded with or not? Why should this question, Sir, be mixed up with other questions, all, as I said before, irrelevant to the question, all more or less of a personal nature? (*Hear, hear*). Now, Sir, it is said by the honourable mover that waterlogging is but a pretext used to refuse the opening of the canal. He believes, the opening of the canal is in the interests of the people and in the interests of the Government. Does it not strike him that his proposition put in a different way comes to this—Shahpur branch can be opened to the benefit of the people and to the benefit of the Government and yet Government is not opening it for reasons which he considers are condemnable and which reasons, I entirely agree with him, would be condemnable if they were what he has insinuated them to be Government's partiality for the interests of the owners of private canals. Briefly put, what this House has to decide is this. Is the Government dealing with this problem in the way, the honourable mover insinuated that it is refusing to open Shahpur branch both to the loss of the Government and to the loss of the people in order to help a class of monopolists who are, according to the honourable mover, favourites of Government? I am trying to place the problem in all its nakedness, beautiful or otherwise as that nakedness may appear. For myself, I leave the verdict in the hands of the honourable members of this House, whether they think that I, as the honourable mover by suggestion would have us believe, out of my regard for the private interests of these influential persons am so moved as to refuse to open this branch to the prejudice of Government interests as well as the interests of the poor public who would benefit by the opening of this canal? I would not labour the point; I leave it at that. (*Applause*).

Mr. President : The resolution proposed runs—

"This Council recommends to the Government that Shahpur Canal Branch be completed and opened without any further delay."

The question is that that resolution be adopted.

(The motion was lost.)

RESOLUTION re ENCOURAGEMENT OF PUNJABI AND HINDI VERNAULARS IN PRIMARY SCHOOLS.

Pandit Nanak Chand [Hoshiarpur (Non-Muhamamdan) Rural] : Sir, I beg to move :—

"This Council recommends that a sum of rupees ten lakhs be provided in the next year's budget for the encouragement of Punjabi and Hindi vernaculars in the primary schools."

I may submit in the very beginning the importance of this resolution. Sir, the other day, the Honourable the Finance Member told us that there has been a remission in the provincial contribution and that is probably the last remission. Therefore there is a certain amount of funds available out of which a portion can be devoted to the encouragement of the Punjabi and Hindi vernaculars in the primary schools. There is a second ground why

[Pandit Nanak Chand.]

we consider that there should be an encouragement of the Punjabi and Hindi vernaculars. The province is by steps going towards compulsory primary education and therefore there is a reason why people living in the Punjab should have Punjabi as the medium of instruction in the primary schools and those districts where Hindi is the vernacular spoken should have Hindi as the vernacular in the primary schools. There is a great anomaly that people living in the Punjab speaking Punjabi, talking Punjabi, should be instructed in their primary schools with Urdu as the medium. This is a thing which would be unheard of in other countries. You may go to the house of any educated person, be he educated in England or in India, and you will find that when he is talking to his children or other people who are near and dear to him, he uses the Punjabi language as the medium in which to convey his thoughts. Now there seems absolutely no reason why instead of teaching their children, who are of immature and tender age, in their own vernacular, they should be instructed in a language which they find hard and difficult to follow. Sir, I remember that when I first read Urdu there were certain words whose meaning I came to know after many years, for instance, حق حق حق No Punjabi child would understand what is the meaning of حق and people go on teaching the little boys such sound truths in a language which is impossible for children of tender age to understand. Now, Sir, I submit that no education can be really efficient and effective if it is not given in the language which a child learns from its mother, which a child learns in its home. Unfortunately, the tendency all over the place is to give importance to those vernaculars which are not the mother-tongues of the people of those provinces. There are various objections which are generally brought forward against the institution of the Punjabi as the medium of instruction in the primary schools. The first is that the Punjabi is not a sufficiently developed language. That is very often repeated, that as the Punjabi language is not sufficiently developed, therefore it cannot be accepted as the medium of instruction. Now, Sir, I am not prepared to subscribe to that view. We know that there is a very good literature in the Punjabi language and there is a very good poetry in that language; but so far as the infants or the students reading in the primary schools are concerned, I submit that the Punjabi is sufficiently developed to meet their purpose at least. Not only do we find this, but in the Punjab University many degrees or diplomas in the Punjabi are conferred on those who have got proficiency in that language.

Then the second objection that is generally brought forward is that there are so many variations of the Punjabi language that it would be difficult to find a standard Punjabi. That objection too, I think, cannot bear examination even for a minute. If this objection were to prevail, I submit that no possible language can be made the medium of instruction in any one country. English is a very highly developed language, but there are variations of dialects in different parts of England. Similarly you will find Urdu spoken in different manners by people living in the different parts of the United Provinces. But there is a standard Punjabi in which books are written, in which there is a good deal of literature and I submit that there is no ground for not accepting Punjabi as the medium of instruction in those places where the Punjabi is the spoken language.

RESOLUTION RE ENCOURAGEMENT OF PUNJABI AND HINDI VERNAULARS 9689
IN PRIMARY SCHOOLS.

Then, Sir, there is another objection which can be brought forward against those who would exclude Punjabi as the medium of instruction in the primary schools. Now if you want to develop the Punjabi language which is the language of the people, it is necessary that Punjabi should receive more encouragement at the hands of the State than it has in the past. Now, Sir, it is very unfortunate that in this province the question of languages and a vernacular is also made a religious question. The Muhammadans insist upon Urdu as their language; the Hindus insist on Hindi as their language and the Sikhs have made Punjabi as their language. I think we should discuss this question purely from the educational point of view and we should not, I submit, import into this matter religious considerations which are generally imported in almost all discussions. The Muhammadans living in different parts of India do not speak Urdu; the Hindus living in different parts of India do not speak Hindi and excluding 5 or 6 districts in which the language of the people is Hindi, the whole of the Punjab speaks the Punjabi language and, therefore, I submit that there are various Muhammadan writers and Muhammadan speakers who would accept the Punjabi as the medium of instruction in the primary schools. I submit that in a question of this kind which concerns the welfare of the infants, the welfare of boys and girls of tender age, it is necessary that they should be taught such difficult subjects as mathematics, geography and history, in their own language. I may perhaps anticipate one argument which might be brought forward by some people that primary education has now been made over to district boards and Government has nothing to do with primary education. To this my reply is that I have got experience of the various district boards, where the inspectors appointed by the Educational Department are always trying their best to place difficulties in the way of those who will not accept Urdu as the medium of instruction in their primary schools.

I can give you names if it were necessary to show that it is being done in various places. It is necessary that the Government should declare as its policy that so far as Government is concerned it is in favour of encouraging Punjabi in places where Punjabi is the spoken language of the people and Hindi where Hindi is the spoken language of the people. If that is done and if instructions are issued to the various people who have got to do with the inspection of schools, I think they would not be placing these difficulties in the way of people as they do at the present time. That is my main ground why I insist that Punjabi where Punjabi is the spoken language of the people should be accepted as the medium of instruction in the schools and where Hindi is the spoken language, Hindi should be made the medium of instruction in these schools and I hope and trust that in this matter at least we will not be led away by those false communal considerations which prevail, but we will look upon this question purely from the educational point of view. With these words, Sir, I commend my resolution for the acceptance of the House.

Mr. President: The resolution proposed runs—

"This Council recommends that a sum of rupees ten lakhs be provided in the next year's budget for the encouragement of Punjabi and Hindi vernaculars in the primary schools."

The question is that that resolution be adopted.
(The motion was lost.)

RESOLUTION re COMPULSORY PHYSICAL TRAINING IN SCHOOLS
AND COLLEGES.

Sardar Ujjal Singh (Sikh, Urban) Sir, I beg to move—

"This Council recommends to the Government that they may be pleased to appoint a committee consisting of the Honourable Minister for Education, the Director of Public Instruction and five elected members of the Council to draw up a scheme of introducing compulsory physical training in all schools and colleges whether Government or private for both boys and girls."

Sir, during the debate on the resolution for recruitment to services some honourable members laid great stress on the physical fitness of the candidates. Having full sympathy with the view that mental equipment should be combined with physical fitness, I have ventured to bring forward this resolution for the sympathetic consideration of the House. It has been remarked by a suggestive writer that to be a good animal is the first requisite to success in life and to be a nation of good animals is the first condition of national prosperity. It is not only in war times that strength and hardiness in man counts much, but it is also in peace times that contests of commerce are to a very great extent determined by physical strength and hardiness of producers. The struggle for existence is becoming keener every day and it is already telling upon the constitution of the people. Only those who are physically and mentally fit will be able to bear the increasing strain of modern life. The problem of the child is the problem of the race. As Herbert Spencer has very pertinently put it 'hence it is becoming of special importance that the training of the children should be so carried on as not only to fit them mentally for the struggle before them but also to make them physically fit to bear its excessive wear and tear.' If I were to say that men of the present generation are weaker physically than men of the past generations, I might be accused of falling into the general tendency of exalting the past at the expense of the present. But in our own province we have not got to go far to verify the truth of this statement. If any of us were to visit any school or college instead of meeting with students with laughing eyes and rosy cheeks, he would be a sad witness to lean bodies, sickly faces, sunken eyes and cheeks, and some of them would be physical wrecks. Now, how is this to be accounted for? The whole system of education in this country is defective. Some of the students by education mean only cramming of books and passing of examinations, those dreadful ordeals which make those of us who have been through them shudder even now. Others understand by the word 'education,' knowledge and mental equipment, but very few realise, as has been stated by a writer, that 'success in the world depends more on energy than on information and that the policy of cramming the mind with information undermines energy and is self-defeating. A strong will and untiring activity due to abundant animal vigour go far to compensate even great defects of education and when combined with adequate education which may be obtained without sacrificing health, they ensure an easy victory over competitors enfeebled by excessive studies, prodigies of learning though they may be.' The whole system of education requires overhauling, but the immediate need of the hour is reforms in the way of providing compulsory physical education in order to check the rapidly growing physical degeneration of the race. A bulletin of the United States of America published that out of 20 millions of school children not less than 75 per cent. need medical attention for physical defects which could be guarded

against by a system of physical training. Out of these defects, about 1½ to 2 per cent. were suffering from organical diseases and about 5 per cent. from diseases of the lungs and about 5 per cent. from spinal curvature and about 80 per cent. of defective vision and about 25 per cent. suffering from malnutrition and 30 per cent. from enlarged tonsils and over 50 per cent. having defective teeth. If this is the state of affairs in a country which has set itself very seriously to the grappling of this problem, I do not know what appalling figures would be revealed in our own province if a regular medical examination of the students were to be made. In this province, no doubt we can boast of having introduced in our schools physical instruction, 'play for all' movement, scout movement and out-door games, mass drill, but this does not meet our requirements. The majority of students still remain book-worms and take absolutely no part in games, and most of the money and time that is reserved for games is available for teams that represent schools and colleges in tournaments. This half-hearted arrangement does not provide a remedy to cope with the evil. In other countries reforms on education have been introduced lately with the aim of development of the social side of children through the training of their physical and mental capacities. In Austria, secondary schools were inaugurated in 1919 in which one-third of the pupils' time devoted to manual activities and physical exercises. In these schools emphasis is given to a thorough training in mother tongue also. In Holland a delegation which consisted among its members the Principal of the Training College was sent to England to study the reforms introduced there. The delegation reported that the future development of education must be sought in loosening of the class teaching system and in increasing attention being given to sports as an educational factor. Reforms were introduced in schools and in curricula among the compulsory subjects, physical training was included. In Italy by a Royal decree of 1923, Italian education was entirely reorganised on the following lines, first to provide demonstration and diadective elasticity, development of continuation schools, stricter enforcement of the law of compulsion, strengthening of the classical study in secondary education.

I P.M.

Mr. President : Order, order. Further discussion on this resolution will be resumed to-morrow.

ELECTION OF DEPUTY PRESIDENT.

Mr. President : The Council will now proceed to the election of Deputy President. The following nominations were received.

- | | |
|--------------------------|--|
| (1) Rai Bahadur Pandit | Proposed by Lala Mohan Lal. |
| Daulat Ram, Kalia. | Seconded by S. S. Sardar Fateh Singh. |
| (2) Sardar Buta Singh .. | Proposed by Raizada Hans Raj. |
| | Seconded by Sardar Narain Singh. |
| | Proposed by S. Hira Singh. |
| | Seconded by S. Partap Singh. |
| | Proposed by Chandhri Afzal Haq. |
| | Seconded by Dr. Shaikh Muhammad Alam. |
| | Proposed by R. S. Chaudhri Chhotu Ram. |
| | Seconded by S. Harbakhsh Singh. |

[Mr. President.]

- (3) Sardar Mohinder Singh Proposed by S. B. Sardar Sheo Naran Singh.
Seconded by Mr. E. Mayadas.
- (4) Lala Kesho Ram Sekhri Proposed by Mr. F. Keays Byrne.
Seconded by Lala Joti Parshad.
- (5) Chaudhri Baldeo Singh Proposed by Chaudhri Ram Singh.
Seconded by Chaudhri Kesar Singh.
- (6) Shaikh Faiz Muhammad Proposed by K. B. Nawab Muhammad Jamal Khan.
Seconded by Risaldar Bahadur Nur Khan.
- (7) Sardar Habib Ullah Proposed by Capt. Sardar Sikandar Hayat Khan.
Seconded by Pir Akbar Ali.
- (8) Chaudhri Zafrullah Khan Proposed by Chaudhri Ali Ahmad.
Seconded by Dr. Sir Muhammad Iqbal.
- (9) Chaudhri Dutt Chand Proposed by K. B. Muhammad Hayat Qureshi.
Seconded by Chaudhri Zafrullah Khan.

The following candidates have, however, since withdrawn their candidature:

Rai Bahadur Pandit Daulat Ram Kalia;
Sardar Mohinder Singh;
Chaudhri Baldeo Singh;
Shaikh Faiz Muhammad;
Chaudhri Zafrullah Khan;
Chaudhri Dutt Chand; and
Lala Kesho Ram Sekhri.

The Deputy President will therefore have to be elected from among the two candidates, namely:—

Sardar Buta Singh; and
Sardar Habib Ullah.

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 for 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 Habib Ullah 48.

For Sardar Buta Singh 64.

I declare Sardar Habib Ullah duly elected. Under Section 72-C of the Government of India Act the name of the Deputy President shall be submitted to His Excellency the Governor for approval.

ELECTION TO PUBLIC ACCOUNTS COMMITTEE.

Mr. President : I have to announce to the Council that only one candidate, namely Sardar Harbakhsh Singh, has been nominated by Sardar Buta Singh and seconded by Chaudhri Afzal Haq for the vacancy in the Public Accounts Committee caused by the resignation of Sardar Santa Singh of his membership of the Council. I therefore declare Sardar Harbakhsh Singh duly elected.

ELECTIONS TO THE SELECT COMMITTEE TO CONSIDER THE AMENDMENT OF STANDING ORDERS.

Mr. President : Under Standing Order 57 (2), the select committee to amend the 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 have been received—

Dr. Sir Muhammad Iqbal ;
Sardar Habib Ullah ;
Pir Akbar Ali ;
Mr. Labh Singh ;
Lala Kesho Ram, Sekhri ;
Chaudhri Baldeo Singh ;
Dr. Gopi Chand Bhargava.

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.

The Council then adjourned till 10-30 A.M., on Friday, the 22nd July 1927.

SECRET
The following information is being furnished to you for your information only. It is not to be distributed outside your organization.

On 10/10/50, the following information was received from the [redacted] office. The information is being furnished to you for your information only. It is not to be distributed outside your organization.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 22nd July 1927.

The Council met at Barnes Court, Simla, at 10-30 of the clock, Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION AMONG TAHSILDARS.

***414. Pandit Nanak Chand :** Will the Honourable the Revenue Member be pleased to state—

- (a) the number of Tahsildars appointed in the year 1927,
- (b) how many of them were Hindus, Muhammadans and Sikhs, respectively; and
- (c) how many of these Tahsildars belong to the Hindu agricultural classes?

Mr. C. A. H. Townsend : (a) 20.

- (b) Hindus 5.
Muhammadans 15;
Sikhs 0.
- (c) 1.

The majority of these appointments are due to promotions from the rank of Naib-Tahsildar.

MURDERS IN THE GUJRAT DISTRICT.

***415. Dr. Gopal Chand, Narang :** (i) Will the Honourable Finance Member be pleased to state—

- (a) how many Hindus and Sikhs have been murdered in Gujrat district from 1910 to 1927;
- (b) how many cases were challaned in connection with the murder of Hindus and Sikhs;
- (c) in how many cases were the accused Muhammadans;
- (d) how many cases resulted in conviction?

(ii) In cases of discharge or acquittal, will the Honourable Member be pleased to state the names of the magistrates or sessions judges as the case may be who dealt with the cases?

The Honourable Sir Geoffrey de Montmorency : The collection of the information required by the honourable member would necessitate the examination of the record of every murder case reported at a police station and committed to Sessions by a Magistrate during the last 17 years in the district in question. The trouble and expense involved in making the enquiry does not appear to the Government to be justifiable.

¹Owing to the absence of the Honourable Revenue Member questions addressed to him were answered by the Government Members indicated against the respective answers.

DISTRICT BOARD, GUJRAT.

*416. **Dr. Gokul Chand, Narang** : Will the Honourable Minister for Local Self-Government please state—

- (a) the number of elected members in the District Board of Gujrat and how many of them are Sikhs and Hindus ;
- (b) the number of nominated members of the District Board of Gujrat and how many of them are Hindus and Sikhs ;
- (c) whether he is prepared to consider the advisability of reserving elected seats for the Hindus on the District Board of Gujrat in accordance with their population and importance and also giving them their proper share in the nomination ?

The Honourable Malik Firoz Khan, Noon : (a) Thirty-six : there are no Sikh or Hindu members.

(b) The number of non-official appointed members of the district board is three, of whom one is a Hindu and two are Sikhs.

(c) Government are not prepared to extend the system of communal electorates to district boards. With only three seats to be filled by the appointment of non-officials it is not practicable to give the Hindus any larger representation.

APPOINTMENTS IN THE PROVINCIAL EDUCATIONAL SERVICE.

*417. **Lala Mohan Lal** : (1) Has the Honourable the Minister for Education, Punjab, noticed certain statements made during the last month in the *Muslim Outlook* and other papers with regard to recent appointments in the Provincial Educational Service ?

(2) Is it a fact, as stated in these papers, that five appointments have been so made, three Hindus, one Sikh and one Muslim ?

(3) Is it a fact that a Hindu has been appointed on Rs. 300 per mensem, that is, with two advance increments, and no Muslim has been similarly treated ?

(4) Will the Honourable Minister be pleased to state the number of appointments actually made, the names of the persons appointed and their qualifications ?

(5) Will the Honourable Minister kindly state the exact procedure adopted in making these appointments ?

The Honourable Mr. Manohar Lal : (1) Yes, I have read these statements which are unfortunately based on incomplete facts.

(2) No, the statements in question referring to Punjab Educational Service appointments in the two new colleges at Hoshiarpur and Rohtak and at the college at Ludhiana are erroneous. The number of such new appointments was 5, distributed as follows :

Hindus 2 ; Muslims 2 ; Sikh 1.

(3) No. A Muslim has also been appointed with two advance increments on Rs. 300, while the relative qualifications of the two candidates

are as follows :—

Mr. Vidya Sagar—a distinguished M. Sc. of the Punjab University and Ph. D. (England), was acting for about three years as full Professor of Chemistry in Forman Christian College teaching up to the highest classes in M. Sc. in the college and the University and getting a higher pay in the college than given in the Punjab Educational Service.

Mr. Muhammad Sharif—a second class B.A. (Punjab), B.A. (Cambridge) with 3rd class in Part I of Economics Tripos, and second class in Part II of Historical Tripos; just returned from Cambridge and no teaching experience to his credit. This second candidate was not recommended for any advance increments for reasons that it is not necessary to detail. He was, however, given the two advance increments at the instance of the Minister.

(4) Apart from appointments referred to above to which allusion was made in the statements in the press mentioned in the question by the honourable member, there have been some other appointments made in the Punjab Educational Service recently, and the full statement is given below :—

1. *Mr. Vidya Sagar*—M.Sc. (Punjab), Ph.D. (London), with teaching experience in the college and University classes up to the M. Sc. standard of about three years.

2. *Lala Bhagwan Das Bahl*—M.A. in English (Punjab) first class, with teaching experience of over 7 years, in one of the biggest colleges up to the B. A. and Honours standard.

3. *Dr. Gulshan Rai Chopra*—M.A. (Punjab), Ph.D. (London) already officiating in Government College, Lahore, for one year in Punjab Educational Service and teaching History and English to the senior classes.

4. *Lala Daulat Ram Bhatia*—Distinguished in Zoology M. Sc. (Punjab), Ph. D. (Cambridge) with teaching experience of about one year and already in our service.

5. *S. Shiv Charan Singh*—M. Sc. (Physics) 1st class, teaching experience in senior classes in one of the biggest colleges in the province of about ten years.

6. *Mr. Muhammad Sharif*—qualifications given in answer to (3) above.

7. *Mr. Chiragh Din*—M.Sc. (Physics) 2nd class officiating in Government College as lecturer in Physics, teaching experience in Islamia College, Lahore, of several years. He has been also placed at Rs. 300 with two advance increments.

8. *Mr. Munir*—B.A., B.T. (Punjab), M.A. in Political Science of Michigan University (United States of America), lecturing experience in Central Training College.

9. *Mr. Ghias-ud-Din*—B.A., B.Sc. (London), he has since taken up appointment under our Department of Agriculture.

In addition to this *Mr. Gomti Parshad* B.A. (Oxford) with double Honours of Oxford and also a distinguished record in sports at Oxford has been promoted to Punjab Educational Service after a successful teaching experience in one of the Government Intermediate Colleges and *Mr. Saifdar Ali* who was recently promoted to Punjab Educational Service has been placed in the Intermediate College at Hoshiarpur.

[Hon. Mr. Manohar Lal.]

(5) In making new appointments of this nature to Intermediate Colleges, the Director of Public Instruction interviews most of the applicants and records notes on the applications. All approved applications are then registered. The register of approved candidates was then sent to Mr. Hemmy, Principal, Government College, Lahore, who consulted Mr. Woolner, the Dean of University Instruction and other professors. The nominations were then forwarded to the Director of Public Instruction who held a meeting of Mr. Parkinson, the Principal, Central Training College and the three Principals of the Intermediate Colleges concerned, that is, Mirza Muhammad Said and Professor Bhatia and Mr. Harvey. The final nominations were then sent for approval of the Minister for Education who discussed them with the Director of Public Instruction before passing final orders. The utmost care was taken in selection at all stages and the Director of Public Instruction interviewed all recommended and likely candidates himself, and the advice of all leading Professors in Government College, particularly in Science subjects was obtained. I would, in view of the many press statements, wish to make it clear that the recommendations of the Committee presided over by the Director of Public Instruction were accepted in all particulars except that for a lectureship in English one Hindu with a first class in M. A. English (a rare distinction in the University) with large teaching experience of the senior classes was substituted in place of another Hindu candidate with qualifications in subjects other than English.

Begar.

*418. **Lala Joti Parshad :** (i) Will the Honourable Revenue Member please state—

- (a) whether it is a fact that under written orders issued by the Tahsildar, Ballabgarh, some officers of the Education Department and the tahsil staff illegally impressed several carts in *begar* ;
- (b) whether it is a fact that the tahsil jamadar and chaprasis mercilessly belaboured Chhanga Mali and unlawfully detained Chhanga's cart and bullocks ;
- (c) whether it is a fact that the Tahsildar, Ballabgarh, has directed the prosecution of Chhanga Mali and Lala Bikham Sen, Secretary, Arya Uppritinidhi Sabha, Gurgaon District ;
- (d) whether it is a fact that Government in its circular, dated the 27th April 1923, and several subsequent notifications has held *begar* to be illegal and improper ?
- (ii) If the allegations contained in part (i) be substantially true, will the Hon'ble Member be pleased to state what action he proposes to take against the officials concerned ?

Mr. C. A. H. Townsend : The matter was already brought to the notice of Government and local officers' report is awaited. A reply will be communicated to the honourable member in due course.

MASS MEETING OF THE MUSSALMANS OF LAHORE.

***419. Chaudhri Ram Singh :** (i) Will the Honourable Finance Member be pleased to state if it is a fact—

(a) that on 22nd June 1927 a mass meeting of the Mussalmans of Lahore was held under the presidentship of Maulvi Zafar Ali Khan ;

(b) that the speakers at the meeting used unbecoming language against the High Court and Judges of the High Court and also threatened the Government ;

(c) that the speakers one after the other repeated the very words and expressions for the use of which the editor and the printer of the *Muslim Outlook* had been convicted for contempt by the High Court of Judicature at Lahore ;

(d) that the speakers used unbecoming language against the Hindus ;

(ii) If the answers to (a), (b), (c) and (d) be in the affirmative, will he be pleased to state what action Government propose to take for putting a stop to such attacks in the future ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b), (c) and (d). The reports of this meeting that Government has seen do not bear out these allegations.

(ii) Does not arise.

Lala Mohan Lal : Will the Honourable Member please state who makes these reports ?

The Honourable Sir Geoffrey deMontmorency : Reports are generally received from local officers. Without reference to records it is not possible to tell the exact officials from whom the reports were received in this particular case.

MURDER OF KARAM DAD OF LOHGARH GATE, AMRITSAR.

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

(i) if it is a fact that on 5th August 1926 at about 8-30 A. M. a person named Karam Dad of Lohgarh Gate, Amritsar, was alleged to have been murdered by several well-to-do persons ;

(ii) if it is a fact that the Civil Surgeon reported that the injuries were not self-inflicted ;

(iii) if it is a fact that the police had the case cancelled on the ground that the injuries were self-inflicted ;

(iv) if it is a fact that Saraj Din, son of Nawab Din, a near relative of the deceased, submitted an application on 7th October 1926 to the Private Secretary to His Excellency the Governor, Inspector-General of Police, Deputy Inspector-General of Police, Deputy Commissioner, Amritsar, Deputy Inspector-General (C. I. D.), Police, praying for the investigation of the case by a gazetted officer again ?

(b) If so, will the Honourable Member be pleased to state whether the Government intends to have the case investigated by a gazetted officer ?

The Honourable Sir Geoffrey de Montmorency : The reply to this question is not ready ; it will be communicated to the honourable member when ready.

PUBLIC WORKS DEPARTMENT DRAFTSMEN AND TRACERS.

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

(a) whether it is a fact that the Public Works Department draftsmen and tracers of Montgomery District submitted a memorial on the subject of revision of their scale of pay ;

(b) whether it is receiving the attention of the Government ?

Mr. J. B. G. Smith : (a) Yes.

(b) Yes.

SECOND CLERKS OF DIVISIONAL OFFICES.

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

(a) whether it is a fact that a senior assistant of the office of the Director of Public Instruction, while officiating as Head Assistant gets a handsome amount as acting allowance ;

(b) whether it is a fact that a second clerk while acting as head clerk in divisional offices gets a nominal allowance ranging from Re. 1 to Rs. 5 only ;

(c) whether the Government is considering the advisability of improving the lot of second clerks of divisional offices ?

The Honourable Mr. Manohar Lal : (a) The 'handsomeness' of the allowance depends on the substantive pay of the acting clerk.

(b) The same principle obtains.

(c) No.

APPEARANCE OF THE NAMES OF THE EDUCATION DEPARTMENT OFFICERS IN BOOKS PASSED BY THE TEXT BOOK COMMITTEE.

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

(a) the number of books on the title page of which appears the names of the education department officers and which are passed by the Text Book Committee ;

(b) whether the Government authorises the appearance of the names of the education department officers ?

The Honourable Mr. Manohar Lal : (a) 117 during the last five years.

(b) The matter is under consideration.

SECRETARY, TEXT BOOK COMMITTEE.

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

(a) whether it is a fact that the Secretary of the Text-Book Committee appoints a reviewer of the books that are sent to the Text-Book Committee ;

(b) whether the Secretary can himself read and write Urdu, Persian and Arabic languages ?

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

PERSONS CHALLANED UNDER SECTION 109, CRIMINAL PROCEDURE CODE.

***425. Chaudhri Afzal Haq :** (a) Will the Honourable Finance Member be pleased to state the number of persons challaned under section 109, Criminal Procedure Code, in Rawalpindi district in the months of January, February, March and April 1927 ?

(b) Is it a fact that the number of challaned cases under section 109, Criminal Procedure Code, is unprecedented this year ? If so, what is the reason ?

The Honourable Sir Geoffrey deMontmorency : The reply to this question is not yet ready ; it will be communicated to the honourable member when ready.

REGISTER OF COMPLAINTS.

***426. Chaudhri Afzal Haq :** (a) With reference to the answers to my question No. 80 (starred)¹ and its supplementary question put on 14th March 1927, will the Honourable Finance Member be pleased to state whether the Government keeps any register of complaints which are forwarded to them ?

(b) If the answer is in the negative, is the Government considering the advisability of keeping a record of the complaints ?

The Honourable Sir Geoffrey deMontmorency : A record of fresh receipts generally is kept in each of the departments of the Government ; but no record is kept separately by Government of complaints received by different departments. Government does not propose to maintain such a register as each complaint received is taken up and disposed of in the ordinary course of Government business by the department of Government concerned.

STARTING OF HIGH CLASSES IN SCHOOLS.

***427. Lala Bodh Raj :** (a) Will the Honourable Minister for Education please state—

(a) if he is aware of the subject of a letter No. 3262, dated the 20th April 1927, issued from the office of Inspector of Schools, Lahore, to the District Inspector of Schools, Gurdaspur ;

[Lala Bodh Raj.]

- (b) if it is a fact that the said Inspector has issued another circular last year to the effect that previous sanction of the department is necessary for starting high classes?
- (ii) Will the Honourable Minister please state if the letter referred to in part (a) applies to such schools as started their high classes before the circular referred to in part (b) was issued; if so, why?
- (iii) Will the Honourable Minister consider the desirability of withdrawing the letter referred to in part (a) or to amend its language in such a manner as to exclude the schools from its application referred to in part (i)?

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

SIKH DISTRICT INSPECTOR OF SCHOOLS.

***428. Sardar Ujjal Singh:** With reference to my unstarred question No. 182¹ put in the last session, will the Honourable the Minister for Education please state the name of a Sikh District Inspector of Schools or Sikh headmaster of a Government High School at present serving in the whole of Multan Division?

The Honourable Mr. Manohar Lal: (a) Lala Indar Bhan, Government High and Normal School, Multan.

(b) S. Hardyal Singh (who is on deputation with the Boy Scouts Association) holds the substantive post of Headmaster, Government High School, Alipore.

PUNITIVE POLICE TAX IN RAWALPINDI.

***429. Sardar Ujjal Singh:** Will the Honourable the Finance Member please state—

- (a) the rate per head of the punitive police tax levied in Rawalpindi;
- (b) whether the tax is proposed to be realised from all communities;
- (c) whether it is not the intention of the Government to exempt the members of those communities, i. e., Sikhs and Hindus, from this punitive police tax who suffered heavy financial losses in the Rawalpindi riots?

The Honourable Sir Geoffrey de Montmorency: (a) It is regretted that this information is not available.

(b) Yes.

(c) It is proposed to exempt from punitive charges persons who are to receive compensation for injury and are free from blame in respect of the occurrences which led to the injury.

GRADES OF PAY OF CERTAIN CLASSES OF TEACHERS.

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

- (a) the grades of pay drawn by the Sanskrit, Arabic, Drawing, Drill and Urdu teachers respectively of the high department;

(b) the grades of pay of the Punjabi teachers of the high department ?

The Honourable Mr. Manohar Lal : (a) The grades of pay drawn by Sanskrit and Arabic teachers and Drawing Masters in the Government institutions are Rs. 55—3—70, 80—4—100, 110—5—135 and Rs. 140—10—190 and the grades of pay drawn by Drill and Urdu teachers are 35—3—50, 55—3—70, 80—4—100 and 110—5—135.

(b) the grades of pay of Punjabi teachers are the same as those of the Drill and Urdu teachers.

FEE CONCESSIONS TO STUDENTS OF AGRICULTURAL TRIBES.

***431. Sardar Ujjal Singh :** (i) Will the Honourable Minister for Education please state—

(a) whether it is a fact that in Rawalpindi division students belonging to the agricultural tribes have been given concessions with regard to payment of fees and *other matters* ;

(b) whether it is a fact that no such concessions have been given to the students belonging to agricultural tribes in other divisions ?

(ii) If the answer to parts (a) and (b) is in the affirmative, will the Honourable Minister please state whether it is his intention to do away with this distinction and extend the concessions to all students belonging to agricultural tribes throughout the province ?

The Honourable Mr. Manohar Lal : (i) (a) Yes, in regard to fees.

(b) No.

(ii) The matter is under consideration.

CLINICAL ASSISTANTS, KING EDWARD MEDICAL COLLEGE.

***432. Sardar Ujjal Singh :** (i) Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that out of the six clinical assistants appointed in the King Edward Medical College not a single Sikh doctor has been selected ;

(b) whether it is also a fact that out of the three clinical assistants that were appointed in October 1926 a Muhammadan candidate was selected who had once failed during his medical college career ;

(c) that the same selected candidate passed his Doctor of Medicine examination in 1921 without distinction ;

(d) whether it is also a fact that one of the applicants was a Sikh doctor who passed the Doctor of Medicine examination in the same year standing first with distinction and having a very successful college career ?

(ii) If the answer to the above be in the affirmative, will the Honourable Minister please state why the claims of a more qualified Sikh doctor were ignored and favour was shown to a candidate with lower qualifications ?

The Honourable Malik Firoz Khan, Noon :—(a), (b), (c), (d) Yes.

(e) The appointment was made before I assumed office, but I have no doubt that the claims of the candidates were carefully considered, and it was decided that the professional experience of Dr. Muhammad Yusuf coupled with his academic record and post-graduate training entitled him to the appointment in preference to others.

INTERMEDIATE COLLEGE IN THE SHAHPUR DISTRICT.

*433. **Sardar Ujjal Singh :** (a) Will the Honourable Minister for Education please state whether there is a proposal for immediately opening an Intermediate college in the Shahpur district ;

(b) If so, will the Government please state whether it has taken into consideration the claims of Sargodha for the location of the college as compared to Shahpur for the reason of its being the headquarter of the district and the colony and having many high schools in and near it ?

The Honourable Mr. Manohar Lal : (a) The matter is under consideration.

(b) Yes.

MANDIS IN THE LOWER JHELUM CANAL COLONY.

*434. **Sardar Ujjal Singh :** (a) Will the Honourable the Revenue Member please state whether it is the intention of the Government to open new mandis in the Lower Jhelum Canal Colony area to be traversed by the new railway line from Chak Jhumra to Khushab and Sargodha to Gujrat ?

(b) If so, has the Government taken into consideration the heavy loss accruing to the people who have invested huge sums of money in property of different kinds and trade in the existing mandis ?

Mr. C. A. H. Townsend : (a) There are no such proposals under the consideration of Government, nor has any such railway line been decided upon.

(b) Does not arise.

MONTHLY CANAL CLOSURES ON THE LOWER JHELUM CANAL COLONY.

*435. **Sardar Ujjal Singh :** Will the Honourable the Revenue Member be pleased to state if it is a fact that there is a proposal of monthly canal closures for ten or fifteen days on the Lower Jhelum Canal Colony ?

(b) If so, is the Government aware of the fact that in several chaks of the colony there is no provision for water supply for drinking purposes, and that besides severely hitting the agriculturist it will adversely affect the health of the people and the cattle ?

Mr. J. B. G. Smith : (a) There is a proposal to have closure for ten or fifteen days in most months during the year.

(b) The length of closure will not be in excess of those liable to occur at present, consequently arrangements for drinking water will not be detrimentally affected.

SARDAR IQBAL SINGH, CIRCLE REGISTRAR, CO-OPERATIVE SOCIETIES.

***436. Chaudhri Zafrullah Khan :** (1) Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware that a large number of co-operators in the Gujranwala and Sialkot districts are not at all satisfied with Sardar Iqbal Singh, Circle Registrar, Co-operative Societies ;
- (b) whether complaints against the said Sardar Iqbal Singh have been made to the Registrar, Co-operative Societies ;
- (c) whether it is a fact that in response to an enquiry made by the Registrar, Co-operative Societies, the Deputy Commissioner of Sialkot remarked that Sardar Iqbal Singh, Circle Registrar, favoured his relations and friends ?
- (d) whether he is aware that Sardar Awatar Singh, liquidator, the brother-in-law of the said Sardar Iqbal Singh had to be removed from his office as the result of an adverse finding against him with regard to the discharge of his duties ?

(ii) if the answers to the different parts of question No. 1, or any of them be in the affirmative, will the Honourable Minister for Agriculture please state what steps he has taken or is prepared to take in respect of such matters as are against Sardar Iqbal Singh ?

The Honourable Sardar Jogendra Singh : (i) (a) Government has no knowledge of the alleged feeling, and no reason to believe in its existence.

(b) No complaints of importance or appearing to be well founded have been made.

(c) No.

(d) No.

(ii) No steps.

Chaudhri Zafrullah Khan : The answer to (b) is that no complaints of importance have been made ; but my question is whether any complaints at all have been made ?

The Honourable Sardar Jogendra Singh : No complaints have reached me.

HIGHER STUDY AND RESEARCH IN EUROPE.

***437. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state whether any officer (a) in the Agriculture (b) in the Co-operative Departments have been granted leave for the purpose of higher study and research in Europe at Government expense during the years 1926 and 1927, and, if so, how many of these officers are Muslims and how many are non-Muslims ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SARDAR IQBAL SINGH, CIRCLE REGISTRAR, CO-OPERATIVE SOCIETIES.

***438. Chaudhri Zafrullah Khan :** (a) Will the Honourable Minister for Agriculture please state whether Sardar Iqbal Singh, Circle Registrar, Co-operative Societies, is one of the officers who has been recently granted leave to proceed to Europe for higher study and research at Government expense?

(b) If the answer to (a) be in the affirmative, will the Honourable Minister for Agriculture please state whether there were any officers in the Co-operative Department senior to Sardar Iqbal Singh who were also eligible for such leave?

(c) If the answer to (b) be in the affirmative why have such officers not been granted a privilege similar to that granted to Sardar Iqbal Singh?

The Honourable Sardar Jogendra Singh : (a) Yes, he has been selected for the purpose.

(b) The expression "eligible" is not clear. There are no prescribed qualifications for such duty and no questions of seniority enter into it.

(c) Consequently does not arise.

AGRICULTURAL COLLEGE, LYALLPUR.

***439. Chaudhri Zafrullah Khan :** (a) Will the Honourable Minister for Agriculture please state how many students have been admitted to the Agricultural College, Lyallpur, in the year 1927; how many of them are Muslims and how many non-Muslims?

(b) How does this proportion of Muslim and non-Muslim students compare with the Muslim and non-Muslim proportion of population among the Agricultural classes in the province?

(c) If the proportion of Muslim students admitted to the College is not in accord with the number of Muslim agriculturists in the Province, how does the Honourable Minister for Agriculture propose to remedy this disparity?

The Honourable Sardar Jogendra Singh : (a) The total number of students selected for admission to the Punjab Agricultural College is 86, including 16 students belonging to other provinces and Indian States. Of the 86 students, 31 are Muslims and 55 non-Muslims.

(b) The proportion of Muslim and non-Muslim students belonging to the agricultural tribes compares with the Muslim and non-Muslim proportion of agricultural population as follows :—

Community.	Percentage of agricultural population.	Percentage selected for admission.
Muslims	52	46
Non-Muslims	48	54

(c) Five Muslim candidates have been specially admitted and no further action seems necessary.

**RELIEF OF DISTRESS OF PEOPLE IN WATER-LOGGED AREAS IN THE
SIALKOT DISTRICT.**

***440. Chaudhri Zafrullah Khan :** Will the Honourable the Revenue Member please state what progress has so far been made to alleviate the distress of people resident or owning land within the water-logged areas in the Sialkot District?

Mr. C. A. H. Townsend : The honourable member is referred to the answer given to Council Question No. 170² at the last session. No other villages have agreed to the terms offered by Government. Steps are in progress to effect the transfer of the nine villages who have accepted the terms offered to transfer them to the Nili Bar : but progress in the matter is slow as the villagers concerned do not entirely approve of the Chak that the Colonization Officer has selected for them.

RECRUITMENT TO POLICE FORCE.

***441. Chaudhri Zafrullah Khan :** (a) Will the Honourable the Finance Member please state whether any constables or officers of higher rank have been recruited to the police force during the months of May and June 1927 ; if so, how many of such new recruits are Muslims and how many non-Muslims ?

(b) Is it a fact that the new recruits are preponderatingly non-Muslims. If so, what is the reason for such preponderance ?

(c) If the reason or any of the reasons for such preponderance be the fact that Muslims are already in a majority in the lower grades of the police force and that the non-Muslim recruits are intended to raise the proportion of non-Muslims in the police force, what steps is the Honourable Member prepared to take to raise the proportion of Muslims where they are in a minority in other branches of the public service under the control of the honourable member ?

The Honourable Sir Geoffrey de Montmorency : The reply to this Council Question is not yet ready, it will be communicated to the honourable member when ready.

POLICE OFFICERS AND LAHORE RIOTS.

***442. Chaudhri Zafrullah Khan :** (a) Will the Honourable the Finance Member please state the names and ranks of police officers deputed to carry on or concerned with the investigation into offences arising out of the recent disturbances in Lahore ?

(b) Is it a fact that there is a preponderance of non-Muslims among such officers ?

(c) Is it a fact that complaints have been made in the press and have also been addressed to Government that owing to the preponderance of such non-Muslim officers, the investigations are being conducted in a highhanded manner and that a large number of innocent Muslims have been implicated in connection with the various offences as the result of such investigation ? If so, what steps has the honourable member taken or is prepared to take to ensure that as the result of such investigations innocent persons should not suffer along with those who are guilty ?

¹ Vide the footnote at page 969 ante.

² Vol. X-A, page 432.

The Honourable Sir Geoffrey de Montmorency :

(a) Superintendents of Police	..	..	..	2
Deputy Superintendents of Police	..	..	..	4
Inspectors	..	..	..	8
Sub-Inspectors	..	..	..	15
Head Constables	..	..	..	10
Total	..	..	..	39

Government is not prepared to give names.

(b) The precise contrary is the case. Of the 39 officers, 25 are Muhammadans, 6 are Hindus, 7 are Sikhs and 1 is a Christian.

(c) Complaints of this nature have been received ; but as explained above, they rest on a wholly erroneous basis.

DEG NALA.

*443. **Chaudhri Zafullah Khan :** (a) Will the Honourable the Revenue Member please state whether he is aware that during the rainy season the floods in the Deg Nala in the Sialkot District cause heavy damage in the areas through which the Nala flows ?

(b) Have complaints been addressed to Government in this connection by or on behalf of persons affected by such floods ?

(c) If the answer to (a) and (b) be in the affirmative, what steps has the the Honourable Minister taken or is prepared to take to ensure that areas affected by the Deg floods shall be immune from damage during the ensuing floods ?

Mr. C. A. H. Townsend : (a) Yes.

(b) Yes.

(c) A scheme for the protection of the areas affected by the Deg floods is at present under consideration. It was at first proposed to devise protective measures only for those villages which were most seriously affected by the floods. It was found, however, that this scheme would involve an element of risk to other villages situated further down the stream which would not be protected unless the Nala was trained as a whole. A larger project is therefore now under the consideration of the Rural Sanitary Board. As the estimated cost of this project is about 21 lakhs most careful consideration is required before it is approved. The question of lands which are at present benefitted by the floods of the Deg has also to be considered in connection with the scheme for training the torrent.

INTERMEDIATE COLLEGES.

*444. **Chaudhri Zafullah Khan :** (a) Will the Honourable Minister for Education please state the number of Intermediate Colleges opened during the years 1925, 1926 and 1927, the strength and number of the members of the staff of each of such Colleges and the names and grades of pay of persons appointed to the staff of each such College ?

(b) Is it a fact that there is a preponderance of non-Muslims among the members of the staffs of these Colleges? If so, what are the causes of such preponderance and what steps is the Honourable Minister prepared to take to counterbalance such preponderance?

The Honourable Mr. Manohar Lal: The honourable member is referred to the general answer given to Council Questions 1961-1975¹.

PANCHAYAT CONFERENCE.

***445. Rana Firoz-ud-Din Khan:** Will the Honourable the Minister for Local Self-Government please state what steps, if any, have been or are being taken to give effect to the recommendations of the Panchayat conference held on 9th December 1926?

The Honourable Malik Firoz Khan, Noon: It is proposed to appoint five special panchayat officers from the 1st of August next.

SUPPLY OF DRINKING WATER IN VILLAGES BHURTANA, KIRAWAR AND ALAKPURA.

***446. Rana Firoz-ud-Din Khan:** (a) Is the Honourable the Minister for Local Self-Government aware that the well water in the village Bhurtana, Kirawar in the Hansi tahsil and village Alakpura in the Bhiwani tahsil. Hissar district is too saline to be fit for drinking, and the residents of these villages have to travel a long way off to fetch drinking water?

(b) Does he propose to take any steps to make suitable arrangements for the supply of sweet water?

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

(b) The honourable member is referred to the answers given to questions 502² of 1924 and 2704³ and 3610⁴ of 1926. A reply is still awaited from the district board as to its wishes and intentions in the matter.

PROFESSORS IN THE GOVERNMENT INTERMEDIATE COLLEGES.

***447. Rana Firoz-ud-Din Khan:** Will the Honourable the Minister for Education please state according to different communities the number of professors on the staff of the various Government Intermediate Colleges?

The Honourable Mr. Manohar Lal: The honourable member is referred to the general answer given to Council Questions¹ Nos. 1961-75.

APPOINTMENTS IN THE PROVINCIAL EDUCATIONAL SERVICE.

***448. Rana Firoz-ud-Din Khan:** Will the Honourable the Minister for Education be pleased to state—

(a) the number of appointments made in the current year in the provincial education service;

(i) direct, and

¹Vol. VIII-B pages 1167-81, and page cxli, Appendix VIII.

²Vol. VII, page 38.

³Vol. IX-A, page 435.

⁴Vol. IX-B, page 1749.

[Rana Firoz-ud-Din Khan.]

(ii) by promotion from the subordinate service, showing in each case the number allotted to members of different communities ;

(b) the number of promotions made in the two higher grades of the subordinate service since 1st January, 1927, according to various communities ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answers to Council Questions Nos. 417¹ and 452².

MUSLIM HEADMASTERS.

*449. **Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Education please state—

(a) the number of district board high schools in the Rawalpindi division ;

(b) the number of Muslim headmasters in such schools ?

The Honourable Mr. Manohar Lal : (a) 4.

(b) Nil.

DEVELOPMENT BOARD

*450. **Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Agriculture please state if it is a fact that the Director of Industries has been appointed to act as Secretary of the newly constituted Development Board, and that for his Joint Secretaryship a member of the clerical staff has been appointed ?

If so, will he please state the reasons for selecting a non-gazetted official for such a responsible post ?

The Honourable Sardar Jogendra Singh : (a) The answer to the first part of the question is Yes, and to the second part No.

(b) Does not arise.

AGRICULTURAL COLLEGE, LYALLPUR.

*451. **Rana Firoz-ud-Din Khan :** (a) Will the Honourable the Minister for Agriculture please state :—

(a) the total number of applications received for admission to the College of Agriculture, Lyallpur, this year ;

(b) the number of students selected according to various communities ;

(c) the number of candidates selected who belong to non-agricultural classes ?

(d) Are there any special reasons, if so, what, for taking non-agriculturists in preference to agriculturists of equal or even higher qualifications ?

(e) Is it a fact that students of lower qualifications were taken while those possessing much higher qualifications were rejected without any cogent reasons ?

¹Page 970 ante.

²Page 986 infra.

(iv) Is the Honourable Minister for Agriculture prepared to remove the just grievance of Muslim community for not receiving their due share owing to defective procedure adopted by allowing them additional number to make up the difference?

The Honourable Sardar Jogendra Singh : (i) (a) 498.

(b)

Community.				No. selected for admission.
Muhammadans	..	..	..	27
Hindus	..	..	..	18
Sikhs	..	..	..	24
Christian	..	..	..	1
Total				70

The above figures do not include 16 students belonging to other provinces and Native States who have been admitted on the recommendations of the Administrations concerned.

(a) Of the 70 students from the Punjab, 14 do not belong to any notified agricultural tribes, but they are sons of cultivators or land-owners.

(ii) No. Preference is given to applicants of agricultural parentage, but the following further points are also borne in mind in making admissions :—

- (1) Fair allotment by districts and revenue divisions.
- (2) Relative proportions of the various communities.
- (3) Fitness of applicants to pass the examinations.
- (4) Preliminary education.
- (5) Whether applicants belong to families possessing lands or not.

(iii) In view of the reply to (ii) above, this does not arise.

(iv) The procedure adopted was not defective. On the other hand, after the general selection five Muhammadan candidates were added to the list of selected candidates in order to remove communal disproportion.

Rana Firoz-ud-Din Khan : What was the procedure followed?

The Honourable Sardar Jogendra Singh : The procedure was to go by the divisions.

Rana Firoz-ud-Din Khan : How?

The Honourable Sardar Jogendra Singh : Professors were appointed and these professors made selection from each division; then a committee sat and made the final selection.

Rana Firoz-ud-Din Khan : On what basis?

The Honourable Sardar Jogendra Singh : So many students were allowed for each division and then they were selected. If further information is required, I require notice.

APPOINTMENTS IN THE SUBORDINATE EDUCATIONAL SERVICE.

*452. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education, Punjab, please state the number of new appointments made in

connection with the Intermediate Colleges in the Subordinate Educational service according to communities, and also the promotions that have been recently made in the ranks of the Subordinate Educational service according to communities?

(b) Will the Honourable Minister kindly state the exact procedure adopted in making these appointments and promotions?

The Honourable Mr. Manohar Lal : I regret that the answer to this question is not yet ready.

RAILWAY LINE FROM PATHANKOT TO CHAKKI.

***453. Chaudhri Ram Singh :** (i) Will the Honourable Member for Revenue be pleased to state if he is aware of the fact :—

(a) that the Railway Department has constructed a temporary railway line from Pathankot to Chakki for the purpose of carrying stones from the Chakki ;

(b) that the extraction of the stones from the Chakki has created numerous large holes in the bed of the same and that on account of floods the water level of the Chakki is going down day by day, in consequence of which the *dahanas* of canals in the Kangra and Gurdaspur districts have been damaged and vast areas of land have become *barani* ;

(c) that the railway department entered into an agreement with the zamindars that if the extraction of stones from the Chakki causes loss to the zamindars, the work of stone extraction will be discontinued forthwith ?

(ii) If the answers to (a), (b) and (c) be in the affirmative, will the Honourable Member for Revenue be pleased to take some suitable steps in the matter ?

Mr. W. S. Dorman : A reference has been made to the Agent, North-Western Railway, and the result of the same will be communicated to the honourable member when received.

DAM AT DANTAL, SIRT AND MOHTLI.

***454. Chaudhri Ram Singh :** Will the Honourable Member for Revenue be pleased to state if it is a fact that in the course of his tour the Chief Engineer to Punjab Government was pleased to inspect the dam at Dantal, Sirt and Mohtli in the Kangra district and sanctioned one lakh of rupees for the construction of a dam ? If so, will he be pleased to state whether the said dam has been constructed ? If it has been constructed what is the amount of money spent on the construction of the same ? If it has not been so far constructed, will he be pleased to state the reasons for the same ?

Mr. J. B. G. Smith : The honourable member is informed that in order to arrive at correct figures it has been necessary to make enquiries from local officers and when the answer is ready it will be communicated to the honourable member.

"INQILAB," OF LAHORE.

***455. Chaudhri Ram Singh :** Will the Honourable Finance Member be pleased to state whether his attention has been drawn to the issue of the "Inqilab" of Lahore, dated the 28th June, 1927, in which while commenting on the resolutions passed at a meeting of the *Anjuman-i-Khuddam-ud-Din* words have been used which are likely to endanger the life of Mahasha Rajpal, author of the *Rangila Rasul*? If so, will he be pleased to state whether the Government is prepared to take action against the said paper?

The Honourable Sir Geoffrey deMontmorency : The issue of the "Inqilab", dated the 28th June 1927, published the resolutions in questions; but did not comment on them.

REWARDS FOR SERVICES TO CO-OPERATIVE MOVEMENT.

***456. Chaudhri Ram Singh :** Will the Honourable the Minister for Agriculture be pleased to state if it is a fact that people who have rendered meritorious services in the cause of co-operative movement have been rewarded by Government in one way or the other? If so, will he be pleased to state what reward has been given to such of the inhabitants of the Kangra district who have helped the Government in spreading the co-operative movement?

If no reward has so far been given will he be pleased to state whether the Government is prepared to consider the desirability of giving these people some suitable reward at an early date?

The Honourable Sardar Jogendra Singh : The honourable member is referred to the answer given to Council Question No. 2615¹ on the 2nd of March 1926.

HINDU DEPUTY AND ASSISTANT DEPUTY INSPECTORS OF SCHOOLS.

***457. Lala Kesho Ram Sekhri :** (a) Will the Honourable the Minister for Education please state the number of Hindu Deputy Inspectors of Schools and Assistant Deputy Inspectors of Schools in the Lahore Division in 1925 and 1927, respectively, and the total number of such officers of all communities in the division?

(b) If the number of Hindu Assistant Deputy Inspectors of Schools is only three or four out of the total strength of 80, will the Honourable the Minister for Education state the measures he is taking to put a stop to the elimination of Hindu Members in this division?

The Honourable Mr. Manohar Lal :

	1925					1927				
	Hindus.	Muslims.	Sikhs.	Christians.	Others.	Hindus.	Muslims.	Sikhs.	Christians.	Others.
Deputy Inspectors of Schools.	..	1	..	..	..	..	..	1	..	..
District Inspectors of Schools.	1	1	3	..	..	1	3	2	..	..
Assistant District Inspectors of Schools.	4	10	8	1	..	3	17	7	2	..

(b) The figures of one division do not represent the position of the Province as a whole.

PROVINCIALISATION OF HIGH SCHOOLS.

*458. **Lala Kesho Ram Sekhri :** Will the Honourable Minister for Education please state the number of district board schools raised to high school status during the years 1926, 1927 in the Lahore division and state the number of headmasters of such schools community-wise?

How many of these schools were provincialised during the years 1926, 1927, with the names of headmasters of such schools?

The Honourable Mr. Manohar Lal : (a) In 1926, four such schools were raised to the high status, in each case the headmaster being a Muhammadan. Information is not available for the current year.

(b) In 1926, none of these schools was provincialised. In 1927, three were provincialised, the headmasters being S. Wilayat Shah, M. Muhammad Shafi and M. Abdul Hamid.

GOVERNMENT SCHOOLS, AND MATRICULATION AND SCHOOL LEAVING CERTIFICATE EXAMINATION.

*459. **Lala Kesho Ram Sekhri :** (1) Has the attention of the Honourable the Minister for Education been drawn to an article in the *Tribune*, dated the 24th June 1927, page 8, under the heading "Results of Government Schools"?

(ii) (a) Is it a fact that the pass percentage of the results of the Matriculation and School Leaving Certificate Examination, 1927, of some of the Government schools is forty per cent. or about it? Will the Honourable Minister for Education please state the names of such schools?

(b) Is it a fact that now the instructional condition of the school does not receive sufficient attention and the so-called extra mural activities form the criterion of the school work?

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

(ii) (a) The information is being collected.

(b) No.

PROVINCIALISATION OF SCHOOLS.

*460. **Lala Kesho Ram Sekhri :** (a) Will the Honourable the Minister for Education please state the number of schools that were provincialised since the beginning of the policy of the provincialisation? What was the length of the service of headmasters so recruited in the District Board High Schools at the time of the provincialisation of such schools?

(b) Will the Honourable Minister please state how many of the headmasters mentioned in paragraph (a) were recruited from outside on maximum pay of the grades in Board Services and were given the same salary in Government schools?

(c) How many of such headmasters were promoted to the grade of Rs. 200—250 in Subordinate Education Service and how many to the Provincial Education Service, after provincialisation of those schools up to April 1927?

(d) How many headmasters were directly recruited in Rs. 140—190 and Rs. 200—250 grades and subsequently promoted to Rs. 200—250 grade and Provincial Educational Service within the last six years?

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

COMMUNAL REPRESENTATION AMONG DEPUTY AND ASSISTANT DEPUTY INSPECTORS OF SCHOOLS.

***461. Lala Kesho Ram Sekhri :** Will the Honourable Minister for Education please state the total number of Deputy Inspectors and Assistant Deputy Inspectors of Schools in this province giving the number of Hindus, Sikhs and Muhammadans in each of the two services?

The Honourable Mr. Manohar Lal :

	Hindus	Muhammedans.	Sikhs.	Others.
Deputy Inspectors of Schools	1	3		1
District Inspectors of Schools	6	16	7	1
Assistant District Inspectors of Schools	29	79	28	2

Lala Kesho Ram Sekhri : What is meant by 'others'?

The Honourable Mr. Manohar Lal : Christians and others.

Lala Kesho Ram Sekhri : Are there any Jains included?

The Honourable Mr. Manohar Lal : I am not aware of any. If the honourable member wants to know it more definitely, I will make enquiries, but I do not think there are any.

MACHINERY FOR IRRIGATION PROJECTS.

***462. Lala Mohan Lal :** Will the Honourable Member for Revenue be pleased to state the value of the machinery that has been indented for the Sutlej Valley and other irrigation projects taken in hand by the Government since 1918? How much of the machinery received has been used?

(b) Is it a fact that the large amount of machinery indented was found to be of no use afterwards?

(c) Will the Honourable Member be pleased to state the total value realised by the Government by the sale of the machinery through the Surplus Stores Officer? How much of the machinery which was sold was old and how much new?

Mr. J. B. G. Smith : (a) The only irrigation project taken in hand by the Punjab Government since 1918 is the Sutlej Valley Project and the reply to the question consequently refers to that project alone. Accurate figures are not available, but it will be sufficiently near to say about Rs. one hundred lakhs. All the machinery has been used except that valued at $1\frac{1}{2}$ lakhs, say, $1\frac{1}{2}$ per cent. of the total value.

(b) No : on the contrary nearly 99 per cent. has been most useful.

(c) (i) Total value of stores sold by the Disposal Officer (Surplus Stores Officer) from the Sutlej Valley Project is Rs. 65,000 nearly.

(ii) Out of this, the value of new and unused stores was only Rs. 24,000 nearly, and value of used stores sold was Rs. 41,000 :

SCHOLARSHIPS FOR BOYS OF THE DEPRESSED CLASSES.

*463. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education be pleased to state if it is a fact that the Government has fixed some scholarships for the boys of the criminal tribes ?

(b) If the reply to the above be in the affirmative, will the Honourable Minister be pleased to state if they intend to extend this privilege to the boys of the members of the depressed classes ?

The Honourable Mr. Manohar Lal : (a) Stipends are awarded.

(b) Members of the depressed classes are eligible for fee concessions under Article 12, Chapter IV of the Punjab Education Code.

CO-OPERATIVE SOCIETIES FOR DEPRESSED CLASSES.

*464. **Lala Mohan Lal :** Will the Minister for Agriculture be pleased to state how many Co-operative Societies have been started for the depressed classes ?

(b) Is it a fact that a memorial was sent by the depressed classes of Jagraon for the starting of Co-operative Societies for their use ?

(c) If the reply to (b) above be in the affirmative, will the Honourable Minister be pleased to state what action has been taken on it ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready. But I can assure the honourable member that if there are any depressed classes who want to start a society they will receive every consideration.

INSPECTORS IN THE CO-OPERATIVE DEPARTMENT.

*465. **Lala Mohan Lal :** Will the Honourable Minister for Agriculture be pleased to state how many Inspectors in the Co-operative Department are (a) Hindus, (b) Muhammadans and (c) Sikhs ?

The Honourable Sardar Jogendra Singh : (a) 24.

(b) 62.

(c) 16.

✓ DEPRESSED CLASSES IN THE POLICE DEPARTMENT.

*466. **Lala Mohan Lal :** Will the Honourable Member for Finance be pleased to state if members of the depressed classes are taken in the police ? If not, does the Government intend to direct that, in the matter of recruitment of Police constables, the members of the depressed classes should also be taken ?

The Honourable Sir Geoffrey de Montmorency : Members of the depressed classes are not enrolled in the police. When there is evidence that the depressed classes are treated on an equal footing by all sections of the community, or when Government is satisfied that enrolment of members of these classes will satisfy the requirements of efficiency and be in the best interests of the composition of the service, Government will be quite prepared to throw open recruitment to them, provided they come up to the physical and other standards required of all recruits.

SQUARES OF LAND TO MEMBERS OF THE PUNJAB COUNCIL.

***467. Lala Mohan Lal :** Will the Honourable Member for Revenue be pleased to state how many squares of land have been given (a) free (b) on lease, to the members of the Punjab Council, since the Punjab Council was inaugurated, the area and number of squares and the terms on which the sale or the lease has been made?

Mr. C. A. H. Townsend : A reference has been made to all Commissioners of Divisions in the Punjab. The information required will be supplied on receipt of their replies.

NORMAL SCHOOLS IN RAWALPINDI.

***468. Lala Mohan Lal :** (a) Will the Honourable Minister for Education be pleased to state if it is a fact that in Rawalpindi Division, in some Normal Schools, the Hindus have not been admitted at all?

(b) If the reply to the above be in the affirmative, will the Honourable Minister be pleased to state the reasons for so doing?

The Honourable Mr. Manohar Lal : (a) No such case has so far come to the notice of Government.

(b) Does not arise.

DRINKING WATER IN THE AMBALA CITY.

***469. Lala Mohan Lal :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether the Government knows that there is a great scarcity of drinking water in the Ambala City?

(b) If the reply to the above be in the affirmative, will he be pleased to state what steps are being taken to give adequate supply of water?

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

(b) A satisfactory source of supply has been discovered and a scheme drawn up: and negotiations are now in progress with the North-Western Railway Administration with a view to its participation in the scheme.

EMBEZZLEMENT OF AMBALA MUNICIPAL FUNDS.

***470. Lala Mohan Lal :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether an embezzlement of about Rs. 9,000 has been discovered in the Ambala Municipal funds?

(b) if the reply to the above be in the affirmative, will the Honourable Minister be pleased to state to whose negligence this embezzlement is due and what steps are being taken to recover the money?

The Honourable Malik Firoz Khan, Noon : Local officers' report is awaited and the reply will be communicated to the honourable member in due course.

ADMISSION TO TRAINING INSTITUTIONS.

*471. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education be pleased to state if there is any circular or order of the Government or the Education Department to the District Inspectors of Schools that in the training institutions the admission be in proportion to the population in the Punjab and that the Principals of Normal Schools should admit candidates to the training institutions on communal basis?

(b) If the reply to the above be in the affirmative, will the Honourable Minister be pleased to state whether such instructions have been issued in the interest of education?

The Honourable Mr. Manohar Lal : (a) The prospectus for the Junior Vernacular course, lays down that, given the necessary qualifications, the proportions obtaining amongst the different communities in the rural population, together with other circumstances, should be considered in making admissions.

(b) Government considers that these instructions are in the interest of education.

HOSIERY SUB-COMMITTEE OF THE INDUSTRIES DEVELOPMENT BOARD.

*472. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education be pleased to state the criterion according to which the members of the Hosiery Sub-Committee of the Industries Development Board, Punjab, have been nominated?

(b) Is it a fact that the member nominated from Ludhiana has no experience of the hosiery factories for the last 25 years and, consequently, the nominated member is not being backed up by the Hosiery Association, Ludhiana, which is a very well organised association of the manufacturers of hosiery goods in Ludhiana?

(c) Is the Government aware of the fact that the Ludhiana Hosiery Association passed unanimously a resolution expressing their dissatisfaction with the nomination of the member from Ludhiana?

If so, what steps does the Honourable Minister propose to take in the matter of nominating a representative of the Hosiery Association on the Hosiery Sub-Committee?

The Honourable Mr. Manohar Lal : (a) The members of the Hosiery Sub-Committee were appointed by the Board with due regard to their importance in the hosiery trade. One non-official member of the Council was also nominated to this Sub-Committee.

(b) and (c) The answer is in the negative, as far as Government is aware of the situation.

(d) Part 2nd. Government has no objection to the appointment of an additional member to be nominated by the Hosiery Association of Ludhiana.

POLICE IN LAHORE CITY.

***473. Sardar Ujjal Singh :** (a) Will the Honourable the Finance Member please state whether it is a fact that the police strength in Lahore City during the days of the Lahore riots consisted mainly of the Muslim community ?

(b) What was the number of Sub-Inspectors in the City and how many were Sikhs, Hindus and Muslims, respectively ?

(c) Is it a fact that during the Lahore riots the police connived at some of the offences and failed in certain cases to arrest the offenders on the spot ?

(d) Is it a fact that immediately after the incident at Haveli Kabuli Mal, Muslim leaders joined the investigation which was held by Muslim Police officers under their very shadow ?

(e) Is it a fact that witnesses were taken to the office of Mr. Muhammad Amin, Vakil, where Muslim leaders were quartered and the identification of the accused was carried on there ?

The Honourable Sir Geoffrey deMontmorency : (a) The number of Muslims in Lahore City police were in excess of the number of Hindus and Sikhs.

(b) The number of Sub-Inspectors posted to the City at the time of the riots was five, viz., 3 Muhammadans and 2 Sikhs.

(c) Careful investigation was made into these allegations but in no case could they be substantiated.

(d) Some Muslim leaders did go to the scene of the murder at Haveli Kabuli Mal when the local police started the investigation.

(e) It was raining heavily on the night of the incident and the investigating officers took shelter in the office of Mr. Muhammad Amin, Vakil, which is close to the scene of occurrence and which he kindly placed at their disposal and they continued their investigation there for a few hours. The accused arrested on the spot were sent direct to the lock-up under charge of a Sikh Sub-Inspector and were not taken to the Vakil's house nor was any identification conducted there.

LAHORE RIOTS.

***474. Sardar Ujjal Singh :** (a) Will the Honourable the Finance Member please state whether it is a fact that fiery speeches were made in Lahore after the incident at Haveli Kabuli Mal by Maulana Zafar Ali and others ?

(b) Is it a fact that Muslim feelings were highly excited after the incident at Haveli Kabuli Mal ?

(c) Which of the officers were responsible for granting permission to the Muslims for taking the dead bodies in procession ?

(d) Is it a fact that about 50,000 Muslims joined that procession including some of the eminent leaders of the community ?

(e) Is it a fact that some of the processionists made very fiery speeches at the University grounds ?

(f) Is it a fact that the mob attending the procession became unruly, threw brickbats on Hindus and Sikhs and broke show-cases and window glasses of some of the shops in Anarkali ?

[Sardar Ujjal Singh.]

(g) What was the strength of the police force accompanying the procession?

(h) Did the police take any action against any of the processionists?

(i) Did the Muslim leaders accompanying the procession make attempts to keep the mob under control?

The Honourable Sir Geoffrey deMontmorency: (a) So far as Government is aware, no speeches were made on the night of May the 3rd when the Haveli Kabuli Mal murders took place.

(b) Yes.

(c) The decision was that of the local Magistrates and police officers.

(d) No, the crowd is estimated to have consisted of between 5,000 and 7,000 persons.

(e) The speeches made have not been reported.

(f) Some of the riff-raff following the funeral procession did commit the acts alleged.

(g) In addition to 4 European gazetted officers, the strength of the police force was 2 Deputy Superintendents, 5 Sub-Inspectors, 21 Head Constables, 153 Foot Constables, 1 Daffadar and 4 mounted sowars.

(h) Yes, several persons seen committing unlawful acts were arrested.

(i) The Muslim leaders are understood to have marched at the head of the procession and probably the unlawful acts referred to were committed out of their sight.

LAHORE RIOTS.

*475. **Sardar Ujjal Singh:** (a) Will the Honourable the Finance Member please state the number of casualties that took place after the procession of the dead bodies of the incident of Haveli Kabuli Mal, Lahore?

(b) Is it a fact that after the procession Hindus and Sikhs were indiscriminately attacked by the Muslims?

(c) How many deaths, as a result of the riots, took place in each community after the said procession?

(d) How many cases are still untraced and who are the victims in such untraced cases?

(e) Is it a fact that the work of the investigation of the case of Haveli Kabuli Mal incident was transferred to the Criminal Investigation Department from the Civil police?

(f) Is it a fact that Syed Nur Husain Shah was in charge of the investigation in the beginning?

(g) What were the reasons for taking this work away from him?

The Honourable Sir Geoffrey deMontmorency: (a) If the reference is to the number of assaults that took place on the night of the 4th-5th of May, the answer is that 10 persons were murdered on this night. The number of persons injured on this night cannot be accurately stated.

(b) A number of murderous assaults were made on isolated individuals during the night of the 4th-5th of May. In most, but not all, of these cases the victims were Hindus and Sikhs.

(c) The total number of deaths during the disturbances was 27. Of these, 15 were Hindus, 6 Sikhs and 6 Muhammadans.

(d) Six cases of death still remain untraced, the victims being 5 Hindus and 1 Sikh.

(e) Yes.

(f) Yes.

(g) The Lahore City police, including the officer named, were relieved from the duty of investigation of this and other cases, in order that they might be free to deal with the immediate necessities of the situation arising out of the disturbances. It was also desired to place a whole-time Superintendent of Police in general charge of the investigations as a whole.

LAHORE RIOTS.

***476. Sardar Ujjal Singh :** Will the Honourable the Finance Member please state whether it is a fact that during the time of the riots in Lahore, the Muslim inhabitants in the vicinity of Gurdwara Chaumala Sahib at Lahore opened out new windows and doors opening into the Gurdwara compound ?

The Honourable Sir Geoffrey deMontmorency : A Muslim of the Bhati Gate quarter made an attempt to open a window in his house overlooking the Chaumala Sahib Gurdwara, but he was prevented from doing so.

DAKHIL BACHH.

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

(a) that there are certain lands in the Kangra district which are jointly owned by the village owners and that they are Dakhil Bachh ;

(b) that the produce of these lands is raised and divided by the owners amongst themselves and the land revenue for the same is paid by them ;

(c) that before the settlement of 1917-18 these lands were entered in revenue papers in the column of " ownership," but since 1917-18 that column is being left blank ?

(ii) If the answers to the above are in the affirmative, will the Honourable the Revenue Member kindly consider the question of making arrangements to get these lands entered in future in the revenue papers as owners' property according to the old practice ?

(iii) Will the Honourable the Revenue Member also please state the reasons for the departure from the old practice ?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

CO-OPERATIVE SOCIETIES.

***478. Chaudhri Ram Singh :** Will the Honourable Minister for Agriculture kindly state the number of Co-operative Societies in each district of this province which keep their account books in Hindi (Nagri) ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LAHORE RIOTS.

***479. Chaudhri Ram Singh :** Will the Honourable the Finance Member be pleased to supply the following details in regard to the recent Lahore riots :—

- (a) the number of Hindus, Sikhs and Musalmans killed and wounded during the riots ;
- (b) (i) the number of prosecutions launched as a result of these riots ;
(ii) the number of cases which have been decided so far ;
(iii) the number of cases which are still pending ;
- (c) (i) the nature of offence in each case ;
(ii) the name of trying Magistrates in each case ;
(iii) the nature of punishment awarded in each case ;
(iv) the number of the accused community-wise ;
- (d) the names and number of police officers holding investigations in different cases ?

The Honourable Sir Geoffrey de Montmorency : A statement is laid on the table.

- (a) Number of Hindus, Sikhs and Musalmans killed and wounded during the riots :—

Killed	15 Hindus.
	6 Sikhs.
	6 Muhammadans.

27

Wounded	151 Hindus.
	58 Sikhs.
	67 Muhammadans.
	1 Christian.

272

- (b) (i) Number of prosecutions launched as a result of these riots :—

Fifty-four cases were sent for trial. This figure does not include prosecutions for disobedience of orders issued under section 144, Cr. P. C.

- (ii) Number of cases which have been decided so far : Seventeen.

(iii) Number of cases which are still pending : Thirty-seven.

(c) (i) Nature of offence in each case :—

Section 143,	I. P. C.	..	..	2
147	"	..	..	3
" 147/324	"	..	..	1
" 147/325	"	..	..	3
" 147/332	"	..	..	1
" 302	"	..	..	16
" 307	"	..	..	15
" 324	"	..	..	1
" 325/511	"	..	..	1
" 336	"	..	..	2
" 392	"	..	..	1
" 395	"	..	..	1
" 396	"	..	..	2
" 454	"	..	..	1
Opium Act		..	..	3
Section 107, Cr. P. C.		..	..	1
Total				54

(ii) the name of the trying Magistrates in each case : the Magistrates trying the cases are 2 Europeans, 2 Christians, 2 Hindus and 3 Muslims.

(iii) nature of punishment awarded in each case :

Section 143, I. P. C.

- Two cases .. (1) Two accused sentenced to furnish security of Rs. 500 to keep peace for 6 months.
- (2) One accused to furnish security of Rs. 500 to keep peace for 6 months.

Section 148, I. P. C.

- One case .. Five accused sentenced to 6 months' rigorous imprisonment each.

Section 304, Part II, I. P. C.

- One case .. One accused sentenced to 7 years' rigorous imprisonment.

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Section 307, I. P. C.

One case ... One accused sentenced to 7 years rigorous imprisonment.

Section 324, I. P. C.

One case ... One accused sentenced to furnish security of Rs. 200 to keep peace for 6 months.

Section 336, I. P. C.

Two cases ... (1) Two accused fined, one Rs. 10, the other Rs. 20.

(2) One accused sentenced to 1 month's rigorous imprisonment.

Section 454, I. P. C.

One case ... One accused sentenced to 6 weeks' rigorous imprisonment.

Section 107, Cr. P. C.

One case ... Three accused sentenced to furnish security to be of good behaviour for 6 months.

(c) The number of the accused community-wise :

Muslims	122
Hindus	46
Sikhs	15
Total	183

(d) Names and number of police officers holding investigations in different cases : The number of police officers has been given in answer to question No. 442¹. Government is not prepared to give the names of the officers investigating each case.

LAHORE MUSEUM AND ZOO.

*430. Chaudhri Ram Singh : Will the Honourable the Minister for Education be pleased to state whether the names of exhibits kept in the Lahore Museum and the names of animals kept in the Lahore Zoo are written in Hindi (Nagri) characters ?

If not, will the Honourable the Minister be pleased to state the reasons for the same ?

The Honourable Mr. Manohar Lal : A label writer has already been appointed to write the labels for the exhibits in the Museum, in English, Urdu, Hindi (Nagri) and Gurmukhi.

As regards the Zoo the matter is under consideration.

FACILITIES TO ZAMINDARS FOR MAKING AGRICULTURAL IMPLEMENTS.

***481. Chaudhri Ram Singh :** Will the Honourable the Revenue Member be pleased to state the number of trees given gratuitously by the Forest Department of Kangra to zamindars of each tahsil of the Kangra district for making agricultural implements ever since the abolition of the Civil Forest Department in the Kangra district ?

Mr. C. A. H. Townsend : Enquiries are being made as to whether the information is available.

INDIGENOUS MEDICAL TREATMENT.

***482. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government be pleased to state whether the Government are prepared to promote and encourage indigenous medical treatment ? If it is so, will he be pleased to state the action taken during the last 2 years in this respect ?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the statement which has been circulated to all members of the Council.

The following statement of the views of the Punjab Government (Ministry of Local Self-Government) on the subject of the encouragement of indigenous systems of medicine is circulated to all members of the Legislative Council, for information.

By order,

J. G. BEAZLEY,

Secretary to Government, Punjab,

Transferred Departments.

Dated the 15th July 1927.

On many occasions members of the Legislative Council have expressed a desire that something should be done by Government to encourage the indigenous systems of medicine, and the matter has engaged the attention of successive ministries since the Reforms were inaugurated. In 1925, it was decided that the most practicable step to take would be to undertake research in indigenous drugs and a scheme was accordingly prepared and funds were provided in the budget for 1926-27. The scheme was however dropped in 1926 on the advice of the Standing Committee for Public Health, as it was considered that any work that could be done in the Punjab would be merely duplicating work which is being done, on a much bigger scale than could be attempted here, at the School of Tropical Medicine at Calcutta. Reference was made to this scheme in the course of the budget debates this year, and in accordance with the undertaking then given the whole question has again been most carefully reviewed.

¹ Vide the footnote at page 988 ante.

[Hon. Malik Firoz Khan, Noon.]

2. A perusal of the debates in the Legislative Council, in which State support of the indigenous systems of medicine has been advocated, does not make it clear what exactly is demanded of Government, and a number of questions at once suggest themselves. Is it suggested that it should be the aim of Government gradually to replace practitioners of western medicine in Government institutions by men trained in the indigenous systems or is it intended merely that *hakims* and *vaid*s should supplement the State-supported system of western medical relief and serve the needs of the public for small ailments in places where there are no dispensaries? If the former of these alternatives is intended, should Government establish a college for the training of men in the Unani and Ayurvedic systems or should subsidies be paid to enable existing institutions to expand their facilities for such training? (In this connection it may be observed that the University already makes grants amounting to Rs. 10,000 a year to the D. A. V. and Islamia Colleges for their classes in indigenous medicine). If action is taken in either of these ways to foster the teaching of the indigenous systems, would not this prejudice the Tibbia College at Delhi? Again if *hakims* and *vaid*s are to be employed only in small places where there are no dispensaries, should arrangements be made for their training in western surgery, and is Government to employ them or should this be left to local bodies, with or without assistance? Another question which emerges relates to the drugs used by *hakims* and *vaid*s. Should efforts be made to standardize them and control their sale so as to protect the public from impure drugs and should steps be taken to establish the manufacture of pure indigenous drugs? These and many other questions seemed to require an answer, and in order to arrive at a conclusion the reports of committees appointed in various other provinces to report on what could be done to encourage the indigenous systems have been examined in detail. The preliminary conclusions to which that examination has led are set forth below.

3. Even the most enthusiastic supporters of the indigenous systems feel that they are defective in respect of many sides of medical knowledge and require to be supplemented by a very large amount of western medicine and surgery. In some aspects the Unani system of to-day is in fact at a stage where the western system of medicine stood some centuries ago. While in the west the system of medicine has been enormously developed, in India it has greatly degenerated. There would therefore appear to be no justification for attempting to replace the western system by a system which is at a stage which it had reached so long ago, supplemented only by a smattering of the knowledge of recent developments. The Ayurvedic system is similarly defective, but it is claimed for this system that the Tridosh theory on which it is based has a value of its own which is not shared by western medicine. No proof of this assertion is, however, given and no explanation as to how this value is established in actual practice.

4. The chief advantages claimed for the indigenous systems are their cheapness and their popularity with the masses, but an examination of these claims proves that they are somewhat illusory. So far as poor people are concerned it cannot be claimed that they obtain relief from indigenous practitioners more cheaply than at western medical institutions where such exist; for medical relief at the latter institutions costs them nothing because no fees are charged and medicines are supplied free of cost. It is true that people who are better off and call in western practitioners have to pay, but there

is nothing to show that they have to pay more than is charged by indigenous practitioners of the same standing and ability, and it is well-known that the fees demanded by the most famous *hakims* and *vaid*s are not generally smaller than the fees demanded by western specialists. Of course if comparison is made between the charges of assistant surgeons or sub-assistant surgeons who visit patients at their houses and the charges of those entirely uneducated persons who pose as *hakims* and *vaid*s, the charges of the latter will appear much less; but it is admitted by the advocates of the indigenous systems that it is not this type of *hakim* or *vaid* that is wanted but men trained in regular teaching institutions and practising one or other of the indigenous systems properly, and there is no reason to believe that men turned out by such institutions will be content with lower fees than practitioners of western medicine. So far as cost to the people is concerned it is therefore not true that the indigenous systems can be cheaper. In the report submitted to the Government of the United Provinces it is, however, not only the cost to the people but also the cost to the State that is considered, and State support of the indigenous systems was advocated on the ground that the province could not possibly afford to provide western medical relief on the scale on which medical relief was required. In the Punjab there is every reason to hope that it will be possible to make western medical relief easily available to all, but even if it were admitted for the sake of argument that there were no such hope, there is little reason for assuming that the provision of indigenous medical relief would be appreciably cheaper. It is agreed that the indigenous practitioners must learn to practice surgery; they will therefore require operating rooms and equipment on the same scale as western practitioners, and unless it is to be admitted that any sort of premises however insufficient or insanitary are good enough for indigenous practitioners, all the rest of the dispensary buildings, quarters, etc., will have to be on just the same scale as at western institutions. It is over the teaching institutions that a saving can be made, and a comparison of the scale of expenditure in, for example, the Madras and Bihar and Orissa indigenous institutions with corresponding institutions teaching western medicine shows that the saving is real and considerable. But how is this saving effected? First, by giving far smaller salaries to the instructors and secondly, by reducing the course of instruction to three years. It cannot however be supposed that the indigenous instructors will be content for long to remain in a position of patent inferiority in the matter of payment for their services to their western confreres, nor is it easy to find any justification for the reduction in the length of the period of training. Such reduction is only possible because merely the elements of the subjects which, it is admitted, must be taken from western medicine are taught, but why should the State agree that one class of medical practitioners need only have a smattering of knowledge of certain subjects while the parallel class must have a proper knowledge of them? Why should a man merely because he calls himself *hakim* or *vaid* be allowed to endanger the lives of his patients by unskilful surgery, while the State requires that the man who calls himself doctor must receive such training as will reduce such danger, so far as is possible? If however, the same standard of proficiency is demanded of practitioners of the indigenous systems as is demanded of practitioners of western system, the claim of cheapness on behalf of the former systems will no longer be maintainable.

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5. The second advantage claimed on behalf of the indigenous systems is their popularity. The people, it is said, are accustomed to these systems and have faith in them and only go to western institutions for want of anything better. So far as resort to practitioners of western surgery is concerned this cannot be entirely correct for the great success which has attended the opening of rural dispensaries in the last eighteen months affords ample reason for believing that facilities for western medical relief are appreciated and eagerly availed of. (Over 600,000 patients were treated at rural dispensaries in 1926 and over 7 million patients at hospitals and dispensaries of all sorts). Some people refer to the fact that *hakims* and *vaid*s live in the villages and are always available near at hand, but it is not to be imagined that the educated and reformed *hakims* and *vaid*s will be any readier to go and live in villages after receiving their diplomas from recognized institutions than the men who come out of the Government medical college and school.

6. Reference was made above to the cheapness of indigenous medicines as compared with western medicines, but everything goes to show that such cheapness is largely obtained at the expense of efficacy. In the report submitted to the Government of the United Provinces a quotation is given from an article which appeared in the 'Calcutta Review' of 1869, and the picture drawn is said to be more or less true to-day. According to this article, in many cases, drugs obtainable in the bazar are simply trash: the *pansaris'* wares are of all degrees of staleness and the stocks of many of them, inherited from a father or grandfather, are long ago inert: stoppered bottles are things unknown, and all substances alike are stored in bags or leather vessels, exposed to every variation of the atmosphere in respect of heat and moisture and to the attack of every kind of insect: many are adulterated and of course none are labelled. The authors of the United Provinces report therefore consider that apothecaries should realize the necessity of storing their drugs in clean and airtight jars, well arranged and labelled, kept in a neat and tidy place. Not long ago the Punjab Tibbi Conference represented to Government that steps should be taken to improve the efficiency of drug vendors and to prevent the sale of drugs which are in any way dangerous. If, however, all these measures are adopted, the cost of indigenous drugs is bound to rise. It must be remembered that a drug cannot be used safely and certainly in medical practice unless it is standardized and its manufacture is conducted in such a way as to ensure purity and conformity to standard. The researches at Calcutta have as their object the standardization of drugs found to be efficacious, but the process of standardization is lengthy and costly, and in the meantime the fact that many drugs used in indigenous medicine are cheap because they are impure and unstandardized cannot be accepted as an argument in favour of their use.

7. It may be asked in reply to these criticisms of the indigenous systems whether it is not a fact that many *hakims* and *vaid*s have cured patients for whom western practitioners have been able to do nothing, and if this is so how the indigenous systems can be condemned as wholly valueless. To this it may be answered that it is admitted that valuable results are often obtained by indigenous practitioners, that the efficacy of many drugs used in indigenous practice has been well established, and that the use of many such drugs has been incorporated in western medicine.

It is admitted too that the practice of western medicine in India may require many modifications to suit it to Indian conditions. There may be many more drugs used by indigenous practitioners which could with advantage be used by western practitioners and western medicine may have much to learn from the indigenous systems as to treatment, diet, etc. India can undoubtedly make valuable contributions to western medicine and it is the aim of Government to do what they can to make the Punjab's contribution as effective as possible. For the moment the Inspector-General of Civil Hospitals and the Principal of the Medical College have been asked to report what steps can be taken to initiate research in indigenous drugs which will not duplicate work being done in Calcutta and research with regard to therapeutics and dietetics. The scale on which such research can be conducted must of course depend on the extent to which funds are available. Government consider it to be their first duty to complete their existing programme for the expansion of medical relief so as to bring it within reasonable reach of all: the funds available for research must therefore consequently be reduced at first, but it will be the constant endeavour of Government to ensure that all that is valuable in the indigenous systems of medicine shall be brought to the notice of those practising western medicine in this province, and in this endeavour Government would enlist the co-operation of all who believe that India can still, as in the past, make valuable contributions to science. In western countries the philanthropy of individuals has done much for medical research, and no worthier object can be recommended to the generosity of patriotic Punjabis.

8. This statement would not be complete without reference to the requests that have been made to Government to legislate for the registration of practitioners of indigenous systems. The Punjab Tibbi Conference have requested Government to establish a body which shall have power to register such practitioners and to prohibit the practice of the indigenous systems except by persons on the register. Government however feel that the time has not yet come for any such legislation by Government. Nowhere in the world are people prohibited by law from practising any system of medicine they like, and there appears to be no justification for enacting such a law in this province in respect of practitioners of the indigenous systems, while as regards mere registration it would be premature to set up any body as a registering authority until a body can be found which has established itself in public opinion as a fit and proper body to be entrusted with such authority.

9. It will thus be seen that for the present Government contemplate only the encouragement of research in the indigenous systems. Further enquiries are, however, being made and it may yet be found practicable and desirable to utilize the services of *hakims* and *vaids* in spheres in which western medical relief cannot be made available for many years to come.

VEDIC AND UNANI AUSHADHALIYAS AND MATABS.

*483. **Lala Joti Parshad** : Will the Honourable Minister for Local Self-Government be pleased to state the places where *Vedic* and *Unani Aushadhaliyas* and *Matabs* have been established in the Punjab by the local bodies ?

The Honourable Malik Firoz Khan, Noon : The information is being collected and will be supplied to the honourable member when ready.

INDIGENOUS *AUSHADHALIYAS* AND *MATABS*.

*484. **Lala Joti Parshad :** Is the Honourable Minister for Local Self-Government aware that the medical department of the Hissar district board has tried to handicap the progress of the indigenous *ausadhaliyas* and *matabs* during the last year by opening new dispensaries at the places where there were already indigenous *ausadhaliyas* and *matabs* started by the district board?

The Honourable Malik Firoz Khan, Noon : No.

INDIGENOUS MEDICAL INSTITUTIONS.

*485. **Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government be pleased to state whether he is prepared to make grant for indigenous medical institutions opened by the local bodies?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the answer given to unstarred question No. 322¹.

VAIDS AND *HAKIMS*.

*486. **Lala Joti Parshad :** (a) Is the Honourable Minister for Local Self-Government aware that the district board, Hissar, has passed resolution No. 52 in its meeting held on 11th February 1927, on the recommendation of the Civil Surgeon, Hissar, that no *vaids* and no *hakim* employed in the district board *ausadhaliya* and *matabs* is authorised to use instruments like thermometer and stethoscope and medicines like tincture iodine, etc?

(b) Is the Honourable Minister aware that only those *vaids* and *hakims* can be employed in the district board *ausadhaliya* and *matabs* who have fully qualified themselves,—vide Local Self-Government notification No. 27527, dated 6th December 1924—and as such they are fully authorised to use simple European instruments and medicines?

The Honourable Malik Firoz Khan, Noon : (a) The Civil Surgeon having reported that the *vaids* at the indigenous hospitals maintained by the board were using surgical instruments and allopathic drugs of which they know nothing, the district board resolved that these *vaids* should not be permitted to dispense European medicines or use surgical instruments.

(b) Government are aware that the rules forbid the employment by district boards of *vaids* or *hakims* who have not certain specified qualifications. There is nothing in the rules either to authorize or to disallow the use of European instruments and medicines by such persons.

KASUR MUNICIPAL COMMITTEE.

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

(a) if it is a fact that an enquiry into the affairs of Kasur municipal committee was conducted in October last by Mr. Bull, P. C. S.;

(b) if it is a fact that the report of the said officer revealed a very unsatisfactory state of affairs of the committee;

(c) if it is a fact that the said report was approved by the Deputy Commissioner and the Commissioner, Lahore;

(d) if it is a fact that the municipal committee has failed to carry out the reforms suggested in the report of the investigating officers?

(ii) If the reply to part (d) above be in the affirmative, will the Honourable Minister please state what action he proposes to take against the committee?

(iii) Will the Honourable Minister please lay on the table the report of Mr. Bull regarding the affairs of the said committee?

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

(b) Yes.

(c) Yes.

(d) The committee has appointed an official secretary for four months with a view to removing the defects pointed out.

(ii) Does not arise.

(iii) As the report is long, Government are not willing to lay a copy of it on the table but a copy will be supplied to the honourable member if he so desires.

MUNICIPAL COMMITTEE, KASUR.

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

(a) if it is a fact that cholera has been prevailing at Kasur for the last month or so ;

(b) if it is a fact that a specimen of the ice manufactured by the local ice factory was sent up for bacteriological examination by the Assistant Surgeon, Kasur ;

(c) if it is a fact that the report of the bacteriological department showed that the ice was badly contaminated ;

(d) if it is a fact that the Deputy Commissioner asked the municipality to stop the sale of the locally manufactured ice ;

(e) if it is a fact that the municipal committee rejected the resolution to stop the sale of the locally manufactured ice ;

(f) if it is a fact that the proprietor of the ice factory is a municipal commissioner ?

(ii) If the reply to the above paragraphs be in the affirmative, will the Honourable Minister please state what action he proposes to take against the committee?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the reply will be communicated to the honourable member in due course.

ADDITIONAL POLICE FORCE FOR LAHORE.

***489. Shaikh Faiz Muhammad :** (a) Will the Honourable the Finance Member kindly state if it is a fact that an additional police force has been employed for Lahore for a period of six months ?

(b) If the answer to (a) is in the affirmative, will the Honourable Member state the correct number of newly employed Hindu, Sikh and Muslim constables, head constables and sub-inspectors ?

(c) Under which of the above communal groups do the Gurkhas rank in official papers ?

(d) Will the Honourable Member kindly state :—

(i) the reasons for the preponderance of Hindus and Sikhs and paucity of Musalmans in the new recruitment ;

(ii) whether the attention of the Government has been invited to the resentment which the preponderance of Hindus and Sikhs in the new recruitment has caused among the Muslims of the province ;

(iii) whether the Government is aware that the Hindu press is attributing the inauguration of this new policy to the justice of the complaints of Hindus against the diligence and honesty of police force posted at Lahore during the riots ?

The Honourable Sir Geoffrey deMontmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

QUALIFICATIONS FOR EMPLOYMENT IN POLICE FORCE.

***490. Shaikh Faiz Muhammad :** (i) Will the Honourable the Finance Member kindly state :—

(a) the standard of suitability and efficiency for employment in the police force ;

(b) whether the Government is satisfied that the Hindus employed satisfy that standard ?

(ii) Will Government consider the suitability of posting the newly employed Hindu constables and head constables at Vehoa and Shah Wah police stations in Dera Ghazi Khan district and Isa Khel in Mianwali district ?

The Honourable Sir Geoffrey deMontmorency : (i) (a) Standards of suitability and efficiency for various services in the Police Department are given in Police Rules 11.7, 11.10, 11.12, 11.13 and Appendix 11.2 (Volume II).

(b) Yes.

(ii) Is not understood. If the honourable member will kindly make his meaning clear, I will endeavour to answer this part of his question.

Shaikh Faiz Muhammad : I refer to the question as submitted by me to the Council office. Some words seem to have been omitted therefrom and that is why the question is vague.

The Honourable Sir Geoffrey deMontmorency : I am still in the dark. I am not quite certain as to what exact information the honourable member wants.

Shaikh Faiz Muhammad : I suggested that these Hindu constables might be posted to the places mentioned in the question in order to test their mettle.

The Honourable Sir Geoffrey deMontmorency : What Hindu constables does the honourable member refer to ?

Shaikh Faiz Muhammad : The constables newly recruited at Lahore.

The Honourable Sir Geoffrey deMontmorency : Most of the constables recruited at Lahore only agreed to serve in the additional police for a temporary period and it is not certain whether they will desire to continue to serve in the police after the temporary period is over. The question of posting them to other districts cannot at the present moment be considered.

NEW APPOINTMENTS IN THE PROVINCIAL AND SUBORDINATE EDUCATIONAL SERVICE.

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

(a) The number of new appointments made in the Provincial Education Service and in Rs. 200—10—250 and Rs. 140—10—190 of the subordinate education service, separately, in connection with the opening of the new Intermediate colleges at Rohtak and Hoshiarpur and the extension of Ludhiana College ;

(b) how many of these appointments have been filled by Hindus, Sikhs, Christians and Musalmans ;

(c) the names and qualifications of the Musalmans who applied for these posts and have not been appointed ?

The Honourable Mr. Manohar Lal : (a) The honourable member is referred to the answers to Council questions Nos. 417¹ and 452².

(b) and (c) The honourable member is referred to the general answer given to Council questions Nos. 1961—75³.

ROAD PROGRAMME.

***492. Lala Mohan Lal :** Will the Honourable Minister for Agriculture be pleased to state the road programme for the next five years ?

The Honourable Sardar Jogendra Singh : (1) The second instalment of the road reclassification scheme, by which a further mileage of 324 miles of metalled roads and 754 miles of unmetalled road are proposed to be taken over by the Public Works Department, is under consideration. No definite programme for the next five years has been laid down, but the Public Works Department hope to metal approximately 100 miles of road each year, provided the necessary funds are granted by the Council.

(2) The programme of metalling class I roads represents all that the province can afford as a whole; and must, even when all are metalled, leave about eighty per cent. of our roads unmetalled. It is believed that the public will benefit more from the improvement and proper maintenance of ten miles of unmetalled road, than from the provision of the one mile of metalled road that could be secured for the same outlay, and funds for the maintenance of which in the future are, in view of the heavy demands upon district boards, problematical. This policy is subject to reconsideration after the proposed review of the needs and finances of district boards.

¹ Pages 970—972 ante.

² Page 986 ante.

³ Vol. VIII-B, pages 1167—1161 and page cxli, Appendix VIII.

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(3) As regards class II roads the policy is to encourage district boards to put their class II unmetalled roads into proper repair, and to make adequate provision and arrangements for their maintenance, before they add to their metalled mileage.

AMBALA CANTONMENT BOARD.

*493. **Lala Mohan Lal :** Will the Honourable the Finance Member please state :—

- (a) whether the Government is aware that under section 44 (3) of the Cantonments Act the regulations framed by a cantonment board should be published 'in such manner as the Local Government may direct' ;
- (b) the manner of publication the Government has directed for the cantonments of the Punjab or for the cantonment of Ambala ;
- (c) whether the Government is aware that the Central Provinces Government has by its notification No. 160—1570-11-24, dated the 28th January 1925, directed the cantonments under its jurisdiction to publish the regulations and bye-laws by affixing copies of the same in the vernacular of the province, at the cantonment authority notice board and at other conspicuous places and by publishing the same in the local Gazette and papers having circulation in the cantonment and by proclaiming the same by beat of drum ;
- (d) if the procedure of publication stated above has been followed in Ambala Cantonment ;
- (e) whether the Government is aware that the people of Ambala have a legitimate grievance in having not seen the regulations of the cantonment board in the vernacular of the province ;
- (f) whether it is a fact that owing to the defective publication of the regulations, no objections or suggestions were received from the people of Ambala ;
- (g) whether he intends to notify a general procedure of publication as is contemplated by section 44 (3) of the Cantonments Act and return the regulations of Ambala Cantonment Board for republication in that manner ?

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

(b) The attention of the honourable member is invited to rule 31 of the rules published with Punjab Government notification No. 8770-S., dated the 16th September 1924, which prescribes publication in the *Punjab Gazette* only.

(c) Yes.

(d) Yes. It is reported that the original regulations were published locally by the board for the purpose of inviting objections, though such a course was not necessary. Subsequent amendments were however not published locally. The regulations were also published in the *Punjab Gazette* with notification No. 13149, dated the 27th April 1927, and came into force on the 12th June 1927.

(e) No, as the regulations are business regulations ; as such they concern the board and not the public.

(f) There was no defect in the publication of the regulations and the objection taken by some of the non-official members of the board to the manner of publication was considered to be without substance.

(g) Does not arise.

AMBALA CANTONMENT BOARD.

***494. Lala Mohan Lal :** Will the Honourable the Finance Member be pleased to state :—

(a) whether he is aware that the District Magistrate, Ambala, has nominated the Cantonment Magistrate, Ambala Cantonment, as his representative on the Cantonment Board, Ambala, under section 14 (1) (b) of the Cantonments Act ;

(b) whether he is aware that in his capacity as a member of the cantonment board, the Cantonment Magistrate is a party to the sanction of all prosecution sanctioned by the cantonment board under the Cantonment Act ;

(c) whether it is a fact that the same Magistrate tries all the cases so launched by the cantonment board and this involves a breach of a standing principle of the criminal law that the person sanctioning a prosecution should not hear it judicially ;

(d) whether he would consider the advisability of directing the removal of this defect ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b), (c) and (d) Government have no information and a reply will be furnished on receipt of the Deputy Commissioner's report.

AMBALA CANTONMENT BOARD.

***495. Lala Mohan Lal :** Will the Honourable the Finance Member be pleased to state :—

(a) whether he is aware that in the Ambala Cantonment Board meeting held in January 1927, the President, Col. D. Deane, allowed one Mian Khan to address the meeting objecting to the construction of a building of his neighbour ;

(b) whether it is a fact that this action of the President was protested against by the non-official Vice-President as being illegal and on his protest a reference was made to the Northern Command for a ruling on the subject ;

(c) whether he is aware that on this reference, the Northern Command in its letter No. 36264-1 (L. C.), dated the 10th February 1927, laid down that no one who was not a member of the board had a right to address the meeting ;

(d) whether he is aware that contrary to this ruling, the Ambala Cantonment Board has by majority passed Regulation No. 27 permitting persons not members of the cantonment board

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to speak in the meeting of the cantonment board, if the majority of the members so desired ;

(e) whether he is aware that there is a standing majority of official members in the cantonment board and the regulation in question would practically mean empowering the official members to allow persons, not members of the cantonment board, to speak in its meetings ;

(f) whether under the circumstances Government will be pleased to consider the desirability of disapproving the regulation ?

The Honourable Sir Geoffrey de Montmorency : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member as soon as possible.

MUNICIPAL COMMITTEES AND POLICE OR CHAUKIDARI CHARGES.

*496. **Lala Mohan Lal :** Will the Honourable the Minister for Local Self-Government be pleased to state :—

(a) the number of the municipal committees that have to pay the police or chaukidari charges even now ;

(b) the reason for this in the face of the Government of India's instructions in this respect ?

The Honourable Malik Firoz Khan, Noon : (a) Thirty-five.

(b) It is not clear to what instructions of the Government of India the honourable member is referring. In 1911, the Government of India agreed to the relief of municipal committees in the Punjab of all liabilities at that time imposed upon them on account of police establishment and buildings ; but these orders did not apply to places where there were no regular police forces and do not apply to places where such forces have since been substituted for chaukidars.

INCOME OF MUNICIPAL COMMITTEES UNDER CERTAIN HEADS.

*497. **Lala Mohan Lal :** Will the Honourable the Minister for Local Self-Government be pleased to lay on the table a statement showing the following facts for each municipal committee in the Punjab for 1926-27 :—

(i) income from rates and taxes ;

(ii) income under Heads XXIV-1, 2, 3, and XXV-1, 2, 3 and XVI-1, 2, 3 ;

(iii) expenses under Heads 14, 9 and 4 ?

The Honourable Malik Firoz Khan, Noon : The figures are not yet available ; they will be published in due course with the annual review on the accounts and returns of municipal committees for 1926-27.

AMBALA CANTONMENT BOARD.

*498. **Lala Mohan Lal :** Will the Honourable the Finance Member be pleased to state :—

(a) if he is aware that the Cantonment Board, Ambala, has in its meeting of the 28th January 1927, by a majority of votes, so amended the regulations as to lay the papers pertaining to the agenda of a meeting on the table two days before the date of meeting instead of four days as previously agreed to by all the members ;

(b) whether he is aware that this amendment was opposed by three out of five non-official members present, on the ground that two days' time was quite insufficient and the amendment proposed made it virtually impossible for the non-official members to see the papers ;

(c) whether it is a fact that this amendment has not been published for objections, as required by section 44 (3) of the Cantonments Act ;

(d) whether Government would consider the question of rejecting the amendment and retaining the original regulation or directing that it should be published for public objections, as required by section 44 (3) of the Cantonments Act ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, at a meeting held on the 28th February 1927.

(b) Yes.

(c) Yes, but previous publication is not necessary. The regulations were duly published with Punjab Government notification No. 18149, dated the 27th April 1927, and no objection was received.

(d) No, besides, Government have no power to interfere with the board's discretion in the matter, as the approval of Government is required only in the case of those regulations which are made by a board under clause (e) of sub-section (1) of section 44 of the Cantonments Act, 1924.

CLINICAL ASSISTANT, KING EDWARD'S MEDICAL COLLEGE, LAHORE.

*499. **Lala Mohan Lal :** (i) Will the Honourable the Minister for Local Self-Government be pleased to state whether the post of Clinical Assistant to the Professor of Clinical Medicine in the King Edward's Medical College, Lahore, has been filled up ?

If the reply to the above be in the affirmative, will he be pleased to state the name of the gentleman appointed and his qualifications ?

(ii) (a) Will the Honourable Minister be pleased to lay on the table a statement of the qualifications of all the applicants for this post ?

(b) Will he also state if the gentleman selected for the post was selected for the reason that he was the best qualified amongst the applicants ? If not, will he state in full the reasons for appointing the present incumbent ?

(iii) Will the Honourable the Minister be pleased to state if it is a fact that one of the applicants for this post was an M. R. C. P., London, which is

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one of the highest qualifications in the Medical Service? If so, will he be pleased to state why this candidate was not given preference?

The Honourable Malik Firoz Khan, Noon : (2) Yes, Dr. Muhammad Yusuf, M.D., B.S. (Punjab).

(3) (a) A statement is laid upon the table.

(b) The appointment was made before I assumed office but I have no doubts that the claims of all candidates were very carefully reviewed and it was decided that the professional experience of Dr. Yusuf, coupled with his academic record and post-graduate training, entitled him to the appointment in preference to all other candidates.

(4) Yes : the reason why he was not selected is given above.

STATEMENT SHOWING THE NAMES AND QUALIFICATIONS OF APPLICANTS FOR THE POST OF CLINICAL ASSISTANT TO THE PROFESSOR OF CLINICAL MEDICINE, KING EDWARD MEDICAL COLLEGE, LAHORE.

No.	Name.	Qualifications.	REMARKS.
1.	Dr. Prem Nath, Suri, P.C.M. S.	M.B., B.S. (Punjab). D. T. M. & H. (England). M. R. C. P. (Edinburgh).	
2.	Dr. Mehr Chandra	M.R.C.S. (England) L.R.C.P. (London). M.R.C.P. (Edinburgh).	
3.	Baya Harnam Singh, P.C.M.S.	L. M. S. (Punjab).	
4.	Dr. Madan Lal, Rikhye, P.C.M.S.	M. B., B.S. (Punjab). M. D. (Punjab).	
5.	Dr. Jamiat Singh, P.C.M.S.	M.B., B.S. (Punjab) D.P.H. (Edinburgh). London School Examination in Tropical Medicine and Hygiene M.D. (Punjab).	
6.	Dr. Mohammad Yusuf, P.C.M.S.	M.B., B.S. (Punjab) M.D. (Punjab).	
7.	Dr. S. S. Bhatnagar	M.B., B.S. (Punjab). M. R. C. S., M. R. C. P. (England).	
8.	Dr. Gopal Singh	M.B., B.S. (Punjab).	
9.	Dr. Amolak Ram, Sikand, P. C.M.S.	M. B., B. S. (Punjab).	
10.	Dr. S. M. Varis	M. B., C.M. (Edinburgh) with distinction. M.D. (Edinburgh). Fellow of the Edinburgh University.	
11.	Dr. Jamiat Singh	M.B., Ch.B., and M. D. (Scotland). D. P. H. (Cambridge).	

No.	Name.	Qualification	REMARKS.]
12	Dr. S. S. Shri Kant	M.B., Ch.B. (Liverpool). L.R.C.P. (London). M. B. C. S. (England). D. T. M. (Liverpool). D. P. H. (Liverpool). M. D. (Liverpool).	
13	Dr. R. Mansoor	M.B., B.S. (Durban). M. D.	
14	Dr. Jagat Ram, Bhatia		
15	Dr. Bishan Singh	M.B., Ch. B. B.A.O.	
16	Dr. S. R. Puri	M.B., B.S. (Punjab).	
17	Dr. S. Bindra	M.B., B.S. (Bombay).	
18	Dr. Vishwa Nath, P.C.M.S.	M.B., B.S. (Punjab). D. P. H., D.T.M. & H. (Canada).	
19	Dr. Bodh Raj, Chopra	M.B., Ch. B. (Edinburgh).	
20	Dr. Raghuir Singh, P.C.M.S.	M.B., B.S. (Punjab). M. D. (Punjab).	
21	Dr. Ghulam Mohammad	M.B., B.S. (Punjab).	
22	Dr. Benarsi Dass Soni	M.B., B.S. (Punjab).	
23	Dr. J. N. Luthra	M.B., B.S.	
24	Dr. Harmand Lal Batra	M.B., B.S. (Punjab). P.O.M.S. (London). F.R.C.S.E.	

APPLICATIONS FOR COPIES OF JUDICIAL RECORDS.

*500. **Lala Mohan Lal :** (i) Will the Honourable the Finance Member be pleased to state how many urgent applications for copies of judicial record with Re. 1 fee were received in the District Courts at Ludhiana, Ferozepore and Jullundur ?

(ii) How many copies out of these were supplied :

(a) within 24 hours ;

(b) within 48 hours ; and

(c) after one week ?

The Honourable Sir Geoffrey de Montmorency : If the honourable member will state to what period his question relates, steps will be taken to collect the information required.

SLAUGHTER OF ANIMALS AND SALE OF MEAT IN JAGADHRI.

*501. **Lala Mohan Lal :** Will the Honourable the Finance Member be pleased to state :—

(a) whether since the British rule in the Punjab the slaughter of animals and sale of meat in Jagadhri town, district Ambala, has been prohibited ;

[Lala Mohan Lal.]

- (b) whether it is a fact that the present Deputy Commissioner has allowed the slaughter of animals and sale of meat in Jagadhri town this year ;
- (c) whether the Government is aware that this action of the Deputy Commissioner has caused a strong feeling amongst the Hindus ;
- (d) whether the Government apprehends that the permission granted by this Deputy Commissioner would lead to disturbance of peace in Jagadhri town ;
- (e) whether the Government will be pleased to take some action to prohibit the slaughter of animals and sale of meat in Jagadhri town ?

The Honourable Sir Geoffrey de Montmorency : The reply to this Council question is not yet ready ; it will be communicated to the honourable member when ready.

MATRICULATION AND SCHOOL-LEAVING CERTIFICATE EXAMINATION.

***502. Lala Mohan Lal :** Will the Honourable the Minister for Education be pleased to lay on the table a list of schools :—

- (a) that have shown a pass percentage above 60 in the last Matriculation and School-leaving Certificate Examination ;
- (b) that have shown a pass percentage between 39 and 61 ;
- (c) that have shown a pass percentage below 40 ?

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

***503. Lala Mohan Lal :** Will the Honourable the Minister for Education be pleased to supply in a tabular form the particulars given below, in the case of each school under heads (a), (b) and (c) in question No. 502 starred :—

- (a) the name of the school ;
- (b) the number of boys sent up for the Matriculation and School-Leaving Certificate Examination in the year 1926-27 ;
- (c) the number of boys that came out successful ;
- (d) pass percentage secured by each school ;
- (e) expenditure incurred by the Government for the year 1926-27 and grant-in-aid or net maintenance charges ?

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

ADMISSION INTO GOVERNMENT EDUCATIONAL INSTITUTIONS ON COMMUNAL BASIS.

***504. Lala Mohan Lal :** Will the Honourable the Minister for Education be pleased to state in what educational institutions of the Government is admission regulated on communal basis ?

The Honourable Mr. Manohar Lal : The Government College, Lahore, the Medical College, Lahore, and the Medical School, Amritsar.

ACTION AGAINST OFFENSIVE WRITINGS IN THE PRESS.

***505. Chaudhri Ram Singh :** (i) Will the Honourable the Finance Member kindly state :—

(a) whether it is a fact that there have been appearing in the *Muslim Outlook* articles in which Government has been requested to proscribe the well-known book called "Satyarath Parkash" which was written by Swami Daya Nand, the respected founder of Arya Samaj ;

(b) whether Government is aware that "Satyarath Parkash" is the holy book of the Arya Samajists ?

(ii) If the answers to (a) and (b) above be in the affirmative, will Government be pleased to state whether it intends taking some action with a view to stop the appearance of such offensive writings in future ?

The Honourable Sir Geoffrey deMontmorency : (i) (a) Yes, one or two such articles have been noticed.

(b) Yes.

(ii) Any attacks on the scriptures of other communities will of course be examined and dealt with on their merits.

"INQILAB," LAHORE.

***506. Chaudhri Ram Singh :** Will the Honourable Member for Finance be pleased to state :—

(a) whether it is a fact that *Inqilab*, an Urdu daily of Lahore, published in its issue of the 16th June, 1927, an article under the heading "Mr. Justice Dalip Singh should resign and an enquiry should be made as to the circumstances under which the judgment relating to the *Rangila Rasul* case was pronounced" which amounts to contempt of Court ;

(b) whether the said article has come to the notice of Government ?

(c) if the answer to the above be in the affirmative, will Government be pleased to state whether it is considering the desirability of immediately prosecuting the said newspaper ?

The Honourable Sir Geoffrey deMontmorency : The article had not previously come to the notice of Government and is now being examined and considered.

PLYING OF MOTORS ON HIRE IN THE KANGRA DISTRICT.

***507. Chaudhri Ram Singh :** Will the Honourable Member for Revenue be pleased to state :—

(a) whether it is a fact that in almost all the districts of the Punjab various companies are plying taxis on hire and that very moderate rates of hire and in some places rates lower than the railway fare are being charged from the passengers ;

(b) whether it is also a fact that in the Kangra district the rate of hire charged from the passengers is six pice per mile, which is, with the exception of Dalhousie, higher than that obtaining in any other part of the province ;

[Chaudhri Ram Singh.]

- (c) whether it is also a fact that if any person plying a taxi on hire charges less than 6 pice per mile his license is confiscated ;
- (d) the number of applications received during the last three years praying for the grant of licenses for plying motors on hire in the Kangra district ;
- (e) whether it is also a fact that there are a number of persons in the Kangra district who are prepared to ply motors at rates lower than those charged at present in Kangra ;
- (f) whether it is also a fact that Kangra is a poor district ;
- (g) if the answers to the above be in the affirmative, will the Honourable Member for Revenue be pleased to consider the desirability of issuing motor licenses to all applicants without any personal restrictions ?

Mr. B. H. Dobson : (a) Motor vehicles are understood to ply for hire in several districts of the province. It is possible that rates in some cases compare favourably with those charged by the railway companies, but on this subject Government has no information.

(b) Six pice per mile has, it is understood, been prescribed as the maximum charge for a second class seat in a motor lorry plying for hire in Kangra. Government is not aware whether this is a higher rate than that in force in any other part of the province, except Dalhousie, for the same service ;

(c) No road certificate has been revoked in Kangra for the reason suggested by the honourable member ;

(d) About 125 ;

(e) So far only one such person is reported to have come forward ;

(f) Kangra is not among the richer districts of the province.

(g) The question of the plying of motor vehicles for hire in the Kangra district is about to be examined.

RECRUITMENT OF CLERKS FOR THE HYDRO-ELECTRIC DEPARTMENT.

***508. Chaudhri Ram Singh :** Will the Honourable Minister for Agriculture kindly state :—

(a) whether it is a fact that a further recruitment of clerks is being made for the Hydro-Electric Department ;

(b) whether Government is aware that in the Kangra district there is a large number of unemployed matriculates and non-matriculates ?

(c) If the answers to (a) and (b) above be in the affirmative, will the Honourable Minister be pleased to state whether he will consider the desirability of giving preference to the residents of the Kangra district while making appointments to the said department ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) No.

(c) As experienced clerks are required by the Hydro-Electric Branch, applications of men from the Kangra district can only be considered on their merits.

COW-KILLING IN GURDASPUR.

***509. Chaudhri Ram Singh :** Will the Honourable Finance Member kindly state :—

- (a) whether it is a fact that on the occasion of the last "Id" somebody after killing a cow threw its head in one of the temples in Gurdaspur ;
- (b) whether on account of this, great excitement is prevailing amongst the Hindus of that locality ;
- (c) if so, whether any investigation has been made by the police ;
- (d) the result of the investigation ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) There was excitement, but it is understood to have subsided.

(c) Yes.

(d) The investigation is still proceeding.

SECTION 144 IN AMRITSAR.

***510. Chaudhri Ram Singh :** Will the Honourable Finance Member be pleased to state :—

- (a) whether it is a fact that section 144 has been enforced in Amritsar ;
- (b) whether it is a fact that Sardar Kharak Singh was taken in procession on his arrival at Amritsar a few days ago ;
- (c) whether it is also a fact that a meeting of the Muhammadans of Amritsar was held there to protest against an article published in one of the issues of the *Vartman* ;
- (d) If the answer to the above be in the affirmative, will Government be pleased to state the reasons why the Hindus were prohibited from taking out a procession in honour of Shivajee and why restrictions were imposed on the installation of a statue by the Hindus in Durgiana temple while the Sikhs and Muhammadans were allowed to take out a procession and hold meetings ?

The Honourable Sir Geoffrey deMontmorency : (a) Not so far as Government is aware.

(b) Yes.

(c) A meeting was held in a mosque.

(d) An application was made to the authorities for license to take out a procession in connection with the anniversary of Shivajee on the 3rd of May. No such procession had ever previously been allowed and a license was refused owing to the state of communal tension then prevailing. In regard to the installation of a statue in the Durgiana temple, no restrictions were placed on this ceremony ; but the District Magistrate, while granting

[The Hon'ble Sir Geoffrey deMontmorency.]

permission for a procession to be taken out from the Civil Lines to the Durgiana temple refused to allow the procession to pass through the main bazaars inside the City. His reason was the state of communal tension then prevalent.

LAHORE MUNICIPALITY.

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

- (a) whether it is a fact that he held any conference with Raja Narendra Nath Sahib and other Hindu leading men in the middle of June in connection with the Hindu representation of Lahore municipality ;
- (b) the basis of the negotiations ;
- (c) the result of the negotiations ;
- (d) whether the claims and rights of the other communities were borne in mind while discussing the Hindu claims ?

The Honourable Malik Firoz Khan, Noon : (a), (b), (c) and (d).

The Hindus of Lahore have for some time refrained from taking part as elected members of the Lahore Municipal Committee. Efforts have been made in the past both by Hindus and by Government to bring about a termination of this state of things. Certain statements were made in the press with the result that Government had to issue a *communiqué* on the subject. A copy of this *communiqué* is laid on the table of the house. Last month when I was in Lahore, in the course of discussion with various gentlemen interested in the matter it was suggested that a solution could be found by adding four seats to the Municipal Committee and allotting two of these to Muslims and two to the Hindus. It appeared that this suggestion did not adversely affect the Sikhs nor the Europeans and that it did not contravene the principles enunciated in the *communiqué* mentioned above, the proposal was consequently accepted by me and effect has already been given to it. The Council will be pleased to hear that dates for elections in the Hindu wards have already been fixed.

Press Communiqué.

In 1923, when the constitution of the Lahore municipal committee was revised the population and voting strength of the various communities were as follows :—

Community.	Population.	Voting Strength
Muslims	140,708	20,361
Hindus	95,823	11,056
Sikhs	11,766	389
Others	8,908	705

The number of members to be elected was 32 and the following table shows how the seats should have been distributed according to population, voting strength and the mean between the two :—

Community.	NUMBER OF SEATS ACCORDING TO		
	Population.	Voting Strength.	Mean.
Muslims	7.5	18.9	18.2
Hindus	11.9	10.5	11.2
Sikhs	1.5	0.6	1.3
Others	1.1	0.7	0.9

The distribution actually made under the rules which are still in force was :—

Community.	No. of elected seats.
Muslims	17
Hindus	11
Sikhs	2
Others	2

Thus the Hindus received the full number of seats to which they were entitled but two seats were taken from the Muslims in order to give representation to the Sikhs and others on a slightly more generous scale than they were entitled to.

At the time this redistribution of elected seats was announced it was intimated that there would be 8 seats to be filled by appointment and that these would ordinarily be filled as follows :—

Community.	No. of appointed seats.
Muslims	3
European British subjects	2
<i>Ex-officio</i> (ordinarily the Civil Surgeon)	1
Others	2

Eventually, however, the number of seats to be filled by appointment was raised to 9 which were filled as follows :—

Community.	No. of seats.
Muslims	4
Hindus and Sikhs	3
Europeans	3
	22

[The Hon'ble Malik Firoz Khan Noon]

Thus the distribution of the total number, 41, of seats filled by election and appointment was as follows :—

Community.	Total No. of seats.	Total No. of seats to which communities were entitled on the basis of the mean of population and voting strength.
Muslims	20	24.0
Hindus	14	14.4
Sikhs	2	1.5
Others	5	1.1

The Muslims thus received four seats less than the number to which they were entitled, and instead of having a majority of 7 over all other communities were in a minority by one.

Before the final publication of the electoral rolls for the present general election a deputation of many of the leading Hindus of Lahore waited upon the Minister for Local Self-Government with a view to ascertaining whether in the event of the electoral rolls showing that the Hindu community was entitled to a larger number of seats Government would be prepared to increase the Hindu representation on the committee. The Minister informed the deputation that Government would be willing to give the Hindus the number of seats to which they were entitled according to the formula which had been adopted for general use in the province and would even give them an extra appointed seat provided that the community which was entitled to a majority of the seats was not thereby placed in a minority on the committee. After the final publication of the electoral rolls it was found that the distribution of seats should, according to the formula, be as follows :—

Community.	NUMBER OF ELECTED SEATS ACCORDING TO			TOTAL NUMBER OF SEATS ACCORDING TO		
	Population.	Voters.	Mean.	Population.	Voters.	Mean.
Muslims	17.5	16.9	17.2	22.4	21.7	22.05
Hindus	11.9	13.1	12.5	15.3	16.3	16.05
Sikhs	1.4	1.2	1.3	1.0	1.6	1.75
Others	1.2	.8	1.0	1.4	.9	1.15

The Minister accordingly wrote to two of the leaders of the Hindu community who had approached him and said that Government were prepared to alter the electoral rules of the Lahore Municipal Committee so as to provide for the return of 17 Muslims, 13 Hindus, 1 Sikh and 1 other. This change could not however be made for the purpose of the present general

election as it would involve amending all the rules as to electoral circles; Government would therefore wait till this election was over and then publish draft rules to come into force for the purpose of the next general election in 1930. Meanwhile the position could only be rectified by a redistribution of the seats to be filled by appointment, but, as there were only 9 such seats whereas 10 seats were required to bring the number of Muslim and Hindu seats up to the numbers to which these communities were respectively entitled according to the formula, the nearest approach to the formula that could be achieved would be to give 4 of the appointed seats to the Muslims and 5 to the Hindus. As however this would give to the Muslims a majority of 21 to 20 over all other communities the Minister apprehended that this solution would not commend itself to the Hindus. He was therefore prepared to leave the present distribution of seats as it was for the present, for though it was less favourable to the Muslim community than a distribution according to the strict formula, the Muslims might well be content with retaining the position in which they had been able to secure a working majority.

No reply was received from the gentlemen addressed except a wire from one of them, but it would appear that the Hindu community not only will not accept the formula which has been applied everywhere else in the province where communal electorates are in existence but is not even content with the unique arrangements in Lahore under which the community which has a majority in respect both of population and of voting strength has been placed in a minority on the committee as against all other communities. No other formula which could be applied impartially in all municipalities of the province has been suggested by the Hindus, and the sole justification for their claim to receive special treatment in Lahore that has apparently been advanced is that they have a greater material stake in the municipality than other communities and pay a larger proportion of municipal taxes. For the latter claim, however, no satisfactory proof could be forthcoming, as it is impossible to say on which community the eventual incidence of terminal tax falls most heavily, but in any case the justification advanced is contrary to all principles of democratic institutions and cannot be seriously maintained. The Punjab Government (Ministry of Local Self-Government) deeply regrets that so important a section of the community should decide to abstain from candidature at the elections but every consideration of justice prevents them from going further than they have done in making concessions in order to obtain its co-operation.

HONORARY MAGISTRATES.

***512. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the names of those Honorary Magistrates whose powers have been withheld temporarily on account of their taking part in Council elections?

The Honourable Sir Geoffrey deMontmorency : 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. The powers of no Honorary Magistrates were temporarily withheld or withdrawn.

OPENING OF SIRHIND CANAL.

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

- (a) (i) Whether it is a fact that since the opening of Sirhind Canal the whole area of Bahlotpur, Chuaharpur, Pawat and other villages in Tahsil Samrala district Ludhiana, has been water-logged.
- (ii) Whether it is a fact that the climate of that *ilaga* is worse than any other water-logged area.
- (b) If so, what steps the Government has taken to remedy the above mentioned state of affairs.

Mr. J. B. G. Smith : No report of water-logging in these villages of the Ludhiana District has been received. Enquiries are being made and the information when received will be communicated to the honourable member.

DISAFFECTION AMONG MUHAMMADANS OF KARNAL.

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

- (i) if it is a fact that Muhammadans of Panipat, protesting against the orders of the District Magistrate, did not make any sacrifices on the occasion of the last *Id* ;
- (ii) if it is a fact that the District Magistrate under section 144 of the Criminal Procedure Code prohibited all public meetings, publications and distribution of posters and pamphlets for two months ;
- (iii) if it is a fact that the District Magistrate demanded the security of Rs. 5,000 to keep peace from Sufi Iqbal of Panipat for one year ;
- (b) If so, will the honourable member be pleased to state if the Government is aware of the fact that great disaffection is created in the minds of the Muhammadans by the attitude of the Deputy Commissioner, Karnal ;
- (c) if so, whether the Government proposes to take any step to change the state of affairs ?

The Honourable Sir Geoffrey deMontmorency : (a) (i) The abstention from sacrifices was not universal. Some sacrifices were made.

(ii) Yes.

(iii) No, the Magistrate of the *ilaga*, not the District Magistrate, has taken intermediate security from the person named under section 117 (3) of the Code of Criminal Procedure.

(b) Government is aware that some dissatisfaction exists.

(c) Questions connected with the orders regarding sacrifice are at present engaging the consideration of Government.

¹Vide the footnote at page 969 ante.

NEW APPOINTMENTS MADE IN THE EDUCATION DEPARTMENT BY THE
MINISTRY OF EDUCATION.

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

- (a) if it is a fact that Government (Ministry of Education) have made the following new appointments in the Education Department this year:—

Three in the grade of 200—10—250, and

Five in the grade of 140—10—190 ;

- (b) if it is a fact that no Muhammadan is taken in these grades ?

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

(b) No.

AWARD OF PRIZE TO FEMALE GRADUATES TO PURSUE THEIR STUDIES IN
ENGLISH UNIVERSITY.

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

- (a) whether it is a fact that Government (Ministry of Education) have been pleased to award a prize of £300 monthly to a female graduate to pursue her studies in any English University ;
- (b) whether it is a fact that that girl did not belong to this province ;
- (c) whether it is a fact that two other Punjabi female graduates with superior qualifications presented themselves for the same prize ;
- (d) whether it is a fact that the Bengali female graduate who is awarded the prize once failed in B.A., while the other candidates do not possess that disqualification ?
- (e) If so, will the Honourable Minister be pleased to state the reasons for the above-mentioned selection of a non-Punjabi girl with inferior qualifications ?

The Honourable Mr. Manohar Lal : (a) A scholarship of £300 has been awarded.

(b) No. Her parents have lived in the Punjab for the last 25 years and the scholar has received her education in the Punjab institutions.

(c) This is a matter of opinion. The Selection Committee consisting of Miss. L. M. Stratford, B.A., I.E.S., M.B.E., Deputy Directress of Public Instruction, Punjab, Miss. G. Harrison, B.A., Principal, Lahore College for Women ; Miss K. Sircar of the Kinnaird College, Lahore and Dr. R. H. Whitehouse, D.Sc., Vice-Principal, Central Training College, Lahore, considered the scholar who has been appointed to be the best candidate.

(d) The scholar passed the Matriculation (in the first division) in 1922 ; the Intermediate (in the first division) in 1924, and the B. A. in 1926,

(e) Does not arise.

JAGIRDARS AND ARMS ACT.

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

- whether it is a fact that several years ago Jagirdars holding Jagira of Rs. 1,500 or above were exempted from the Arms Act ;
- whether it is a fact that this notification laid down one condition, namely, that these Jagirdars will be exempted from such arms only which at the time of notification they had in their possession ;
- whether it is a fact that several Jagirdars who had got no arms at the time of notification could not profit by this exemption owing to this proviso ;
- If so, will the Honourable the Revenue Member be pleased to state whether the Government is considering the desirability of removing this obvious difficulty ?

¹Mr. B. H. Dobson : Yes.

LAHORE RIOT CASES.

*518. **Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state the number of Sub-Inspectors, Inspectors, Deputy Superintendents of Police, community-wise, who are investigating the Lahore Riot cases ?

The Honourable Sir Geoffrey de Montmorency :

	Muhammadians	Hindus.	Sikhs.	Total.
Deputy Superintendents of Police ..	2	..	2	4
Inspectors	4	1	3	8
Sub-Inspectors	9	4	2	15

UNSTARRED QUESTIONS AND ANSWERS.

KHARABA.

284. **Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable Revenue Member be pleased to state—

- whether it is a fact that there is a considerable increase in Kharaba on account of the frequent stoppage of canals in view of the danger of watering-logging and the shortage of water supply ;
- the proportion of Kharaba to mature crops on the lower Jhelum canal during the last three years ;
- whether Government is prepared to admit applications for Kharaba during the period the crops are standing instead of fixing a particular date for it, as at present ?

¹ Vide the footnote at page 900 ante.

Mr. J. B. G. Smith : (a) No.

(b) The percentages of Kharaba to matured crops on the Lower Jhelum Canal for the last three years are —

1923-24	..	..	..	1.39
1924-25	..	..	..	1.35
1925-26	..	..	..	1.88

(c) Kharaba applications are admitted at any time during the period the crops are standing up to the prescribed date. Admission after those dates except in special cases, would mean a considerable increase in work for the canal staff which would in that case have to be augmented. Government is not therefore prepared to consider the proposal.

STOPPAGE OF CANALS.

285. Khan Bahadur Mian Muhammad Hayat, Qureshi : (i) (a) Will the Honourable Revenue Member be pleased to state —

(a) whether it is a fact that the Zamindars on the Lower Jhelum Canal recently submitted a representation to the Superintending Engineer in connection with the proposed periodical stoppage of the canals in view of the danger of water-logging ;

(b) what action the Government proposes to take in the matter ;

(c) whether the Government is aware that the land of the *Ara ilaga* in Shahpur Tahsil which lies between the two drainages, Raniwah and Dhedhar, is hard and saltish and with the least danger of water-logging ;

(ii) if the answer to (c) above is in the affirmative, does Government propose to show a special consideration to this *ilaga* in the matter of water supply.

Mr. J. B. G. Smith : If the representation referred to is the resolution of the meeting of Zamindars of the Shahpur District on the 15th of June the matters referred to are still under very careful and anxious consideration.

DISTRIBUTION OF CANAL WATER TO KHANEWAL DIVISION.

286. Khan Bahadur Mian Muhammad Hayat, Qureshi : (a) Will the Honourable Revenue Member be pleased to state whether the Khanewal Division receives less rainfall than the Montgomery and Okara Divisions on the Lower Bari Doab canal and is also at the tail of the canal ;

(b) if so, is the Government prepared to treat the Khanewal Division liberally in the matter of the distribution of canal water ?

Mr. J. B. G. Smith : (a) There is no appreciable difference between the rainfall in Khanewal and the neighbouring divisions ;

(b) Does not arise.

LAND REVENUE IN THE SHAHPUR AND KHUSHAB TAHSILS.

287. Khan Bahadur Mian Muhammad Hayat, Qureshi : (i) Will the Honourable Revenue Member be pleased to state :—

- (a) the amount of land revenue, the collection of which was postponed during the last five years in the Shahpur and Khushab Tahsils of Shahpur District ;
- (b) the amount of land revenue the realisation of which had to be postponed for six successive harvests during the last five years in the Shahpur and Khushab Tahsils ?
- (ii) of the land revenue mentioned in (b) how much was subsequently realised ?
- (iii) Is the Government prepared to allow a refund of the amount mentioned in (ii) ?
- (iv) what rules govern the realization and remission of revenue which remains in arrears for successive harvests ?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

TAQAVI LOANS.

288. Khan Bahadur Mian Muhammad Hayat, Qureshi : (a) Will the Honourable Revenue Member be pleased to state whether interest is charged even on Taqavi loans granted for seeds for a period of six months ;

- (b) if so, is the Government prepared to forego interest on such loans ?

Mr. C. A. Barron : (a) Yes.

- (b) No, unless in special circumstances where there is distress sufficient to justify such a concession.

JUDICIAL LOCK-UPS.

289. Khan Bahadur Mian Muhammad Hayat, Qureshi : Will the Honourable the Finance Member be pleased to state :—

- (a) whether it is a fact that every judicial lock-up is meant for a fixed number of under-trial prisoners ;
- (b) whether the limit is often exceeded ;
- (c) whether the Government will issue instructions that the limit should in no case be exceeded ;
- (d) whether it is a fact that many judicial lock-ups have no verandahs, in the absence of which the under-trial prisoners have to sleep inside even in the hot season ;
- (e) whether the Government is prepared to consider the practicability of some arrangements to enable under-trial prisoners to sleep in the open in the hot season under adequate supervision ?

The Honourable Sir Geoffrey de Montmorency : Enquiry is being made from the Honourable Judges of the High Court and the result will be communicated in due course.

ARRANGEMENTS FOR THE FOOD OF MUSLIM AND NON-MUSLIM PRISONERS IN JAILS.

290. Khan Bahadur Mian Muhammad Hayat, Qurehshi : (a) Will the Honourable the Finance Member be pleased to state whether separate arrangements for the food of Muslim and non-Muslim prisoners exist at present in the jails;

(b) if the answer to (a) is in the negative, is the Government prepared to arrange for separate kitchens in future?

The Honourable Sir Geoffrey deMontmorency : (a) Separate arrangements already exist in most Jails. The few remaining cases are receiving attention.

(b) Does not arise.

ROAD JOINING MONTGOMERY AND PAKPATTAN.

291. Baba Kartar Singh, Bedi : Has the attention of the Honourable Minister for Agriculture been drawn to the deplorable condition of the road joining Montgomery and Pakpattan?

If so, will he be pleased to state what steps are contemplated to keep the road in good condition.

The Honourable Sardar Jogendra Singh : Government is aware of the state of the road which was taken over from the District Board last year. An estimate amounting to Rs. 6,95,000 was sanctioned in November for its improvement and work is now in progress.

RAILWAY LINE FROM PAKPATTAN TO MONTGOMERY.

292. Baba Kartar Singh, Bedi : Will the Honourable the Minister for Agriculture please state whether there is any proposal to construct a railway line from Pakpattan to Montgomery direct?

The Honourable Sardar Jogendra Singh : Yes, there is a proposal under consideration to construct a railway line from Pakpattan to Montgomery.

SIKH PRISONERS IN BURMA JAILS.

293. Baba Kartar Singh, Bedi : Has the attention of the Honourable the Finance Member been drawn to a statement recently published in the "Forward" of Calcutta dealing with the alleged inhuman treatment meted out to the Sikh prisoners in Burma Jails?

If so, will he be pleased to make a statement of facts regarding the allegations made in that paper?

The Honourable Sir Geoffrey deMontmorency : The answer to the first part of the question is in the negative. If the honourable member will refer me to the date on which the statement was published the matter will be examined.

IRRIGATION CLERICAL ESTABLISHMENT.

294. Lala Kesho Ram, Sekhri : (i) (a) Will the Honourable the Revenue Member very kindly state whether at the time of the general re-

[Lala Kesho Ram Sekhri.]

vision of pay of the Punjab Irrigation clerical establishment in October 1920 there existed vacancies from 1912 in the various grades of the establishment, if so, how many?

(b) Is it a fact that all these vacancies were not filled up permanently at the time of revision of pay in October 1920?

(c) Is it a fact that several assistant clerks who are acting in the higher grades against these vacancies since 1920 have not yet been confirmed in the higher grades to which their promotion is due?

(ii) (a) Is it a fact that another schedule of provincial clerical establishment was sanctioned in 1926 to provide for the establishment of Sutlej Valley Project and that the vacancies below the grade of divisional head clerks as shown in this schedule have also not yet been permanently filled up?

(b) Is it a fact that owing to the vacancies in the lower grades not having been permanently filled up from 1912 quite a large number of men in several grades are designated as *acting* and that they suffer a great hardship in the matter of leave allowance and pension?

(iii) Will the Honourable the Revenue Member kindly say what is the cause of this inordinate delay in filling up the vacancies and confirming the persons concerned in their respective grades? Will he also state when the whole case is expected to be disposed of and the vacancies filled up?

Mr. J. B. G. Smith : (i) (a) and (b). It is not possible now owing to limited time and establishment to calculate the number of vacancies, if any, which might have existed from 1912 to 1920. All vacancies were filled permanently in the revision of October 1920 with the following exceptions :—

Divisional 2nd Clerk	..	..	1
Accounts Clerk	..	..	1
Assistant Clerks	..	..	4

(c) Yes.

(ii) (a) Yes, for the reason given at (a) and (b) above.

(b) It is a fact that owing to the vacancies not having been filled up a large number of men are designated as *acting*, but it is not correct that they suffer great hardship in the matter of leave allowance and pension because when they are given their promotion they will get it with retrospective effect.

(iii) The cause of the delay is that the records of practically 500 men for the past 6 years have to be examined in order to make the promotions correctly. The number of vacancies at present unfilled are only 69, out of a total strength of nearly 1,000, i.e., 748, permanent and approximately 250 temporary. The examination of their records is actually in hand and it is hoped to complete it within the next three months.

CREATION OF KASUR DISTRICT.

295. Sardar Hira Singh : (a) Will the Honourable the Revenue Member be pleased to state if it is a fact that Kasur is to be created a new district?

(b) Is it intended to transfer some villages of the Lahore district to the Amritsar district? Will the honourable member be pleased to state the names of such villages?

(c) Where will the tahsil headquarters of the various tahsils of the new Kasur district be situated?

Mr. C. A. H. Townsend : (a) and (b) No such proposals are under the consideration of Government.

(c) Does not arise.

CHAUKIDARS AND REGISTRATION OF BIRTHS AND DEATHS.

296. Sardar Hira Singh : (a) Is the Honourable the Minister for Local Self-Government aware that village chaukidars find it troublesome to go to police stations for getting the births and deaths registered?

(b) Does the Government intend to re-introduce the old practice according to which the patwaris use to register the births and deaths?

(c) Will the Government be pleased to state the reasons why the old system was changed?

The Honourable Malik Firoz Khan, Noon : (a) Judging from the fact that some chaukidars neglect their duty in this respect, it may be presumed that they find the performance of it troublesome.

(b) and (c) The reporting of births and deaths by patwaris was not an old practice, but was an experiment tried for a short period in a few districts in consequence of a resolution passed by the Legislative Council. The experiment was, however, abandoned as it was found that it was less satisfactory than the old system and the object which the Legislative Council had in view, namely to keep the chaukidars in the village and away from the thana, could not in any case be achieved as under the rules made under the Punjab Laws Act, 1872, chaukidars are in any case required to report at the thana once a week about matters relating to peace and good order.

VILLAGE SANITATION AND PUBLIC MANAGEMENT ACT.

297. Rai Sahib Lala Ganga Ram : (a) With reference to question No. 3493, put on the 21st October 1926, will the Honourable Minister to Local Self-Government be pleased to state whether the consideration has been made or not?

(b) If the answer to (a) be in the affirmative, will he be pleased to state the result of the consideration?

(c) If the result of the consideration is favourable, will the Honourable Minister please state when he proposes to take necessary steps for legislation?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the reply to starred question No. 15^a.

^a Vide the footnote at page 869 ante.

^a Vol. IX-B, page 1831.

^a Vol. X-A, page 27.

CIVIL ASSISTANT SURGEONS.

298. Rai Sahib Lala Ganga Ram : (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that the time scale of pay of Civil Assistant Surgeons is less than the time scale of pay allowed in other departments of the Provincial Civil Service in the Punjab ?

(b) If so, will he please consider the advisability of bringing the time scale of pay of Civil Assistant Surgeons to the same standard as allowed to the members of other departments of the Provincial Civil Service ?

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

(b) The matter is under consideration.

CIVIL ASSISTANT SURGEONS.

299. Rai Sahib Lala Ganga Ram : (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Civil Assistant Surgeons have to perform the duties of Civil Surgeons at headquarters in the absence of the latter and some of these duties are of a nature that require conveyance ?

(b) If so, is any conveyance allowance given to the Civil Assistant Surgeons or not ? If not, is it intended to allow some reasonable conveyance allowance to the Civil Assistant Surgeons who have to perform the said duties ?

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

(b) No conveyance allowance is given, but Assistant Surgeons in charge of headquarter hospitals are entitled to an allowance of Rs. 120 per mensem when Civil Surgeons are absent from Headquarters on duty for more than seven days, while Assistant Surgeons appointed to act as Civil Surgeons during the absence of the latter on leave are entitled to an acting allowance equal to the difference between their grade pay and the minimum pay of Civil Surgeons. In these circumstances, there is no reason why a conveyance allowance should be granted.

CIVIL ASSISTANT SURGEONS.

300. Rai Sahib Lala Ganga Ram : (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that sometime ago the Civil Assistant Surgeons were paid allowance for visiting the boarding houses of schools which has now been discontinued ?

(b) Will the Honourable Minister please state the reasons for discontinuing the said allowance, and also consider the advisability of granting the allowance again to the Civil Assistant Surgeons ?

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

(b) It was considered that such work should be deemed a part of the ordinary duties of Assistant Surgeons and Government see no reason for reconsidering this decision.

CIVIL ASSISTANT SURGEONS.

301. Rai Sahib Lala Ganga Ram : (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Punjab

Provincial Medical Association have presented to the Government certain grievances of the Civil Assistant Surgeons ?

(b) Will he please state what action the Government intends to take to redress the said grievances ?

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

(b) The matter is still under consideration.

STIPENDS.

302. Rai Sahib Lala Ganga Ram : (a) Is it a fact that formerly out of 22 stipends, two-thirds were being given to Hindu students in the district of Karnal and now only seven stipends are given to Hindu students ?

(b) Will the Honourable Minister for Education please state the reasons for reducing the number of stipends for Hindu students ?

The Honourable Mr. Manohar Lal : A reference has been made to the local authorities.

STIPENDS.

303. Rai Sahib Lala Ganga Ram : Is it a fact that a stipend has been given to a student in the Karnal district who did not appear in the examination at all ? If so, will the Honourable Minister for Education state the rules under which the said stipend was granted ?

The Honourable Mr. Manohar Lal : The question is not understood. If the honourable member will make it clearer, enquiries will be made.

NORMAL SCHOOL, KARNAL.

304. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education be pleased to state the number of candidates who applied for admission to the Normal School, Karnal, last year, and also the number actually admitted ?

The Honourable Mr. Manohar Lal :

Number applied.	Senior Vernacular	164
	Junior Vernacular	256
		420
Number admitted.	Senior Vernacular	123
	Junior Vernacular	208
		331

HINDI TEACHERS IN VERNACULAR MIDDLE SCHOOLS IN AMBALA.

305. Rai Sahib Lala Ganga Ram : (a) Has it come to the knowledge of the Honourable Minister for Education that there is great demand for learning Hindi among the Hindu students in Ambala Division ?

[R. S. Lala Ganga Ram.]

(b) If so, will the Honourable Minister please state whether he proposes to appoint Hindi teachers in the Vernacular Middle Schools in Ambala Division ?

The Honourable Mr. Manohar Lal : (a) No specific reference on this matter has been received.

(b) The appointment of such teachers in Vernacular Middle Schools does not rest with the Ministry of Education.

STIPENDS.

306. Rai Sahib Lala Ganga Ram : Does the Honourable Minister for Education propose to grant special stipends for the students of the depressed classes ? If not, why ?

The Honourable Mr. Manohar Lal : As the honourable member has not stated for what specific purpose and in what educational institutions these stipends should be awarded, it is not possible to answer the question.

COMMUNAL REPRESENTATION IN THE PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS BRANCH.

307. Dr. Sir Muhammad Iqbal : Will the Honourable Minister for Agriculture be pleased to state :—

(a) the number of Muslim and non-Muslim Executive and Assistant Executive Engineers in the Public Works Department, Buildings and Roads Branch, respectively ;

(b) the number of Muslims and Hindu Assistant Engineers in the same department, separately ?

The Honourable Sardar Jogendra Singh : The information is available in the Punjab Civil List, pages 231—234-A.

(a) There are 80 Executive and Assistant Executive Engineers in the Buildings and Roads Branch all of whom are non-Muslims.

(b) There are 3 Muslim and 14 Hindu Assistant Engineers.

COMMUNAL REPRESENTATION ON THE STAFF OF UPPER BARI DOAB CANAL CIRCLE.

308. Dr. Sir Muhammad Iqbal : Will the Honourable Member, Revenue, be pleased to state the number of Muslim and non-Muslim Clerks, Munshis and Accountants, separately, in the Upper Bari Doab Canal Circle ?

Mr. J. B. C. Smith : The honourable member is referred to the Annual Statement placed on the table.

COMMUNAL REPRESENTATION IN THE MEDICAL DEPARTMENT.

309. Dr. Sir Muhammad Iqbal : Will the Honourable Minister for Local Self-Government please state :—

(a) what is the total number of Sub-Assistant Surgeons in the Medical Department ; how many are Muslims ;

- (b) what is the total number of temporary Sub-Assistant Surgeons. how many of them are Muslims ;
- (c) what is the numerical proportion of the Muslim and non-Muslim Assistant Professors and Demonstrators in the Lahore Medical College ;
- (d) whether it is a fact that of the six vacant posts of Sub-Assistant Surgeons two have been filled up by Hindus and the remaining four are left unfilled ? If so, what are the reasons for not filling these posts ?

The Honourable Malik Firoz Khan, Noon : (a) The total number of Sub-Assistant Surgeons, permanent and temporary, is 711, of whom 165 are Muslims.

(b) The total number of temporary Sub-Assistant Surgeons is 188, of whom 59 are Muslims.

(c) Out of 5 Assistants to Professors in the King Edward Medical College, Lahore, none is a Muslim ; out of 11 Demonstrators 3 are Muslims ;

(d) This part of the question is not understood, as no vacancies have recently occurred in the cadre of Sub-Assistant Surgeons or have been filled in the manner indicated.

PROFESSORS OR TEACHERS IN INTERMEDIATE COLLEGES.

310. Dr. Sir Muhammad Iqbal : Will the Honourable Minister for Education please state :—

- (a) what is the total number of Professors or teachers both in senior and junior grades on the staff of Rohtak, Ludhiana and Hoshiarpur Intermediate Colleges ;
- (b) how many of them are Muslims ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answers given to Council questions Nos. 417 and 452 asked by the Honourable Member Lala Mohan Lal.

RECRUITMENT FOR THE VARIOUS DEPARTMENTS OF GOVERNMENT.

311. Dr. Sir Muhammad Iqbal : Will the Honourable the Finance Member please state whether it is a fact that since the Lahore riots instructions have been issued to the police recruiting authorities to recruit more Hindus and Sikhs as Constables than Muslims ? If so, has Government issued or is likely to issue similar instructions to other departments where Muslims are in a minority ?

The Honourable Sir Geoffrey deMontmorency : The orders issued by Government regarding the recruitment of police in Lahore were explained in the Finance Member's speech in Council on the 18th July 1927. The orders regarding recruitment which are in force in all departments were explained in the Finance Member's speech in Council on the 19th July 1927.

MILITARY GRANTS IN THE NILI BAR COLONY.

312. Dr. Sir Muhammad Iqbal : Will the Government please state :—

- (a) the number of rectangles awarded as military grants to Muslims in the Nili Bar Colony, Lower Bari Doab Canal ;

[Dr. Sir Muhammad Iqbal].

(b) the number of rectangles awarded as military grants to non-Muslims in the same colony ;

(c) the number of Punjabi Muslims and the number of Hindu and Sikhs separately who served in the Great War ?

Mr. C. A. H. Townsend : (a) and (b) Information is not available, the grants are made by the Military Authorities—

(c) Muhammadans	..	..	190,078
Hindus	..	..	88,515
Sikhs	..	..	97,016

POLICE OFFICERS.

313. Lala Joti Parshad : Will the Honourable the Finance Member be pleased to state if it is a fact that the Inspector-General of Police has issued a circular to all Deputy Inspectors-General and Superintendents of Police ordering transfers of all Police Officers who have been posted in one district for five years or more ? If so, will he please lay a copy of it on the table.

The Honourable Sir Geoffrey de Montmorency : The reply is in the negative.

OFFICERS OF NON-ASIATIC DOMICILE.

314. Lala Joti Parshad : Will the Chief Secretary please state whether the Government is aware that there are some officers of non-Asiatic domicile in the provincial services who have not been benefitted by the recommendations of the "Lee Commission" regarding grant of passage and overseas allowances ? If so, does Government propose to remove their grievances by granting these concessions ?

Mr. H. D. Craik : Government is aware that there are a few officers of non-Asiatic Domicile in the various provincial services, but I must remind the Honourable Member that the Lee Commission concessions were not intended to apply, nor have they in practice been applied to officers of provincial services, whatever their domicile.

PROVINCIAL SERVICES.

315. Lala Joti Parshad : Will the Chief Secretary please state whether the Government proposes to extend to members of the provincial services the privilege of counting military service towards seniority as has been done by the Secretary of State in the case of officers of the Imperial Services ?

Mr. H. D. Craik : Information regarding the various provincial services is being collected. It will be supplied to the honourable member when ready.

BAR ROOM AT PANIPAT.

316. Lala Joti Parshad : Will the Honourable Member for Finance kindly state whether it is a fact that there is no bar room for the members of the Bar at Panipat, and members are put to great trouble and inconvenience during the summer and rainy season ? If so, will he invite the attention of the Honourable Judges of the High Court to this fact ?

The Honourable Sir Geoffrey deMontmorency : Government has no information on the subject.

SUB-JUDGES FOR PANIPAT.

317. Lala Joti Parshad : Will the Honourable Member for Finance please state whether it is a fact that one of the Sub-Judges posted at Karnal tries exclusively the cases of Panipat Tahsil? If so, will Government move the Honourable Judges of the High Court to post that Sub-Judge at Panipat for the convenience of litigant public?

The Honourable Sir Geoffrey deMontmorency : Government is without information on the subject, but will bring the request made in the latter part of the question to the notice of the Honourable Judges for such action as they may deem desirable.

GRIEVANCES OF KARNAL PUBLIC AGAINST LOCAL OFFICERS.

318. Lala Joti Parshad : Will the Honourable the Financial Commissioner please state:—

- (a) whether it is a fact that the Honourable the Revenue Member paid a visit to Karnal district in November last to study the working of the canal and revenue amalgamation scheme;
- (b) whether it is a fact that a deputation of leading zamindars expressed a desire to interview the Honourable the Revenue Member;
- (c) whether the Deputy Commissioner, Karnal, declined to include the name of one Lala Khem Chand, a leading rais and zamindar of Panipat, amongst the deputation;
- (d) what steps the Government proposes to take in order to see that the legitimate grievances of the public against the local officers are brought to the notice of the higher authorities when they visit the district?

Mr. C. A. H. Townsend : (a) Yes.

(b) Yes; and a large number of zamindars interviewed the Honourable the Revenue Member singly and in deputation.

(c) Yes, as it was considered that the interests of the class represented by the deputation which consisted of Mahajan landlords resident in Panipat, would not suffer by Lala Khem Chand's omission.

(d) Government considers that the present procedure affords ample facilities to the public in the matter in question.

CATTLE SLAUGHTER AT TURANA.

319. Lala Joti Parshad : Will the Honourable Minister for Agriculture kindly state whether the answer to question No. 70¹ (unstarred) put at the last budget session is ready? If so, will he please lay a copy of it on the table?

The Honourable Sardar Jogendra Singh : Attention is invited to the answer given to Council Question No. *324.²

¹Vol. X-A, page 175.

²Page 834 ante.

LAND REVENUE IN SANGHAR TAHSIL.

320. Shaikh Faiz Muhammad : Will the Honourable the Revenue Member kindly state :—

- (a) the total amount of land revenue at present assessed on Sanghar tahsil of Dera Ghazi Khan District and how much of it is fixed ?
- (b) the total average of area under cultivation during the last *rabi* harvest in that tahsil ;
- (c) how much of the above area actually matured ;
- (d) whether it is also a fact that the tahsil had no rain throughout the last *rabi* season ;
- (e) whether it is also a fact that locusts did considerable harm to the standing crops ;
- (f) what relief Government proposes to grant to the cultivators in Sanghar tahsil ?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

COMMUNAL REPRESENTATION IN THE EDUCATION DEPARTMENT.

321. Shaikh Faiz Muhammad : Will the Chief Secretary kindly state :—

- (a) if his attention has been drawn to the letters published in the *Muslim Outlook* of the 10th, 11th and 15th June 1927, under headings "Hindu Raj in the Punjab Education Department," "Ministry of Education," "Government Intermediate College, Ludhiana," relating to the recent appointments made in connection with the opening of new Intermediate Colleges ;
- (b) whether the facts and figures in these letters do not indicate a complete reversal of the accepted policy of Government during the past six years in regard to the communal proportions in the higher appointments of the Education Department ;
- (c) whether these facts have been brought to the notice of His Excellency the Governor ;
- (d) whether the Government approves of the changed policy whereby Musalmans are being excluded from all higher appointments in the Provincial and Subordinate services in the Education Department ?

Mr. H. D. Craik : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ENCOURAGEMENT OF UNANI SYSTEM OF MEDICINE.

322. Sayad Muhammad Hussain : Will the Honourable the Minister for Local Self-Government be pleased to state :—

- (a) if it is a fact that a considerable portion of the people in urban areas and a majority of the rural people prefer the Unani system of medicine ;

- (b) whether the Government is prepared to consider the desirability of opening dispensaries and *Matabs* on a small scale in cities generally and in the villages particularly ;
- (c) whether the Government is aware of the fact that the United Provinces Government has conferred upon certified *Tabibs* certain rights by virtue of which the certificates given by them are recognised in the offices and courts ;
- (d) whether the Punjab Government will consider the advisability of conferring the same rights on certified *Tabibs* in this province;
- (e) whether the Government will be pleased to move the local bodies to open Unani dispensaries and *Matabs* in the *ilagas* under their respective jurisdiction ;
- (f) whether Government will be pleased to consider the advisability of giving grants-in-aid to local bodies which have since opened Unani dispensaries and have employed *Tabibs* to work in such dispensaries ?

The Honourable Malik Firoz Khan, Noon : (a) Government are aware that many people resort to practitioners of the Unani system of medicines, but they have no evidence which would justify the conclusion that a majority of the rural population prefers that system. On the contrary, the success which has attended the opening of rural dispensaries—nearly 622,000 patients were treated at them in the calendar year 1926—would appear to indicate that where facilities for obtaining western medical relief are provided they are eagerly availed of.

(b) and (f) In view of the success which has attended the present policy of Government and the fact that the funds available for medical relief are limited, Government are not prepared at present to take the action suggested by the honourable member.

(c) Government have no information on the point.

(d) The honourable member is referred to the reply given to question No. 8090¹ in 1926.

(e) Government do not propose to interfere with the discretion of local bodies in this connection.

BOGUS MEDICAL DIPLOMAS.

323. Sayad Muhammad Husain : Will the Honourable the Minister for Local Self-Government be pleased to state :—

- (a) whether the Government is aware that certain persons are selling and buying bogus diplomas and thus doing harm to the public health ;
- (b) whether the Government is aware that certain persons are selling and buying diplomas of Hakim Hazik and Zubd-tul-Hukma of the Islamia College Tibia classes and are thereby deceiving the public ?

¹Vol. IX-A, page 852 ante.

[Sayad Muhammad Husain.]

(c) if the answers to (a) and (b) are in the affirmative, whether Government will be pleased to take legal action against such persons?

The Honourable Malik Firoz Khan Noon : (a) and (b) Government are aware that allegations of this nature have been made, but no actual instances have been brought to their notice.

(c) If and when actual instances are brought to their notice, Government will consider what action is required.

MUNICIPAL COMMITTEE, CHINIOT.

324. Dr. Shaikh Muhammad Alam : Will the Honourable Minister for Local Self-Government be pleased to state :—

(a) if he is aware of the inadequate representation of the Muslims on the Municipal Committee, Chiniot;

(b) if the answer to question (a) is in the affirmative, what steps does the Government propose to make the representation of Muhammadans proportionate to their numerical strength;

The Honourable Malik Firoz Khan Noon : (a) Government are aware that according to the latest figures the Muslim representation on the Chiniot Municipal Committee is not in accordance with the formula governing the representation of communities in municipalities where there are communal electorates.

(b) Steps are being taken to revise the rules so as to secure representation of communities in accordance with the formula.

RELIEF TO THE PEOPLE OF MONTGOMERY AND MULTAN DISTRICTS.

325. Sayad Muhammad Husain : Will the Honourable Revenue Member be pleased to state :—

(a) whether he is aware of the fact that considerable damage was done to the wheat crops in the districts of Montgomery and Multan by the heavy dust storms which blew in the months of May and June 1927;

(b) whether he is also aware of the fact that innumerable *khalwaras* of wheat and several villages were burnt by fire caused by the violent dust storms resulting in the loss of life and property;

(c) whether he is also aware of the fact that the whole village of Rahmatwala, tahsil Dipalpur, district Montgomery, was burnt and reduced to ashes by fire caused by the dust storms resulting in loss of life and complete destruction of property;

(d) if the answers to parts (a), (b) and (c) are in the affirmative, what action the Government propose to take in order to afford relief to the people of the affected area?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

COLLECTION OF REVENUE IN TAHSILS DIPALPUR AND OKARA.

326. Sayad Muhammad Husain : (a) Is the Honourable Revenue Member aware of the fact that on account of the prevalence of cholera in the markets of Pattoke and Okara, the zamindars of the tahsils Dipalpur and Okara are unable to sell their grain ?

(b) If the answer to part (a) is in the affirmative, will the Government kindly consider the advisability of extending the date of the collection of revenue in order to afford facilities of sale at full value ?

Mr. C. A. H. Townsend : A reference has been made to the local officers and on receipt of reply an answer will be given.

CHOLERA.

327. Sayad Muhammad Husain : (a) Will the Honourable Minister for Local Self-Government be pleased to state whether he is aware of the fact that cholera is rapidly spreading in the districts of Lahore, Montgomery and Multan ?

(b) If the answer to part (a) is in the affirmative, what special measures the Government proposes to adopt to cope with the epidemic ?

The Honourable Malik Firoz Khan, Noon : (a) Government are aware that a severe outbreak of cholera has occurred in the Lahore district, and an outbreak of moderate intensity in the Montgomery district but there has been no outbreak of any importance in the Multan district. The small outbreak which occurred in the Multan district has been completely suppressed and the latest reports from the Montgomery district show that no further cases are occurring.

(b) In Lahore city an outbreak attended by 31 cases and 18 deaths occurred on the 29th and 30th June but as the result of the measures taken by the Municipal Public Health Department the spread of the disease has been checked and a daily average of 5 cases only have been reported during the last few days.

In Kasur owing to the refusal of the municipal committee to adopt any of the measures suggested by the District Medical Officer of Health, coupled with the complete breakdown of the conservancy system, the epidemic attained serious proportions and it became necessary to issue orders under the Epidemic Diseases Act, 1897, empowering the Deputy Commissioner and other officers to do what the municipal committee should have done in the first instance. Additional Medical Staff and a Special Medical Officer of Health were deputed to Kasur and in consequence of the measures taken under the Epidemic Diseases Act, the epidemic has been brought under control and has now practically subsided, the latest report showing only three fresh cases occurring in one of the outlying suburbs. Lahore district has been widely infected from Kasur, but the Public Health Staff was strongly reinforced and in most cases the disease was limited to a few cases in each village. The latest reports indicate that the position is well in hand, that many of the infected centres are now clear, and that the number of fresh centres is steadily decreasing.

[The Honourable Malik Firoz Khan, Noon.]

In the Montgomery district the outbreak was due to an epidemic in Okara caused by infection of one of the principal wells. The local authorities, however, acted promptly and efficiently and, in consequence the spread of the disease was limited and now appears to have been definitely stopped.

In order to prevent an outbreak of cholera at Pakpattan on the occasion of the annual festival of Baba Farid and subsequent dissemination of the disease all over the province with the dispersal of the crowds attending the fair, special precautions were taken and it is satisfactory to be able to record that as the result of these precautions only five suspected cases of cholera, all imported, occurred at Pakpattan during the fair and only one of these cases was fatal.

Elaborate arrangements are in existence to supply additional staff to any district requiring help and Government will make full use of the powers conferred by the Epidemic Diseases Act to deal with any contingency that may arise.

CLOSURE OF LOWER BARI DOAB CANAL.

328. Sayad Muhammad Husain : Will the Honourable Revenue Member be pleased to state :—

(a) whether he is aware of the fact that the Lower Bari Doab Canal was closed during the months of May and June for a considerably long period and that the cotton and vegetable crops suffered through lack of water ;

(b) If the answer to part (a) is in the affirmative whether the Government proposes to afford relief to the zamindars affected thereby ?

Mr. J. B. C. Smith : (a) The Upper Chenab Canal was unavoidably closed from 18th May 1927 to 31st May 1927 on account of emergent special repairs necessary for the safety of the canal. As a consequence of this the Lower Bari Doab Canal which is dependent on the Upper Chenab Canal was also necessarily closed.

Government has no information that any marked ill effect to crops resulted therefrom.

(b) This does not arise.

INTERMEDIATE COLLEGE IN THE MONTGOMERY DISTRICT.

329. Sayad Muhammad Husain : (i) Will the Honourable Minister for Education be pleased to state :—

(a) whether he is aware of the fact that there is a keen demand in the Montgomery district for an Intermediate College ;

(b) whether he is aware of the fact that there are about five high schools in the district which send forth large number of students who have passed their matriculation examination ;

(c) whether he is aware that students desirous of higher education have found it difficult to go out of their district for the purpose of getting higher education ?

(ii) If the answers to (a), (b) and (c) are in the affirmative, will the Honourable Minister kindly state whether Government are prepared to

make provision in the next year's budget for the opening of an Intermediate College in the Montgomery district?

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

(b) Yes, but he is not aware that large number of students from the district go to Colleges, and it has to be noted that an Intermediate College also enrolls matriculation class students.

(c) No.

(d) The claims of Montgomery will be considered alongside of similar claims from other localities.

UPPER SUBORDINATES (RESIDUE) IN THE PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

330. Sayad Muhammad Husain : Will the Honourable Member for Revenue be pleased to state :—

(a) whether he is aware of the fact that Upper Subordinates (Residue) of the Public Works Department, Irrigation Branch, have not been promoted either to the Punjab Engineering Service or to the Sub-Engineer Grade, after 1st February 1923 and that due promotions of good many deserving subordinate officers of this establishment have been overlooked with a lot of discontentment and heart-burning amongst them ;

(b) whether he is aware of the fact that a good number of the Upper Subordinates (Residue) of the Irrigation Branch are in charge of sub-divisions for the last few years and are fulfilling all the conditions as laid down in Chief Engineer's Circular No. C-1645-E. I., dated 18th August 1921 and subsequent letter No. 9406/23-E. I., dated 16th December 1925 without having been promoted to the Sub-Engineer grade ;

(c) whether it is also a fact that promotions to the Sub-Engineer grade in the Buildings and Roads Branch in the Province are being annually given ;

(d) If the answers to part (a), (b) and (c) are in the affirmative what action the Government contemplates to redress the grievances of the Upper Subordinates (Residue) of the Irrigation Branch ?

Mr. J. B. G. Smith : (a) (i) Yes.

(ii) No case deserving of promotion has been overlooked.

(b) A certain number of Upper Subordinates (Residue) though not in all respects qualified, have necessarily to be employed in charge of Sub-Divisions in leave vacancies. While so acting they receive a Sub-Divisional allowance of Rs. 75 per month.

(c) Promotions to Sub-Engineer Grade in the Buildings and Roads Branch are only given when men are considered fit for permanent charge of Sub-Divisions, but cannot be promoted to the Provincial Service of Engineers on account of lack of vacancies in the latter service.

(d) Any Upper Subordinate in the Irrigation Branch who has been, or is considered fit in all respects for promotions to the Sub-Engineer has already been, or will be promoted to the Provincial Service of Engineers so

[Mr. J. B. G. Smith.]

long as vacancies are available in that service. So long as these exist there is no necessity to make promotions to the Sub-Engineer grade since the qualifications required for promotion to either Sub-Engineer grade or to the Provincial Service of Engineers are similar in all respects.

GRANT OF LAND IN THE NILI BAR.

331. Sayad Muhammad Husain : Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that in the year 1922-23, the Commanding Officer of different battalions were called upon to recommend suitable candidates for the grant of land on half-resumable conditions and out of the list prepared in the colony some were accommodated and others were not accommodated and their lists are lying pending in the colony office ;

(b) If the answer to the above be in the affirmative, whether the Government will kindly consider their claims regarding the grant of land in the Nili Bar?

Mr. C. A. H. Townsend : A reference has been made to the Deputy Commissioner, Montgomery, whose reply has not yet been received.

TRANSFER OF SUB-JUDGES TO EXTRA ASSISTANT COMMISSIONERS' CADRE.

332. Khan Sahib Khan Muhammad Saifullah Khan : (a) Will the Chief Secretary be pleased to state whether it is a fact that a large number of Sub-Judges is being taken as Extra Assistant Commissioners in the Executive Branch ?

(b) If so, do the Government intend to put as many Extra Assistant Commissioners in exchange in the Judicial branch ?

(c) If not, how do the Government propose to compensate those Extra Assistant Commissioners who would be adversely affected by the above mentioned changes?

Mr. H. D. Craik : (a) The honourable member is referred to the reply given to question No. 266, put by Lala Bodh Raj.

(b) No.

(c) Government is not aware that any Extra Assistant Commissioners are adversely affected.

MEMORIALS OF STENOGRAPHERS TO COMMISSIONERS.

333. Khan Sahib Khan Muhammad Saifullah Khan : Will the Honourable the Revenue Member be pleased to state :—

(a) whether it is a fact that Stenographers to Commissioners in the Punjab submitted a memorial to the Government in January 1926 ;

(b) if so, whether the Government was pleased to consider the memorial ;

*Vide footnote on page 969 ante.

*Page 723 ante.

(c) the results of such consideration, if any ?

Mr. C. A. H. Townsend : (a) and (b) Yes.

(c) Government were not prepared to accede to the requests made.

REVISION OF SALARY OF STENOGRAPHERS.

334. Khan Sahib Khan Muhammad Saifullah Khan : Will the Honourable the Revenue Member be pleased to state :—

(a) whether it is a fact that the scale of pay of stenographers attached to the Directors of Industries, Agriculture and Land Records, and some other offices has been lately revised ;

(b) whether compared with the above and that of the Stenographers in the Civil Secretariat and Financial Commissioners' office the scale of pay of Stenographers to Commissioners in the Punjab, is the lowest ;

(c) If so, the reasons for this difference in face of the similarity of the technical qualifications ?

Mr. C. A. H. Townsend : (a) and (b) Yes.

(c) The difference is due to the quality of the work which has to be performed in the various offices.

HILL ALLOWANCES, ETC., TO STENOGRAPHERS.

335. Khan Sahib Khan Muhammad Saifullah Khan : Will the Chief Secretary be pleased to state :—

(a) whether hill and family travelling allowances are allowed to stenographers attached to the offices of Financial Commissioners and the Civil Secretariat ;

(b) the reason for disallowing hill and family travelling allowances to Stenographers to Commissioners ?

Mr. H. D. Craik : (a) Yes.

(b) Commissioners are only allowed to recess at a hill station. Government considers that the extra expenditure caused to Government by the permission to recess in the hills, should be kept as low as possible. For this reason Commissioners like others recessing officers and their establishments including stenographers are allowed travelling allowance for one journey only.

REWARDS FOR HONEST POLICE OFFICERS.

336. Khan Sahib Khan Muhammad Saifullah Khan : Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that certain corrupt police officers have been punished ;

(b) whether Government considered the advisability of awarding rewards for honesty to police officers ;

(c) the names of those police officers with designations who have been rewarded for their honesty ?

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

(b) Government already rewards honesty by promotion of men with unblemished reputations regardless of seniority.

(c) Government does not propose to publish names.

SANITARY IMPROVEMENTS TO MOHALLA GURDIT SINGH, LAHORE.

337. Sardar Narain Singh : Will the Honourable Minister for Local Self-Government kindly state if the Government has received any copy of a notice served on the Secretary, Lahore Municipal Committee, by the inhabitants of Mohalla Gurdit Singh, Shish Mahal Road, Lahore, requesting him to take immediate steps to improve the drainage and general sanitation of the said Mohalla ?

The Honourable Malik Firoz Khan Noon : No.

COLLEGE OF INDIAN MEDICINES.

338. Mr. Din Muhammad : Will the Honourable Minister for Local Self-Government please state—

(a) whether it is the intention of the Government to open a College of Indian medicines in this province also, as has been done in other provinces—like Madras and Bihar.

(b) whether he intends to ask the Local bodies in the province to encourage 'unani' medicines by opening 'unani' hospitals and employing qualified 'hakims' ?

The Honourable Malik Firoz Khan, Noon : (a) Government have no such intention at present.

(b) Government do not propose to interfere with the discretion of local bodies in the matter.

MUSALMAN INSPECTOR OF SCHOOLS.

339. Shaikh Faiz Muhammad : (a) Will the Honourable Minister for Education be pleased to state :—

(a) whether he is aware that Musalmans constitute 78 per cent. of the population in Multan Division ;

(b) whether it is a fact that Musalmans in this division are very backward in education ?

(c) If answers to (a) and (b) above are in the affirmative, will the Honourable Minister kindly state whether he intends to keep a Muslim Inspector of Schools in charge of the division until Musalmans have made appreciable improvement in education ?

The Honourable Mr. Manohar Lal : (a) and (b) "The facts are approximately as stated by the honourable member."

(c) "Government will bear in mind the honourable member's suggestion but cannot commit itself to the action proposed."

CAPITAL PUNISHMENT.

340. Sardar Hari Singh : Will the Honourable the Finance Member kindly lay a statement on the table showing—

(a) the names of persons who were awarded capital punishment for offences committed against the State since January 1914 ;

- (b) the offences they were charged with ;
- (c) the dates and places of their execution ?

The Honourable Sir Geoffrey deMontmorency : Government is only prepared to furnish the number of persons executed and the sections of the law under which they were sentenced to death. Details will take time to collect, but the information will be communicated to the honourable member as soon as possible.

POLITICAL PRISONERS.

341. Sardar Hari Singh : Will the Honourable the Finance Member kindly lay a statement on the table showing—

- (a) the names of all political prisoners now undergoing imprisonment who were convicted and imprisoned for offences committed against the State ;
- (b) the offence with which they were charged and the sections under which they were convicted ;
- (c) the sentences passed against each and the period each has served up till now ;
- (d) their present places of confinement ;
- (e) their state of health and the diseases, if any, they are suffering from ;
- (f) the dates on which they are due to be released ?

The Honourable Sir Geoffrey deMontmorency : A statement will be prepared and communicated to the honourable member as soon as possible.

PUKKA ROAD BETWEEN JAGADHERI AND BILASPUR.

342. Sardar Hari Singh : Will the Honourable the Minister for Agriculture be pleased to state if any proposal for constructing a *pukka* road between Jagadari and Bilaspur is receiving the consideration of Government.

The Honourable Sardar Jogendar Singh : The answer is in the negative.

HOLA FESTIVAL AT SHAHABAD.

343. Sardar Hari Singh : Will the Honourable the Finance Member please state—

- (a) if it is a fact that a Sikh procession taken out to celebrate the Hola Festival at Shahabad, District Karnal, on the 19th March, 1927, was dispersed by force by the Police as no license had been previously obtained to take out the aforesaid procession ;
- (b) whether the Government is aware that the right of taking out this procession without license has been enjoyed by the Sikhs of Shahabad from time immemorial and that no objection was ever raised by the authorities to their taking out a procession without license during the past ;

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- (c) the reasons for which it was found necessary to attack and disperse the procession by force this year contrary to the policy of non-interference adopted in the past ;
- (d) whether it is a fact that the police attacked the procession when it had peacefully passed through the City and there was no danger of any breach of the peace ;
- (e) whether it is a fact that the police acquired the help of some non-Sikhs armed with *lathis* who beat the *Sangat* mercilessly and desecrated the Gurdwara by going about on its floor with shoes on ;
- (f) what disciplinary action has been taken against the officials responsible for this interference with the rights of the Sikhs of Shahabad ?

The Honourable Sir Geoffrey de Montmorency : (a) The organisers of the procession were warned that a procession could not be permitted unless they took out a license ; but they refused to do so. The procession was taken out without the Police being informed, and it was forcibly dispersed after it had been warned by the Superintendent of Police and after a license had again been offered and refused.

(b) No one has a right to take out a procession without a license, if the Police call upon him to take out a license.

(c) A license was considered necessary owing to the communal tension prevalent in Shahabad.

(d) No, the procession was dispersed by the Police after it had been given an opportunity to disperse voluntarily.

(e) No, the allegation is unfounded. - The minimum force requisite to disperse the procession was used and no one was seriously beaten or hurt. No one but Sikhs were allowed anywhere near the platform of the Gurdwara.

(f) No case exists for disciplinary action.

ARREST OF DR. BAKHSISH SINGH.

344. Sardar Hari Singh : Will the Honourable the Finance Member please state—

- (a) if it is a fact that Dr. Bakhshish Singh, son of Sahib Singh, of Mauza Shahzadpur of tahsil Kharar in Ambala district, was arrested by the Police, Ambala, and produced before the Deputy Inspector-General of Police (C.I.D.) ;
- (b) whether it is a fact that his statements were recorded by certain officers of the C. I. D. ;
- (c) whether it is a fact that he was arrested in connection with the manufacture of bombs and certain conspiracies and that he was released as no case could be proved against him ;
- (d) whether the Punjab Government contemplates any prosecution against the said Doctor ?

The Honourable Sir Geoffrey de Montmorency : (a) Dr. Bakhshish Singh was arrested by the Ambala Police in 1928. There is no record

of his having been produced before the Deputy Inspector-General of Police, C. I. D.

(b) Yes.

(c) He was arrested under Section 109, Cr.P.C. and eventually discharged.

(d) It is not in the public interest to make any statement.

THEFT CASES IN SHAHABAD.

345. Sardar Hari Singh : Will the Honourable the Finance Member kindly state :—

(a) the number of theft cases reported in Shahabad, district Karnal, within two months of the transfer of Sardar Bhagwan Singh, Sub-Inspector of Police ;

(b) whether this number is more or less than the average number of thefts for a similar period during the time the place was in charge of Sardar Bhagwan Singh ;

(c) the number of thefts traced successfully by the Police from amongst the cases referred to in (a) ?

The Honourable Sir Geoffrey deMontmorency : The reply to this Council Question is not ready ; it will be communicated to the honourable member when ready.

OPENING AN INTERMEDIATE COLLEGE IN THE JULLUNDUR CITY.

346. Mr. Din Muhammad : Will the Honourable Minister for Education please state :—

(a) whether it is a fact that there are 16 High Schools in the Jullundur district ;

(b) whether he intends to open an Intermediate College in the Jullundur City ?

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

(b) The claims of Jullundur will be considered alongside of similar claims from other localities.

APPOINTMENT IN EDUCATION SERVICES.

347. Mr. Din Muhammad : Will the Honourable Minister for Education state—

(a) the number of persons who have been employed in the Punjab Educational Service and the Subordinate Educational Service after 1st January 1927 in the following grades :—

250—25—500

200—10—250

145—10—190

110—5—135

(b) the number of posts to which Musalmans have been appointed.

The Honourable Mr. Manohar Lal : The honourable member is referred to the answers to Council questions Nos. 417¹ and 452².

COMPENSATION TO OWNERS OF LANDS DAMAGED BY "SEM."

348. Mr. Din Muhammad : Will the Honourable Member for Revenue please state—

- (a) whether Government has granted land in Jaranwala tahsil, Lyallpur district, to the proprietors of Kot Jan Bakhsh, Chakanwali, Paleh and Jhathanwali villages of tahsil Hafizabad, district Gujranwala, as their lands had been damaged by "Sem."
- (b) whether the proprietors of Saidpur Sehgal which is quite close to the above-mentioned villages whose lands are equally affected will be treated in the same manner and when;
- (c) whether Government has considered the question of compensating the owners of lands in general whose lands have been spoiled by "Sem" on account of the advent of Canals?

Mr. C. A. H. Townsend : (a) Government acquired the villages of Chakanwali, Paleh, Kot Jan Bakhsh and part of village Jhathanwali for the purpose of an experimental reclamation scheme of waterlogged land. Acre for acre exchange was sanctioned as a special case. The villages are in the Wazirabad and not in the Hafizabad tahsil.

(b) and (c) Government does not admit legal liability to provide compensation to those who have suffered from waterlogging from Government canals; but it is anxiously considering the question of providing relief for such sufferers so far as possible. A final decision as to the nature and the extent of the relief to be offered has not yet been reached. The village Saidpur Sehgal to which the honourable member refers is Sardarpur Sehgal in the Wazirabad tahsil: its lands were not required for the experimental reclamation scheme.

REGULATION OF ACCOUNTS BILL.

349. Mr. Din Muhammad : Will the Honourable Member for Finance please state whether Government has dropped the idea of introducing the Regulation of Accounts Bill; if not, when is it likely to be brought before the Council?

The Honourable Sir Geoffrey deMontmorency : The honourable member's attention is invited to the replies given by me to questions Nos.* 276⁴ and 367.

CIRCULAR REGARDING EDUCATIONAL OFFICERS AND PRIVATE PUBLICATIONS.

350. Mr. Din Muhammad : (a) Will the Honourable Minister for Education please state whether it is a fact that Mr. Godley, late Director of Public Instruction, issued a Circular disapproving of the practice of Educa-

¹Pages 970-972 ante.

²Page 986 ante.

³Vide footnote at page 969 ante.

⁴Page 727 ante.

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tional Officers lending their names to private publications without his previous consent ?

(b) If so, have those instructions contained in that Circular been enforced during the last three years ?

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

(b) Does not arise.

TEXT BOOK COMMITTEE.

351. Mr. Din Muhammad : Will the Honourable Minister for Education please state whether it is a fact that practically the whole of the work of the Text Book Committee is being monopolised by Hindu Publishers ?

The Honourable Mr. Manohar Lal : The work of the Text Book Committee is done on a contract basis, and the present contractors are Rai Sahib Munshi Gulab Singh and Sons, but books of other publishers are freely considered on their merits by the Text Book Committee and authorised for use in school by the Department on the recommendation of the Text Book Committee.

MUSLIM REPRESENTATION IN BRANCH DISPENSARIES.

352. Mr. Din Muhammad : (a) Has the attention of the Honourable Minister for Local Self-Government been drawn to an article in the daily *Inqilab*, dated 22nd June, 1927, wherein facts and figures have been given to show that in the branch dispensaries of Multan, Lyallpur, Montgomery, Sheikhupura, Gujranwala, Lahore and Ferozepore districts, etc., all the doctors employed are Hindus ;

(b) whether he intends to take steps to replace some of the Hindu doctors by Musalmans, in the localities above-mentioned ?

The Honourable Malik Firoz Khan, Noon : (a) Yes, but the statement is incorrect.

(b) Does not arise.

APPOINTMENT OF VACCINATORS.

353. Rai Sahib Lala Ganga Ram : (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether there are any general rules or bye-laws with regard to the appointment of vaccinators by the municipal committees ?

(b) If so, will the Honourable Minister please lay a copy of the rules or bye-laws on the table.

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

(b) Does not arise.

HASIYAT TAX.

354. Raizada Hans Raj : (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether the Government is aware that the *hasiyat* tax, as levied by the district boards has been declared illegal by competent civil courts in two districts of the Punjab ?

(b) If so, is it the intention of the Government to refund the tax illegally covered or to leave it to individuals to recover the same by legal action ?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the reply to unstarred question No. 193.¹

BEGAR.

355. Raizada Hans Raj : (a) Will the Honourable the Revenue Member be pleased to state whether the Government is aware that the *begar* system is still prevalent in this province?

(b) How many Government officials have been punished during the last five years for making use of this system?

(c) What steps, besides issuing circulars has the Government taken to put an end to this system?

Mr. C. A. H. Townsend : (a), (b) and (c). The word "*begar*" has several meanings and until the honourable member defines exactly the meaning he here attributes to the word I regret I cannot provide an exact answer.

RAILWAY LINE TO RAI KOT, LUDHIANA DISTRICT.

356. Raizada Hans Raj : Will the Honourable the Revenue Member be pleased to state when it is intended to open a railway line to Rai Kot in the Ludhiana District.

Mr. W. S. Dorman : Enquiries made from the Railway authorities show that it is intended to carry out a traffic reconnaissance of the area bounded by lines joining Ludhiana, Ferozepore, Bhatinda and Dhuri, during the coming field season and, as Rai Kot comes within this area, its claims to be served by a railway will be duly considered.

DEPUTY COMMISSIONER, HISSAR AND SUB-DIVISIONAL OFFICER, SIRSA.

357. Lala Bodh Raj : Will the Chief Secretary please state—

(a) if it is a fact that the Deputy Commissioner, Hissar and the Sub-Divisional Officer, Sirsa, are both Muhammadans;

(b) if the attention of the honourable member has been directed to the complaints of the Hindus of Sirsa against the said combination? If so, what action he proposes to take concerning these complaints?

Mr. H. D. Craik : (a) Yes.

(b) No.

RESOLUTIONS.

RESOLUTION re INTRODUCTION OF COMPULSORY PHYSICAL TRAINING IN SCHOOLS AND COLLEGES—concluded

Mr. President : The Council will now resume the discussion on Sardar Ujjal Singh's resolution.²

Sardar Ujjal Singh (Sikh, Urban) : Sir, when the Council adjourned yesterday I was very briefly describing the salient features of reform lately

¹ Vide page 380 ante.

² Vide foot note at page 269 ante.

³ Vide page 964 ante.

introduced in other countries of the world with a view to providing facilities for mental and physical development of the children. I was describing some of the features of the reforms introduced in Italy, one of which was the strict selection of candidates for the universities which should not be overcrowded with unsuitable students. Another feature was for providing moral and physical education which should receive far greater attention than before and which should constitute the ultimate aim of all training. Further, religious education should be restored in primary schools; and lastly state monopoly should cease and education should be open to private enterprise. In all schools in Italy playing of collective games was considered to be very essential and received special attention. In England the Education Act of 1918 gave special powers and duties in regard to medical treatment and instruction. It also gave local educational authorities extended powers for re-inforcing instruction in physical and social side by means of providing holidays and school camps, by providing games and centres of equipment for physical training, playing fields, school swimming baths and other facilities for social and physical training in the day and in the evening. In the United States of America public opinion is very sensitive to the need of children.

A very interesting note appeared the other day in the *Civil and Military Gazette*. Most of the honourable members must have perused it. In America, almost in all the states, physical education is compulsory. There are special departments of physical education and hygiene with directors, instructors, doctors and special coaches for every game. Special teaching is given in sports. Huge sums of money are spent every year on games and physical education. In Japan great reforms have been introduced with regard to physical education and I cannot do better than quote from a very interesting article by John Nicholson. He says—

“The stress laid on physical training is characteristically Japanese. The education of old Japan was predominantly physical and moral, and habits of courage and self-control were formed by means of instruction in the ancient sports of wrestling and *judo*. This physical training merged imperceptibly into specifically military exercises. Archery is still valued as a sport, and so is a kind of fencing with large wooden lances. It is curious to see all these exercises being carried on at the Kobe commercial school, for example side by side with tennis, football, and base ball. It can hardly be an accident that physical fitness and ability is so highly valued in Japan. Here as in many other ways the Japanese have compensated for their natural disabilities by the development of qualities which outweigh them; small stature is off set by a high degree of courage, control and physical skill.”

Mr. Hogg speaking on physical education describes, “there can be no part of the world more lacking in that respect than that of India who with all her teeming population and her ancient civilization has yet done little in really grappling with the problem of physical education.” It is high time, Sir, that we should set to the task seriously, set to the task of securing physical well-being of our youth.

With regard to girls, their position is still more deplorable than that of the boys. We are passing through a stage of transition. Women in India and more specially in this province have given up or are giving up their domestic work which provided some exercise and they have not taken to outdoor games instead, with the detrimental result on their health. Sir, I have brought forward this resolution, a very moderate resolution, which does not involve compulsion at once. It only asks for a committee to be

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appointed which should go into the problem very seriously. There is need for such a committee and I believe I have the full sympathy and support of this House.

Mr. President : The resolution proposed runs :—

"This Council recommends to the Government that they may be pleased to appoint a committee consisting of the Honourable Minister for Education, the Director of Public Instruction and five elected members of the Council to draw up a scheme of introducing compulsory physical training in all schools and colleges whether Government or private, for both boys and girls."

The question is that that resolution be adopted.

Sir George Anderson (Director of Public Instruction): Sir, I am glad that, contrary to all expectations, my friend opposite who waited long and patiently in his seat yesterday, at long last obtained an opportunity of moving this important resolution. I have listened to his thoughtful and helpful speech with much interest and pleasure. I hope, however, that it is not his intention to press this resolution to a division as I cannot think that any material benefit would be gained thereby. According to the wording of the resolution, his object is "that a committee should be appointed to draw up a scheme of introducing compulsory physical training in all schools and colleges." But, Sir, physical training already figures in the time-tables of all schools and is thus already compulsory for all school children. I, therefore, hope that his object in moving this resolution is to promote a discussion on this very important matter.

I have also listened to the debate with feelings of great sadness and of personal sorrow. It is difficult to listen to a discussion on the playing of games and on the encouragement of physical exercises by Indian boys without turning our thoughts to the very sad news which was received a week or so ago about the untimely death of Mr. Barry, late member of the Indian Civil Service. There was no man who took a keener and more personal interest in schoolboys than he, nobody played games with them with greater vigour and with better fellowship than did he; and nobody treated them with greater generosity than did he. One of his first acts on arriving in hospital after his serious and painful accident was to write to a friend in Lahore to send a football to some schoolboys in accordance with his promise made to them the day before. I think, Sir, that you will agree with me that this little act of simple kindness to schoolboys was a fitting end to a career in which kindness was the most prominent feature. (Hear, hear).

If you will excuse me I should like to recount another memory of Mr. Barry, not only because it will enable us to see the man as he was but also because it will lead me to one of my main contentions. I happened to meet him one morning in Lahore. He was most enthusiastic and asked me to witness one of the finest football matches I would ever see. I gladly accompanied him to the Aitchison College. On our arrival we saw there eleven little boys from the College ready for play; and a few minutes later there arrived eleven little boys whom Mr. Barry had brought in a motor lorry from Sheikhupura to play in the match. I watched the game with very keen interest. As I looked at the little boys playing with vigour and with good fellowship, I felt at once that this was the spirit which should be universal in our schools. Such a spirit is the pivot of what we know as the "Play-for-all" movement. I am very glad indeed that my friend has

referred appreciatively to that movement. In days gone by we concentrated attention very largely on the holding of tournaments, but we are now striving to substitute "Play-for-all" in place of "tournaments-for-a few". We have been to some extent successful. In the vast majority of schools, the boys play games every day in the year; and this "play-for-all" movement is already reaching the villages where, not only schoolboys but also the villagers take part in healthy recreation.

I am very glad also that my friend has referred to the important matter of medical inspection and to the need of its introduction. As a matter of fact, we have had a system of medical inspection in schools for many years but, unfortunately, it has not been very successful as its scope has been far too limited. The Medical Inspectors have inspected the physique and the health of the school children; they have compiled long and gloomy reports about the conditions of their health; and then, in the words of the Scriptures, they have gone on their way rejoicing. Medical inspection is of very little value, Sir, unless it is followed up by medical treatment. It is of little value to inform a number of unfortunate schoolboys that they are suffering from a number of serious and unfortunate ailments and then to take no steps whatever to provide that they are cured of their ailments. To be successful, medical inspection must be followed by medical treatment. We have, therefore, made arrangements in six districts, as an experimental measure, whereby medical inspection is followed up by medical treatment. One of these districts is that of Shahpur which occupied the attention of this Council to a large extent yesterday, and I am glad to add that our system of medical inspection and treatment is perhaps succeeding better in the Shahpur than in other districts. Let us come nearer home. Simla is most fortunately placed in this matter in that it has the assistance of the Municipal Committee and of Major Webb, the Health Officer. Every boy and girl in the Simla schools undergoes medical inspection, and if necessary that inspection is followed up by medical treatment. If any member of this Council would care to see the Simla system of medical inspection in action, my friend the member for Simla and myself will be very happy to take him round the schools during the time of medical inspection. If any member finds it difficult to reach the schools, we have an excellent film showing the system. If I do show the film, I trust that my honourable friend, the member for Simla, will not consider it undesirable or inadvisable propaganda. If he is of that opinion, then I offer him here and now a solemn word of warning that the next film which will be put on the screen will depict the recent elections in Simla, and, in particular, a life-like portrait of the successful candidate.

I have now spoken of the measures which have been adopted to promote the health and physical development of the pupils in our schools. The Boy Scout movement has also been successful in encouraging the playing of games and in providing means of healthy recreation; but that by itself is not sufficient. We need also, as my friend has suggested, a sound and methodical system of physical training with exercises graduated in such a way as to suit the weak and the strong, the young and the old. It is necessary also to assist more than we have done in the past on the discipline of marching; and good breathing exercises are also required. The marching and the drill

[Sir George Anderson.]

in schools should be accompanied by a band; and I am glad to say that most of our schools now have bands.

Before I pass on, I must offer a word of protest. My friend opposite seems to think that to become great one must be a big man. I refuse to accept this contention. (*Hear, hear*). I am of opinion that the small man is often far stronger and more capable of endurance than the big man. (*Hear, hear*).

We are doing our best to encourage and to develop a scientific system of physical training. In the first place, we have been more than fortunate in that we have been able to enter into arrangements with the Boy Scouts Association, by which Mr. Hogg's services will be made available for physical training. I need not mention the name of Mr. Hogg to this Council and the great services which he is rendering to the boys of this province. I think all will agree with me in my statement, that we are fortunate in obtaining his services. (*Hear, hear*). He is attached to the Central Training College where he holds courses of physical training; and he also supervises physical training work elsewhere.

I notice that Colleges are included within the scope of this resolution. My friend, the Vice-Chancellor, will remember that the University has recently been deep in thought on this important matter and that, after much deliberation and discussion and with the assistance of a Government grant, a physical director has just been appointed. Such a physical director needs the assistance of well-trained inspectors in the several colleges, whose physical training it is his duty to superintend. Last cold weather the Ministry of Education stated its willingness to train any man who might be sent by the colleges for that purpose. Two colleges sent men for training, who have just finished the course. It is hoped that other colleges will send men for training in the course which we hope to hold next cold weather.

In the matter of physical training in the anglo-vernacular schools, the difficulty is that such training is very largely in the hands of drill instructors, who, though worthy in some respects, are usually illiterate and are thus often unable to understand the scientific application of the physical exercises. Moreover, there is a tendency among the ordinary teachers in schools to regard the physical training as beyond their scope and beyond their responsibility. It is necessary to counteract this unfortunate tendency. With this purpose in view, every anglo-vernacular teacher under training at the Central Training College must compulsorily attend and complete a course in physical training which is conducted by Mr. Hogg and his assistants. It is, therefore, hoped that, in the years to come, the teachers of the future will not only not look askance at physical training, but that they will also supplement (and in due course supplant) the efforts of the drill instructors.

Finally, Sir, I come to the question of physical training in vernacular schools which is a very difficult problem. It is obvious that in the ordinary vernacular school a separate drill master is out of the question, and therefore physical training and the encouragement of games and so forth must be

within the scope of the ordinary vernacular teacher. The improvement of the physical training of those who will be the vernacular teachers of the future is therefore of vital importance. With this object in view, Mr. Hogg has just completed an eight months intensive course in physical training at the Central Training College, which was attended by some 20 teachers who already possess anglo-vernacular teaching certificates, some of them being graduates of the University. I regret that members of this Council were unable to accept invitations to witness this course, but invitations will be repeated again next year and I hope that a large number of members will be able to visit the course. The intention is that all vernacular teachers under training in all normal schools shall compulsorily undergo a course of physical training under the control of those young men who have just completed Mr. Hogg's course and should therefore be thoroughly competent to supervise that form of training. I am afraid, Sir, that I have occupied much of the time of this Council, but I would assure my honourable friend that we appreciate very much the valuable support which he has given us by moving this resolution. Finally, I can assure him that we shall do all that we can to develop this movement which we have as much at heart as he has himself.

Sardar Ujjal Singh (Sikh, Urban) : Sir, I fully realise with much appreciation the work that has been done by the education department with regard to this aspect of education. What I meant by proposing this resolution was that with all the work that is being done by the department, the problem is still serious and very seriously facing us. Compulsion no doubt is provided in the schools by providing about 20 or 30 minutes in drill, but what is the position of the drill master there. He is an illiterate man and with practically no physical education. About the drill master, Mr. Hogg himself has put it in words which I should like to read :—

“Somehow or other, the promoters of physical education have allowed the great teaching personnel of this department to look upon those who are engaged in physical education as being of an inferior type with little or no mental capacity for teaching, with the result that the physical training staff of the department become more or less members of the lowest subordinate staff. Take the average drill master in our schools, today. What do we find? A man with little or no voice in the affairs of the school with practically no control over the children who are placed under his charge; with no contact whatever of a friendly relationship with the other teachers of the school, but employed, in a hundred and one different ways by those who are immediately superior to him and more often than not as a chaprasi for the headmaster employed in any other kind of work but that of physical training. The result has been that physical training as such is not enjoyed and as long as the drill period is filled in, then, why worry about it.”

Further on he says :—

“I feel sure that you will agree with me that this is a dangerous attitude of mind for the staff of a great educational department.”

I want that the drill masters having equal status with the other teachers should be provided in schools and thus we should have good training and good physical education and the drill masters should also be more in touch with the students.

Then with regard to medical inspection. Sir George Anderson has pointed out that this necessary part of physical education has been followed with scant success and it is now being introduced in six districts. I should like this system to be extended to all the districts in the province at once.

[Sardar Ujjal Singh.]

With regard to outdoor games, as I already pointed out, only the teams that represent schools or colleges in tournaments avail of that facility.

Sir George Anderson : No.

Sardar Ujjal Singh : Of course, the "play for all" movement has also not met with great success. I do not like to go into the details of the schemes that I wanted to put forward because I thought that a committee which was to be appointed will go into the details and will study the physical education that is provided in other countries and with that in view it will put up a detailed scheme with the approval of the Council.

My submission is that very little money is provided for games. In other countries huge sums are spent. I should like that physical directors and instructors and assistant instructors and other coaches for each game should be provided and that requires a lot of money. There are also other schemes which I should like the committee to consider and that is only possible if the House appoints a committee which I propose in this resolution. I would be very glad if the Honourable the Minister for Education accepts this resolution because it will only supplement the efforts of his department.

The Honourable Mr. Manohar Lal (Minister for Education) : Sir George Anderson has placed before the Council in great detail the efforts, the systematic efforts, that are being made on behalf of the educational department to meet the many requirements which the honourable member has so explicitly stressed before us this morning. As a matter of fact, it has been pointed out that at every stage of a boy's education, whether he is at the University stage in the college or in the high school or in the vernacular school, a distinct step has been taken to meet the requirements of physical training. Further, if one goes round the schools to-day and also visits some of the district towns the complaint is very often formulated that a probably exaggerated emphasis is placed in these schools on extra-mural activities, on demonstrations of physical skill and on the way in which the "play for all" movement is organised and developed. I, for one, am not prepared to admit that any effort displayed in these matters is lost effort or that it is not of the utmost gain that the boys at school should take a considerable part in physical exercises and that merely engaging in working at text books or in preparing the ordinary school lesson is all that the school boy should be doing. Just now when we have the assistance of Mr. Hogg whose work has been referred to in such appreciative terms, we are gratified to see, by the honourable mover of the resolution, when the very best efforts is being made in the training college for the training of physical instructors for Anglo-Vernacular schools, that a system has, as a matter of fact been introduced which will make it possible for proper physical instruction to be given even in primary schools, when we are not entirely going without a scheme and when we have the best advice available, I, for one, do not see that we shall gain anything very much by the sort of committee that the honourable member suggests in order to devise a scheme, and particularly so, when at any rate at the top, under the guidance of the Honourable the Vice-Chancellor, we have quite recently appointed a physical director who is about to enter upon his duties and who has as a matter

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of fact prepared a few schemes which will be considered in due course and would, as his activities proceed, naturally throw considerable light as to what we ought to be doing at the school and in the earlier stages. We are now just at the stage when the best efforts are being put forth and we are also at the stage when schemes are definitely under consideration. We have not really any material for any committee, for the kind of committee which the honourable member has contemplated which could be usefully considered for the purpose of having any definite and carefully cut out scheme. I would therefore ask, in view of the real effort, the genuine effort that is being made by the education department on the one side and by the University on the other, not merely wild effort but a really organised effort, that the honourable member would be satisfied with this and not press the resolution for the formation of the kind of committee which he has suggested in the resolution.

Sardar Ujjal Singh : I beg leave to withdraw the resolution.

The resolution was by leave withdrawn.

RESOLUTION 76 REVISION OF PAY OF CLERICAL STAFF.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban] :
Sir, I beg to move—

“This Council recommends to the Governor in Council that a committee be appointed to enquire into the question of revision of pay and emoluments of such members of the clerical staff in the various departments of the provincial Government as are drawing Rs. 100 or less per month.”

Sir, my object in moving this resolution is simply to remove the hard lot of the poor clerks in the various departments of Government who are in the lower ranks and in this resolution I have simply requested the Governor in Council to appoint a committee to go into the question. As the question involves the financial aspect, it has been considered necessary that this Council should give its verdict on this point. After the Council has given its verdict, the committee may go into the details and determine whether it is necessary to improve the lot of the poor clerks or not. The grievances of these poor clerks have from time to time appeared in the press and only in yesterday's *Tribune*, I find an article under the non-desplume “Distress” where some of the grievances of the poor clerks are ventilated. I do not know how far these grievances have been engaging the attention of the Government. It is a well known fact that the standard of living in these days has gone very high and the prices of foodstuffs have all risen abnormally. A clerk having a family of four or five children and drawing a salary of Rs. 40 or Rs. 50 cannot make both ends meet. He cannot support his children on such a small salary, still less can he give them any education or look after their health. The hard lot of these poor clerks can better be imagined than described. In some families there are certain genius and high intellects who cannot be useful to their country or to their community because of the facilities not having been provided to them. You can imagine how difficult it is for a low paid clerk to send his son to a college, after he has passed the Matriculation examination, and to afford the college expenses. Their faculties are not allowed to develop like the beautiful flowers which are

Lala Bodh Raj.]

nipped in the bud, and not allowed to grow. Those days are gone when a family could be maintained on a few rupees, say ten or fifteen. In these days it is merely a dream to think of such a state of things. Nowadays everybody wants to have a drive in the motor car and no one would like to travel in a bullock cart and the *aqua pura* has been replaced by the aerated water. The object of this resolution is simply to raise the pay of such clerks in some degree in order to permit them to live in a requisite style and without any private means or without any other sources. The Lee Commission was appointed and the recommendations were made by that Commission revising the scale of allowance and emoluments of the superior services and to some degree of the provincial services. Some of the grievances of the clerks to which I have just referred appear in the *Tribune* of the 21st, and in the said article there is a reference to the report of the Abbott Committee. That report has not been available, and I have not been in a position to go through its details. If I mistake not, that reference is to the very report which, I understand, is not on the records of Government and which was lost in the office. The object of that report was to improve the condition of the members of the subordinate service and of the clerks in the lower ranks.

The Honourable Sardar Jogendra Singh : What committee does the honourable member refer to ?

Lala Bodh Raj : Abbott Committee. These clerks are a part of Government machinery and they are not any the less important nor are they the less useful than the members of the department in the higher ranks. I would say that these clerks are rather more important and more useful than those in the higher ranks. In some cases certain members in the higher ranks are sometimes attached to the department just as ornaments. It may be that Government may be able to do without them, but I can say without any fear of contradiction that the administration of Government cannot be carried on without these low paid clerks. It is these clerks that prepare the whole brief for heads of departments and it is these clerks who do the ordinary routine business of Government and it is not possible without the help of these clerks to run the administration. They are the most useful and the most important part of their machinery. There is no doubt that in these days there is a large number of clerks and a large number of applicants available to the Government to fill up the parts of this machinery, and Government has opened and is opening every year a large number of schools and colleges for the preparation of such parts of the machinery, and on the principle of supply and demand Government is in a position to have such parts at a lower value. But the question is whether Government should tolerate to have such parts of the machinery at a lower value and not provide them the food and nourishment that they require. In order that the machinery should remain in a perfectly working order it is necessary that the proper food and nourishment is given to them. If Government is not prepared to give them the proper nourishment, naturally they would like to have the necessary food and nourishment from other sources. It has been admitted from time to time by Government and the committees which have been appointed to investigate into the question of corruption, that corruption does exist in greater or less degree in all the departments of Government and especially in the lower ranks. Government has been issuing

letters and circulars on the subject and has been taking other steps to remove this evil. In August 1921, the King's Committee was appointed to go into this question and enquire into and suggest remedies for this evil. One of the chief causes of corruption, according to the opinion of the Committee, was that the clerical staff in the lower rank is not handsomely paid. There is no doubt that in the year 1921 substantial increments were given to the members of the establishment in the various departments of Government, but the increments or the revision that was made at the time has not been considered sufficient enough so as to remove the evil which the Committee aimed at removing. The evil exists up till this moment. There may be other causes or there may be other circumstances that lead to corruption, but they are both common to the members in the lower ranks as well as to the members in the higher ranks. The distinguishing cause of this corruption between the members of the lower ranks and the members of the higher ranks is that the members in the lower ranks are not sufficiently paid. Although that Committee was of the view that it was generally believed that corruption existed in the higher ranks, Government did not agree with that view. It may be that there may be here and there instances in the higher ranks also of corruption, but generally corruption prevails in the lower ranks. These are the circumstances and such are the facts and Government should find out means to stop this evil in the lower ranks and for that purpose it is necessary that a Committee should be appointed to enquire into this question.

The reports of the Jails Committee and of the Police Committee also say on this point that the increase in pay of the members of those departments may attract a better class of people. As these clerks are sometimes promoted to the higher ranks and as in the beginning of their career they have been in the habit of extorting money from those with whom they have to deal, this habit becomes their nature while they are in the higher ranks. The evil habit does not leave them although they are being sufficiently paid. In the interest of the integrity of the public service in general and especially in the lower ranks of the departments, it is necessary that this question should be gone into.

With these few words, Sir, I commend this resolution to the members of this House, and I hope that the condition of these poor clerks and the hard lot of these poor people will have the sympathy of each and every member of this House.

Mr. President : The resolution proposed runs—

"This Council recommends to the Governor in Council that a committee be appointed to enquire into the question of revision of pay and emoluments of such members of the clerical staff in the various departments of the provincial Government as are drawing Rs. 100 or less per month."

The question is that that resolution be adopted.

Mr. M. A. Ghani (nominated, non-official): Sir, I beg to wholeheartedly support the resolution. Every student of economics knows that the value of the rupee of 1914 is less than four annas to-day. I do not agree with the honourable mover of the resolution that the salaries of the clerks ought to be raised but I want the Government to give them the same salary as they were drawing in 1914 but give them the same value of the rupee as

[Mr. M. A. Ghani]

it was in 1914. I know the poor condition and lot of the poor clerks of the province. They live in very bad houses and most of them cannot support their families. I know that most of them depend on their relatives. I also know that it is very difficult for them to keep the body and soul together. I therefore commend the resolution put forward by my honourable friend to the House. In other countries of the world there is not so much difference in the salaries of the officers and the salaries of the subordinates, but in this country we find a great difference between the salaries of officers and those of servants. Whenever the question of the increase of salary of poor subordinates is put before the Government, Government always replies that there are no funds, though Government is always able to find funds for the superior officers. I do not see any reason why the salaries of the poor subordinates should not be raised and with these few remarks I support the resolution.

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla (Non-Muhammadian), Rural] (Urdu): Sir, the resolution moved by the honourable member simply asks for the appointment of a committee to enquire into the question of revision of pay of the poorly-paid clerks and nothing else. The resolution, therefore, is very reasonable and very moderate and on considerations put forward by the honourable mover in detail, it is very necessary as well. I will not repeat those considerations and arguments. Every one with a little common sense can see that it is very difficult for a man drawing Rs. 50 or Rs. 60 or even Rs. 100 per month to make both ends meet when he has to pay a high rent, support his family and educate his sons. I say that the resolution is very moderate and by its acceptance the Government will not be committed to any particular step. I hope, therefore, that the Government will find no difficulty in accepting this resolution.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Sir, the subject under discussion is one about which, I think there can be no two opinions. I have brought this fact to the notice of the Government over and over again that corruption is rampant in different departments of the Government and that one of the causes of this evil is that most of the subordinates are getting very low pay. There are, doubtless, many amongst these clerks who sincerely desire to remain honest while in service, but they are constrained to resort to corrupt ways because they cannot keep their body and soul together otherwise. I will not say that with the low pay that many of our young men are getting, they cannot keep up their status. Such a thing is out of question in this country at this stage. But the difficulty is that these poor clerks do not get sufficient to meet the barest necessities of their lives. I may say that this low pay adversely affects their moral character as well. In view of these considerations I would request the Government to accept this very moderate resolution. May I express this hope that the Government will not criticise the resolution at this stage because it will have sufficient time and opportunity to criticise it when the proposed committee meets to enquire into this question?

Mr. H. W. Emerson (Finance Secretary): Sir, the honourable mover of this resolution and the honourable members who have supported it have given several reasons why a committee should be formed in order to examine the question of an increase in the pay of the clerical establishment. I will examine the reasons given by them briefly in a few minutes. First of all

I want to explain to the House what the actual facts are regarding the pay of the clerical establishment, facts which the honourable speakers appear to be ignorant of. In the first place as a result of the large increase in the cost of living during the war temporary allowances were given to the clerical establishment previous to 1920. Those temporary allowances cost Government $7\frac{1}{2}$ lakhs and they represented an increase of 25 per cent. on the pay which the clerks were then drawing. In 1920 the increase in the cost of living showed little, if any, abatement. Mr. Halifax was placed on special duty for several months to examine thoroughly the whole case of the clerical establishment. He did it with very great care and thoroughness and as a result of his examination and of his recommendations a general revision of pay was made. In that revision consideration was paid firstly to the existing pay of posts, secondly to the duties which the holder of the particular post had to perform and thirdly to the increase that had taken place in the general cost of living. The result was that new scales of pay were introduced, the ultimate, not the immediate, cost of which to Government was estimated at $18\frac{1}{2}$ lakhs, that is to say, $18\frac{1}{2}$ lakhs in addition to the $7\frac{1}{2}$ lakhs that has already been given, making a total increase of 21 lakhs since 1914. That increase of 21 lakhs represented a percentage increase of 71 per cent. since 1914. I may explain that the whole of that increase did not accrue at once. In the first place a limit of 40 per cent. was placed on the immediate increase, that is to say, no particular individual could have at once more than 40 per cent. of what he was then drawing as permanent pay *plus* his temporary allowance. It therefore follows, and this, I think is a point of some importance, that many clerks have not yet obtained the full benefit of the increase which was given in 1921. Ultimately on the average they will obtain the benefit of 71 per cent., and as the increments occur they will approach the full amount of the benefit. The benefits that were given in 1921 are still continuing and are accumulating. Now it will be of interest to this House to know how far that ultimate increase of 71 per cent. compares with the rise in the cost of living. It has been stated just now that in comparison with 1914 the value of the rupee is four annas. The figures which I have got suggest that the value is between ten and eleven annas and I think probably the figures on which my calculation has been made are more reliable than the figures to which the honourable member seems to have had access. Taking the twelve most common articles of consumption, the index figure in 1914 was 117. In 1926, the last year when calculations were made the index figure was 190, that is to say, the all-round price of these twelve articles had increased between 1914 and 1926 by about 62 per cent. In 1921 when the revision took place the index figure was 218. So since 1921 there has been a drop from 218 to 190. If we take particular articles, the amount of the drop is still more apparent. In 1921 the index figure for wheat was 259; last year it was 183. The index figure for rice in 1921 was 198, last year it was 162. Similar figures for *ghi* are 239 in 1921 and 171 in 1926.

Mr. E. Maya Das : Sir, may I know what is meant by 'index figure'? Will the honourable member please explain?

Mr. H. W. Emerson : I will attempt very briefly to explain the meaning and the use of the 'index figures'. In this case if twelve articles are taken, first of all the price of those articles for the particular year on which the

[Mr. H. W. Emerson.]

comparison is based is taken. Then an estimate is made of the extent to which each of those articles enters into the consumption of the ordinary individual. If the amount of wheat consumed is twice the amount of rice, then wheat is given twice the importance to that given to rice. Similarly for ghee and other articles. By taking into account the amount of consumption, the price and the extent to which each enters into the diet of the ordinary individual a general figure is arrived at which may be called the basic index figure. For our purpose we may take 1914 as the basic index figure and assume that to be 117. Then for each succeeding year similar calculations are made at the corresponding prices of those years. So you get in the end a comparison between the basic year and each succeeding year. Does the honourable member understand now?

Mr. E. Maya Das : Yes, to a slight extent, Sir. *(Laughter.)*

Mr. M. A. Ghani : May I ask the honourable member.....

Mr. President : Order order, questions should always be addressed through the chair.

Mr. M. A. Ghani : May I ask a question, Sir? Do these figures refer to the wholesale prices or retail prices?

Mr. H. W. Emerson : I am afraid I cannot give the answer off-hand to the honourable member's question whether wholesale or retail prices were taken. I should say that retail prices were probably taken, but in any case it does not make any material difference in the comparison from year to year whether wholesale or retail prices were taken.

Having given a brief, though I am afraid inadequate explanation of what an index figure means, I may point out that the figures I have quoted lead to two conclusions; firstly, that the increase in pay given at the revision of 1921 was at least equal to the increase in the cost of living since 1914. That is the first conclusion.

Mr. M. A. Ghani : Will the honourable member please state what is the source of the figures he has quoted to the House?

Mr. H. W. Emerson : Will the honourable member kindly explain, Sir, what he means? I am afraid I do not understand his meaning.

Mr. M. A. Ghani : What I mean is this. The honourable member does not go to the bazaar and does not buy things himself. He must be getting these figures from certain official sources. I want to know what those official sources are.

Mr. H. W. Emerson : If the honourable member refers to prices, very reliable figures for prices are available to Government, firstly, wholesale and retail prices are published in the gazette, and secondly, village prices, that is to say, prices at which the producer sells his grains are obtainable from the land revenue records. These prices we obtain from the most reliable sources. I did not myself do the calculation of the index figure. It is a calculation which, I think, was started by Mr. Hallifax and has been carried on ever since. The calculation is worked out carefully and there is no reason at all to suppose that it is not absolutely reliable. It shows firstly that the increase of pay given in 1921 was at least equal to the increase in the cost of living and secondly, that since 1921 when the pay was last revised, there has

been actually a drop in the cost of living and not an increase. Now in addition to the ordinary scales of pay which are paid to different grades of clerks special concessions are given in Lahore and Simla where the cost of living is abnormally high. In Lahore, a clerk on less than Rs. 95 a month is given a local allowance of Rs. 5; if the pay is less than Rs. 96, he draws Rs. 4 and less than Rs. 97, Rs. 3 and so on; so that the extra expense of Lahore and similarly of Simla is mitigated by local allowances. In addition to that, Government has recently taken up large schemes of construction in order to mitigate the hardships of high house rents. The three places in which schemes have so far been taken up are Lahore, Lyallpur and Sargodha. Members of this House will remember that a scheme has been approved by the Council to build quarters for clerks in Lahore at a total cost of 17 lakhs, of which, I think, 7 lakhs were voted by this House for expenditure during the current year. The rent that Government will charge for these quarters will be limited to 10 per cent. of the pay of the clerk who occupies the quarter, and that is almost certainly a lower rental than that for which he would be able to obtain accommodation of the same quality in the open market.

Mr. M. A. Ghani : May I ask the honourable member two questions? The first question is, do the High Court clerks get the famine relief fund which, as the honourable member has said, is given to all the other clerks; the other question is, until these quarters are built by the Government, do the Government give any rent to these clerks?

Mr. H. W. Emerson : The first question is, whether the High Court clerks get any famine relief fund. I have already explained that in 1921 an increase to the pay was given which was actually in excess of the increase in the cost of living. I do not quite understand, when this is the case, what reason there is to giving a famine relief allowance. The increase in the cost of living is already more than covered. The second question is whether, pending the construction of these buildings, any special relief is given. The answer to that is in the negative. Beyond the Lahore allowance, which is given partly to cover the extra cost due to high rentals, no special rent allowance is given. The honourable mover of this resolution and certain of his supporters advanced as one reason for giving a further increase in pay the fact that the standard of living has risen and that Government ought to allow for the fact that the clerk has to educate his son or sons up to the Matriculation standard or even beyond. Now, I think, Government and all of us fully sympathise with the difficulties of fathers who have to educate their sons and I personally sympathise very strongly with them because I have three sons to educate. (A voice: You are not a clerk.) But I cannot see how, if Government were to accept the obligation to educate up to a certain standard, the sons of those persons who were fortunate enough to secure Government posts, it could refuse to accept a similar obligation for all other heads of families. I cannot see any logical basis for distinction between Government clerks and others. Again several speakers seemed to suggest that the increase that has been given in the pay of the clerical establishment was something very much less than was given to the superior services. Well, my own recollection is that in comparison, firstly, with the officers of Government on posts, say between Rs. 100 to 300, the clerical establishment was given much more generous increases. Similarly, tahsildars, naib-tahsildars, and other members of the provincial services got far less generous

[Mr. H. W. Emerson.]

increases than members of the clerical establishment. Nobody grudges the clerical establishment the increases in pay which it received; but it is a mistake to think that the clerical establishment was in any way treated less generously than any other service. Their necessity was greater and Government quite rightly gave them a much larger percentage increase in pay than any other branch of the service.

Having given the House a statement of the facts, I am sure members will be a little bewildered as to what ground would justify Government in appointing a committee at this stage to consider the question of a further increase. There appears to be no ground because of the inadequacy of the increase already given. There is certainly no ground owing to a rise in the cost of living since 1921. There has actually been a fall. It would be positively dangerous for Government to accept as a general principle any obligations in regard to education and other amenities which it is not prepared to accept for those unfortunate persons who have not got sons or relations in Government services. That the terms given by the Government to their clerks are not ungenerous is shown by the fact that for every vacancy that occurs there are hundreds of applications and generally speaking, Government service is more sought after than private service. For these reasons, Government is not able to support the resolution for a further general revision. Individual cases are continually under examination. Very few days pass that some case or other of a particular clerk or a particular class of clerks does not come up before the Finance Department.

The Council then adjourned for lunch till 2 P.M.

The Council reassembled after lunch at two of the clock, Mr. President in the Chair.

Mr. H. W. Emerson (Finance Secretary): Sir, previous to the adjournment, I gave several reasons why Government was unable to accept this resolution. It only remains for me to give one more reason. The honourable mover of the resolution in his formal resolution confined the examination by the proposed committee to clerical staff drawing less than Rs. 100. But neither he, in his speech, nor any of his supporters, in their speeches, made any further mention of this limitation and it is quite clear that if Government did accept this resolution and appoint a committee for this purpose, it would be quite impossible to limit it to clerks under Rs. 100. It would be necessary to examine the whole of the pay of the clerical establishment. If clerks under Rs. 100 were given an increase, clerks who are now drawing Rs. 101 or Rs. 105 would at once apply and with very good reason for a similar increase. Once the case of clerks had been settled, the subordinate services would come up and say that as the Government had given this increase to the clerical establishment, why should they not be given at least an equal increase. As soon as the subordinate service were settled the tahsildars would put in similar requests and so the whole question of the pay of Government servants, which was settled only a few years ago, would again fall into the melting pot. For these reasons, Government is unable to accept this resolution.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban]: The honourable member on behalf of the Government has tried

to impress on the members of the House that there is no necessity for the appointment of such a committee as is suggested in the resolution. Towards the end of his speech he has stated that if the Government concedes the point and appoints a committee in the interests of the clerical staff drawing a salary of less than Rs. 100, then the other members of the clerical staff drawing a salary of more than Rs. 100 will be coming forward with the same request. No one can deny that the cases of the two do not stand on the same footing. It is only a committee, such as that suggested in the resolution, that could determine whether the circumstances of those drawing less than Rs. 100 justify any further increase or not in their emoluments. Because other people will be coming forward with similar grievances is no argument for denying the appointment of a committee suggested in the resolution.

In the beginning of his speech the honourable member told us that the general increase in the pay of the various departments was sanctioned in the year 1921. It may be that certain increase was allowed, but the question is whether, in the present circumstances, there is any necessity of appointing a committee that would consider the grievances of those clerks whose cases are covered by the resolution. The increases that were given to them in 1921 were on the basis of the salary that they were drawing at that time and the question whether further increases can be given is to be determined only by a committee. It may be that the salary they were drawing at the time was not sufficient to form the basis. In this resolution, if the members of the House should support it, the Government are not committed to anything. The only thing that is required at present is that a committee should be appointed to go into the question. If, after a survey of the circumstances and after hearing the representations of the clerks, the committee should be of the opinion that there is no necessity of allowing such increases, the committee can very well report to the Government that there is no such necessity. If facts are placed before the committee that lead its members to a particular view, Government shall be in a position to consider the question accordingly. The honourable member gave us certain figures and he stated that about 13½ lakhs were allowed on account of the increase. If you just go over the figures of income and expenditure of the province before the year 1920 and the figures that now stand, you will find that the figures which ranged between 5 and 6 crores before 1921 now stand between 11 and 12 crores. If the expenses of the provinces have gone two-fold in other respects, there is no reason why the clerks should also not get cent. per cent. increase in their pay. He has stated that their ultimate increase in pay would be 71 per cent. and the conditions that prevailed in 1921 still continue. The committee can very well take into consideration all these questions and then decide whether there are any reasons to give the advantages of increase sanctioned in 1921 all at once or whether they shall stick to the previous decisions of Government.

The honourable member said that he had every sympathy with these clerks and recently the Government had decided to erect certain residential quarters for them at Lahore, so that they can be let out to these clerks on rents lower than those prevailing in the open market.

[Lala Bodh Raj.]

That is quite true. From this reasoning of his I presume that they understand the necessity that such clerks do deserve the concession which is covered by this resolution. I say that this concession is not enough. That is my contention. This question is to be gone into and I wish that further concessions be given to these clerks. My honourable friend fully sympathised with the poor lot of the clerks and said that they had not got enough to educate their sons. At the same time he says that if the Government concedes this obligation, he is afraid that others will come forward clamouring for the same concessions. As I already submitted, the cases of those drawing less than Rs. 100 and of those drawing more than Rs. 100 do not stand on the same footing. The one can afford the expenses of education of his sons while the other cannot. A man drawing Rs. 1,000 can very well afford to spend enough money on the education of his sons. A man drawing Rs. 50 or Rs. 60 cannot afford such expenditure.

In my first speech I made a reference to the report of Mr. Abbott's committee, but I understand that that report is not available. If he made any report on the subject, I would not be wrong in saying that it was thought desirable at the time that something should be done for the members of the clerical staff. If that report is available and if those recommendations are taken into consideration by the Government and given effect to, a section of the clerical staff will feel a sigh of relief. But we were told in the last session that that report was missing and that it had been lost in the office. That is a still greater reason why another committee should be appointed so that they may record certain definite findings for the consideration of the Government.

Another argument that was advanced was that the people run after Government service more than they do after private service. In the beginning I had stated that it is on account of unemployment, which question is before the Government and is engaging its attention. The vast army of men who have not got any job would naturally take to any service that is available and on any pay that is offered to them. On the principle of supply and demand you may get a large number of clerks. But that is no reason why those who have got into Government service should not be paid sufficiently. I will appeal to the members of the House to consider the question on its own merits and support the resolution.

Mr. H. W. Emerson : Sir, I would just like to remove one or two misconceptions which may arise from the remarks of the honourable mover of the resolution. He cited the argument of mine that if Government accepted this resolution in regard to clerks drawing less than Rs. 100 and admitted their claim for increase of pay because they had to educate their sons, then it would be necessary to accept the same principle for Government servants drawing higher salaries than Rs. 100. I think he must have misunderstood what I said. What I actually said was that if Government accepted this resolution so far as Government servants who were drawing less than Rs. 100 are concerned there was no reason whatsoever why it should not accept the same principle for those persons who are not in Government employ but who were drawing less than Rs. 100, that is to say, it would have to accept almost an unlimited liability.

I do not think it is possible to separate the question of the Government clerks from the question of private clerks and clerks engaged by local bodies. Government must pay some regard to the market rates and if it disregards those rates, it does disservice to local bodies and to private firms. Again the honourable mover has asked that if a committee is appointed and if it finds that there are no reasons for increase, what harm has been done. The harm that has been done is that the hopes of the clerical establishment have been raised, that so far as Government can see at present there is no reason to suppose that those hopes will be satisfied and it introduces an element of disturbance, uncertainty and dissatisfaction amongst the body of Government servants whose claims were definitely and for the time being, at any rate, finally settled by Government only a few years ago. The Committee can do no good and it may do harm by disturbing a body of Government servants who are doing good work now and whose hopes will be raised without any hope of their being satisfied.

Mr. President : The resolution proposed runs :

"This Council recommends to the Governor in Council that a committee be appointed to enquire into the question of revision of pay and emoluments of such members of the clerical staff in the various departments of the provincial Government as are drawing Rs. 100 or less per month.

The question is that that resolution be adopted.

The House then divided :

(At this stage Lala Bodh Raj raised a point of order, saying that a member entered the Chamber after the division bell had ceased ringing and the Honourable President accordingly decided that the vote of that member (Sayad Mubarak Ali Shah) was invalid.

Ayes 18, Noes 38.

AYES 18.

Mr. M. A. Ghani.
Chaudhri Baldeo Singh.
Dr. Gopi Chand Bhargava.
Lala Gopal Das.
Lala Joti Parshad.
Lala Kesho Ram Sekhri.
Sardar Narain Singh.

Raizada Hans Raj.
Lala Bodh Raj.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Buta Singh.

NOES 38.

Lt.-Col. W. H. O. Forster.
Mr. C. A. Barron.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan, Noon.
Khan Bahadur Nawab Muzaaffar Khan.
Mr. C. F. Strickland.
Sir George Anderson.
Mr. W. S. Dorman.
Mr. J. B. G. Smith.

The Honourable Mr. Manohar Lal.
The Honourable Sardar Jogen-dra Singh.
The Honourable Sir Geoffrey deMontmorency.
Mr. J. G. Beazley.
Mr. H. W. Emerson.
Mr. B. H. Dobson.
Mr. H. D. Craik.
Mr. F. Keays Byrne.

Mr. M. V. Bhide.
 Cat. Sardar Sikandar Hayat Khan.
 Bir Akbar Ali.
 Mr. Owen Roberts.
 Rai Bahadur Pandit Daulat Ram, Kalra.
 Rai Bahadur Lala Rattan Chand.
 Khan Bahadur Malik Muhammad Amin Khan.
 Khan Sahib Khan Muhammad Saifullah Khan.
 Rai Sahib Chaudhri Chhotu Ram.
 Chaudhri Zaffrullah Khan.

Maulvi Sir Rahim Bakhsh.
 Dr. Sir Muhammad Iqbal.
 Khan Bahadur Nawab Muhammad Jamal Khan.
 Shaikh Faiz Muhammad.
 Chaudhri Duli Chand.
 Sardar Habibullah.
 Chaudhri Umar Hayat.
 Makhdumzada Sayad Muhammad Raza Shah, Gilani.
 Sardar Bahadur Capt. Delpat Singh.
 Sardar Bahadur Sardar Sheo Narayan Singh.
 Mr. E. Maya Das.

The motion was lost.

The following resolutions standing in the names of the members indicated against each resolution were not moved :—

RESOLUTION 72 : GRANT-IN-AID TO DENOMINATIONAL SCHOOLS.

Sardar Ujjal Singh : This Council recommends to the Government that they be pleased to appoint a committee consisting of the Honourable the Minister for Education, the Director of Public Instruction and five elected members of the Council for framing rules and conditions regulating the recognition of and the giving of grant-in-aid to denominational institutions.

RESOLUTION 73 : REPRESENTATION OF MUSLIMS IN PUBLIC SERVICES.

Shaikh Faiz Muhammad : This Council recommends to the Government that steps be immediately taken to raise the number of Muslims in each branch of the public services in this province to at least 55 per cent. of the total cadre in each branch.

RESOLUTION 74 : EXEMPTION OF THE SWORD FROM THE OPERATION OF THE INDIAN ARMS ACT.

Dr. Shaikh Muhammad Alam : The Council recommends to His Excellency the Governor in Council to exempt the sword from the operation of the Indian Arms Act.

RESOLUTION 75 : OPENING OF A MEDICAL SCHOOL FOR TRAINING FEMALE SUB-ASSISTANT SURGEONS.

Lala Mohan Lal : This Council recommends to the Government that a medical school for training female sub-assistant surgeons in the Punjab be opened in the year 1928.

ANNOUNCEMENT FROM THE CHAIR.

ELECTION OF DEPUTY PRESIDENT.

Mr. President : I have to inform the House that His Excellency the Governor has been pleased to approve the election of Sardar Habib Ullah as Deputy President of this Council.

OFFER OF THANKS TO HIS EXCELLENCY SIR MALCOLM
AND LADY HAILEY.

Mr. President : Gentlemen, I am sure all of you wish me to convey our grateful thanks to His Excellency Sir Malcolm and Lady Hailey for allowing us very kindly the use of this hall for holding the monsoon session of the Council, at great inconvenience, no doubt, to themselves. The arrangements so graciously made by them for our comfort and convenience were simply excellent and I am sure have been highly appreciated by all of us.

The Council then adjourned *sine die*.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 21st November 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 :—

ABDUL QADIR, SHAIKH, SIE (Non-Official nominated).

KING, MR. C. M. (Official nominated).

COWAN, MR. H. M. (Official nominated).

CURRIE, MR. M. M. L. (Official nominated).

WILSON, MR. W. R. (Official nominated).

PENNY, MR. J. D. (Official nominated).

GILL, COL. C. A. (Official nominated).

ASTBURY, MR. A. R. (Official nominated).

ASHFORD, MR. H. F. (Official nominated).

SANDERSON, MR. W. R. (Official nominated).

STARRED QUESTIONS AND ANSWERS.

LAHORE RIOTS.

***519. Chandhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) if it is a fact that the Court Deputy Superintendent of Lahore is a Hindu ;

(b) if it is a fact that the Court Inspector is a Hindu ;

(c) if it is a fact that four Sub-Inspectors who are now working as Court Sub-Inspectors are non-Muslims ;

(d) if it is a fact that Pandit Jawala Parshad, Public Prosecutor, is conducting the Lahore riot cases ;

(e) if it is a fact that Lala Anant Ram and Lala Rajkishen are specially engaged for conducting the riot cases to help Pandit Jawala Parshad ;

(f) if it is a fact that the attention of the Government is already invited to the preponderance of one community in conducting the cases in connection with the Lahore communal riots ;

[Chaudhri Afzal Haq.]

(g) if so, what steps the Government has taken to redress this obvious grievance?

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

(b) Yes.

(c) Yes. None of these have been conducting any prosecutions in the riot cases.

(d) Bai Bahadur Pandit Jawala Parshad, Public Prosecutor, conducted the prosecutions in 4 of the riot cases, viz. :—

(1) Haveli Kabuli Mal,

(2) Pipal Vehra murder case,

(3) Sheranwala Gate, 307, Indian Penal Code case, and

(4) Anarkali, Section 307, Indian Penal Code case. Khan Sahib Muhammad Nasib is also conducting prosecutions arising out of the Lahore riots.

(e) Lala Anant Ram and Lala Raj Kishen have been engaged temporarily as Public Prosecutors to conduct such of the riot cases as may be given to them.

(f) Members of both communities have raised the objection.

(g) Government does not admit that there is any genuine grievance.

REMISSION OF SENTENCES OF MARTIAL LAW PRISONERS NOW IN ANDAMANS.

***520. Dr. Gokul Chand, Narang :** Will the Honourable the Finance Member be pleased to answer ¹ question No. 216 asked by me during the session of the Punjab Legislative Council held in March 1927?

The Honourable Sir Geoffrey de Montmorency : (a) The Honourable Member is referred to paragraph 516-B, Jail Manual.

(b) No.

(c) Yes.

(d) No period is fixed in the case of prisoners undergoing sentences of transportation for life in the Andaman Islands, but recommendations for the release of a prisoner are made by the Chief Commissioner, Andaman and Nicobar Islands at his discretion in accordance with the provision of the Andaman and Nicobar Manual after a prisoner has completed a period of 20 or 25 years, including remissions according to the nature of the offence committed by the prisoner.

(e) Does not arise.

COMPENSATION TO THE *gadi* OF THE DAMTAL TEMPLE.

***521. Chaudhri Ram Singh :** With reference to the answer given to ² question No. 3478 on 21st October 1926, will the Honourable the Revenue Member be pleased to state the amount of compensation awarded by them to the *gadi* of the Damtal temple?

¹ Vol. X-A, page 637.

² Vol. IX-B, pages 1625-26.

The Honourable Mian Sir Fazl-i-Husain: It is regretted that the records available do not show the amount of compensation which has been awarded to the *gadi* of the Damtal temple. It may be assumed that adequate compensation has been paid; further, steps are being taken to finally settle the question of the damage done and which may be done by the diversion of the Chakki torrent and to effect an equitable settlement with the sufferers.

DIVERSION OF THE CHHAKI.

***522. Chaudhri Ram Singh:** With reference to Council question No. 108 (unstarred), put by me on 9th March 1927, will the Honourable the Revenue Member be pleased to state whether it is a fact that owing to the diversion of the course of the Chhaki, lands belonging to the villages of Beli, Bhur, Bhur, Nangal, etc., have been swept away?

The Honourable Mian Sir Fazl-i-Husain: The cultivated area and the area of culturable waste in the villages mentioned at various periods is shown in the statement laid on the table which shows that the total cultivated and banjar (i.e., uncultivated area, available for cultivation) areas in the villages concerned was in 1890, 1,127 acres cultivated and 275 acres banjar and in the latest records 1,015 acres cultivated and 274 acres banjar.

From this it will be seen that erosion since 1890 has been inconsiderable, amounting to 118 acres out of 1,402. Government is not in a position to say to what extent the diversion of the Chhaki stream through the Danga Cut is responsible for this.

No compensation has been awarded, but the villagers are eligible along with other sufferers from erosion caused by the more important rivers for grants of land on peasant grantee terms in the Nili Bar.

Village.	In 1890.		In 1910-11.		LATEST FIGURES.	
	Cultivat- ed area.	Area available for culti- vation.	Cultivat- ed area.	Area available for culti- vation.	Cultivat- ed area.	Area available for culti- vation.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Beli	123	9	109	14	123	25
Bhur	210	51	237	22	230	39
Nangal	572	130	496	122	474	136
Talwara Jattan ..	98	62	84	50	81	55
Talwara Gujran ..	114	23	89	43	107	28
Total	1,127	275	1,015	254	1,015	274
	1,402		1,269		1,289	

EXCESSES COMMITTED BY PATHANS IN THE KANGRA DISTRICT.

*523. **Chaudhri Ram Singh** : Will the Honourable the Finance Member be pleased to state—

- (a) if it is a fact that the Pathans employed on the railway line in Kangra which is being constructed in connection with the hydro-electric scheme have been guilty of many excesses in the district ;
- (b) the action taken by Government for putting a stop to such excesses ; if no action has so far been taken, the reasons for the same ?

The Honourable Sir Geoffrey de Montmorency : (a) It is not a fact that the Pathans employed on the Kangra Valley Railway construction have been guilty of many excesses. In the opinion of those most competent to judge they have been, generally speaking, comparatively well-behaved.

(b) It is a fact that the employment of Pathan and other labour on the construction work at first resulted in some increase in crime, and in considerable alarm among the Kangra folk, to combat which a force of additional Police was entertained at Government expense to assist the district police in the preservation of law and order.

Mr. M. A. Ghani : May I ask, Sir, how many of these Pathans were prosecuted ?

The Honourable Sir Geoffrey de Montmorency : I shall require notice of that question, Sir.

CLIVE TRANSPORT CO., PATHANKOT.

*524. **Raizada Hans Raj** : (i) Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that for the last few years the Clive Transport Company have been the only license holders for the transport by motor vehicles of (1) passengers and (2) goods on the Pathankot-Dalhousie Road ;
- (b) whether at the time of the granting of license tenders were called and terms were advertised ;
- (c) the year since which the Clive and Company have been in the enjoyment of this privilege ?

(ii) Will the Honourable Member be pleased to lay on the table a copy of the license granted to Clive and Company and of the additional conditions, if any, for the year 1926 and 1927 ?

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

(b) No.

(c) 1919 ;

(ii) During the year 1926-27, twenty-three motor vehicles belonging to the Clive Co., held road certificates valid for the Pathankot-Dalhousie road. Since the 1st of April 1927, nineteen motor vehicles belonging to the

Company have been granted certificates valid for the same road. These certificates were issued in the form prescribed in schedule A of the Punjab Motor Vehicles Plying for Hire Rules. They include no conditions other than those printed in the form aforesaid.

Raizada Hans Raj (Urdu) : Will the Honourable Member kindly state why such license was not granted to other applicants?

The Honourable Mian Sir Fazl-i-Husain : That I am not in a position to say without collecting information.

Mr. M. A. Ghani : May I ask, Sir, whether a similar license as that granted to Olive and Co. was granted to anybody in any other part of the Punjab?

The Honourable Mian Sir Fazl-i-Husain : Will the Honourable Member make his question more intelligible?

Mr. M. A. Ghani : I want to know whether a similar license to the one which was granted to Olive and Co. was granted to anybody in the Punjab in any other part, for instance, from Lahore to Amritsar, Lahore to Sheikhpura, &c.?

The Honourable Mian Sir Fazl-i-Husain : I am afraid I cannot say I have grasped the question of the Honourable Member. But from what I have understood, it appears that he asks me to state whether licenses similar to those granted to Olive and Co. on the Pathankot-Dalhousie Road have been granted elsewhere. I do not know what sort of licences have been granted elsewhere and it is impossible for me to make a comparison between the known and the unknown.

Raizada Hans Raj (Urdu) : Will the Honourable Member kindly state whether during the last so many years any other applicant was granted such a license as has been given to Olive and Co.?

The Honourable Mian Sir Fazl-i-Husain (Urdu) : I am afraid I cannot answer this question without going through the files.

POWER TO REDUCE MOTOR FARES.

***525. Raizada Hans Raj :** Will the Honourable the Revenue Member be pleased to state whether the information given by the Home Secretary to two members of the Council during the last Council session that the Deputy Commissioner, Gurdaspur, has power to reduce the rates of motor fares is correct? If so, why has that power not been so exercised as to reduce the fares appreciably in spite of repeated representations in the matter?

The Honourable Mian Sir Fazl-i-Husain : The attention of the Honourable Member is invited to rule 4 (c) of the Punjab Motor Vehicles Plying for Hire Rules. The Honourable Member does not state what fares he refers to. If, however, his reference is to fares on the Pathankot-Dalhousie Road, I would inform him that these have been reduced appreciably from year to year. In 1923 the maximum rate for a whole car between Pathankot and Dalhousie was Rs. 78. It is now Rs. 65. During the same period the maximum rate for a seat in a car has been reduced from Rs. 27 to Rs. 19-8-0, and for a seat in a lorry from Rs. 22-8-0 to Rs. 18-12-0, while

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

the maximum charge for luggage in excess of the free allowance has been reduced from Rs. 7-8-0 per maund to Rs. 3-8-0.

Raizada Hans Raj (Urdu): Now that the Honourable Member has driven motor cars, will he kindly state if he has ever calculated and found that the cost of running per mile is Rs. 3?

The Honourable Mian Sir Fazl-i-Husain (Urdu): I have never had a chance of driving motor lorries.

CLIVE TRANSPORT COMPANY, PATHANKOT.

***526. Raizada Hans Raj:** Will the Honourable the Revenue Member be pleased to state—

- (a) on what date this year the license for plying motor vehicles between Pathankot and Dalhousie was granted to Clive and Company;
- (b) whether the Deputy Commissioner, Gurdaspur, took into consideration that the prices of motors, motor parts, tyres and petrol have dropped owing to the reduction of customs duty;
- (c) whether there were any other applications for the same license;
- (d) whether the Deputy Commissioner, Gurdaspur, intends to use his powers and reduce the fares immediately?

The Honourable Mian Sir Fazl-i-Husain: (a) Under rule 6 of the Punjab Motor Vehicles Plying for Hire Rules, road certificates issued in the Gurdaspur district remain in force up to the 30th of March next following the date of issue. Since the 1st April last, nineteen motor vehicles belonging to the Clive Co. have been granted road certificates valid for the Pathankot-Dalhousie road. Government does not know on what date or dates these were granted, but the information can be collected.

(b) The import duty on motor cars and tyres is understood to have been reduced with effect from April last. So far as Government is aware, this reduction was not taken into consideration by the Deputy Commissioner, Gurdaspur, in fixing the maximum rates to be charged by the Clive Co. during 1927-28.

(c) It is understood that various owners of motor vehicles besides the Clive Co. have for long been desirous of plying motor vehicles for hire on the Dalhousie road.

(d) The honourable member is aware that Government has under consideration certain measures for the reduction of fares on this road.

Raizada Hans Raj: Is the Honourable Member aware that this question has been under the consideration of the Government for the last one year?

Mr. President: Order, order.

Lala Mohan Lal: It is admitted that others also applied for license and I wish to know whether license was granted to any of them.

The Honourable Mian Sir Fazl-i-Husain : The Honourable Member finds me at a disadvantage in not having dealt with the case during the course of the preparation of the reply which I have just now read to him. I believe the Honourable Member who put the original question knows all about it. My recollection is that Government have decided to make it possible for others to obtain licenses, but the information which the Honourable Member now wants is not available just now. It can be supplied to him to-morrow or later on if he desires.

Lala Mohan Lal : I shall be obliged if I am supplied with that information.

MOTOR RATES CHARGED BY CLIVE TRANSPORT CO.

***527. Raizada Hans Raj :** (i) Has it come to the notice of the Honourable the Revenue Member—

- (a) that in the first week of August 1926 a deputation consisting of respectable residents of Dalhousie waited upon the Deputy Commissioner, Gurdaspur, at Dalhousie to represent the hardship of the public and to urge for the reduction of the motor rate charged by Messrs. Clive and Company ;
- (b) that a resolution for the discussion of this question in the Municipal Committee signed by four members of the Dalhousie Board was submitted to the Chairman (Deputy Commissioner), but permission was refused ?

(ii) Will the Honourable the Revenue Member state what reply the Deputy Commissioner, Gurdaspur, gave to the deputation ?

(iii) Is the Government aware of the fact that on the Kalka-Simla and Rawalpindi-Srinagar lines the motor fare per seat compared with Pathankot-Dalhousie line works out to about one-eighth ?

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

(b) The attention of the Honourable Member is invited to the reply given in this Council on the 28th of February 1925 to ¹question No. 1381.

(ii) The Deputy Commissioner assured the deputation that its representation would receive his sympathetic consideration.

(iii) The attention of the honourable member is invited to the reply given to his ²question No. 95 in the February session of the Council.

***528. Cancelled.**

MOTOR TRANSPORT BETWEEN PATHANKOT AND DALHOUSIE.

***529. Raizada Hans Raj :** Will the Honourable the Revenue Member be pleased to state—

- (a) how many private cars ran between Pathankot and Dalhousie from 1st April to 31st October 1926 and from 1st April to 30th June 1927, respectively ;

¹ Vol. VIII-A, page 143.

² Vol. X-A, page 368.

Raizada Hans Raj.]

- (d) how many owners and drivers of private cars were punished during these periods for accidents due to negligence;
- (e) how many military cars ran between Pathankot and Dalhousie from 1st April to 31st October 1926 and from 1st April to 30th June 1927, respectively;
- (f) how many drivers of military cars were punished during these periods for accidents due to negligence;
- (g) on how many occasions during the period stated in (a) cars were allowed to run out of time;
- (h) how many times during the last two years cars of Messrs. Clive and Company have run out of time without permission of the authorities concerned?

The Honourable Mian Sir Fazl-i-Husain: (a) The information I regret, is not available.

(b) None.

(c) The information is not available.

(d) None.

(e) From 1st April to 31st October 1926
From 1st April to 30th June 1927

19

9

(f) The information is not available.

TENDERS FOR LICENCE TO PLY MOTOR CARS.

***530. Raizada Hans Raj:** With reference to the *communiqué* published in the *Civil and Military Gazette* of the 1st May 1927 in which the Government definitely expressed their intention of calling tenders for license to ply motor cars on the Pathankot-Dalhousie road, will the Honourable the Revenue Member be pleased to state—

(a) whether the terms for the license were published in any papers; if so, the name of the paper or papers and the date of publication;

(b) the number of tenders received, with the names of applicants and the rates quoted;

(c) the decision arrived at by Government?

The Honourable Mian Sir Fazl-i-Husain: (a) A notice inviting applications for road certificates for the Pathankot-Dalhousie Road appeared in the issues of the *Civil and Military Gazette*, dated the 12th, 13th and 14th of July, in the issues of the *Tribune*, *Hindu Herald* and *Muslim Outlook*, dated the 13th, 14th and 15th of July, and in the issues of the *Pioneer*, dated 16th, 18th and 19th July.

(b) Twenty-one. The tenders were confidential, and Government is not prepared to state the names of the tenderers or the rates tendered.

(c) Government has decided that road certificates valid for the Dalhousie Road may be issued to Messrs. Narain Dass and Co., of Lahore, and Messrs. Makhan Singh and Sulakhan Singh, of Rawalpindi.

Raizada Hans Raj : Why were the other applicants not granted such license?

The Honourable Mian Sir Fazl-i-Husain : I want notice of the question.

LICENSE TO PLY MOTOR CARS BETWEEN PATHANKOT AND BAIJNATH.

***531. Raizada Hans Raj :** Will the Honourable the Revenue Member be pleased to state—

(a) whether Messrs. Clive and Company are licensed to ply motor vehicles between Pathankot and Baijnath;

(b) whether there are any other taxi license-holders on that line;

(c) whether the number of licenses is limited; if so, for what reason?

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

(b) Yes.

(c) Yes, in view of the dangerous nature of the road. The question of the restriction of road certificates on the Pathankot-Baijnath road is under examination by Government.

Raizada Hans Raj : Is this road bad only for taxis or is it bad for private cars also?

The Honourable Mian Sir Fazl-i-Husain : I believe the honourable member wants the Government to undertake responsibility for the safety of the public, and at the same time exercise control over traffic. That is a principle to which, I regret, I cannot agree.

Raizada Hans Raj : What is the procedure adopted with regard to Murree and Simla Roads?

The Honourable Mian Sir Fazl-i-Husain : Without making enquiries, I cannot possibly tell the honourable member the exact procedure adopted in those roads.

Mr. President : I am afraid I must invite attention of the honourable members to Rule 10. Supplementary questions can be asked for the purpose of further elucidating any matter of fact regarding which an answer has been given. Supplementary questions should not take the form of cross-examination in a court of law.

DEPUTY COMMISSIONER, KANGRA, AND POWER TO GRANT MOTOR LICENCES.

***532. Raizada Hans Raj :** Will the Honourable the Revenue Member be pleased to state whether it is a fact that the power to grant licenses for plying motor cars on hire in the Kangra district has recently been taken away from the Deputy Commissioner and it has been transferred to the Commissioner of the Jullundur division? If so, why?

The Honourable Mian Sir Fazl-i-Husain : Some time ago the Commissioner of Jullundur withdrew from the Deputy Commissioner of Kangra the power to grant road certificates valid for the Kangra Valley Road. This was, however, only a temporary measure, and the question of restoring the power to the Deputy Commissioner is now being considered.

ACCOUNTS OF THE GREY CANAL, FEROZEPORE.

***533. Lala Kesho Ram, Sekhri:** (a) Will the Honourable the Revenue Member be pleased to state if the accounts of the Grey Canal, Ferozepore, were audited in 1926? If so, will he please lay a copy of the audit report on the table?

(b) If the audit report be not available, will the Honourable Member please state whether it is a fact that defalcations of a serious nature have been brought to notice by the auditor in his report? If so, who are the persons against whom allegations of defalcation have been made and what action has been taken on these allegations?

The Honourable Mian Sir Fazli-Husain: (a) Yes. Action on the report is under consideration of Government and no useful purpose can be served by laying a copy of the report on the table.

(b) The report purports to implicate the Superintendent and subordinates.

Lala Mohan Lal: The answers to my questions Nos. 534 to 537 may be read.

Mr. President: I may invite attention of the honourable members to directions regarding the manner of putting questions. These instructions are printed at pages 91 and 92 of the Punjab Constitutional Manual. They are:—

"When questions distinguished by asterisks are reached, I will call in succession upon each member in whose name a question stands and he will rise and ask his question by a reference to the number prefixed to it on the list of questions. Thereupon the member to whom the question is addressed will rise and reply."

I find that some honourable members, "instead of referring only to the number of their question stand up and say "the reply to question No. may be read." I wish this may be avoided in future. I think a reference to the number alone is quite sufficient.

GOVERNMENT HOSIERY INSTITUTE, LUDHIANA.

***534. Lala Mohan Lal:** (a) Will the Honourable Minister for Education be pleased to state who prepared the scheme of the Government Hosiery Institute opened at Ludhiana and what are his qualifications for the purpose?

(b) Is the Honourable Minister aware that there is a Hosiery Association composed of the manufacturers of Hosiery at Ludhiana? If so, will he please state whether this Association was consulted before the scheme was prepared or whether it was sent to the Association for remarks. If so, what were the remarks of the Association? And if not, why was not the Association consulted, either before or after the preparation of the scheme?

The Honourable Mr. Manohar Lal: (a) The then Industrial Surveyor, Ludhiana, under instructions from the Director of Industries, prepared the scheme. The officer concerned duly consulted experts on the subject.

(b) The answer to the first and second parts of question is in the affirmative. The Association agreed with the department's proposals but offered no useful suggestions.

HOSIERY EXPERT.

*535. **Lala Mohan Lal :** Will the Honourable Minister for Education please state—

(a) how many candidates applied for the post of Hosiery Expert and what are the qualifications of the candidate who was eventually selected ;

(b) whether it is a fact that a competitive test was held for selecting a candidate for the post ; and if so, by whom and what are the qualifications of the examiner or examiners concerned ?

The Honourable Mr. Manohar Lal : (a) Seven candidates applied for the post of the Hosiery Expert. The candidate selected is a practical knitter of 11 years' experience in India. He has also studied the working of Italian and Swiss factories and in particular took an advanced course in knitting at "Popp's Knitting School" in Vienna.

(b) The reply is in the negative.

MACHINERY FOR HOSIERY INSTITUTE AT LUDHIANA.

*536. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education please state what amount has been invested on the machinery set up in the Hosiery Institute at Ludhiana and also from whom it was bought and whether tenders were called for before purchasing the machinery ? If the answer to the last part is in the affirmative, will the Honourable Minister please lay the copies of the tenders on the table ?

(b) Is it a fact that some second hand machinery was bought for the Government Hosiery Institute from the Wool Stores, Ludhiana ? Is it also a fact that this business was owned by the Hosiery Expert before he was appointed to his present post ? If so, will the Honourable Minister please state who valued this machinery ?

The Honourable Mr. Manohar Lal : (a) A sum of Rs. 10,828 has been spent on the purchase of machinery. The machinery was purchased from firms in Lahore and Ludhiana. Quotations were obtained from various firms and submitted to the Indian Stores Department through the Punjab Government for examination.

(b) The answer to the first part of the question is in the negative. The answer to the second and third parts of the question, therefore does not arise.

PURCHASE OF STORES FOR THE HOSIERY INSTITUTE.

*537. **Lala Mohan Lal :** (a) Will the Honourable Minister for Education please state whether the Hosiery Expert has some interest in the Wool Stores at Ludhiana ?

(b) Is it also a fact that Government purchases its machinery and stores from the Wool Stores ?

[Lala Mohan Lal.]

(c) If the answers to (a) and (b) are in the affirmative, will the Honourable Minister please state whether the Government has considered the desirability of stopping the purchase of stores required for the Hosiery Institute from this firm?

The Honourable Mr. Manohar Lal : (a) It is understood that the Hosiery Expert has now no direct interest in the Wool Stores at Ludhiana as he transferred it to his son on his appointment to the present post.

(b) Some stores have been purchased from the Wool Stores, but the purchases have not been extensive.

(c) It is not desirable to prohibit the purchase of stores from the firm referred to; but in view of the indirect interest which the Hosiery Expert has in this matter, Government has ordered that all purchases from the firm shall be reported and scrutinised by the Director of Industries.

SARDAR LABH SINGH, ASSOCIATE PROFESSOR OF AGRICULTURE.

***538. Rana Firoz-ud-Din Khan :** With reference to the answer to starred question No. 222, will the Honourable Minister for Agriculture please state—

(a) if he is aware that the officer appointed to the post of Associate Professor of Agriculture passed his B.Sc. Agriculture in 1925 in the third division and obtained marks less than his pupils;

(b) whether the appointments of Professors and Associate Professors of the Agricultural College, Lyallpur, are made according to seniority or according to merit;

(c) whether he still considers the appointment of Sardar Labh Singh to the post of Associate Professor of Agriculture as a mere transfer and not a promotion;

(d) the pay Sardar Labh Singh was drawing as an Assistant Professor, and the pay he has been drawing as an Associate Professor and the rates of increment in the two capacities?

The Honourable Sardar Jogendra Singh : (a) Yes. The Officer in question took the examination voluntarily 10 years after he finished his college course.

(b) According to the necessities of the department, seniority and merit being both considered.

(c) The meaning of this portion of the question is not understood.

(d) He draws the same pay, Rs. 350 per mensem, in his new post as in his old post with the addition of an allowance of Rs. 30 per mensem. The rate of increment is unchanged.

Rana Firoz-ud-Din Khan : May I know if the gentleman has received any further promotion?

The Honourable Sardar Jogendra Singh : I have given a reply to that in answer to part (d).

Rana Firoz-ud-Din Khan : I want after that.

The Honourable Sardar Jogendra Singh : I am not aware of it. But I want notice of this question.

APPOINTMENT OF THE OFFICIATING DIRECTOR OF AGRICULTURE.

***539. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Agriculture be pleased to state :

- (a) whether he is aware that the appointment of the officiating Director of Agriculture, Punjab, has caused great dissatisfaction ;
- (b) whether he has received any representations or protests on the subject.

The Honourable Sardar Jogendra Singh : (a) The appointment has been made in the best interests of the administration. Government is not aware of any such dissatisfaction as requires action on its part.

(b) Yes.

FRUIT AND MILLET SPECIALISTS.

***540. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Agriculture please state if it is a fact that the Government propose to appoint a fruit specialist and a millet specialist ?

(b) If so, does he intend to appoint suitable Muslims to these posts, and if necessary, to send fit Muslims already in service to foreign countries for training in these subjects ?

The Honourable Sardar Jogendra Singh : The appointment of a second fruit specialist and that of a specialist for millets have since been made.

ADMISSION TO THE AGRICULTURAL COLLEGE, LYALLPUR.

***541. Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Agriculture please state—

- (a) if it is a fact that a Muslim student who had passed the F.Sc. examination in the medical group from the Muslim Aligarh University in the second division was refused admission to the Agricultural College, Lyallpur ; if so, the reasons for the same
- (b) if it is a fact that a Muslim candidate who secured 558 marks and passed the Matriculation examination in the first division was not admitted to the Agricultural College ; if so, the reasons for the same ;

[Rana Feroz-ud-Din Khan.]

- (c) whether any non-Muslim candidates with qualifications similar to those mentioned in (a) and (b) above were refused admission ; if so, their names and qualifications ;
- (d) whether the number of Sikh students admitted this year is in proportion to their population ;
- (e) if it is a fact that a number of Sikh students joined the Agricultural College, Lyallpur, in the third year class after passing their Intermediate examination in Agriculture from the Khalsa College, Amritsar ? If so, will it not increase the number and percentage of Sikhs in degree classes and ultimately in the Agricultural Department out of all proportion to their numerical strength ;
- (f) how the Government proposes to solve this problem ?

The Honourable Sardar Jogendra Singh : (a) Yes. A Muslim student who had appeared in the F. Sc. Examination in the Muslim Aligarh University, but the result of whose examination was not known on the day of selection, did not secure admission to the Punjab Agricultural College, Lyallpur, firstly because he was over-age and secondly because two other candidates from the same district with better qualifications had been selected.

(b) Yes. The candidate to whom the honourable member refers was considered too young, his age according to the record given being 14 years and 7 months.

(c) Does not arise.

(d) No. There is no rule to this effect.

(e) (1) Yes. (2) Not necessarily as the students of the Punjab Agricultural College, Lyallpur, have no guarantee of employment in the Agricultural Department.

(f) Does not arise.

Sardar Ujjal Singh : Is it a fact that the Agricultural College, Lyallpur, is the only college in the Punjab where facilities for agricultural education are provided ?

The Honourable Sardar Jogendra Singh : I think so.

TIME-SCALE OF PAY FOR THE SUBORDINATE EDUCATIONAL SERVICE.

***542. Lala Bodh Raj :** (a) With reference to the discussion held in the Council on 29th June 1926, on supplementary demand for Education, will the Honourable the Minister for Education please state if the question of the introduction of time-scale of pay for the subordinate educational service was referred to the Standing Committee on Education ?

(b) If so, what proposals were made to the Government by the said committee and what action has been taken thereon ?

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

(b) The Committee desired further information, which has now been collected and will be placed before the Committee at the next opportunity.

SUBORDINATE EDUCATIONAL SERVICE.

***543. Lala Bodh Raj :** Will the Honourable the Minister for Education please state—

- (a) the increase made in the number of posts in the several grades in the subordinate educational service with the object of removing to some extent the serious block in promotions which has been admitted by the department to be inimical to a good and contented service;
- (b) how many of such posts in the several grades have been allotted to those persons who possessed good qualifications, had good record of work and had been suffering in promotions for want of the time-scale system and how many to those who have been lately recruited in the department, that is, within the last five years?

The Honourable Mr. Manohar Lal : (a) 36.

(b) (i) 26.

(ii) 10, the majority of these promotions being given to headmasters of schools.

CHAUDHRI FAIZ ALI KHAN, TAHSILDAR, SIRSA.

***544. Lala Bodh Raj :** (i) Will the Honourable the Revenue Member please state—

- (a) when Chaudhri Faiz Ali Khan, the present Tahsildar, Sirsa, was accepted as a candidate for naib-tahsildarship;
- (b) if it is a fact that his appointment as a tahsildar has resulted in the supersession of many naib-tahsildars who were senior to him in grade and service;
- (c) if it is a fact that last year the Commissioner, Ambala division, had ordered his reversion to naib-tahsildarship;
- (d) if it is a fact that his name has now been recommended for the post of Extra Assistant Commissioner? If so, what are the special reasons for such recommendation?

(ii) If the reply to part (c) be in the affirmative, will the Honourable Member please state what were the reasons for his reversion?

The Honourable Mian Sir Fazl-i-Hussain : (1) (a) On 6th April 1904.

(b) Yes. He superseded a few naib-tahsildars who were either unfit or had not passed the tahsildari examination.

(c) Yes.

(d) All recommendations for the post of Extra Assistant Commissioner are confidential. Government is not prepared to state whether a recommendation has or has not been made in favour of Chaudhri Faiz Ali Khan.

(ii) An order was passed to revert him temporarily owing to the reversion of a very senior officer, M. Siddiq Ahmad Khan, from the Settlement Department, but as that officer did not eventually revert from that

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

department, Chaudhri Faiz Ali Khan did not, as a matter of fact, revert to the post of naib-tahsildar.

MENTAL HOSPITAL, LAHORE.

*545. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the percentage of the daily average strength discharged as cured from the Mental Hospital, Lahore, declined from 16.45 in 1924 to 14.11 in 1925 and 11.47 in 1926, and if so, what are the reasons for the decrease?

The Honourable Malik Firoz Khan, Noon : The figures quoted by the Honourable Member for 1924 and 1925 are correct, but it has now been ascertained that the figure for 1926 should be 12.87. The reason for the apparent decrease appears to lie in the differing views of different Superintendents as to what patients should be discharged as cured.

MENTAL HOSPITAL, LAHORE.

*546. **Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that the latest audit and inspection report of the accounts of the Mental Hospital, Lahore, appears to indicate that stricter supervision of expenditure would result in considerable economies?

(b) If so, what action has been taken to curtail or retrench the enormously heavy expenditure?

(c) Has the Honourable Minister called for the figures of expenditure of Mental Hospitals in other provinces? If so, will he please lay on the table the figures of cost per annum for the last three years?

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

(b) The Superintendent of the Mental Hospital and an officer of the Indian Civil Service were appointed to report on the matter and their reports are now under consideration.

(c) Government have obtained figures for two or three hospitals in other provinces, but as the mere figures of cost per head without examination of the relative sufficiency of diets, scales of clothing, scales of attendance, scales of medical supervision, etc., would be misleading, Government do not propose to lay any statement on the table at present. If the honourable member wishes to obtain the figures immediately he can do so from the annual reports of the mental hospitals of other provinces.

ALLEGATIONS AGAINST CHAUDHRI FAIZ ALI, TAHSILDAR, SIRSA.

*547. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that serious allegations were made against Ch. Faiz Ali, Tahsildar, Sirsa, in Dholewali election petition filed by Dr. Maluk Singh? If so, was any enquiry held and by whom and what was the result of the enquiry?

The Honourable Malik Firoz Khan, Noon : Yes. An enquiry was begun by S. Nisar Quth and completed by M. Basheshar Singh, and the report of local officers is under consideration.

NOMINATION OF B. PIYARE LAL FOR MEMBERSHIP OF SIRSA MUNICIPALITY.

***548. Lala Bodh Raj :** (i) Will the Honourable Minister for Local Self-Government please state if it is a fact that B. Piyare Lal, Pleader, Sirsa, who shifted to Hissar in January 1926 and has been practising there since then has been appointed a member of the Sirsa Municipal Committee by Commissioner's notification No. 29, dated 23rd March 1927 ?

(ii) If the reply to part (i) be in the affirmative, will the Honourable Minister please state the special reasons for his appointment ?

The Honourable Malik Firoz Khan, Noon : (i) and (ii) Government have no information as to whether the gentleman in question moved to Hissar in January 1926. He was elected a member of the Municipal committee of Sirsa in September 1924. In the following year he and certain other members resigned ; but they subsequently withdrew their resignations. They were, however, restrained from resuming their seats on the committee by an injunction issued by a civil court ; and as Government considered that it was undesirable that the committee should continue to function with a majority of the members debarred from taking part in its proceedings, they decided to direct that the seats of the members who had resigned should be vacated and that they should be filled by appointment until the next general election of the committee. Their seats having been vacated accordingly they were appointed members by the Commissioner.

Lala Bodh Raj : Will the Honourable Member please care to enquire whether the gentleman referred to has shifted to Hissar ?

The Honourable Malik Firoz Khan Noon : If the honourable member would like that matter to be enquired into and if he will kindly ask the question in the regular form, I shall have it enquired into.

WATER-SUPPLY IN MULTAN.

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

- (a) if it is a fact that the Deputy Commissioner, Multan, with reference to Sanitary Commissioner's letter No. 1935, dated 23rd July 1891, stated that as regards Multan city he did not think that the matter of pipe water supply was urgent and that the water drawn from the wells was generally good ;
- (b) if it is a fact that the then resident members of the city were also against the introduction of water supply on the ground that the houses in the city, being kacha, would be damaged ;
- (c) if it is a fact that for the reasons stated above the water supply scheme was dropped ;

[Lala Bodh Raj.]

(d) if it is a fact that the matter was again taken up at the initiative of a Deputy Commissioner without any resolution of the Committee?

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

(c) and (d) No.

WATER-TAX IN MULTAN.

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

(a) if it is a fact that to meet the expenses of water supply, the Municipal Committee, Multan, is levying a water-tax against the imposition of which the people have protested;

(b) if it is a fact that the deputation of the rate-payers of Multan waited upon the Honourable Minister requesting that in case the municipality cannot meet the expenses of water supply with their present funds, the people of Multan would rather not have the pipe water supply or that the municipality should have recourse to some indirect form of taxation, for instance, the terminal tax?

(ii) If the reply to part (b) be in the affirmative, will he please state if he intends before giving his approval to the water-tax to call for the proposals of terminal tax from the municipality that have been hanging since long for final decision?

The Honourable Malik Firoz Khan, Noon : (i) (a) Government understand that proposals for the imposition of a water-tax have been published by the committee, but are not aware whether any objections have been received. The proposals have not yet reached Government.

(b) A consultation was held with the members of the Municipal Committee to discuss their financial position but I do not remember this point having been raised. The Municipal Committee moreover did not mention this anywhere in the address that they presented to me, in which they discussed in great detail the water works and municipal finances.

(ii) Does not arise.

Lala Bodh Raj : Will the Honourable Member please state if it is a fact that approval has been given to the rates sanctioned by the Municipal Committee?

The Honourable Malik Firoz Khan, Noon : I want notice of the question.

Lala Bodh Raj : Is the Honourable Member aware of the fact that the approval has been published in the *Punjab Gazette*?

The Honourable Malik Firoz Khan, Noon : I cannot answer that off-hand. If the honourable member asks a regular question, I will give an answer. If the approval has been published in the *Gazette* he ought to know that.

Lala Bodh Raj : Will the Honourable Member please state who is to give the approval to the rates sanctioned by the Municipal Committee ?

The Honourable Malik Firoz Khan, Noon : It will have to be done according to the law as it exists on the subject.

ESTIMATES FOR PIPE WATER SUPPLY, MULTAN.

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

- (a) if it is a fact that original estimates for pipe water supply for Multan when the idea started amounted to a sum between 2 and 3 lakhs and that the present estimates amount to more than 11 lakhs ; if so, what are the reasons for such an extraordinary difference ;
- (b) if it is a fact that the present estimates are based on prices of commodities during the days of the great European war ?

The Honourable Malik Firoz Khan, Noon : (a) The preliminary scheme prepared in 1918 was estimated to cost Rs. 8,56,920, based on a supply of 10 gallons a head for a population of 50,000 only, i.e., the population of the city only, exclusive of the suburbs and the civil station. The estimated cost of the scheme prepared in 1922 was Rs. 10,82,305, based on a supply of 16 gallons a head for a population of 95,000, and allowing for expansion to admit of a supply of 25 gallons a head if and when the water carriage system of sewerage is introduced.

(b) No. The present estimates are based on rates for material and labour prevailing in 1922.

SMALL TOWN COMMITTEE, JALALPUR PIROWALA.

***552. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if he is aware of the fact that the attention of the local authorities of Multan has been drawn by the people of Jalalpur Pirwala to the following judgments and orders to the effect that the President of the Small Town Committee, Jalalpur Pirwala, has no claims whatsoever to any vacant sites of the said town and that all his encroachments are unlawful—

- (i) Civil appeal No. 91 instituted on 2nd February 1864 and decided on 19th February 1864, by the Civil Judge, Multan, in case regarding Mohan Pera, son of Chetan, caste Thakar, and Diwan Muhammad Ghaus (grandfather of the present President) v. Locha Ram and others ;
- (ii) Deputy Commissioner's order, dated 28th November 1865, in revenue case No. 59, instituted on 18th May 1865, by which the claim of Diwan Muhammad Ghaus (grandfather of the present President) to several wells was dismissed ;
- (iii) Case No. 169 instituted on 9th September 1870, decided on 27th November 1872 ;

[Lala Bodh Raj.]

- (i) Case No. 3, instituted on 14th April 1877, decided on 28th December 1877, regarding Diwan Muhammad Ghaus v. Ghulam Muhammad and others;
- (ii) Appeal to the Commissioner from the order, dated 28th December 1877, decided on 29th May 1878, by which the claim of Diwan Muhammad Ghaus was dismissed even against those who had admitted his claim in the first court;
- (iii) Appeal from the Commissioner's order, dated 29th May 1878, to the Financial Commissioner, decided on 23rd August 1879, by which the Shamilat land was held to be the property of all the Khewatdars;
- (iv) Land acquisition case No. 90 in which the final order for payment to all the Khewatdars was made on 16th November 1887, in spite of the fact that the said Diwan claimed the whole money for himself?

The Honourable Malik Firoz Khan, Noon : The attention of the local authorities has been drawn to the judgments and orders mentioned by the honourable member.

DIWAN MUHAMMAD GH AUS AND TAHSIL BUNGALOW, JALALPUR
PIRWALA.

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

- (a) if it is a fact that the Jalalpur Pirwala Committee passed Resolution No. 40 on 16th February 1921, stating that Diwan Muhammad Ghaus had no concern with the Tahsil Bungalow and that the expenses on its improvement had been incurred by the committee;
- (b) if it is a fact that a Resolution on the above subject was again put up on 29th July 1921, at No. 25 on the agenda of the committee and that the Secretary who had put it up on the agenda was dismissed?

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

(b) Yes, but he was actually dismissed in consequence of other complaints also.

Lala Bodh Raj : Will the Honourable Member please state what are the other complaints in consequence of which he was dismissed?

The Honourable Malik Firoz Khan, Noon : If the honourable member will ask a regular question, I shall make enquiries.

SALES OF LANDS BY THE COURT OF WARDS IN JALALPUR PIRWALA.

***554. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the people of Jalalpur Pirwala in Tahsil Shujabad, District Multan, represented to the President of the committee to institute a civil suit for the cancellation of certain sales of

lands made by the Court of Wards at his instance and to take other necessary steps to safeguard the interests of the committee, but he did not pay any attention to their request?

The Honourable Malik Firoz Khan, Noon : No such representation was made to the President.

Lala Bodh Raj : Will the Honourable Member please state if any such representation has ever been made to any authority?

The Honourable Malik Firoz Khan, Noon : I am afraid I am unable to give an answer to that question.

DISPUTE REGARDING CERTAIN VACANT SITES IN JALALPUR PIRWALA.

***555. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the local authorities, Multan, were approached by the people of Jalalpur Pirwala with a request that the matter of dispute between them and the President of the Pirwala committee regarding the vacant sites under the authority of the committee be referred to the Government Advocate or the Legal Remembrancer for its final settlement? If so, what action has been taken by the authorities concerned?

The Honourable Malik Firoz Khan, Noon : Yes; but as after enquiry it appeared that the interests neither of the small town committee nor of Government were at stake, the local authorities were of the opinion that there was no necessity to consult the Government Advocate or the Legal Remembrancer.

SURVEY MAP OF JALALPUR PIRWALA.

***556. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the Deputy Commissioner, Multan, ordered the preparation of the survey map of Jalalpur Pirwala in or about February 1926 and it has not been done so far? If so, why?

The Honourable Malik Firoz Khan, Noon : A plan of the town was prepared through the District Engineer; but as it was found to be incorrect, steps have been taken to have it corrected.

SMALL TOWN COMMITTEE, JALALPUR PIRWALA.

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

(a) if it is a fact that Mr. Muhammad Pawah, Draftsman, Small Town Committee, Jalalpur Pirwala in Tahsil Shujabad, has been convicted of forgery;

(b) if it is a fact that he has been detected by the committee in several cases for preparing false plans?

(ii) If replies to parts (a) and (b) above be in the affirmative, will the Honourable Minister please state if it is intended to retain him in the office?

The Honourable Malik Firoz Khan, Noon : (i) (a) He was convicted of forgery in 1911.

(i) (b) and (ii). As the report received from local officers was not sufficiently detailed to enable an answer to be given to part (i) (b) of the question, further enquiries are being made, the result of which will be communicated to the honourable member in due course.

STAFF OF THE SMALL TOWN COMMITTEE, JALALPUR PIROWALA.

***558. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that all the employees in the staff of the Small Town Committee of Jalalpur Pirwala in Tahsil Shujabad are Muhammadans and that five of them belong to one family of the place?

The Honourable Malik Firoz Khan, Noon : No.

JALALPUR PIROWALA COMMITTEE.

***559. Lala Bodh Raj :** (a) Has the attention of the Honourable Minister for Local Self-Government been drawn to resolution No. 1, dated 16th July 1917, of the Jalalpur Pirwala committee in Tahsil Shujabad?

(b) Will he please state if the rent deed of the site encroached upon and referred to in the said Resolution has been executed in favour of the President in his personal name and not in favour of the committee?

The Honourable Malik Firoz Khan, Noon : (a) Government have now seen a copy of the resolution.

(b) Further enquiries are being made from the local officers and the result will be communicated to the honourable member in due course.

MR. FAZL-I-HUSAIN, VICE-PRESIDENT, JALALPUR PIROWALA COMMITTEE.

***560. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if Mr. Fazl-i-Husain, the Vice-President of the Jalalpur Pirwala committee in Shujabad Tahsil encroached upon the thoroughfare referred to in Resolution No. 1 of the committee, dated 16th July 1917? If so, what action has been taken or is being taken against the said Vice-President?

The Honourable Malik Firoz Khan, Noon : The answer to the first part of the question is in the negative, and the second part does not arise.

RENT ON ACCOUNT OF AHATAS IN JALALPUR PIROWALA.

***561. Lala Bodh Raj :** (a) Has the attention of the Honourable Minister for Local Self-Government been drawn to resolution No. 11, dated 26th March 1911 of the Jalalpur Pirwala committee in Tahsil Shujabad?

(b) Will he please state if it is a fact that the President of the Committee realises rent on account of Ahatas Nos. 1 and 4 referred to in the said resolution?

The Honourable Malik Firoz Khan, Noon : (a) Yes.
(b) No Abatas are referred to in the resolution.

DUSSEHRA LAND IN JALALPUR PIRAWALA.

***562. Lala Bodh Raj :** (i) Will the Honourable Minister for Local Self-Government please state if it is a fact that a portion of Dussehra land that vests in the Jalalpur Pirwala committee in Tahsil Shujabad as per report of Lala Hukam Chand, Settlement E. A. C., dated 28th December 1877, in case No. 3, instituted on 14th April 1877, by Diwan Muhammad Ghaus (grandfather of the present President), has been sold by the Court of Wards to one Mr. Abdul Sattar, Moharrar, Court of Wards?

(ii) If reply to (i) be in the affirmative, will the Honourable Minister please state what action he proposes to take to recover the said price of land?

The Honourable Malik Firoz Khan, Noon : (i) The land referred to adjoins and does not form part of the Dusehra ground. It was purchased by the muharrir in an auction but the question of according sanction to the sale has been held in abeyance.

(ii) Does not arise.

PROSPECTS FOR PUNJABI STUDENTS QUALIFYING AT THE INDIAN SCHOOL OF MINES, DHANABAD.

***563. Sardar Ujjal Singh :** Will the Honourable Member for Revenue be pleased to state the prospects of Government service or otherwise in the Punjab for Punjabi students who qualify themselves in the Indian School of Mines, Dhanabad (Bihar and Orissa)?

The Honourable Mian Sir Fazl-i-Husain : This Government has at present no posts to offer, but is unable to say what other avenues to employment may not be open to such students.

SPECIAL TRAINING IN MERCANTILE LAW AND PROCEDURE TO CIVIL JUDGES.

***564. Mr. Owen Roberts :** Will the Honourable Member for Finance be pleased to state what steps, if any, have been taken to give effect to the recommendation of the Civil Justice Committee to give a special training in mercantile law and procedure to a certain proportion of Civil Judges?

The Honourable Sir Geoffrey deMontmorency : Government have included provision in the schedule of new expenditure of the Judicial Department for 1928-29, for the training of four Subordinate Judges for 7½ months in commercial law under the guidance of commercial solicitors in Bombay, and propose to make similar provision for two officers in 1929-30 and thereafter according to actual requirements, subject to the condition that the scheme is re-examined after a period of five years.

CREATION OF ORIGINAL SIDE TO THE HIGH COURT AT LAHORE.

***565. Mr. Owen Roberts :** Will the Honourable Finance Member be pleased to state whether Government has taken into consideration the question of creating an original side to the High Court at Lahore?

The Honourable Sir Geoffrey deMontmorency : No.

After the High Courts Act of 1861 provided for the establishment by Charter of High Courts, where the three King's Courts and the Company's Courts of Appeal had been situated, that Act preserved the existing powers of these three Supreme Courts, but such powers were not granted either to Allahabad which was created at that time nor to the High Courts subsequently created. All High Courts now, by virtue of Section 101 of the Government of India Act, stand on the same statutory basis, but the Letters Patent of the three Presidency Courts preserve their "original" jurisdiction.

EMPLOYMENT OF BHAI UTTAM SINGH IN THE PUNJAB SECRETARIAT.

*566. **Sardar Narain Singh :** (a) Will the Chief Secretary be pleased to state whether it is a fact that the Punjab Government has issued instructions to the heads of its departments or to the C. I. D. to debar all those persons from entering the Government Service who have ever served the Shiromani Gurdwara Parbandhak Committee?

(b) If the answer to (a) be in the negative, will he please state if it is a fact that one Bhai Uttam Singh, B.A. who worked for some time in the Shiromani Gurdwara Parbandhak Committee as Secretary of the Sikh Missionary Society and later on joined the Punjab Secretariat as a clerk, was told by the office authorities that as the C. I. D. had reported that he had been in the service of the S. G. P. C. some time back, he could not be allowed to remain in Government service unless he produced a certificate from the Senior Superintendent of Police, Lahore, or the Deputy Commissioner, Amritsar, to the effect that he was a desirable candidate for Government service and should not be debarred on account of his having served some time back the S. G. P. C.?

Mr. H. W. Emerson : (a) No.

(b) The facts are not as stated.

HONORARY MAGISTRATES.

*567. **Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to say whether it has come to the notice of the Government that Honorary Magistrates on account of their magisterial powers in the constituencies have often exerted undue influence?

The Honourable Sir Geoffrey deMontmorency : Yes. Government have received a few complaints of this nature and in consequence as a precautionary measure took the action indicated in the replies given to Council questions Nos. 108¹, 339² and 512³, dated respectively the 14th March, 19th July and 22nd July 1927.

¹ Vol. A-A., pages 369-70.

² Page 339, ante.

³ Page 1021, ante.

PUNITIVE POLICE TAX IN KALA KHATAI TAHSIL.

***568. Lala Gopal Das :** Will the Honourable the Finance Member be pleased to state:—

- (a) whether it is a fact that punitive police was posted for three years beginning from the year 1922 in the town of Kala Khatai, tahsil Shahdara, Sheikhpura District ;
- (b) whether it is a fact that Rs. 1,600 per year was collected from the residents of the town as the cost of building quarters for the police, i.e., Rs. 4,800 in three years ;
- (c) whether it is a fact that for the first two years, the police was residing in private houses of the residents of the town free of charge and in the third year a building was erected for the police ;
- (d) whether it is a fact that out of this sum of Rs. 4,800, only Rs. 1,600 has been paid to the contractor for the construction of a building which was erected in the third year ;
- (e) whether it is a fact that the material of the building has been sold only for Rs. 120 by the Government ;
- (f) whether the Government is going to refund Rs. 3,200 plus Rs. 120 to the residents ;
- (g) whether it is a fact that the Government has taxed the poor of the town with the punitive police tax and exempted Government pensioners, Government employees and other servants and even those persons who can well afford to pay the tax ;
- (h) whether it is a fact that while levying the tax the Government has not taken into consideration the financial position of each man ;
- (j) how will the tax be realised from those who cannot afford to pay it ?

The Honourable Sir Geoffrey deMontmorency : The information asked for is not readily available in the office and is being obtained. A reply will be given to the honourable member as soon as it is ready.

" GEOGRAPHY OF THE PUNJAB."

***569. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education kindly state if it is a fact that the Punjab Text Book Committee got their book " Geography of the Punjab " revised some years back but it was never published ?

The Honourable Mr. Manohar Lal : The Urdu edition of the " Geography of the Punjab " was neither revised nor published. The Punjabi edition of the book, however, was revised and published.

**CONTRACT FOR THE PUBLICATION OF BOOKS PREPARED BY THE
EDUCATION DEPARTMENT.**

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

- (a) if it is a fact that Rai Sahib Munshi Gulab Singh and Sons have got the contract for publishing books prepared by the Education Department for the last half a century;
- (b) if it is a fact that the present term of contract is due to expire on the 31st of March 1929;
- (c) if it is the intention of Government to call for tenders after the expiry of the present contract?

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

(b) Yes;

(c) Yes, it is the practice to do so, and Government sees no reason to depart from this course.

**PRINTING OF THE PROCEEDINGS OF THE PUNJAB TEXT BOOK
COMMITTEE.**

***571. Shaikh Faiz Muhammad :** (a) Will the Honourable the Minister for Education kindly state if it is a fact that the proceedings of the Punjab Text Book Committee which are not accessible to other publishers are printed in the press of Rai Sahib Munshi Gulab Singh and Sons?

(b) Is it the intention of Government not to print these proceedings in any private press in future?

The Honourable Mr. Manohar Lal : (a) The Committee's proceedings are printed in the press of Rai Sahib Munshi Gulab Singh and Sons who are the committee's contractors.

(b) The matter is under the consideration of Government.

PUBLIC PROSECUTORS IN THE MULTAN DIVISION.

***572. Khan Muhammad Abdullah Khan :** Will the Honourable the Finance Member kindly state—

(a) if it is a fact that there is not a single Musalman public prosecutor in the whole of Multan Division;

(b) whether it is a fact that Musalmans of various districts in the Division have from time to time made representations for the appointment of Muslim public prosecutors;

- (c) whether it is a fact that Musalman advocates suitable for appointment as public prosecutors are available in every district in the Division?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Only one representation on the subject was received in January 1924 from the District Muslim Association, Jampur, in the district of Dera Ghazi Khan in connection with the appointment of a public prosecutor at Dera Ghazi Khan.

(c) There are some Muhammadan advocates at present on the list of approved candidates for districts in the Multan Division.

EDUCATIONAL QUALIFICATIONS FOR PUBLIC PROSECUTORS.

***573. Khan Muhammad Abdullah Khan :** Will the Honourable the Finance Member kindly state what is the minimum educational qualifications for appointment as public prosecutor in the Punjab?

The Honourable Sir Geoffrey deMontmorency : The degree of B.A., LL.B.

PUBLIC PROSECUTORS.

***574. Khan Muhammad Abdullah Khan :** Will the Honourable the Finance Member kindly state if there are any among the public prosecutors in the province who are neither Barristers nor Bachelors-in-Law?

The Honourable Sir Geoffrey deMontmorency : Yes—two. They are licentiates in Law.

PUBLIC PROSECUTORS.

***575. Khan Muhammad Abdullah Khan :** (a) Will the Honourable the Finance Member please state what is the maximum age up to which a man can be allowed to serve as public prosecutor?

(b) Will he please lay on the table a statement showing the following:—

- (i) names of public prosecutors in the province;
- (ii) their date of appointment;
- (iii) their age at the date of appointment according to the entry in the University Registers?

The Honourable Sir Geoffrey deMontmorency : (a) The usual age of retirement is 55—but extensions are granted when a public prosecutor is efficient and it is considered advisable for any reason to retain him.

[Honourable Sir, Geoffrey deMontmorency.]

(b) The required information as to names and dates of appointment is as follows:—

Names of Public Prosecutors.	Date of present appointments.
K. S. Sh. Nazar Muhammad	1st September 1927.
K. B. Kh. Muhammad Ghulam Sadiq ..	24th September 1927.
M. Ata Muhammad	16th November 1923.
R. S. Ch. Jaini Das	3rd February 1924.
B. B. Lala Shiv Narain	18th May 1922.
L. Bhagirath Lal	5th November 1926.
Syed Abbas Ali Shah	7th March 1921.
B. B. Mr. M. L. Ballia Ram	16th January 1924.
Mr. Mushtaq Hussain Khan	5th October 1927.
Pandit Bindra Ban	27th November 1926.
S. Amar Singh	28th July 1925.
M. Muhammad Akram	28th February 1923.
Pandit Kewal Krishna	14th April 1922.
Lala Sham Lal	7th August 1922.
Pandit Bahari Lal	13th October 1922.
R. B. Pandit Jowala Pershad	1st October 1926.
K. S. Sh. Muhammad Nasib	7th October 1926.
Lala Lurinda Ram	5th October 1923.
Mr. Ghulam Ahmed	1st April 1927.
R. B. Lala Shankar Das	23rd December 1924.
R. S. Lala Sita Ram Talwar	18th November 1923.
R. B. Lala Ram Rakha Mal Bhandari ..	7th September 1922.
R. B. Dewan Khalinda Ram	5th April 1922.
S. S. Sardar Beant Singh	12th October 1923.
Pandit Dina Nath	2nd March 1925.
K. S. Kamandar Ali Khan	1st April 1927.
Ch. Muhammad Amin	30th September 1921.

There is no record with Government of age at date of first appointment according to University Registers.

PUBLIC PROSECUTORS.

***576. Khan Muhammad Abdullah Khan :** (a) Will the Honourable Finance Member kindly state how many districts are there in the province in which no separate public prosecutor is appointed?

(b) Does Government intend appointing a separate public prosecutor for every district in the province?

The Honourable Sir Geoffrey de Montmorency : (a) Three, namely, Rohtak, Muzaffargarh and Simla.

(b) A proposal for the appointment of a separate public prosecutor for Rohtak is under consideration.

CHINIOT MUNICIPAL COMMITTEE.

***577. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government be pleased to state :—

(a) whether it is a fact that in 1926 the public of Chiniot made several representations to the Deputy Commissioner, Jhang, inviting his attention to certain misappropriations and defalcations in the municipality and if so, who were the persons complained against and what action was taken by the Deputy Commissioner, Jhang, against each of them ;

(b) whether it is a fact that the municipal accounts were checked by the auditors in November and December last and that the auditors detected and pointed out several cases of misappropriation, fraud, wastage of funds and irregularities in procedure and if so, whether these notes supported the points raised by the public in the complaints referred to above ;

(c) whether it is a fact that the consideration of the audit note by the committee was delayed by the President until the Deputy Commissioner while at Chiniot ordered that a meeting should be held for the purpose ;

(d) whether it is a fact that the Deputy Commissioner himself was present at the meeting and dictated how each item should be disposed of remarking at times that such misappropriation of funds are ordinary and do not require any serious action ; if so, whether the action of the Deputy Commissioner was justified ;

(e) whether it is a fact that the Secretary of the Chiniot Municipality is still on probation and his period of probation is being extended in spite of his work being repeatedly found unsatisfactory and inefficient and in spite of all the objections against his work in the audit note ;

(f) whether it is a fact that the members of the Chiniot Municipal Committee themselves have made representation to the Deputy

[Lala Bodh Raj.]

Commissioner, Jhang, inviting his attention to the irregularities and improper and unauthorised payments made by the President and the Secretary; if so, what action the Deputy Commissioner has taken;

- (g) whether it is a fact that the financial condition of the Chinot municipality is of late going from bad to worse; if so, what the Deputy Commissioner has done in this direction?

The Honourable Malik Firoz Khan, Noon : (a) Yes, the persons complained against were the Secretary and the Sub-Overseer, of whom the latter was suspended and his prosecution ordered.

(b) Yes, but only a few of the allegations made in the representations received support from the audit note.

(c) No.

(d) Yes, but no such remarks as are attributed to him in this part of the question were made by the Deputy Commissioner.

(e) The Secretary of the committee is under the orders of the Commissioners to be on probation until the next audit of the municipal accounts.

(f) Yes, and enquiries were made which showed that the allegations were groundless.

(g) The financial condition of this Municipal Committee does not appear to be very secure, but it is for the committee to initiate measures to improve it.

PRESIDENT, CHINIOT MUNICIPAL COMMITTEE AND EXECUTION OF NEW WORKS.

*578. **Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) if it is a fact that the Deputy Commissioner, Jhang, ordered the President, Municipal Committee, Chinot, not to undertake any new work until his further orders;
- (b) if it is a fact that the said orders were kept secret from other municipal commissioners;
- (c) if it is a fact that in spite of the above orders of the Deputy Commissioner new works worth several thousands were executed;
- (d) if it is a fact that the works completed, since the said orders of the Deputy Commissioner, were in connection with the hospital for which the committee could get a grant from the Government and which the committee cannot now get as the works were executed without the sanction of the Government;
- (e) what action the Deputy Commissioner has taken against the President of the committee for non-compliance with his orders;
- (f) whether it is a fact that the Deputy Commissioner has declared the payments on account of such works as illegal?

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

(b) to (f) No.

COMPULSORY PRIMARY EDUCATION IN ZAIL SARIH.

***579. Sardar Partap Singh :** (i) Will the Honourable the Minister for Education kindly state if it is a fact—

(a) that compulsory primary education has been introduced in Zail Sarih, district Jullundur;

(b) that the residents of the said zail made a representation embodying certain objections to its introduction within the appointed time;

(c) that on the agenda distributed among the members of the district board called for the purpose of considering the above mentioned representation, the President made a note in the following or some similar words that 'in the opinion of the Chairman these objections were not weighty';

(d) that no reply has been vouchsafed to the representation of the residents of Zail Sarih?

(ii) (a) Is it a fact that besides other objections the representation also contained the following—

(1) "that the curricula of studies proposed for the boys is useless for the rural population in general and agriculturists in particular and under the circumstances it tends to add to the daily increasing unemployment";

(2) "that the proposed compulsory education should be imparted through the medium of the language used by the shopkeepers in their shops, by the labourers during their daily toil and by the peasants on their fields, irrespective of the fact whether Gurmukhi, Dev Nagri, Urdu, or Roman characters are used for instruction";

(3) "that so long as the hours of attendance, the medium of instruction and the books to be taught are not finally settled to the satisfaction of the residents of the said zail, compulsory primary education, which increases unemployment, which offers no solution for the problem of earning livelihood and which creates a dislike for manual labour, should not be introduced at all"?

(b) If the answer to (a) above be in the affirmative, will the Honourable Minister please state the reply given by the district board to these objections?

(c) Has the Government itself considered these objections? If so, what conclusion it has come to? If not, is it prepared to consider these objections now?

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

(b) Yes.

[Honourable Mr. Manohar Lal.]

(c) & (d) These are matters of the internal economy of the district board with which the Ministry is not concerned nor is it aware of any such fact.

(ii) (a) (1), (2) and (3) In a matter of a proposal accepted by an almost unanimous resolution of a district board and forwarded by Deputy Commissioner through Commissioner, the Ministry of Education cannot interfere on the basis of objections raised by what must obviously be a very small minority.

(b) Please refer to answer to (i) (c) above.

(c) Please refer to answer to (ii) (a) above.

INCONVENIENCE TO CERTAIN RAILWAY PASSENGERS AT PANIPAT.

***580. Rai Sahib Lala Ganga Ram :** (i) Will the Honourable the Revenue Member please state—

(a) whether any troop constables entrained 2B-Up at Panipat on 4th July 1927, and, if so, what was their strength ;

(b) whether any compartment was reserved for them ; if so, from which station ?

(ii) If the reply to parts (a) and (b) is in the negative, is Government aware that compartment No. 3715, which was not already reserved was ordered in writing by the guard in charge of the train in question to be vacated for a railway police constable who was on his way from Delhi to Ambala ?

(iii) Is the Government also aware that the passengers of this compartment included a number of ladies, one of whom was pregnant and another was invalid, that the adjacent compartment was practically vacant being occupied by only four male passengers, and that the train was started when the lady and child passengers had not yet safely entrained, all of which facts were brought to the notice of the said guard ?

(iv) If the reply to parts (iii) and (iv) is in the affirmative, what action does Government propose to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : The information received from the North-Western Railway is to the effect that —

(i) (a) two patrol constables entrained at Panipat ;

(b) it was the failure to reserve accommodation on this occasion through from the starting station for these two constables, which has given rise to this question.

(ii) A compartment in carriage No. 3715 was vacated to accommodate this patrol at Panipat.

(iii) The report made is incorrect ; the compartment vacated was occupied by 4 or 5 male passengers.

(iv) Permanent instructions regarding the reservation of compartment for police patrols came into force from 8th August 1927.

SLAUGHTER OF BOVINE CATTLE.

***581. Rai Sahib Lala Ganga Ram:** Will the Honourable Member for Finance kindly lay on the table a statement showing the number and age of different kinds of bovine cattle slaughtered during each of the last three years in the jurisdiction of municipalities, cantonments and, if possible, in rural areas for local consumption?

The Honourable Sir Geoffrey deMontmorency: It is regretted that the information asked for is not available.

MILK SUPPLY.

***582. Rai Sahib Lala Ganga Ram:** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether the Government have prepared any kind of statistics to ascertain the production of milk in this province and the quantity of milk an individual is supposed to get as his share;
- (b) whether the Government have considered whether the milk supply is sufficient to meet the requirements of the people of this province;
- (c) whether the Government has taken or proposes to take steps for increasing the supply of milk in this province?

The Honourable Sardar Jogendra Singh: The honourable member is referred to the answer given to Council ¹ question No. 509 on 4th August 1924.

INFANTILE MORTALITY.

***583. Rai Sahib Lala Ganga Ram:** Will the Honourable Minister for Local Self-Government please state—

- (a) if the Government are aware that the percentage of infantile mortality in this province is very heavy;
- (b) whether it is not due to the great inadequacy of milk?

The Honourable Malik Firoz Khan, Noon: The honourable member is referred to the answer given to ² question No. 3247-B., asked by Dr. Gokul Chand Narang last year in the Punjab Legislative Council.

PASTURE LAND.

***584. Rai Sahib Lala Ganga Ram:** Will the Honourable Member for Revenue be pleased to state—

- (a) the area of pasture land in the province available for grazing of cattle;
- (b) whether the Government consider such land to be adequate for the cattle of the province?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is referred to the answer given to Council ² question No. 3247-G. on 29th June 1926.

¹Vol. VII, pages 43-44.

² Vol. IX-B., page 1073.

LAND TILLED BY PLOUGH CATTLE.

***585. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Agriculture be pleased to state whether the Government have prepared any kind of statistics to show the area of land that a pair of plough cattle has to till on an average every season in the province?

The Honourable Sardar Jogendra Singh : The honourable member is referred to the answer given to Council question No. 3247-D on the same subject on the 29th June 1926.

GRAZING COMMON.

***586. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Member for Revenue be pleased to state whether the Government are aware that cultivators are obliged to sell off their prime cattle to butchers as the owners cannot bear their expense till next calving in the absence of grazing lands to feed their cattle?

(b) If so, do the Government propose setting apart ten acres out of every hundred acres of cultivated land as grazing common in well-distributed centres out of land classed as 'culturable waste' and 'current fallows'?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Council question No. 3247-E on 29th June 1926.

PROHIBITION OF SLAUGHTER OF CERTAIN KINDS OF ANIMALS.

***587. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Minister for Agriculture be pleased to state whether the Government is aware that the Government of Central Provinces and Berar by its notification No. 1289-955-XIII, dated the 21st May 1922, prohibited the slaughter of the following classes of animals:—

- (i) Any animal, either pregnant or in milk.
- (ii) All cows.
- (iii) An animal other than sheep or goat which is of or under the age of 9 years?

(b) Does this Government also propose to stop the slaughter of the above classes of animals? If not, why not?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) The honourable member is referred to the answer given to part (g) of Council question No. 2797 on 11th March 1926.

* Vol. IX-B., pages 1073-74.

* Vol. IX-B., page 1074.

* Vol. IX-A., pages 599-600.

CATTLE-BREEDING.

***588. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the steps the Government are taking for improving cattle-breeding in the province;
- (b) how many Government breeding centres and breeding bulls there are in this province;
- (c) whether they are capable of producing any appreciable improvement in the stock of cattle of this province;
- (d) whether the Government are prepared to take early steps for the improvement of breeds of cattle as suggested by the Board of Agriculture?

The Honourable Sardar Jogendra Singh : The honourable member is referred to the answer given to part (h) of Council 'question No. 2797 on 11th March 1926.

JERKED BEEF.

***589. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the quantity and value of 'jerked' beef prepared in this province for export to Burma and other countries;
- (b) the number of cattle annually slaughtered in order to carry on this trade;
- (c) whether the Government contemplate stopping slaughter of cattle for this purpose? If so, what measures they are prepared to adopt for the same?

The Honourable Sardar Jogendra Singh : The honourable member is referred to the answer given to Council 'question No. 514 on 25th October 1924.

RESTRICTION ON SLAUGHTER OF ANIMALS.

***590. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government kindly state the names of the municipalities that have passed a resolution restricting slaughter of any kind or class of animals and the steps the Government have taken or intend to take in the matter?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the answer given to 'question No. 3247 of 1926, but the following municipal committees are now to be added to the list :—

Kunjah,
Urmur Tanda,
Mianwali,
Panipat,
Ferozepore, and
Khem Karan.

KHAN BAHADUR SHAIKH NUR ELAHI, DIVISIONAL INSPECTOR.

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

- (a) if he has read the leading article in the '*Inqilab*' newspaper of Lahore, dated the 5th October 1927, and a letter headed 'Hindu Raj in Lahore division,' published in the *Muslim Outlook* of the 13th October, in regard to the recent changes in the Inspectorate of the Lahore division ;
- (b) the circumstances which led to the transfer of Khan Bahadur Shaikh Nur Elahi from the Divisional Inspectorship of Lahore to the post of Inspector of Training institutions ;
- (c) whether it is a fact that Khan Bahadur Shaikh Nur Elahi did not apply or ask for this transfer ;
- (d) whether the transfer was made by the Honourable Minister on his own initiative or on the recommendation of the Director of Public Instruction ;
- (e) how long it is proposed to keep Khan Bahadur Shaikh Nur Elahi out of the post of Divisional Inspector ?

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

(b) Khan Bahadur Shaikh Nur Elahi was transferred to the post of Inspector of Training Institutions in the ordinary course, to fill a vacancy caused by the officiating appointment of Mr. R. Sanderson to the post of Director of Public Instruction, Punjab.

(c), (d) & (e). The honourable member must be aware that it is not the practice of Government to answer questions of this nature.

CHAUDHRI GYAN SINGH, INSPECTOR OF SCHOOLS, LAHORE DIVISION.

***592. Shaikh Faiz Muhammad :** (i) Will the Honourable Minister for Education kindly state—

- (a) the circumstances which justified the appointment of Chaudhri Gyan Singh as Inspector of Schools in the Lahore division ;
- (b) the academic qualifications of Chaudhri Gyan Singh ;
- (c) Chaudhri Gyan Singh's number in the seniority list of the officers of the Provincial Educational service ;
- (d) the number of Deputy Inspectors and District Inspectors of schools senior to Chaudhri Gyan Singh ;
- (e) whether the new deputy of Chaudhri Gyan Singh is senior to Chaudhri Gyan Singh in the Provincial Educational service list ?

(ii) Will the Honourable Minister be pleased to state the grounds on which he has allowed the supersession of a number of experienced and efficient men by the promotion of Chaudhri Gyan Singh ?

The Honourable Mr. Manohar Lal : (i) (a), (b) & (ii). The honourable member is referred to the answer to Council Question No. 681.

(c) The honourable member is referred to the Punjab Civil List for October 1927, page 195.

(d) The number is 9. Of these one is officiating as Inspector, Multan Division, another is serving in Baluchistan and the 8rd is Reporter on Books here.

(e) Yes.

POSTING OF INSPECTORS AND DEPUTY INSPECTORS OF SCHOOLS ON COMMUNAL BASIS.

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

(a) if it has been the practice in the past years to have a Muslim Deputy under a non-Muslim Inspector and a non-Muslim Deputy under a Muslim Inspector of schools ;

(b) whether it is a fact that this principle is still in operation in the Ambala, Rawalpindi and Multan divisions ;

(c) the circumstances and reasons which have led to a departure being made from this recognised practice in the case of Lahore division ;

(d) whether the Honourable Minister is prepared to reconsider this question and put a Muslim Inspector or Deputy Inspector in the Lahore division ?

The Honourable Mr. Manohar Lal : (a) No, particularly in the case of officiating appointments.

(b), (c) & (d) do not arise.

“ REPORTER ON BOOKS AND ‘ PROFESSOR OF ZOOLOGY ’
IN THE GOVERNMENT COLLEGE, LAHORE. ”

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

(a) if he has noticed a short note published in the ‘ *Ingilab* ’ newspaper of the 10th October 1927, relating to the filling of the posts of ‘ Reporter on Books ’ and ‘ Professor of Zoology ’ in the Government College, Lahore ;

(b) the true position with regard to these posts ?

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

(b) (1) In the leave arrangements of Mr. Matthai, Mr. Anand Kumar has been appointed as officiating Professor of Zoology, Government College, Lahore, on Rs. 800 per mensem, for the period from the 26th September, 1927, to the 30th June, 1928. His pay as Reader, Punjab University, was Rs. 750 per mensem.

2. Mr. Rang Behari Lal is officiating as Reporter on Books.

REPRESENTATION OF MUSLIMS IN THE FAMOUS INTERMEDIATE COLLEGES.

*509. **Shaikh Fair Muhammad :** Will the Honourable Minister for Education kindly state—

- (a) if his attention has been drawn to the leading articles in the 'Inqilab' newspaper, dated the 7th October, 1927, in regard to the alleged pro-Hindu policy of the Ministry of Education;
- (b) whether the facts and figures quoted in the articles are correct;
- (c) the true position with regard to the representation of Muslims in the various Intermediate colleges;
- (d) the reasons which justified the promotion of some Junior Hindus to the higher grades in preference to the Muslims senior to them?

The Honourable Mr. Manohar Lal : (a) I have seen the copy of the 'Inqilab' since the honourable member has sent in his question.

(b) No.

(c) The honourable member is referred to the answer given to Council questions Nos. 1961—1975.

(d) It is not correct to say that any junior Hindus have been thus promoted. The 'Inqilab' refers to certain cases. The facts are :—

- (1) **Mr. Daulat Ram Bhatia.**—The honourable member is referred to the answer given to Council question No. 417, but I may state for the honourable member's information that Mr. Bhatia was a distinguished M. Sc. in Zoology of the Punjab University, and recently returned with a Doctorate in Zoology for research work in the University of Cambridge, and has a large number of published papers to his credit.
- (2) **Mr. Gombi Parshad.**—The honourable member is referred to the answer given to Council question No. 417.
- (3) **Lala Indar Bhan.**—No such person has been promoted.
- (4) **Lala Bhagwan Das Chhabra.**—M. Sc. 1st class in Physics with teaching experience of over 10 years in a Degree College. He has been appointed to officiate in a temporary vacancy in the Provincial Educational Service.
- (5) **Lala Raja Ram, Sekhri.**—M. A. in Mathematics with teaching experience was appointed at the time of the establishment of new Intermediate Colleges in the lowest grade of Rs. 140—190 in the Subordinate Educational Service in which Lecturers are ordinarily appointed.
- (6) **Dr. Vishwa Nath, M. Sc., Zoology (Punjab), Ph.D.,** Zoology for research work at Cambridge, has published more than a dozen papers in England including some in Proceedings of the Royal Society, and his work in Cytology is regarded as of the highest order by Professors at Cambridge and other places. He was for some time Research Professor of Biology and was

*Volume VIII B, pages 1167-1181, and page CXLI of Appendix VIII.

*Pages 970-72 ante.

Principal of the Mohindra College, Patiala at the time of his appointment in Government College. He has been appointed Professor of Zoology in the vacancy caused by Professor Matthai's leave.

REMISSION OF SCHOOL FEES.

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

- (a) if he has read a letter headed 'Ministry of Education' in the *Muslim Outlook*, dated the 14th October 1927 ;
- (b) the orders which have been passed by the Honourable Minister in regard to the demand for the total remission of fee for the sons of poor agriculturists in general and the Bheel boys of the criminal tribes in particular ?

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

(b) The matter is under consideration.

SMALL TOWN COMMITTEE, ZAFARWAL.

***597. Khan Muhammad Abdullah Khan :** (i) Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that in the recent elections for the Small Town Committee at Zafarwal in the Sialkot district held in May 1927, three seats have gone to Hindus and two to Muhammadans ;
- (b) whether in this election Muhammadans have been duly represented according to their population ?
- (ii) If the answer to part (a) above be in the affirmative and to (b) in the negative, will Government consider the advisability of so arranging the Hindu and Muhammadan wards in that town as to ensure proportionate representation of Hindus and Muhammadans in future ?

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

(b) Yes.

(ii) Does not arise.

MOTOR FARES BETWEEN ZAFARWAL AND NAROWAL.

***598. Khan Muhammad Abdullah Khan :** Will the Honourable Member for Revenue be pleased to state —

- (a) whether it is a fact that the fares for lorries and motors plying for hire between Zafarwal and Narowal in the Sialkot district, a distance of only 17 miles, vary from annas four to rupees two per head ;
- (b) the reason for such an extraordinary variation in the rates of hire

[Khan Muhammad Abdullah Khan.]

- (c) whether the lorries and motors plying for hire between the two above mentioned places are overloaded by the owners and there is no one there to check or control this irregularity ;
- (d) whether Government proposes to issue necessary instructions to the civil or police authorities to check this irregularity ?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to the honourable member's question is not yet ready. It will, however, be communicated to him as soon as it is ready. An enquiry on the subject of the honourable member's question has been addressed to the Deputy Commissioner of Sialkot but he has not as yet been able to submit a report.

NOMINATIONS TO SMALL TOWN COMMITTEES.

***599. Khan Muhammad Abdullah Khan :** Will the Honourable Minister for Local Self-Government be pleased to state whether there are any rules or orders framed under the Small Towns Act authorizing the Extra Assistant Commissioners or Tahsildars in charge of the Small Town Committees and the Deputy Commissioners of the districts to submit to the Commissioners recommendations for nomination of members to the Small Town Committees in the Punjab ? If so, will he kindly lay a copy of such rules or orders on the table ?

The Honourable Malik Firoz Khan, Neon : No such rules or orders are in existence, but it is and has always been the practice for Deputy Commissioners to submit recommendations in respect of the appointment of members of local bodies.

RAILWAY EXTENSION TO ZAFARWAL.

***600. Khan Muhammad Abdullah Khan :** With reference to the answer to part (iv) of starred question No. 272, asked on 18th July last will the Honourable Revenue Member kindly state when the result of the investigation of a possible railway extension to Zafarwal will be known ?

The Honourable Mian Sir Fazl-i-Husain : The prospects of the proposed broad gauge extension from Kila Sobha Singh to Zafarwal were found to be so poor that the Agent, North-Western Railway, has been asked to advise on the prospects of a narrow gauge tramway.

RAILWAY FROM NAROWAL TO ZAFARWAL.

***601. Khan Muhammad Abdullah Khan :** Will the Honourable the Revenue Member be pleased to state whether the information promised in answer to part (b) of question No. 8682 asked on 23rd October 1926, is now ready ? If so, will he please lay it on the table ?

The Honourable Mian Sir Fazl-i-Husain : The railway authorities did take into account the points mentioned, and, in consultation with the local civil authorities decided that a line from Kila Sobha Singh to Zafarwal gave the Zafarwal area good communication with both to Narowal (the tahsil headquarters) and to Sialkot (the district headquarters) which a line to Narowal does not.

BUFFALO BULLS.

***602. Khan Muhammad Abdullah Khan :** Will the Honourable Minister for Local Self-Government be pleased to state whether any Small Town Committees in the Sialkot district have kept buffalo bulls? If the answer be in the negative, does Government propose to issue instructions to the Small Town Committees to keep buffalo bulls?

The Honourable Malik Firoz Khan, Noon : Government have no information and do not think it necessary to interfere in the exercise of the discretion of town committees in this matter. The committees themselves are the best judges of their needs and financial resources.

CLERICAL STAFF, DEPUTY COMMISSIONER'S OFFICE, AMRITSAR.

***603. Khan Muhammad Abdullah Khan :** Will the Honourable the Revenue Member be pleased to state—

- (a) the present number of candidates community-wise in the Deputy Commissioner's office, Amritsar;
- (b) the present strength of the clerical staff of the English office of the Deputy Commissioner, Amritsar, and the number of Muhammadans on the staff?

The Honourable Mian Sir Fazl-i-Husain : (a) The present number of candidates community-wise in the Deputy Commissioner's office, Amritsar, is as detailed below :—

	<i>For Senior grade.</i>		<i>For Junior grade.</i>	
Muhammadans	..	2	..	12
Sikh	7
Hindus	..	2	..	13
Total	..	4	..	32

(b) Present strength of the clerical staff of the English office of the Deputy Commissioner, Amritsar, is as under :—

Muhammadans	..	..	6
Others	..	..	13
Total	..	..	19

ATTENDANCE OF CLERKS ON HOLIDAYS.

***604. Khan Muhammad Abdullah Khan :** (a) Will the Chief Secretary please state whether it is a fact that individual clerks in certain offices in and under the Punjab Civil Secretariat are put on duty on holidays notified for observance in public offices?

[Khan Muhammad Abdullah Khan]

(b) If so, will he be pleased to state why the Punjab Government Notification No. 34745, dated the 24th November 1926, which provides that the holidays notified for public offices *should be given to all Government servants*, is not strictly adhered to?

Mr. H. W. Emerson : The honourable member is referred to the answer given to his previous question No. 3207, in June 1926, and to the answer given to Council question No. 527 asked by Mian Beli Ram on the 26th July 1921.

SUPERINTENDENTS IN THE OFFICE OF THE PRIVATE SECRETARY TO
HIS EXCELLENCY THE GOVERNOR.

*605. **Khan Muhammad Abdullah Khan :** (a) Will the Chief Secretary please state if it is a fact that the clerks employed in the office of the Private Secretary to His Excellency the Governor, Punjab, form part of the Civil Secretariat cadre of clerks?

(b) If so, will he be pleased to state the number of Superintendents appointed in the Private Secretary's office since 1921 and how many of them were Muhammadans?

Mr. H. W. Emerson : The answer to the first part of the honourable member's question is in the affirmative.

Since 1921 three Superintendents have held this appointment, of whom 2 have been Hindus and one a Sikh.

OFFICIAL MEMBERS OF SMALL TOWN COMMITTEES.

*606. **Khan Muhammad Abdullah Khan :** Will the Honourable the Minister for Local Self-Government kindly lay on the table a statement in the following form showing the names of persons recommended by the Deputy Commissioners for official membership of the Small Town Committees in the Punjab since their constitution and approved of by the Commissioners of the divisions—

District.	Year.	Names of Small Town Committees.	Names of persons recommended by the Deputy Commissioners or Extra Assistant Commissioners in charge of the Small Town Committees.	Names of persons approved of by the Commissioners.	Reasons in case of persons not approved of by the Commissioners.

The Honourable Malik Firoz Khan, Noon : Government are of opinion that it is not desirable to disclose the recommendations of local officers in such cases.

FREE TRAVELLING OF POLICE OFFICIALS IN MOTOR LORRIES.

***507. Khan Muhammad Abdullah Khan :** (a) Has it come to the notice of the Honourable the Finance Member that police constables and officers when going on official or private business from one station to another make use of the motor lorries plying for hire between various places in the Punjab without paying any fare, and that if fare is demanded by the owners of lorries the policemen threaten them?

(b) If so, does Government propose to issue necessary instructions to the police authorities to instruct the police officers and men that they should pay usual fares to the owners of motor lorries whenever they travel in lorries to go from one station to another whether on Government or private business?

The Honourable Sir Geoffrey deMontmorency : The answer to the first part of the question is in the negative, but the Inspector-General of Police is issuing instructions on the subject.

ROYALTY FOR THE STONES COLLECTED FROM THE SHAMILAT FOREST OF KANGRA DISTRICT.

***608. Chaudhri Ram Singh :** (a) Will the Honourable Member for Revenue please state whether it is a fact that the amount realised from the Public Works Department as royalty for the stones collected from the shamilat forests of the Kangra district has been entered for the last ten years as receipt under the head 'Land Revenue'?

(b) If so, will the Honourable Member please state whether Government intends to distribute the zamindars' share of this amount amongst the owners of the shamilat forests?

The Honourable Mian Sir Fazl-i-Husain : Enquiries are being made, the result will be intimated to the honourable member in due course.

ALLEGATIONS OF THE "ZAMINDAR" AGAINST SWAMI DAYA NAND SARASWATI.

***609. Chaudhri Ram Singh :** Will the Honourable Member for Finance please state—

(a) if he is aware that the "*Zamindar*" of Lahore in its issue, dated the 2nd October 1927, has published an article wrongly alleging that Swami Daya Nand Saraswati, the revered founder of Arya Samaj, was in favour of sacrificing cows;

(b) whether the Government is aware of the fact that Hindus and the Arya Samajists entertain great regard for the cow;

(c) if the answer to the above be in the affirmative, does Government propose to take legal action against the said newspaper?

The Honourable Sir Geoffrey deMontmorency : The actual statement made in the article referred to was that in an edition of the *Satyarth Parkash*, dated 1875, it was urged that cow sacrifice is of advantage to the world and should not be stopped. Such a statement does not appear to Government to afford in itself any reasonable ground for prosecution.

COMMUNAL REPRESENTATION IN THE POLICE FORCE.

***610. Chaudhri Ram Singh :** With reference to the answer given to unstarred question No. 279, on 21st July 1927, will the Honourable Member for Finance please state—

- (a) if it is a fact that the proportion of Hindus and Sikhs in all the lower as well as the higher ranks of police service is very small ;
- (b) if it is also a fact that during Hindu-Muslim riots allegations have been made that Muslim policemen have helped the Muslim rioters ;
- (c) if the answer to the above be in the affirmative, does Government propose to increase the number of Hindus and Sikhs employed in the Police Department and also to post Hindus and Muslims in various thanas in such a way as to avoid the preponderance of any one community in any place and the consequent countenance of the actions of that community by the policemen ?

The Honourable Sir Geoffrey de Montmorency : (a) The disparity is not general. In the lower ranks of the force there is a preponderating element of Muhammadans. In the higher ranks the proportion of Hindus and Sikhs corresponds more closely with the proportion which these communities bear to the total population.

(b) Such allegations were made but after investigation were found not to have been substantiated.

(c) The Police Department is at all times prepared to enlist a due proportion of Hindus and Sikhs if suitable applicants present themselves. At present they do not present themselves for enlistment in the lower ranks in any great numbers. Postings to police stations are invariably made in such a way as to cause the most equitable division of numerical strength among the various communities and this policy will not be altered.

CORRUPTION.

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

- (a) if it is a fact that Government has decided to take prompt action against any officer who is charged with corruption and maltreatment by appointing a commission of enquiry ;
- (b) whether any instructions have been likewise issued to the heads of departments ?

(ii) Will the Honourable the Finance Member be pleased to lay those instructions on the table ?

The Honourable Sir Geoffrey de Montmorency : (i) (a) and (b) The honourable member is referred to the answer given to Council question No. 378.

(ii). No.

COMMISSION TO ENQUIRE INTO COMPLAINTS AGAINST HEAD-MASTERS.

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

- (a) whether any commission consisting of retired provincial civil service officers has been appointed to inquire into complaints against certain headmasters;
- (b) the result of such enquiries?
- (c) the number of such Head-masters against whom complaints have been received and whose cases have been enquired into by the Commission?

The Honourable Mr. Manohar Lal: (a) No. Certain retired officers with judicial experience have, however, been employed from time to time to assist in the conduct of departmental enquiries into charges of misconduct against officials.

(b) and (c) Do not arise.

LILAN BOMB CASE.

***613. Chaudhri Afzal Haq:** Will the Honourable the Finance Member be pleased to state whether in his judgment in Lilan bomb case the learned Sessions Judge of Ludhiana made any remark against the conduct of any investigating officers?

If so, whether Government took any action against the officer or officers concerned?

The Honourable Sir Geoffrey deMontmorency: Yes. Departmental action was taken as judicial proof was wanting.

ABOWAL EXCISE CASE.

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

- (a) whether it is a fact that the Sessions Judge, Ludhiana, in his judgment in the Abowal excise case made certain remarks against an investigating officer;
- (b) whether it is a fact that the learned Sessions Judge invited the attention of the Police Superintendent to his remarks;
- (c) if it is a fact that so far no step has been taken;
- (d) the cause of such delay and the names of those who are responsible for the delay?

The Honourable Sardar Jogendra Singh: The answer to this question is not yet ready. It will be communicated to the honourable member when ready.

QUTAB DIN, HEAD CONSTABLE OF POLICE, LUDHIANA.

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

- (a) if it is a fact that Qutab Din, Head Constable of Police, Ludhiana, made some serious allegations against his officers in his case diaries;

[Chaudhri Afzal Haq]

(b) if it is a fact that the said Qutab Din had written in his case diaries that he is willing to prove the allegations if he is called upon to do so ;

(c) if it is a fact that the said Head Constable was dismissed from the police force for insubordination without his being called upon to prove his allegations ;

(d) if there has been any departmental enquiry by officers other than by those against whom the allegations were made ?

The Honourable Sir Geoffrey de Montmorency : (a) It is a fact that the Head Constable made unjustified remarks and allegations against his superiors in the case diaries of a case he was investigating.

(b) Yes.

(c) Yes, the sentence being reduced to one of reduction on appeal to the Deputy Inspector-General of Police.

(d) No, because the allegations were palpably untrue.

ENQUIRY INTO THE CONDUCT OF POLICE OFFICERS, LUDHIANA.

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

(a) if it is a fact that some prominent legal practitioners invited the Government through Press to hold enquiry into the conduct of certain police officers of Ludhiana ;

(b) if it is a fact that Government have not so far instituted any enquiry ;

(c) if he is aware of the general impression created in the mind of the public that Government wishes to shield these officers ?

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

(b) Yes.

(c) No.

ENQUIRY INTO THE CONDUCT OF POLICE OFFICERS, LUDHIANA.

***617. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether the Government proposes to issue a *communiqué* as to why in spite of the demand of a number of responsible citizens of Ludhiana it has not so far appointed any commission to enquire into the conduct of Ludhiana police officers ?

The Honourable Sir Geoffrey de Montmorency : Government does not propose to issue any such *communiqué*.

ENQUIRY INTO THE CONDUCT OF POLICE OFFICERS, LUDHIANA.

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

(a) whether the Government is aware of the fact that, for the last four months great agitation is going on in the Press and plat-

form against the conduct of certain police officers in the Ludhiana district;

- (b) whether it is a fact that fortnightly meetings are held in Ludhiana attended by thousands of citizens to urge on the Government to hold an open enquiry;
- (c) whether any action has been taken by the Government in this respect?

The Honourable Sir Geoffrey de Montmorency: (a) Government is aware that such an agitation has been engineered.

(b) Government is not aware of this.

(c) Beyond enquiries made by local and inspecting officers no action has been taken.

ENQUIRY INTO THE CONDUCT OF POLICE OFFICERS, LUDHIANA.

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

- (a) if it is a fact that a deputation consisting of pleaders, traders and municipal commissioners waited upon the Commissioner of the division and charged responsible police officers of Ludhiana with certain definite and serious allegations;
- (b) if it is a fact that another deputation of influential men of the district again waited upon the Inspector-General of Police very recently to request him to hold an open enquiry into the allegations against Ludhiana police officers;
- (c) what action, if any, the Government has taken on the request of the deputationists?

The Honourable Sir Geoffrey de Montmorency: (a) Such a deputation waited on the Commissioner and made certain allegations, which were found to be without foundation.

(b) No.

(c) Beyond enquiries made by local and inspecting officers Government has taken no action.

UNSTARRED QUESTIONS AND ANSWERS.

CATTLE FAIRS.

358. Mr. E. Maya Das: (i) Will the Honourable Minister for Local Self-Government be pleased to lay on the table a statement showing—

- (a) the number of cattle fairs held by the various municipal committees in the province during the last financial year; and
- (b) the income received from each fair?
- (ii) Did these municipal committees incur any expenditure on the improvement of cattle-breeding or on fighting cattle diseases, apart from prizes given at fairs; if so, to what extent?

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

[Hon. Malik Firoz Khan Noon.]

Statement showing the number of cattle-fairs held by various municipal committees in the Punjab during the financial year 1926-27, the income realised, and the expenditure, if any, incurred by them on the improvement of cattle-breeding or on fighting cattle-diseases.

Serial No.	Name of division.	Name of municipal committee.	(a) Number of cattle fairs held during the financial year 1926-27.	(b) Income realized.	(b) (ii) Expenditure incurred during the financial year 1926-27 on the improvement of cattle-breeding or on fighting cattle-diseases a part from prizes given at fairs.	REMARKS.
1	Lahore	Amritsar	2	Rs. 67,134	NIL.	These fairs are held weekly on Sundays and Tuesdays, respectively.
2	Ambala	Beir	2	392	NIL.	
3	Rawalpindi	Mianwali	51	8,464	NIL	
		Isakhel	52	796	NIL	
4	Multan	Chiniot	Number not specified.	175	NIL	4. The Municipal committee of Multan, however, paid to the district board an annual contribution of Rs. 100 for the Multan cattle fair and Rs. 700 towards the expenses of the veterinary hospital. Similarly, the municipal committee of Lyallpur paid an annual contribution of Rs. 350 during the year 1926-27 to the district board of Lyallpur towards the maintenance of the veterinary hospital at Lyallpur.

The committee is maintaining a bull stallion for the improvement of cattle-breeding and the actual amount spent last year was Rs. 185 of which Rs. 84 was contributed by the district board of Kangra.

Rs. 300 was spent on a veterinary exhibition in which useful specimens of cattle were exhibited along with bad and useless animals in order to impress upon the people the advantages of paying proper attention to breeding. The committee is also defraying annually a moiety of the charges of the maintenance of a Hissar bull kept by the district board within municipal limits. Its share of the charges amounted to Rs. 103 last year.

Rs. 100 and Rs. 20 on account of annual contribution for the year 1925-26 were paid by the municipal committees of Ludhiana and Jagraon respectively to the district board of Ludhiana during the last financial year for the maintenance of the veterinary hospitals at Ludhiana and Jagraon, and besides this no sum was spent on the improvement of cattle-breeding or on fighting cattle diseases.

5	Jallundur	..	Dharmasala	..	..	..
			Jallundur	..	1	8,545
			Ludhiana Jagraon	} ..	..	..
			Muktesar	..	1	12,806
			Zare	..	1	4,356
			Abchar	..	1	2,509
						NIL.
						NIL.
						NIL.

CENSUS OF PLOUGHS.

359. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state whether a census of ploughs has been taken? If so, will he be pleased to state the number of ploughs worked by animals in each district?

The Honourable Sardar Jogendra Singh : A census of ploughs is taken quinquennially along with the census of cattle. For the latest published information the honourable member is referred to statement No. VII of the Season and Crop Report of the Punjab for the year 1925-26.

GRANTS TO DISTRICT BOARDS.

360. Mr. E. Maya Das : Will the Honourable the Minister for Agriculture be pleased to state whether grants to district boards given by the Communications Board for construction of new roads are given so much for a road irrespective of the consideration whether the work is completed in one year or spread over a number of years, or whether the grants are given year by year?

The Honourable Sardar Jogendra Singh : As far as possible "year by year."

WELLS IN JULLUNDUR DISTRICT AFFECTED BY WATER TABLE.

361. Mr. E. Maya Das : (i) Will the Honourable Revenue Member be pleased to lay a statement on the table showing—

- (a) the number of wells in the Jullundur district affected by the fall in the water table;
- (b) the extent of the area affected;
- (c) the number of wells that have been so bored as to draw their supply from the lower water table;
- (d) what facilities have been placed in the way of well owners to encourage them to get their wells bored so as to draw their water supply from a lower water table?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

VETERINARY COLLEGE, LAHORE.

362. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to lay a statement on the table showing—

- (a) the number of cases that were admitted for treatment during the last financial year, at the Veterinary College, Lahore, under the Act for the Prevention of Cruelty to Animals;
- (b) the cost of treatment of these animals;
- (c) the cost that was recovered from the owners and the cost that has not been recovered?

The Honourable Sardar Jogendra Singh : (a) One thousand one hundred and three cases were admitted for treatment during the last financial year at the Punjab Veterinary College Hospital, Lahore, under the Act for the Prevention of Cruelty to Animals.

(b) These animals are treated free at the hospital, Government supplying medicines and medical attendance gratis. Stable expenses, gear and attendance for all the animals and food for unclaimed animals are supplied by the Society for Prevention of Cruelty to Animals.

(c) Owners of these cases have to feed their own animals.

CHRISTIAN REPRESENTATION ON MUNICIPAL COMMITTEES.

363. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to lay a statement on the table showing the names of municipal committees where the Christian community is entitled to half a member or more according to the formula, population *plus* voting strength = nominated *plus* elected members.

The Honourable Malik Firoz Khan, Noon : The municipalities are Simla, Lahore and Sialkot.

TRADE UNIONS.

364. Mr. M. A. Ghani : Since the Indian Trade Unions Act has come into force, will the Honourable Member for Revenue be pleased to answer Council question No. 117 put by me on the 15th March 1927 ?

The Honourable Mian Sir Fazl-i-Husain : Necessary information is being collected and will be communicated to the honourable member when ready.

RULES UNDER THE TRADE UNIONS ACT.

365. Mr. M. A. Ghani : With reference to my starred question No. 119 put on 15th March 1927 and the answer thereto, will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government received any criticism or suggestions on the proposed Punjab Trade Unions Regulations from the Punjab Labour Board, Lahore ;
- (b) whether the criticism and suggestions made by the Punjab Labour Board, Lahore, were considered by the Government ;
- (c) whether the Director of Industries, Punjab, distributed the draft regulations among the associations of workmen in the Punjab ; if so, among what associations of workmen were they thus distributed ?

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

(b) Yes.

(c) A copy of the list of associations to whom the draft regulations were circulated is laid on the table.

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

- (1) The Punjab Labour Board, Lahore, which represents—
 - (i) the Tonga Workers' Union, Lahore.
 - (ii) the Motor Drivers' Union, Lahore.
 - (iii) The North-Western Railway Union, Lahore. (A copy of the regulations was supplied to this body direct as well.)
 - (iv) The Sweepers' Union, Lahore.
 - (v) The Postal Union, Lahore.
 - (vi) The Punjab Patwaris' Union, Lahore.
- (2) Hosiery Association, Ludhiana.
- (3) Weavers' Association, Ludhiana.
- (4) Desi Vastar Panchayat, Ludhiana.
- (5) Textile Association, Ludhiana.
- (6) Weavers' Association, Ropar.

Besides these associations, the following trade unions, representative employers of labour and other bodies were also supplied with a copy of the proposed draft of the Punjab Trade Union Regulations :—

- (1) The Northern India Chamber of Commerce, Lahore.
- (2) The Punjab Chamber of Commerce, Delhi (Lahore Branch).
- (3) Industries Development Board, Ludhiana.
- (4) Rai Bahadur Seth Prabhu Dyal, M.B.E., Mill Owner, Multan.
- (5) Messrs. Allibhoy Wallijee, Multan.
- (6) Lala Manohar Lal, Factory Owner, Jhang.
- (7) Sardar Ujjal Singh, Factory Owner, Mian Channu.
- (8) Lala Bulaqi Ram, Factory Owner, Chichawatni.
- (9) Lala Balmokand Gupta, Birla Cotton Factory, Okara.
- (10) Grain Merchants' Association, Lyallpur.
- (11) Fruit Merchants' Association, Rawalpindi.
- (12) Artis' Association, Rawalpindi.
- (13) Cloth Merchants' Association, Rawalpindi.
- (14) Crump Market Association, Jhelum.
- (15) Merchants' Association, Baha-ud-din.

UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

366. Mr. M. A. Ghani : Since the Indian Trade Unions Act has come into force, will the Honourable Member for Revenue be pleased to answer Council question No. 120 put by me on the 15th March 1927.

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

(b) Does not arise.

(c) Government has no definite information on this point.

UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

367. Mr. M. A. Ghani : With reference to my starred ¹question No. 125 put on 15th March 1927 and the answer thereto, will the Chief Secretary be pleased—

(a) to name the associations to whom the purport of the rules framed by the Government of India for the recognition of unions and associations of Government servants was sent ;

(b) to place a copy of the rules on the table ?

Mr. H. W. Emerson : (a) A copy of the rules was forwarded direct to the Punjab Commission Association, the Punjab Civil Service Association (Executive Branch) and the Punjab Civil Service Association (Judicial Branch). Copies were also forwarded to all Heads of Departments, for necessary action, and if the honourable member so requires, information will be obtained from them in regard to the associations to which they forwarded copies. It may be explained, however, that a copy of the rules will be forwarded on application to any association to which official recognition has been accorded, or to any proposed association which is prepared to comply with the conditions stated in the rules.

(b) Government is not prepared to place a copy of the rules on the table, or to publish them for general information.

UNIONS OR ASSOCIATIONS OF GOVERNMENT SERVANTS.

368. Mr. M. A. Ghani : With reference to the answer given to my starred ²question No. 127 put on the 15th March 1927, will the Chief Secretary be pleased to state the conditions on which the Government has given the right of forming associations to its employees ?

Mr. H. W. Emerson : The honourable member is referred to the answer to part (b) of question No. 367 (above).

LIST OF GOVERNMENT SERVANTS PUNISHED FOR FORMING
A UNION OR ASSOCIATION.

369. Mr. M. A. Ghani : (a) Will the the Chief Secretary be pleased to state whether any Government servant has so far been punished in any way for forming a union or association or taking part in it ?

(b) If so, would he kindly place a list on the table of such servant or servants showing—

- (i) the name or names of such servant or servants ;
- (ii) the name or names of the service or services to which he or they belonged ;
- (iii) the name or names of the place or places where he was or they were last posted ;
- (iv) a brief statement of his or their activities for which he was or they were punished ?

¹Vol. X-A, page 428.

²Vol. X-A, page 428.

Mr. H. W. Emerson: (a) No, so far as Government is aware. If the honourable member has any information of any such case and will communicate it to me, I will make enquiries.

(b) Does not arise.

PEONS' UNION.

370. Mr. M. A. Ghani: Will the the Chief Secretary be pleased to state—

- (a) whether he is aware that the peons of different Government departments lately organised themselves into a union ;
- (b) whether it is a fact that the Registrar of the High Court called for an explanation from the High Court peons for their joining the union ;
- (c) whether it is a fact that the High Court peons were severely reprimanded for joining the union ;
- (d) the reasons for the Registrar's action ?

Mr. H. W. Emerson: (a) Yes, as a result of the honourable member's question.

(b) Yes.

(c) Yes.

(d) As the association had neither applied for nor received recognition by Government, the conduct of the peons was contrary to rules.

THE PUNJAB PATWARIS' AND KANUNGOS' ASSOCIATION.

371. Mr. M. A. Ghani: With reference to the answer given to Council question No. 129 (starred) put by me on 15th March 1927, will the Honourable the Revenue Member be pleased to state the number of patwaris and kanungos found on enquiry to be members of the Punjab Patwaris' and Kanungos' Association ?

The Honourable Mian Sir Fazl-i-Husain: The information asked for is not available and no such inquiry has been considered necessary.

UNIONS OF GOVERNMENT SERVANTS.

372. Mr. M. A. Ghani: Will the Chief Secretary be pleased to state what percentage of members of a particular Government service should form a union in order that it may be recognised by the Government ?

Mr. H. W. Emerson: No percentage has been fixed by Government.

ENQUIRY INTO THE ECONOMIC CONDITION OF THE PEOPLE OF THE PUNJAB.

373. Mr. M. A. Ghani: With reference to Council question No. 181 (starred) put by me on the 15th March 1927, and the answer thereto, will

the Honourable Member for Revenue be pleased to state whether the Government is prepared to hold an enquiry into the economic condition of the people of the Punjab? If not, would he be pleased to state the reasons for not holding such an enquiry?

The Honourable Mian Sir Fazl-i-Husain: It is not known what form of enquiry the honourable member desires should be made. He is referred to the Report of the Indian Economic Enquiry Committee of 1925, a copy of which is laid on the table. The recommendations made in that report have been the subject of correspondence between the Punjab Government and the Government of India.

The Board of Economic Enquiry, Punjab, which is assisted by a Government grant, has also conducted enquiries into particular subjects. The honourable member is referred to the publications of the Board.

PROVIDENT FUND FOR REVENUE PATWARIS.

374. Mr. M. A. Ghani: Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that a provident fund for the revenue patwaris was sanctioned by the Punjab Government in 1921;
- (b) whether it is a fact that the Punjab Government referred the matter to the Government of India, asking them to get the sanction of His Majesty's Secretary of State for India in Council;
- (c) when was the matter referred to the Government of India;
- (d) whether the required sanction has now been given by the Secretary of State for India in Council;
- (e) when does he expect to get the required sanction;
- (f) what steps have so far been taken by him to get the required sanction?

The Honourable Mian Sir Fazl-i-Husain: (a), (b) & (c) The Patwaris' Provident Fund scheme was referred to the Government of India in March 1920.

(d), (e) & (f) It was sanctioned by the Government of India only in August 1927, and the Director of Land Records has since been asked to submit his detailed proposals to start the scheme.

PROVIDENT FUND FOR REVENUE PATWARIS.

375. Mr. M. A. Ghani: Will the Honourable Member for Revenue be pleased to lay a statement on the table showing briefly the scheme for the provident fund for the revenue patwaris as recommended by the Punjab Government?

The Honourable Mian Sir Fazl-i-Husain: A copy of the Patwaris' Provident Fund Scheme as recommended by the Punjab Government and approved by the Government of India is laid on the table.

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

RULES FOR THE MANAGEMENT OF THE PATWARIS' PROVIDENT FUND.

1. In these rules "salary" includes (a) pay including any portion of it deducted on account of fine, (b) local allowance, and (c) personal allowance.

2. Every permanent patwari appointed as such after the introduction of these rules shall be required to join the Provident Fund.

3. No permanent patwari appointed as such before the introduction of these rules shall be bound to join the Provident Fund; but every such patwari shall be at liberty to do so at any time after the introduction of these rules.

4. No assistant patwari, settlement patwari or officiating patwari shall be eligible for joining the Provident Fund.

5. A deduction of $3\frac{1}{4}$ per cent. or half an anna in the rupee shall be made from the salary of every patwari who has joined the Provident Fund; and all deductions made under this rule from the salary of any patwari shall be credited to that fund as his subscription thereto. In making such deductions fractions of a rupee of salary shall not be taken into account.

6. All deductions made under rule 5 from the salary of any month shall be shown in the salary bill for that month.

7. An account of the Provident Fund shall be opened at the Post Office Savings Bank in the name of the Deputy Commissioner as its manager, and a ledger shall be maintained for that fund in the District Kanungo's office in Form A appended to these rules. Immediately after the salary bill for any month has been cashed, all the sums to be credited to the Provident Fund shall be posted in the ledger and paid into the Savings Bank.

8. All amounts credited to the Provident Fund on account of interest and all amounts debited to that fund on account of payments under rule 11 shall also be posted without delay in the Provident Fund ledger mentioned in the preceding rule.

9. No voluntary deposits from patwaris shall be credited to the Provident Fund, nor shall any patwari be permitted to subscribe to that fund while he is officiating in any other post.

10. A separate account in Form B shall be kept and written up in the District Kanungo's office on account of every patwari who has joined the Provident Fund and a copy of this account showing every payment credited with interest thereon shall be furnished to every such patwari as soon as possible after the close of the financial year to which the account relates.

11. The whole of the amount standing at the credit of a patwari on account of his subscriptions to the Provident Fund and the interest thereon shall be withdrawn on his decease or retirement or on his ceasing to be a patwari by resignation, reduction, dismissal or substantive appointment to some other post and paid to him or if he is dead to his heirs along with any amount due under rule 12 or 14.

12. Except in the case referred to in rule 14 every patwari joining the Provident Fund or in the event of his death his heirs shall be entitled to receive from Government an amount equal and in addition to that due to him under rule 11 subject to any deduction ordered by the Collector

under rule 13. The amount payable under this rule shall be paid when the patwari finally quits Government service.

13. (1) The Collector may withhold the whole or any portion of the amount that would have been otherwise payable to a patwari or his heirs under rule 12 if the patwari is dismissed or his service has not been of approved character or for any other sufficient reason. The amount standing at the credit of a patwari on account of his subscriptions to the Provident Fund and the interest thereon shall in no case be withheld.

(2) An appeal from the order of the Deputy Commissioner passed under this rule may be made to the Commissioner.

14. Where on the retirement of a patwari who has been a permanent patwari for 10 years or more at the time of the introduction of these rules and who joins the Provident Fund at any time after their introduction, it is found that the amount of the gratuity that would have been payable to him under rule 15, if he had not joined that fund is greater than the amount payable to him under rule 12, he shall be paid that gratuity instead of the latter amount.

15. Every patwari who is not bound to join the Provident Fund under rule 2 and who does not join it shall be given on retirement such gratuity as is admissible in his case under the rule sanctioned in that behalf by the Government.

16. Where a patwari is transferred from one district to another, his Provident Fund account shall be closed in the district from which he is transferred and opened in the district to which he is transferred and arrangements shall be made for the necessary adjustment of the Savings Bank accounts of the Provident Funds of the districts concerned.

17. Where any amount due to a patwari or his legal heirs under rule 11 remains unpaid for more than a year it shall be withdrawn and credited to Government and the subsequent payment of it shall be governed by ordinary rules regarding refunds.

18. (1) Ordinarily no withdrawal shall be allowed except as laid down in rule 11. But for special reasons temporary advances, not exceeding 6 months' pay, may be sanctioned by the Financial Commissioner, when the pecuniary circumstances of the patwari are such that the indulgence is absolutely necessary.

(2) The following are examples of occasions on which the grant of advances may be considered :—

(a) to pay expenses incurred in connection with the illness of a subscriber or a member of his family ;

(b) to pay expenses in connection with marriages, funerals, or other ceremonies on which the subscriber's religion renders expenditure obligatory.

Note.—Advances are not confined to the occasions cited in clauses (a) and (b) above.

FORM B.

Punjab Provident Fund Deposit Accounts for the year ending 31st March 19.

No. of Account ———, Name ———, Official Designation ———

Date.	Opening balance.	Deductions from salary.	Interest added at the end of the year (or at the close of an account).	Closing balance (total of columns 2, 3 and 4).	REMARKS.
1	2	3	4	5	6
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	

NOTE.—The columns in this account shall be filled by abstracting the appropriate figures from Form A.

SALARIES OF GOVERNMENT SERVANTS.

376. Mr. M. A. Ghani: (i) Will the Honourable Member for Finance be pleased to state—

(a) when the scale of salaries of different Government servants was revised last;

(b) by what percentage were the salaries of these Government servants increased?

(c) on what basis were those salaries increased?

(ii) Will he kindly give reasons for the disparity of the percentages of the increase of the salaries of different Government servants?

The Honourable Sir Geoffrey deMontmorency: (i) (a) The last general revision of the pay of non-gazetted establishment took effect from 1st October 1920.

(b) The increase given to various classes of Government servants above-mentioned depended, firstly, on the pay they were drawing before revision; and secondly, on the market rates paid for similar kinds of work. Consequently, since the factors which had to be taken into consideration varied for different classes of Government servants, the increases also varied. If the honourable member will refer to the press communiqué which was issued with Punjab Government, Finance Department, endorsement No. 2977 (Finl.), dated the 27th January 1921, he will find information regarding the maximum increases which were granted.

(c) The answer is contained in part (b) above.

[Hon. Sir Geoffrey deMontmorency.]

(ii) The reasons for the disparity of the percentage of the increase of the salaries of those Government servants to which this reply relates were as follows :—

Firstly.—The fact that previous increases had been given in different departments at different times, the result being that in some departments the pay of the Government servants concerned was less inadequate than in other departments and a lower increase was therefore necessary in some departments than in others in order to make the pay adequate ;

Secondly.—The increases given were dependent on the market rates paid for similar kinds of work. Since the differences between the pay previous to revision and the market rates differed in different departments, there were necessarily differences in the increases given ;

Thirdly.—Since the main object of the general revision was to give relief, according to necessity, to the various classes of Government servants in view of the general increase in the cost of living, and since this increase affected more hardly those on lower rates of pay, different percentages of maximum increase were prescribed :—

- (i) For those whose pay and temporary allowance did not exceed Rs. 100 ;
- (ii) For those drawing pay and temporary allowance from Rs. 101 to Rs. 200 ; and
- (iii) For those drawing pay and temporary allowance over Rs. 200.

ENQUIRY INTO THE GRIEVANCES OF SUBORDINATE GOVERNMENT SERVANTS.

377. Mr. M. A. Ghani : Will the Honourable Finance Member be pleased to state —

- (a) if he is aware that there is a general discontent among almost all the Government subordinate servants as regards the insufficiency of their salaries ;
- (b) whether it is intended to hold a general enquiry into the grievances of these subordinate servants ?

The Honourable Sir Geoffrey deMontmorency : (a) Government has not any information to the effect suggested.

(b) No.

REPORT OF THE PUNJAB BRIBERY INQUIRY COMMITTEE.

378. Mr. M. A. Ghani : Will the Honourable Member for Finance be pleased to state what action has been taken by the Government on the report of the Punjab Bribery Inquiry Committee so far as the stopping of bribery in this province is concerned ?

The Honourable Sir Geoffrey deMontmorency : The action which Government can take in a matter of this nature depends in particular cases on the co-operation and help of the public in bringing cases of corruption to Government's notice and fearlessly and honestly assisting in the production of evidence. Government can take general action in certain directions only :—

- (a) By informing the people of its desire to eradicate corruption and of its intention of investigating any complaints. In this connection, the attention of the honourable member is drawn to the replies given to question No. 11, Legislative Council Debates, Volume X, Part A, page 25 and No. 1590, Legislative Council Debates, Volume IV, page 54.
- (b) By ordering its officials to keep a strict watch over their subordinates and to investigate all complaints which appear to be genuine. This is a duty of all officers. The attention of the honourable member is also called to the declaration made by His Excellency the Governor in his address to the Legislative Council on 25th October 1926 ;
- (c) By keeping a check on the acquisition of property by officials. In this connection, the attention of the honourable member is invited to Circulars Nos. 33882 (Home—Gaz.) and 37848 (Home—Gaz.), dated the 17th November and 20th December 1926, respectively, copies of which are laid on the table.
- (d) By keeping the instructions of Government constantly in the view of officials. For this purpose annual statements are called for from Heads of Departments showing the action taken against corrupt officials during the year.
- (e) By providing machinery for the investigation of cases. This machinery already exists in the shape of rules for departmental enquiries, and in his address to the Legislative Council referred to above, His Excellency referred to the possible advisability of creating a special agency for enquiring into such complaints. Such an agency has since been created on an experimental basis. It takes the form of a panel of a few gentlemen selected from among those who have recently retired from the service of Government, of wide judicial or magisterial experience and of known integrity. Whenever it is considered that the services of one of these gentlemen would be useful either for the conduct of a preliminary investigation or to assist in a regular departmental enquiry, arrangements are made accordingly.

2. Government is ready to consider any further practical methods for the diminution of corruption. Government must however make it clear that it is unwilling to contemplate a system of espionage which would be destructive of the moral and prestige of the services, would create an atmosphere of fear and distrust, and would be detrimental in the end to the interests of the public. For the same reason, vague and anonymous accusations cannot be investigated.

[From Sir Geoffrey de Montmorency.]

No. 33882 (Home—Gaz.), dated Lahore, the 17th November 1926.

From—H. D. CRAIK, Esq., C.S.I., I.C.S., Chief Secretary to Government, Punjab,

To—All Heads of Departments in the Punjab.

SUBJECT:—*Control over immoveable property held or acquired by Government servants.*

THE Governor in Council has had under consideration the question whether rule II of the Government Servants Conduct Rules, which prescribes that declarations must be made of immoveable property held or acquired by a Government servant or by his near relations, is sufficiently wide in its terms. The rule as it stands applies only to the acquisition of property by the Government servant himself, or by his wife or any member of his family "living with, or in any way dependent upon" him. Acquisition by a son, brother or nephew not dependent on the official need not be reported.

2. The Governor in Council is of opinion that the rule does not provide Government with sufficient information in regard to its officers' territorial connections or local interests, and he has accordingly decided that so far as the provincial and subordinate services are concerned, acquisitions of immoveable property by the wife, sons, brothers or nephews of a Government servant must in all cases be reported to Government in the Department concerned.

8. I am to request that these instructions may be made known to all Government servants of provincial and subordinate services, and that steps may be taken to ensure that they are complied with.

No. 37348 (Home—Gaz.), dated Lahore, the 20th December, 1926.

From—H. D. CRAIK, Esq., C.S.I., I.C.S., Chief Secretary to Government, Punjab,

To—All Commissioners of Divisions in the Punjab.

SUBJECT:—*Control over immoveable property held or acquired by Government servants.*

I AM directed by the Governor in Council to refer to my circular letter No. 33882-Gaz., dated the 17th November 1926, on the subject noted above, and to request that all Extra Assistant Commissioners serving in your Division may be requested to make a declaration in the enclosed form of the immoveable property in their possession or that held by their wives, sons, brothers or nephews. Particulars in respect of family holdings should be indicated separately.

2. These officers should also be instructed to submit through the proper channels similar declarations in respect of any subsequent acquisitions as they occur.

DECLARATION by _____ of the immovable property held by him and members of his family _____.

NOTES.—(1) All interests in land of a permanent nature, whether ownership, mortgage, or hereditary occupancy, should be entered; also dwelling houses in towns.

(2) Members of a family include the wife, sons, brothers or nephews of the Government servant.

(3) Particulars in regard to family holdings should be indicated separately.

In what district, tahsil, and village situated.	Description of holding, with area and assessment.	How and when acquired (e. g., by inheritance, gift, purchase, etc.)	REMARKS.
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PUNJAB UNEMPLOYMENT COMMITTEE.

379. Mr. M. A. Ghani: Will the Honourable Member for Finance be pleased to state—

- when the Punjab Unemployment Committee was appointed;
- who its members are;
- whether they have submitted their report or not as yet;
- who represents labour on the committee;
- whether it is intended to appoint a labour member on it?

The Honourable Sir Geoffrey deMontmorency: (a) February 1927.

(b) The attention of the honourable member is invited to Punjab Government Gazette notifications No. 4920, dated the 16th of February 1927 and No. 6182-S., dated the 12th of October 1927.

- No.
- The Director of Industries.
- Does not arise.

REGISTRATION OF TRADE UNIONS.

380. Mr. M. A. Ghani: Will the Honourable Member for Revenue be pleased to state—

- how many unions have so far applied to the Registrar of Trade Unions, Punjab, for being registered under the Indian Trade Unions Act?
- the names of those unions;
- the dates on which they applied;
- whether they have been registered under the Act;
- the reasons for the delay in registering them;
- whether it is a fact that this delay is due to want of printed certificates of registration;
- what steps have been taken for getting the certificates printed?

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

(b) (1) The Punjab Motor Drivers Union, Lahore.

(2) The Punjab Tongue Workers' Union, Lahore.

(3) The Upper India Homoeopathic Association, Lahore.

(4) The North-Western Railway Union, Lahore.

(5) The Punjab Revenue Patwaris' Union, Lahore.

(6) The North-Western Railway Audit Union, Lahore.

(c) (1) 29th June, 1927.

(2) 24th August, 1927.

(3) 29th April, 1927.

(4) 8th September, 1927.

(5) 2nd September, 1927.

(6) 16th August, 1927.

(d) Nos. 1, 2 and 3 have been registered, others are under consideration.

(e) From an examination of the dates on which applications were made by the Unions so far not registered, it will be seen that no undue delay has occurred.

(f) No.

(g) Does not arise.

GOVERNMENT STATE SCHOLARSHIP.

381. Mr. M. A. Ghani : Will the Honourable Minister for Education be pleased to state—

(a) the names of the ladies and their academic qualifications recommended by the selection committee for the Punjab Government State Scholarship for professional education in England ;

(b) whether it is a fact that the scholarship is awarded to post-graduate and domiciled ladies of the Punjab only ;

(c) whether it is a fact that it has lately been awarded to one Miss Aparna Devi Das Gupta ;

(d) whether it is a fact that the lady selected is a mere graduate and took her B.A. degree in the 3rd Division appearing in compartment examination only and is not a domiciled Punjabi lady ;

(e) if so, will he kindly state reasons for preferring a lady with lower qualifications to the other two with higher qualifications ?

The Honourable Mr. Manohar Lal :

(a) 1. Aparna Gupta	.. Intermediate	.. First Division.
	B. A.	.. Third Division.
2. Zainab Mahbub Alam.	Intermediate	.. Second Division.
	B. A.	.. Second Division.
	M. A.	.. Third Division.

3. Premwati Thapar	Intermediate	.. Second Division.
	B. A.	.. Second Division.
	M. A.	.. Third Division.

(b) Yes.

(c) Yes.

(d) Miss Gupta's qualifications are stated in the reply to (a) above. She did not pass the B. A. examination in compartments.

(e) The honourable member's attention is invited to the reply given to Council question No. 516 at the last session.

UNANI DISPENSARIES.

382. Mr. M. A. Ghani : (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether he is aware that the majority of the people of the Punjab prefer the Unani system of medicine to the other systems?

(b) If so, does he propose to take steps to establish small Unani dispensaries all over the province?

The Honourable Malik Firoz Khan, Noon : (a) Government are not aware of any such preference.

(b) Government have, at present, no such intention but it is open to local bodies to take steps to this end.

BOGUS MEDICAL DEGREES.

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

(a) whether he is aware that certain people in the province sell bogus medical degrees;

(b) what steps have been taken by him to stop such sale.

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the reply to unstarred question² No. 323. No instances have been brought to notice.

PRICES OF FOOD STUFFS AND OTHER NECESSARIES OF LIFE.

384. Mr. M. A. Ghani : Will the Honourable Minister for Agriculture be pleased to state—

(a) to what extent the prices of food and other necessities of life have increased generally in the Punjab since 1914;

(b) what steps have been taken by the Government to lower the prices since 1920?

¹Page 1023 ante.

²Pages 1037-38 ante.

The Honourable Sardar Jogendra Singh : (a) The current whole-sale prices of 24 articles of general consumption or trade utility at Lahore are published fortnightly by the Director of Land Records, Punjab, in *Punjab Gazette* and all leading newspapers together with the average price of these commodities during the pre-war period 1910-14 and a percentage of present and pre-war prices. The data published for the first fortnight of October, 1927, shows that for the commodities published the average increase in current over pre-war prices amounted to 47 per cent.

(b) Prices are regulated by factors beyond the control of Government.

FREE QUARTERS FOR GOVERNMENT SERVANTS.

385. Mr. M. A. Ghani : Will the Honourable Member for Finance be pleased to state whether free quarters are provided for Government servants drawing less than Rs. 40 per mensem ?

The Honourable Sir Geoffrey de Montmorency : Free quarters are not ordinarily provided for Government servants drawing less than Rs. 40 per mensem. As an exception free quarters are ordinarily granted to Government servants including menials and artisans who are required by the nature of their duties to be permanently resident on the spot at the place of their duty.

ORPHANAGES, POOR HOUSES AND WIDOW HOMES.

386. Mr. M. A. Ghani : Will the Honourable Member for Finance be pleased to state how many (a) orphanages, (b) poor houses, (c) widow homes for (i) Europeans, (ii) Anglo-Indians, (iii) Indian Christians, (iv) Hindus, (v) Moslems, (vi) Sikhs, (vii) untouchables, (viii) other depressed classes, there are in the Punjab run by (a) private individuals, (b) private institutions, (c) Europeans, (ii) Hindus, (iii) Moslems, (iv) Sikhs, (c) District Boards, (d) Municipalities and (e) Government ?

The Honourable Sir Geoffrey de Montmorency : The information is being collected and will be communicated to the honourable member when complete.

GOVERNMENT OR STATE-AIDED SCHOOLS.

387. Mr. M. A. Ghani : Will the Honourable Minister for Education be pleased to state—

- (a) the number of Government or State-aided schools specially meant for (i) labour classes, (ii) depressed classes in the Punjab ;
- (b) the places where they are situated ;
- (c) the standard up to which education is imparted there ;
- (d) the number of students attending those schools ;
- (e) whether any fee is charged or not ;
- (f) if charged, what amount is charged ?

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

Factories and Mills.

388. Mr. M. A. Ghani : Will the Honourable Revenue Member be pleased to lay a statement on the table showing—

- (a) the names of the factories and mills in the Punjab ;
- (b) the names of the proprietor or proprietors of those factories and mills ;
- (c) the names of the places where they are situated ;
- (d) the number of labourers and workmen employed there ?

The Honourable Mian Sir Fazl-i-Husain : As to factories and mills registered under the Indian Factories Act and the number of persons employed therein, the attention of the honourable member is invited to Statements II, III and IV appended to the Annual Report on the working of the Indian Factories Act in the Punjab, a copy of which is laid on the table. It is regretted that information as to the names of the proprietor or proprietors of those factories and mills is not readily available.

EDUCATIONAL FACILITIES FOR WORKMEN IN FACTORIES OR MILLS.

389. Mr. M. A. Ghani : Will the Honourable Member for Revenue be pleased to state—

- (a) whether there are any factories or mills in the Punjab which have schools for the labourers and workmen attached to them ;
- (b) If so, the names of those factories and the places where they are situated ;
- (c) whether in any factory or mill in the Punjab women are employed ; if so, how many are so employed ;
- (d) whether any factory or mill employing women has any system of maternity benefits ; if so, the names of those factories and mills and the places where they are situated ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

(c) Yes. 7,688 women in the year 1926. Present figures are not available.

(d) No, as far as is known.

PENSION RULES.

390. Mr. M. A. Ghani : (a) Will the Honourable Member for Finance be pleased to state whether it is a fact that the rules re pensions of Government servants have recently been changed ;

(b) If so, will he kindly place a copy of the rules on the table ?

The Honourable Sir Geoffrey de Montmerency :

(a) No.

(b) Does not arise.

ACCIDENTS IN FACTORIES AND MILLS.

391. Mr. M. A. Ghani: Will the Honourable Member for Revenue be pleased to lay a statement on the table showing—

- (a) the number of accidents which occurred in the various factories and mills in the Punjab in (i) 1926, (ii) 1927 (up to 30th of June);
- (b) the number of labourers and workmen (i) killed, (ii) permanently disabled, (iii) temporarily disabled in those accidents;
- (c) whether any compensation was paid under the Indian Workmen's Compensation Act to all those labourers and workmen mentioned in (b);
- (d) the amount of compensation paid in each case?

The Honourable Mian Sir Fazl-i-Husain:

- (a) (i) During 1926 528 accidents.
- (ii) During the half year ending 30th June 1927. Information is being collected and will be communicated to the honourable member when ready.
- (b) (i) During 1926 15 fatal.
20 resulted in permanent disablement.
488 resulted in temporary disablement.
- (ii) During the half year ending 30th June 1927. As in (a) (ii).
- (c) (i) During 1926 Compensation was paid to the victims or the dependents of the deceased in 461 cases.
- (ii) During the half year ending 30th June 1927. Information is not available.
- (d) (i) During 1926 The total amount of compensation paid was Rs. 89,958-15-0. Information relating to individual cases is not available.
- (ii) During the half year ending 30th June 1927. As in (c) (ii).

PROSECUTIONS UNDER THE INDIAN FACTORIES ACT.

392. Mr. M. A. Ghani: Will the Honourable Member for Revenue be pleased to state—

- (a) how many keepers or managers of factories and mills in the Punjab have been prosecuted under the Indian Factories Act during (i) 1926 and (ii) 1927 (up to June 30th);
- (b) how many of them were convicted;
- (c) how many cases are now pending in courts?

The Honourable Mian Sir Fazl-i-Husain :

- (a) (i) During 1926 87 prosecutions were instituted against factory occupiers and managers under the Indian Factories Act.
- (ii) During the half year ending 30th June 1927. 88 prosecutions were instituted against factory occupiers and managers under the Indian Factories Act.
- (b) (i) During 1926 86.
- (ii) During the half year ending 30th June 1927. 26.
- (c) 5.

WORKMEN'S COMPENSATION ACT.

393. Mr. M. A. Ghani : Will the Honourable Member for Revenue be pleased to state—

- (a) who have been appointed as Commissioners under the Workmen's Compensation Act for each of the districts of the Punjab ;
- (b) how many cases under the said Act came before them in (i) 1926 and (ii) 1927 (up to 30th June) ;
- (c) how many of them were decided in favour of the capitalists and how many in favour of the labourers ;
- (d) how many cases are at present pending before the Commissioners ?

The Honourable Mian Sir Fazl-i-Husain : (a) The following are the Commissioners under the Workmen's Compensation Act :—

- (i) The Senior Sub-Judges at Ambala, Ferozepore, Amritsar, Lahore, Rawalpindi, Lyallpur and Multan.
- (ii) The District Magistrates in all other districts.
- (b) (i) During 1926 27 cases (25 new and 2 pending from the year 1925) were tried by the Commissioners.
- (ii) During the half year ending 30th June 1927. Information has been called for from the Commissioners appointed under the Act and will be supplied on receipt.
- (c) (i) During 1926 14 cases (12 non-contested and 2 contested) were decided in favour of the labourers. Two cases were decided in favour of the capitalists, i.e., they were dismissed.
- (d) As in (b) (ii).

PATWARKHANAS.

394. Mr. M. A. Ghani : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that in 1921 the Government undertook to build patwarkhanas for the revenue patwaris and formulated a scheme to set apart two lakhs of rupees in the budget every year ;
- (b) whether the scheme was subsequently dropped and the reasons for the same ;
- (c) whether he is aware that there is great discontentment among the patwaris ever since the scheme has been dropped ;
- (d) whether any action has been taken by the Government to remove that discontentment ?

The Honourable Mian Sir Fazl-i-Husain : (a) & (b) The honourable member is referred to the reply to a similar council¹ question No. 3579 by Chaudhri Afzal Haq given in October 1926.

(c) No.

(d) Does not arise.

SALARIES OF TAHSILDARS AND NAIB-TAHSILDARS.

395. Mr. M. A. Ghani : Will the Honourable Member for Revenue be pleased to state—

- (a) by what percentage the salaries of tahsildars and naib-tahsildars were increased when the scales of salaries of Government servants were revised in 1921 ;
- (b) what reasons there were for giving a far greater increase of salaries to munsiffs than it was given to the tahsildars and naib-tahsildars ?

The Honourable Mian Sir Fazl-i-Husain : (a) Before the revision of 1921 Tahsildars' pay was regulated by grades. During the War the emoluments were supplemented by certain allowances. At the revision of 1921 a time-scale was introduced. It is therefore impossible to say exactly by what percentage the salaries of tahsildars and naib-tahsildars were increased at that time. The rate of pay, under the graded system for tahsildars was Rs. 175, Rs. 200, Rs. 250 and for naib-tahsildars Rs. 70, 85, 100. Under the revised system the time-scale of pay for tahsildars is Rs. 180—7½—285 with 6 appointments in the selection grade at Rs. 800 per mensem, which were subsequently raised to 12 and for naib-tahsildars Rs. 80—5—140 with a selection grade of 11 posts at Rs. 150 per mensem.

(b) The pay of munsiffs was increased in accordance with the orders of the Secretary of State to place them on the same footing as the Sub-Judges in other provinces.

SALARIES OF TAHSILDARS AND NAIB-TAHSILDARS.

396. 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 tahsildars and naib-tahsildars over the question of the increase of their salaries;
- (b) what action has been taken by the Government to remove that discontentment?

The Honourable Mian Sir Fazl-i-Husain: (a) Government is aware that some dis-satisfaction prevailed and prevails among tahsildars and naib-tahsildars over the increase of their salaries in 1921.

(b) Government investigated the matter and came to the conclusion that the salaries of naib-tahsildars were sufficient; an adequate supply of suitable recruits has continued to be available.

In regard to tahsildars, the matter is still under consideration and an announcement will be made in due course.

ARRANGEMENTS FOR PATWARIE ATTENDING TAHSIL HEADQUARTERS.

397. Mr. M. A. Ghani: Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that all patwaris have to attend at their respective tahsil headquarters for about a fortnight every September;
- (b) what arrangements are made by the Government for their (i) accommodation to do their official work and (ii) residence;
- (c) whether it is not a fact that they have to live either in a *serai* or on a roadside?

The Honourable Mian Sir Fazl-i-Husain: (a) Patwaris have to attend at tahsil headquarters every September to file jamabandis. They remain there for as short a period as is possible and the period depends upon the quality and quantity of their work. Except in very special cases no patwari is detained for more than 8 days.

(b) & (c) Patwaris make their own arrangements for their accommodation like other public servants and being in most cases residents of the tahsil find no difficulty in making suitable arrangements. Government is not aware that they have sometimes to live on a roadside.

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR 1925-26.

Secretary: The Report of the Committee on Public Accounts of the Punjab Legislative Council on the Audit and Appropriation Accounts for the year 1925-26 and other matters is laid on the table.

FINANCIAL STATEMENT.

The Honourable Sir Geoffrey de Montmorency (Finance Member): Sir, His Excellency the Governor has recommended the adoption of the

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supplementary demands which will be laid before the Legislative Council to-day. It will be observed that these supplementary demands are inconsiderable in total, particularly as regards recurring expenditure. They fall into the following categories :—

<i>Recurring.</i>				Rs.
Capital	..	..	..	Nil.
Revenue	..	..	..	21,886
<i>Non-recurring.</i>				
Capital	..	..	..	7,68,800
Revenue	..	..	..	5,56,795

Of the total, 6 lakhs is represented by additional funds needed for advances to cultivators under the Land Improvement Loans Act and the Agriculturists' Loans Act. The demands also include some important measures for alleviating and checking water-logging, which it is important to put in hand before next monsoon and flood season.

Before these supplementary demands are moved, may I be permitted to allude to certain investigations to which I referred in introducing the supplementary estimates on the 18th of July last? I feel that it is right that the house should have detailed information regarding the progress made with those investigations and the point to which they have proceeded. On that occasion I dwelt on the importance of coming to a well thought out and wise conclusion regarding the manner in which the recurring remission of 60 lakhs of the provincial contribution should be used. I pointed out that this was the last recurring windfall of any magnitude, outside provincial resources, which we could expect to receive; and I hope I also made clear that any error of judgment committed in arriving at a decision regarding the method of its utilization would operate as a permanent and incurable blemish on the scheme of the future regulation of our provincial finances for all time to come; very much the same considerations also arise as regards the question of any remission of taxation.

It is not within the power of human vision to look for ahead with any degree of certainty; but for a proper appreciation of a position of this kind it is necessary to forecast as far as may be possible within the constricted limits of our vision and with as much care and accuracy as may be possible, what accretions of revenue we may expect to receive during the next few years and what expenditure we shall incur on account of new programmes of development. This examination of financial resources and requirements calls for the closest collaboration between the administrative departments and the Finance Department. Prophecy regarding revenue is more or less directly within the competence of the Finance Department; but an accurate appreciation of the field which will be covered by programmes of new administrative development must primarily emanate from the administrative department, and the Finance Department can only contribute assistance by a check of the figures of estimated costs. The task of preparing a statement of financial requirements and resources over the period of the next

three years, with such accuracy as the circumstances render possible, has proved one of great complexity. To some of the difficulties I have alluded on a previous occasion. Their extent may be more easily gauged by one example when I reveal that they have included a study of various methods and alternative figures of cost of different schemes connected with the possibility of the introduction of compulsory primary education in its real sense into the province. The question has also been complicated by the problem of the extent to which local bodies can bear a share of further development without jeopardy to their financial stability.

I am glad to be able to inform the house that good progress has been made with these investigations; and I desire in this connection to pay a tribute to the assistance given by all departments and in particular to the skill and industry which Mr. Emerson has brought to bear on the task. Owing to the difficulties which the situation presents and to the fact that final decisions have still to be taken in regard to certain problems which can only be taken when detailed figures relating to certain schemes are more complete, Government has not yet arrived at final conclusions and will defer the announcement of its conclusions until it places its budget proposals before the House; but in the meanwhile it desires that the legislature should be in possession of the main facts and figures brought out by the enquiry and should be able to study them in the time which will intervene before the presentation of the budget. I, therefore, propose to put the full material, upon which Government itself will be working in arriving at its conclusions and framing its budget proposals, before the members of the legislature now so that they may have leisure to reflect upon the difficult financial problem which confronts us. The solution of the latter in the right manner will be of the most vital importance to the future of the province.

For this purpose I lay on the table, with the permission of the Honourable the President, copies of a paper which has been prepared by Mr. Emerson at the desire of Government entitled "Examination of financial resources and requirements for the period 1927-28 to 1930-31 inclusive." The figures only deal with ordinary revenue receipts and expenditure, that is to say, they exclude receipts from the sale of land and the like which we classify as 'Extraordinary receipts' and which we do not regard as available for general revenue expenditure. The limitations on its accuracy I have already attempted to explain. Generally speaking in the absence of unforeseen disasters or obstacles the forecast of revenue is likely to be closer to probabilities than that of expenditure. The sources of revenue are fewer and their scope is better known; but even exhaustive forecasts of expenditure are necessarily more fallible. The picture is not fully filled in. Items are forgotten or not foreseen though really forming necessary and essential portions of contemplated schemes and the exact limits and commitments involved by expenditure initiated upon a certain object are harder to visualize ahead with any degree of precision.

Two methods of examination have been used. Firstly, assuming our present financial position is sound for the purpose of financing existing obligations, we have employed the valuable method of estimating the new recurring receipts and the new recurring expenditure (including both expenditure to which we know ourselves to be committed and expenditure involved

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in schemes of expansion proposed by departments) over the period and have attempted to see how far the former will suffice to meet the latter.

The value of this method of examination is that if new recurring receipts are found to be largely in excess of additional recurring expenditure, we can assume that the financial position is secure, and there will be a comfortable margin to permit of further development beyond the end of the period and to meet the cost of schemes which in their progress will not have reached the peak of expenditure during the period under review. If, on the other hand, the excess of receipts is small, the margin of scrutiny will be insufficient, because there will be no source from which to meet the further development alluded to above or unforeseen demands. If new receipts are less than additional recurring expenditure, then the financial position is definitely insecure and dangerous. This method of examination is also useful in demonstrating whether the pace at which it is proposed recurring expenditure on new schemes should proceed is likely to outstrip the growth in recurring receipts. Existing balances are not taken into account, because while Government can carry on for a short period only with balances, it cannot clearly continue to exist and function on savings; and most of the latter must in any case in the natural course of events be absorbed by non-recurring expenditure connected with development programmes.

Tested by this first method we find that our new recurring receipts are likely to be:—

1928-29	..	..	..	94.62 lakhs.
1929-30	..	..	..	140.61 „
1930-31	..	..	..	170.59 „

These totals are made up of three kinds of items, firstly, the remission of provincial contribution which amounts to 60 lakhs each year, secondly, the normal expected expansion of revenue under Land Revenue, Stamps, Irrigation, Registration, Agriculture and other heads which totals 33.62, 77.61 and 105.59 lakhs for the years in series in the order given above, and thirdly, certain smaller sums of new revenue which may be expected to accrue from medical fees, agricultural depôts and farms and public works if certain new expenditure is sanctioned.

On the expenditure side we have the new recurring expenditure of 1927-28 which amounts to Rs. 29.03 and will recur during the years of the series. To this we must add new recurring expenditure due to existing commitments, i.e., the continuance of schemes already known to the Council and approved of by them; to quote a few examples out of many, under the head will fall the completion and maintenance in future of the 70 rural dispensaries sanctioned by the Council this year, the payment of the increments of teachers in the educational expansion schemes already passed and introduced, the staffing and equipment of farms already approved for establishment and the maintenance of roads accepted for construction. The expenditure under this head will amount to Rs. 21.84, 34.89 and 45.94 lakhs in the years 1928-29, 1929-30 and 1930-31, respectively. Finally the third and largest item is provision for the programmes of new development of various departments, which will total 35.64, 59.33 and 81.72 lakhs in each year

of the series, respectively, in the order mentioned. Adding these together and comparing them with the figures of new recurring receipts we get the following results :—

		(1) New recurring income.	(2) New recurring expenditure	Excess of (1) over (2)
		(Lakhs)	(Lakhs.)	(Lakhs.)
1928-29	.. ..	94.82	86.51	8.11
1929-30	.. ..	1,40.61	1,22.80	17.81
1930-31	.. ..	1,70.59	1,56.69	13.90

It will be observed that as the expenditure figures cannot be regarded as all inclusive, margins are small.

The second method employed is to attempt to estimate the total receipts for the ordinary revenue account and the total expected expenditure on this account for the three years in question. This brings out the following figures :—

		Receipts.	Expenditure.	Deficit or excess.
		(Lakhs.)	(Lakhs.)	(Lakhs.)
1928-29	.. ..	11,51.11	11,97.61	—46.50
1929-30	.. ..	11,97.68	12,03.54	—5.86
1930-31	.. ..	12,24.26	12,12.77	+11.49

These figures are less favourable, but it may be observed they do not take into account the fact that some of the non-recurring expenditure which they include may be met out of balances.

I have said that human vision is limited and that is the reason for not taking the examination beyond the year 1930-31 ; but looking to the years beyond this period there are some features of such a positive nature that they deserve mention as clearly affecting the consideration of the lesson to be drawn from the figures compiled for the period ending in 1930-31. The first is that the peak of expenditure on some of the new schemes will not have been reached by 1930-31. Take for example education. The inevitable sequence of the execution of the particular educational scheme, embracing both new expansion and the gradual application of compulsion as regards primary education, the figures for which we have included in our calculations up to the end of 1930-31, will be an expenditure of certainly not less than 1.09 lakhs more recurring in 1938-39 than we are spending in the present year.

[Hon. Sir Geoffery deMontmorency.]

On the revenue side we must remember that our expectations are small after 1930-31. The peak of the increase of revenue expected to accrue from the Sutlej Valley Project will be reached in 1933-34 and will only amount to 11 lakhs more than the figure for new recurring revenue from the source included in our calculations for the year 1930-31.

We have not, it is true, included in our calculations any revenue from the Hydro-Electric Scheme which should begin to come in about the end of 1930-31; but on the other hand we have not also included any additional expenditure which may confidently be expected to be likely to occur as a result of the recommendations of the Royal Commission on Agriculture and the Statutory Commission on the Reforms.

I am confident that a study of the detailed figures in the paper will enable the honourable members to approach the budget proposals when presented with that familiarity and sureness of touch, the foundations of which rest in a complete understanding of the many complexities of the financial situation and which is the only sound basis for informed scrutiny and wise conclusions.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY AND ADDITIONAL GRANTS, 1927-28.

EXCISE GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I beg to move:—

"That an additional sum not exceeding Rs. 6,000 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."

The motion was carried.

IRRIGATION GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to move:—

"That an additional sum not exceeding Rs. 1,50,466 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.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Sir Geoffery deMontmorency (Finance Member): Sir, I beg to move:—

"That an additional sum not exceeding Rs. 8,600 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 1928 in respect of Administration of Justice."

Mr. President: The question is—

"That an additional sum not exceeding Rs. 8,600 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 1928 in respect of Administration of Justice."

Shaikh Muhammad Sadiq : Sir, I have given notice of an amendment¹ to this demand.

Mr. President : I think the amendment is out of order, as its object is to discuss a matter of policy which can be discussed only when the general budget is under discussion, unless of course, the supplementary grant involves an independent question of policy. In my opinion, the demand under discussion does not involve any such question and, therefore, I rule that the amendment is out of order.

The question is—

"That an additional sum not exceeding Rs. 8,600 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 1928 in respect of Administration of Justice."

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. 52,017 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 supplementary sum not exceeding Rs. 52,017 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 Duli Chand [Karnal (Non-Muhammadian), Rural] (Urdu) : Sir, I want to make a few observations on the demand under consideration. At the Simla session of the Council when the question of special police for Lahore was being discussed, Government gave an assurance that they would consider the question of recruiting Hindus in larger numbers while recruiting new men in the force. On this I requested the Government to define the term Hindu and pointed out that if the Government included the agriculturist Hindus in that category there was nothing for me to say further on the subject, but if it excluded the agriculturist Hindus as had been done in the past I did not feel satisfied with the definition. The Honourable the Finance Member in a jesting mood replied that although I was pleading the cause of people belonging to the South-Eastern districts of the Punjab, I was not aware of the number of constables recruited from Rohtak and it was under a wrong impression that I was questioning the policy of the Government so far as the recruitment of the Hindu zamindars in the Police Department was concerned. Sir, I am of the same opinion now and again ask the Honourable the Finance Member to kindly state the number of Sub-Inspectors, head constables and constables recruited from the South-Eastern districts of the Punjab out of the total number of 10 Sub-Inspectors, 52 head constables and 850 constables. What I really ask Government is to formulate a principle with regard to the policy of recruitment of agriculturist Hindus in the Police Department.

"That the total grant be reduced by Re. 1."

(NOTE.—To discuss the policy of appointments (on executive side) under the patronage of the High Court at Lahore.)

[Chaudhri Duli Chand].

Recruitment to the Police Department is not made according to any fixed standard or principle. Non-agriculturists occupy all the higher ranks of the service, while the lower ranks fall to the lot of the agriculturist Hindus. For instance, take the case of 100 constables recruited from the Rohtak District. Out of these, 80 tendered their resignations because they were not satisfied with the treatment meted out to them. All of them were ex-service men, and some of them had held non-commissioned ranks in the army. They had led an honest and straight forward life and expected that a similar treatment would be meted out to them in the police force to which they were accustomed in the army.

I would suggest that agriculturist Hindus should be recruited in the same proportion and to the same ranks in the Police Department as is done in the army. I do not grudge the position or status enjoyed by others but I think it is reasonable to have officers of a department from the same class of people of which the lower ranks are composed.

Mr. President: May I ask the honourable member whether he is opposed to the motion or wants to support it.

Chaudhri Duli Chand: Sir, I am opposing the motion.

One thing more. Fairness, equity and justice demand that retired military officers of tried integrity and bravery, who have never hesitated to shed their blood for the Government, should be preferentially recruited to the regular police force, and recruitment on the basis of educational qualifications alone should not be encouraged. The special police at Lahore will be disbanded very soon and I would ask the Government to provide those ex-service men with billets who have proved themselves capable of discharging their duties efficiently and honestly.

Mr. President: The question is—

"That a supplementary sum not exceeding Rs. 52,017 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 motion was carried.

MEDICAL GRANT.

The Honourable Malik Firoz Khan, Noon: Sir, I beg to move—

"That an additional sum not exceeding Rs. 10,000 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 Medical."

Mr. President: The question is—

"That an additional sum not exceeding Rs. 10,000 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 Medical."

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan)].
(Urban): Sir, the Honourable Member wants Rs. 10,000 for the purpose of a grant to the Salvation Army.

The Honourable Malik Firoz Khan, Noon: For a hospital.

Shaikh Muhammad Sadiq : Sir, I have no objection to the grant of Rs. 10,000 or even 10 lakhs for the sake of a hospital. It is for the good of the people and I will have no objection to such grants; but when the money is being granted to an institution where religious propaganda is carried on, I strongly object to it. There is already enough trouble between Muhammadans and Hindus; let not Government create further trouble between Christians, Muhammadans and Hindus. Everybody knows and certainly the Honourable Minister for Local Self-Government knows it too that the Salvation Army is nothing but an institution to carry on propaganda in favour of Christianity. I am not for one moment attacking any religion, but I do say that when money is being granted to an institution of this kind, a promise should be taken from them that no sort of propaganda will be carried on in that institution. There is no use of giving money to such institutions where religious propaganda is being carried on. It may be Rs. 10,000 or it may be 10 pies; it does not matter. We are not going to give money to an institution which carries on religious propaganda, be it a Hindu or a Muslim or a Christian or a Jewish. The policy of the Government and of this Council should not be to encourage such institutions which carry on religious propaganda. The hospital or school may say "people come here to take advantage of the institution; let them hear our propaganda or let them not hear." But I know at least one institution where if you go for medicine, you are obliged to hear one hour's propaganda. Unless you are prepared to hear that, they refuse to give you medicine. This is a fact. In Amritsar I heard that a certain Muslim woman had gone to a certain hospital and there she was taken in as an in-patient. There was religious propaganda going on there. Immediately she disappeared and she refused to go back. So unless a promise is taken from the institution that no religious propaganda will be carried on there, I oppose this demand.

The Honourable Malik Firoz Khan, Noon : This is a very small matter and I do not think there was any need for the honourable member to have got excited. Even if a hospital is being run by the Christian community, I think the honourable member will agree with me that it is our duty to supply medicine not only to Muslims and Hindus but also to the Christian community as well. The Christian community in the Punjab, as far as I know, is mainly drawn from the sweeper classes. I do not want to enter into any controversial matter; but when there is a community that goes and looks after people whom we treat as outcastes, I think it is a thing which we ought to encourage.

Shaikh Muhammad Sadiq : What I said was that religious propaganda is being carried on there to other communities; my honourable friend has misunderstood me.

The Honourable Malik Firoz Khan, Noon : If the honourable member is not opposed to the money being granted, I have nothing to say.

Shaikh Muhammad Sadiq : What I say is that a promise should be taken from them that no religious propaganda will be carried on there.

Mr. President : The question is—

"That an additional sum not exceeding Rs. 10,000 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 Medical."

The motion was carried.

AGRICULTURE GRANT.

The Honourable Sardar Jogendra Singh : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 6,223 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.

INDUSTRIES GRANT.

The Honourable Mr. Manohar Lal : Sir, I beg to move—

"That an additional sum not exceeding Rs. 72,593 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."

Shaikh Muhammad Sadiq rose to move his amendment¹.

Mr. President : The amendment is out of order.

Shaikh Muhammad Sadiq : If you will permit me, I will explain, Sir. Now there is a new policy of the Government. They say that they now intend to make the Tannery a training ground for village tanneries and they have also got the new policy of leasing it out. So there is absolutely a departure from the old system. I, therefore, submit that the amendment is in order.

Mr. President : Will the Honourable Minister explain to the House whether the demand under discussion involves a departure from the policy already laid down ?

The Honourable Mr. Manohar Lal : You will observe, Sir, that the demand made is under two heads, one the Model Tannery at Shahdara and the other, Demonstration and Weaving Factory at Shahdara. So far as the first part of the demand is concerned, it consists of an item of Rs. 17,300. This is for carrying forward the work of instruction which is being given in that Tannery in pursuance of a policy which is in vogue from the very first day of the starting of the institute. It is not in prosecution of any new policy. If the Tannery had also been engaged on commercial work, the demand would undoubtedly have been larger. But the demand is restricted for carrying on the work that is going on from the very first day. So far as the other part of the demand is concerned, it is abundantly explained in the memorandum itself.

Shaikh Muhammad Sadiq : Paragraph 3 on page 15 of the memorandum states, "Meanwhile it has been decided that, so far as Government is concerned, the Tannery should be used only for instructional and demonstrational purposes with the view of carrying on the introduction of improved methods of tanning. It is also proposed to improve the methods of tanning in villages which offers great scope for development, by the establishment of one or more touring demonstration parties." This is quite a new departure. Again it is stated, "The question of leasing that portion of the Tannery which is not required for instruction and demonstration depends

¹"That the total grant be reduced by Rs. 1."

(To discuss the policy of the Government regarding the Shahdara Tannery and Demonstration Weaving Factory at Shahdara.)

on the offers received in reply to the advertisement which Government has published." Thus everything seems to be new and there is nothing old. I do not know how my honourable friend says that it is all old. It is a policy which they are going to adopt for the first time. We do not know when they change their policies. As soon as the money is granted they may again change their policy to-morrow. There is no end to that. Unless the policy is before us and is thoroughly discussed we should not grant the demand. I therefore submit that my amendment is in order.

Mr. President : I think the Honourable Minister will concede that he is proposing to extend the industry of tannery to villages ; is it not so ?

The Honourable Mr. Manohar Lal : If you will kindly read paragraph 5 on page 16, you will see it is stated, " In order to keep down expenditure as far as possible during the current year it is not proposed to employ the rural demonstration staff till 1928-29." So all that we want to do is to carry on within the narrowest limits the work of instruction already in hand at Shahdara and not anything new.

Mr. President : On that view, I think, the amendment is not in order.

Shaikh Muhammad Sadiq : Then, I will move for the total rejection of the demand.

When they originally started this tannery they made a declaration saying that they were going to impart wonderful knowledge of tanning in this province, which they had not done up to this time. The Government usually blames private corporations and municipalities for not carrying on their work properly ; but if you look at the work done by this department of the Government, you will find that they have done absolutely nothing. Up to this time this province has suffered a loss of about 5 or 6 lakhs of rupees on account of this business, and if they now close the business we will have to incur a loss of 9 or 10 lakhs. A tannery has been built up which under the present circumstances has no demand at all ; it is not worth the land on which it is built up. We know that there have been two or three tanneries in the Punjab which have stopped working because there is dearth of leather. If the tannery is a paying concern, is it likely that others who owned tanneries would have closed them down ? There was a tannery in Amritsar built by a private gentleman at a cost of 2 lakhs of rupees and it has been closed for the last three years because there is absolutely no demand in the Punjab for the Punjab made things.

There was another tannery at Lahore which, I think, was opened by the Deputy President of this House. That was also closed down. Then there was a tannery at Wazirabad that could not work and had to close down. In spite of the fact that there is no tannery in the Punjab which could employ tanners this Model Tannery at Shahdara is going on training men for working in tanneries. Where is the need of training men when there is no demand for such men ? Then, Sir, this Tannery at Shahdara has during the last five or six years been able to train only three men. Just fancy ! we have spent some five or six lakhs of rupees simply to train three men. We are told that these men have received one lecture a week or four lectures a month. To spend so much money in order to be able to give four lectures a month to three men is, in my opinion, sheer waste. We have been told

[Shaikh Muhammad Sadiq.]

by Government that they are considering the question of closing down the Tannery, but we do not know why Government is postponing doing so. At the last Council we were told that the school would be closed by the 1st of October, and if I remember aright the former Minister in charge of Industries told me that he was seriously thinking of winding up the whole business. That was eighteen months ago, and though Government prides itself in acting more quickly than ourselves, we find that it has been very, very slow in acting in this matter. What is the reason? Some think that those employed in the Tannery will go out of job as it is difficult for Government to find employment for them. I am sure Government can create some other jobs for these men. But to inflict this loss on the industry of the Punjab and to give a bad name to the Industries Department of the Province by putting on its shoulders a thing which is going to be a miserable failure, I think it is against the interests of the Province. For this reason, Sir, I strongly oppose any demand being granted for this purpose.

Then, Sir, I have a few remarks to make as regards the working of the Weaving Factory. We all know that weaving factories in India are in a sad plight. We find the industry in Ahmedabad at a standstill. They have been asking for Government grants or subsidies or some kind of protection. I want to know what kind of work is going to be taught to the students of this school. We find that in this Province we cannot make a success of weaving industry unless we teach jacquardy or flower designs.

The Honourable Mr. Manohar Lal : We are starting that.

Shaikh Muhammad Sadiq : I am very glad Government is going to start jacquardy. I think every penny that we spend on weaving should be spent on teaching jacquardy work. In Japan they are making great progress with jacquardy, so also in China. The Honourable Minister for Industries should know that the boys trained in the Weaving Factory have not the capital to start ordinary looms after they have passed out of the Factory. They may be able to do so after seven or eight years when the Mandi Hydro-Electric scheme is in operation. It may be possible at that time for such people to start that work, but until such time I think the only way to spend the money properly is to spend it on teaching jacquardy.

Mr. President : The question is—

"That an additional sum not exceeding Rs. 72,593 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."

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That an additional sum not exceeding Rs. 13,002 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 (Reserved)."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Sardar Jogendra Singh (Minister for Agriculture);
Sir, I beg to move—

"That an additional sum not exceeding Rs. 4,28,030 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 an additional sum not exceeding Rs. 4,28,030 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)."

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan)] (Urban):
Sir, we find that for the last two years our expenditure on roads has increased by leaps and bounds. I am not opposed at all to extension of roads in the Province, but before we extend them we should examine our own pocket and see whether it can bear this extra expenditure. We find that the existing roads are in a very bad state of repair....

The Honourable Sardar Jogendra Singh: Question.

Shaikh Muhammad Sadiq: My learned friend has never been on the Amritsar-Lahore Road by car. If he had been, there would have been no question of questioning my statement. Since the Honourable Minister has never taken the trouble of travelling on the roads of which he is in charge, I may point out to him that if he makes a tour in his car starting from Lahore for Amritsar, he will find the road in a very bad condition. Everybody knows that there is a huge traffic between Amritsar and Lahore and the track is not broad enough to cope with the traffic. Every one who has been on this road by car will bear me out that one meets as many as 50 or 55 cars on the way and that is the reason why the road is so badly broken up. Same is the case with the Gurdaspur-Pathankot road. Naturally, coming from the heights of Simla, the Honourable Minister does not know anything about people living in the plains. If he were to inspect the roads of which he is in charge, he will find that the roads of the Punjab, at least the Amritsar-Lahore road and the Amritsar-Pathankot road, are in a very disgraceful condition. For Government to spend large sums of money on new roads when the old ones are in a bad condition is nothing but useless waste. It is no use making new roads when the old ones are not properly looked after. New roads should be made only where there is a real necessity for them. But what do we find? We find that when a Deputy Commissioner or an Executive Engineer goes by car and finds the approach to a village difficult, he marks it down for a new road. That sort of thing might have been done in the days of Ranjit Singh or of the Mughal Emperors, but should not be done in modern days. We have to see to the necessity. If there is real necessity for a new road, this Council will sanction the grant asked for, but on the other hand if the demand is only fanciful and based simply on the recommendation of a Medical Officer, or a Minister or a Deputy Commissioner or a Commissioner, in that case the demand should not be granted. It is necessary to join big cities, we should support the grant for a new road between the cities. Take Amritsar and Kasur. The Honourable Minister in charge has never been there and he has never thought of linking the two cities,

[Shaikh Muhammad Sadiq.]

at least that work has not yet been started. One has to do as many as 70 miles to get from one place to the other by the round about way, whereas if a direct road were constructed Amritsar would only be about 25 miles from Kasur. The honourable gentleman's policy seems to be haphazard. It is not decided on the question of necessity, but on the question of prudence. He has perhaps been urged by some officers, and he has started a new road.

Then, Sir, there is another point in connection with the way the roads are made. Supposing they have to make a road 40 miles in length. They make about 2 miles a year and complete it in 20 years. It is a most ridiculous system. Long before the road is completed, it begins to break up. Why not take up, say, 20 miles in the first year and finish up the remaining 20 miles in the following year. The present system of doing 2 miles every year amounts to nothing but sheer waste of money.

There is yet another ridiculous system about which I wish to say something. We find that in certain areas the track is too narrow for the traffic. The present day motor traffic is different from the old system. Six or eight feet of track might have been all right for the old traffic, but it is not so for the present day motor traffic. Take the Grand Trunk Road which is the main artery on which hundreds of motor cars ply and there the track is hardly 6 to 8 feet, with the result that when two cars pass each other they have always two wheels on the kutchra road, and the dust that they raise forms beautiful clouds transforming the road between Lahore and Amritsar into a desert of Sahara. I do not know whether the eyes of the Department have ever been opened to that complaint, and what action, if any, it is taking. So far as I can see no action is being taken, otherwise the present bad state of roads would not exist. In my opinion it is sheer waste of money if Government goes on making new roads without looking after the old ones.

As regards new roads, if the Honourable Minister so desires let him bring forward his proposals in the budget session. We should know how much money we are going to spend on the whole on roads and how much we are committed to. Evidently because this Council did not move a cut on this demand during the last session, therefore he wants to take advantage of it and accordingly come forward with this demand and expects to get it passed without any cut. I am afraid I must tell this Council that the Minister should not commit it to new expenditure in this manner. The whole system of roads should be completely examined before the Council can commit itself to any expenditure on the same. There are only two or three months when the budget will be presented and there is ample time for the Minister to come forward with his proposals for new roads then. After all he is not going to have these new roads within these two or three months. After all, what is the use of constructing these new roads? I pressed last time upon the Government for the opening of orphanages and for the institution of insurance schemes and old age pensions. Why has not Government come forward with proposals on these subjects? If money is not going to be spent on hospitals, orphanages, &c., what is the use of building new roads upon which the poor people will not be able to walk. What is the use of having beautiful metalled roads for camels, kachhars and donkeys?

Besides, in Australia they have got a machine for levelling kuccha roads, probably the Public Works Department of the Punjab never heard of it.

The Honourable Sardar Jogendra Singh : We have got it. They are working in the Punjab.

Shaikh Muhammad Sadiq : Probably it may be in the museum. I have never seen one myself in the Amritsar district. (At this stage Rai Bahadur Lala Rattan Chand interrupted.) Probably it was during a *mela*. Unfortunately I do not go to the *mela*. I want that there should be a machine which should level all kuccha roads in the villages. We are already spending a lot of money on pucca roads for the use of rich people. We should not do this until we have satisfied the poor zamindars with good roads for themselves. Ever since this Council was inaugurated the Honourable Minister has never asked for money to improve the roads in the villages and yet my learned friends from the villages have never raised their voice against this. I am sure to-day they will vote with me and throw out this demand because the money asked for is not to improve the kuccha roads in the villages.

Sayad Muhammad Husain [Montgomery, (Muhammadan) (Rural)], (Urdu) : Sir, it seems that the honourable member who has just preceded me is labouring under a serious misunderstanding. I should take this opportunity to remove it. It has been contended by the honourable member that the roads are not constructed primarily to remove public inconvenience. I have been a member of the Communications Board for some years and can say with some authority that this statement is erroneous. The honourable member seems to be of opinion that attention is paid to the condition of only those roads which do not afford facility of travel to the officers who generally go touring through the different districts of the Province. As to this I dare say that there is not much truth in it. The Communications Board does not sanction the construction of any road until a general scheme of construction is formulated after having consulted the general plan of the proposed roads of the Province. There are two classes of roads firstly, the arterial roads, that is to say the most important roads which connect important places. The expenditure on these roads is met from the provincial revenues and the question of selecting a particular road for construction is thoroughly discussed in the Communications Board before the actual work is taken up. The other class of roads which receives the attention of the Communications Board is what is technically known as secondary roads. For the construction of these roads grants-in-aid are given to District Boards, and preference is given to the more important roads in this category in the same manner as is done in the case of arterial roads. It is the duty of Government to link different important places in the new canal colonies by means of roads and afford facilities of communication thereby to those who have purchased lands, and laboured hard to make them prosperous and fertile. The Government have realised crores of rupees by the sale of these lands and the poor cultivators of the same have a right to demand from Government a small amount of money out of this for connecting that particular part of the Province with the rest of the country. The honourable member has further stated that roads are constructed for the benefit and use of the rich. This assertion is also equally unfounded. When a road connecting two commercial towns is constructed the poor are sure to derive some benefit from it

[Sayad Muhammad Husain.]

by bringing for instance, their produce to market places without the least delay and selling it at profitable rates. The construction of roads in the Nili Bar before the lands were actually sold, was due to the same consideration. Sir, take another instance. There are people who are earning a good deal by plying motor taxis on different roads in the Province. They are poor people and we cannot class them with the rich and therefore the contention of the honourable member falls to the ground. Besides, the construction of roads has proved beneficial in another way. Most of the third class railway passengers prefer travelling by lorries because they find it inconvenient to travel by railway. On account of the daily increase in the motor traffic the railway authorities have realised that they cannot dictate their own terms to the public and that it is their duty to afford comfort and convenience to them. In my opinion the construction of the roads is essential for the general development and progress of the Province. In conclusion I hope the honourable member will be satisfied with the explanation I have given and will not oppose the demand.

(At this stage Shaikh Muhammad Sadiq rose to reply).

Mr. President : The honourable member did not move the amendment. He discussed the principle underlying the demand which he wishes to be negatived. He has done so and has no right of reply.

The question is—

"That an additional sum not exceeding Rs. 4,28,030 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.

The Council then adjourned till 2 p.m. on Tuesday, the 22nd November, 1927.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 22nd November, 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 :—

Honorary Lieutenant Sardar Raghbir Singh, O.B.E., Amritsar
(Sikh), Rural.

STARRED QUESTIONS AND ANSWERS.

QUTAB DIN, HEAD CONSTABLE.

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

- (a) whether he is aware of the public opinion in Ludhiana that Qutab Din, Head Constable, who was bold enough to unveil the doings of his officers was given exemplary punishment ;
- (b) whether the Government, in order to remove this suspicion, is considering the advisability of enquiring into the allegations the said head constable made in his case diaries by a disinterested officer from any other district ?

The Honourable Sir Geoffrey de Montmorency : (a) No.

(b) No.

RAJPUTS OF VILLAGE RATHAUR.

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

- (a) whether it is a fact that Rajputs of village Rathaur, district Ambala, are proclaimed to be members of criminal tribes ;
- (b) whether it is a fact that all the inhabitants of the adjoining villages sent a memorial to the Government to the effect that the Rajputs of Rathaur are honest people ;
- (c) whether it is a fact that the memorialists also complained against the Sub-Inspector for being anxious to register the Rajputs as members of the criminal tribes ;
- (d) whether it is a fact that police sent several Rajputs of village Rathaur, district Ambala, to the Amritsar Reformatory ;

[Chaudhri Afzal Haq].

(e) whether it is a fact that the Reformatory officers of Amritsar are of opinion that the Rajputs of Rathaur have absolutely no criminal tendencies;

(f) whether the Government is considering the advisability of abstaining from proclaiming the Rajputs of Rathaur as members of criminal tribes?

The Honourable Mian Sir Fazl-i-Husain : (a) Seventeen Rajputs of village Rathaur in the Ambala district have been notified as members of criminal tribe under section 3 of Act VI of 1924.

(b) No.

(c) Not so far as Government is aware.

(d) Twelve registered members were removed to the Amritsar Reformatory after necessary inquiries had been made by the District Magistrate.

(e) No definite opinion relating to their behaviour has yet been expressed by any such officer.

(f) No. Each case of a member of this tribe displaying criminal tendencies will be considered individually on its merits.

INVESTIGATION INTO THE ALLEGED CONSPIRACY TO ATTACK HINDU LEADERS.

***822. Chaudhri Afzal Haq :** (a) Has it come to the notice of the Honourable the Finance Member that allegations have been made by prominent Hindu leaders and in the Hindu press that the recent attacks on Rajpal and Swami Satyanand are the result of some conspiracy?

(b) If so, did the Government start any investigations to trace out the conspirators?

(c) Did the police take the statement of any of the Hindu leaders in this connection?

(d) Has the police invited the co-operation of the Hindu leaders in tracing the conspiracy?

(e) What has been the result of the investigations so far?

(f) If no investigation is started and no co-operation of the Hindu leaders is invited so far, does the Government propose to start the investigation and to invite the co-operation of the Hindu leaders now?

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

(b), (c), (d), (e), (f). Careful enquiries conducted under the instructions of Government as to the existence of an alleged conspiracy have failed to reveal any evidence which would support the allegation of a conspiracy.

FRACAS BETWEEN HINDU AND MUSLIM STUDENTS OF INTERMEDIATE COLLEGE, HOSHIARPUR.

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

- (a) whether it is a fact that on the night of 15th October a fracas took place between Hindu and Muslim students of Intermediate College, Hoshiarpur ;
- (b) the facts of the case ;
- (c) the number of Hindu and Muhammadan students, respectively, in the College ;
- (d) whether on the night of 15th October some of the students abused and threatened the Superintendent of the boarding house ;
- (e) what action, if any, the Principal has taken against this lawlessness of the students ?

The Honourable Mr. Manohar Lal : (a) A fracas took place between the Hindu and Muslim students of the Government Intermediate College, Hoshiarpur, on the night of the 13th October 1927 and not on the 15th October.

(b) On the 13th October at about 4 p.m. Hussan Lal of the III Year Class was entering the Hostel gate with his bicycle as Muhammad Sadiq of the 2nd Year B was coming from the other side. Muhammad Sadiq pushed aside the bicycle in order to pass out. On this the two quarrelled, until from banter they came to blows. A Sikh student happened to come at the time and parted them.

Later in the evening at about 8 p.m. Muhammad Sadiq sought out Hussan Lal in the room of Rabindra Nath. Sadiq was not alone this time. He had one or two other students with him, while about a dozen waited out. Sadiq is said to have addressed Hussan Lal with a taunt and then dragged him out of the room. All the 12 or 15 Muhammadan boys fell on him and gave him blows. But soon the noise brought other boarders and Hussan Lal was let go. This action on the part of Muhammad Sadiq in persuading other Muslim boys to join him called for the interference of the hostel Superintendent, who immediately went to the Principal's house to report as the trouble was now assuming a very unpleasant aspect.

Consequent on the fracas at 8 p.m. Hindu and Sikh students gathered at about 10 p.m. and with fuel sticks, gatkas or hockey sticks in their hands challenged the Muhammadans outside their dormitory. The Muslim students, however, did not come out. The Superintendent appeared on the scene and the Hindu and Sikh boys were dispersed and their sticks confiscated.

The Principal was informed and he arrived at about 10-30 p.m. and made a personal investigation examining different groups of students. Next day the Warden was asked to make a more detailed enquiry. The Principal,

[Hon. Mr. Manohar Lal].

Warden and the Superintendent concurring in their conclusions the following punishments were awarded :—

Hussan Lal, warned,

Muhammad Sadiq, and two other Muhammadan students (believed to be ringleaders among those who had attacked Hussan Lal) were fined and similarly three Hindu and Sikh students (believed to be ringleaders) were also fined, and the sticks of all Hindu and Sikh students, who had prepared for an attack, were confiscated.

(c) Hindu	..	..	..	..	99
Muslims	..	..	..	..	167

(d) No. One student was, however, rude to the hostel Superintendent.

(e) The honourable member is referred to the reply given to (b) above.

Mr. President : I may suggest that, to save time, lengthy answers to starred questions should be circulated with the official report instead of being given orally.

SUCHA SINGH, CONVICT IN FEROZEPORE JAIL.

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

- (a) if it is a fact that one Sucha Singh, convict, who was undergoing his term of imprisonment in Ferozepore jail, was prosecuted at Ludhiana in another case against him in the District Judge's Court ;
- (b) if it is a fact that the said Sucha Singh was acquitted in the second case and in spite of being a convict was allowed to slip away ;
- (c) whether any action was taken against any police officer for neglect of duty ?

The Honourable Sir Geoffrey deMontmorency : Information is being collected and it will be communicated to the honourable member as soon as possible.

RESOLUTIONS PASSED BY THE SECOND LEGISLATIVE COUNCIL.

***625. Chaudhri Afzal Haq :** Will the Chief Secretary be pleased to furnish a statement showing—

- (1) the resolutions passed by the Second Legislative Council ;
- (2) the dates on which they were passed ; and
- (3) the action taken on them ?

Mr. H. W. Emerson : A statement is laid on the table.

Statement showing resolutions passed by the Second Punjab Legislative Council and action taken thereon.

Serial No.	Terms of Resolution passed or promise made.	Action taken.
1	That this Council recommends to the Government that the Tahsil at Narowal be retained in that town until the end of the financial year 1924-25. (5th January 1924).	The Tahsil of Narowal has been retained.
2	That this Council recommends to the Government that the new University regulation proposed by the Punjab University introducing 'Education' as a professional and theoretical subject in the B. A. course, be not approved. (28th February 1924).	The University has been asked to reconsider the proposed regulation; but the Syndicate has informed Government that it adheres to its decision. Government has again expressed the hope that the decision may be reconsidered.
3	This Council recommends to the Government that the construction of Bhakra Dam be taken in hand as soon as the construction of the Thal Project has sufficiently advanced to admit of the work on this Project being undertaken subject to the proviso that the Council votes money, and that the project should be found suitable from the Engineering and the financial point of view and has received the sanction of the Government of India. (28th February 1924).	Since the 1924 resolution further geological investigations have been made regarding the Bhakra Dam and a Specialist from America with a Senior officer of the Irrigation Branch and two Geologists have been appointed as a Committee to report to Government on the Bhakra Dam from the geological and engineering aspect. This report is expected to be submitted to Government by the end of January 1928. The Thal Project has been postponed for the present and cannot be taken up until the controversy with the Government of Bombay regarding the utilisation of the water of Indus has been settled.
4	This Council recommends to the Government that a committee of three be appointed to tour the villages in the south-western Punjab to examine the claims of money-lenders against cultivators when the parties agree to this course and to arrive at sums which they are actually able to pay within a reasonable time. Such Committee to consist of (a) Judge with insolvency powers, (b) a representative of cultivators and (c) a representative of bankers. (5th March 1924).	The Governor in Council decided after full consideration to take no action.
5	This Council recommends to the Government to recommend to the Government of India that they may take early steps to exempt the sword from the operation in the Punjab of the Arms Act with regard to all the restrictions contained therein. (5th March 1924).	The Governor in Council after full consideration decided to defer general action on this resolution; but subsequently certain exemptions have been allowed by the Government of India on the recommendation of the local Government.

[Mr. H. W. Emerson.]

Serial No.	Terms of Resolution passed or promise made.	Action taken.
6	That this Council recommends to Government to raise during the year 1924-25 a loan of Rs. 1,50,00,000 for the purpose of providing funds for the construction of Irrigation Works Capital Expenditure—and other productive projects approved by the Council. (6th March 1924).	The Governor in Council decided to raise no loans in the Punjab that year, because money could be obtained from the Government of India at half per cent. less than the interest rate which would probably be necessary for a loan. The finance of productive works is a part of the Government's policy of development and has been steadily pushed on.
7	This Council recommends to the Government that a loan not exceeding Rs. 50 lakhs at the rate of interest not less than that paid by Punjab Government on its borrowings be made to the Bahawalpur Darbar for construction of the Darbar's portion of the Sutlej Valley Project, and that the Punjab Government should, if necessary, raise the sum required by means of increasing the Punjab loan for 1924 from 1½ crores to 2 crores. (24th March 1924).	After the 1924 resolution was passed a sum of Rs. 36,11,761, was temporarily lent by the Punjab Government to the Bahawalpur State to meet its share of expenditure on the Sutlej Valley Project in 1923-24. This amount was repaid and adjusted under the authority of the Government of India in 1924-25; and since then the Government of India have been financing the Bahawalpur State so far as expenditure in connection with the Sutlej Valley Project is concerned.
8	This Council recommends to the Government that Maulvi Zafar Ali Khan be released forthwith unconditionally. (4th August 1924).	The Governor in Council decided after full consideration that the recommendation should not be accepted.
9	This Council recommends to the Governor in Council that a residential club be provided in Lahore for the use of members of the Punjab Legislative Council. (13th November 1924).	The Governor in Council accepted the recommendation and a club now exists.
10	This Council has heard with extreme regret the sad news of the sudden death of the Right Honourable E. S. Montagu, late Secretary of State for India, the originator and propounder of the present scheme of reforms, whose name will ever be remembered by future generations of India with feelings of profound gratitude and esteem. The House expresses its sincere sympathy and condolence on his death and recommends to the Government to convey to Mrs. Montagu and the family, the sympathy of the House on the sad and irreparable loss sustained by the family of the deceased, this country and the Empire. (17th November 1924).	A copy of the resolution was forwarded to the Government of India for transmission to the proper quarters.
11	This Council recommends to the Government that the right conferred by notification No. 21320 of the 1st September 1924, on the non-official members of the Standing Committee of the Legislative Council for jails of visiting four specified jails be extended to all jails or at least to all jails in which political, Akali or Khilafat prisoners are lodged. (20th November 1924).	The Governor in Council accepted the recommendation and the necessary orders were issued in Punjab Government notification No. 27690, dated 10th December 1924.

Serial No.	Terms of Resolution passed or promise made.	Action taken.
12	This Council recommends to the Governor in Council to withdraw its notifications Nos. X. I. R. I. to X. 8. R. I., published in the <i>Punjab Gazette Extraordinary</i> of October 3, 1924, prescribing with effect from the Kharif of 1924, new schedule of occupier's rates for the chief canals in the Punjab and direct instead of collection of abiana at the rates prevailing before April 1924. (24th November 1924).	The Governor in Council after full consideration was unable to accept this resolution.
13	This Council recommends to the Government that it should invariably offer land in exchange for any land required in future under the Land Acquisition Act, and that compensation in cash should be awarded only in cases where persons concerned refuse to accept land in exchange. (17th January 1925).	The Governor in Council decided that land should be offered instead of cash provided— (a) that land is available for the grant, and (b) that the land acquired from any one person, (i) bears a reasonably large proportion to the amount of land still left to him, or (ii) affects in an appreciable degree the possibility of his making his livelihood out of the land, or (iii) exceeds Rs. 4,000 in value. This decision does not apply to urban lands or save in exceptional circumstances to lands in the close vicinity of a town or mandi.
14	This Council recommends to the Government that the indemnity realised from the inhabitants and municipal committee of Gujranwala under the Police Act (V of 1861) in 1919 may be refunded. (3rd March 1925).	The Governor in Council after careful consideration decided to take no action on the resolution.
15	This Council recommends the acceptance by Government of an annual guarantee of Rs. 11,770 (subject to revision when actual cost of construction is known) for a period of five years on account of the proposed extension of the Lahore-Multan Trunk Telephone line to Karachi. (5th March 1925).	Government accepted the guarantee.
16	This Council recommends to the Governor in Council that the non-official members of the Punjab Legislative Council be made non-official visitors of the jails within their respective constituencies. (4th December 1923).	Since 1925 the practice has been to appoint non-official members of the Standing Committee on jails as non-official visitors of all jails in the Punjab (except the Female Jail, Lahore). It is not proposed to extend the scope of the experiment to all non-official members of the Council.

[Mr. H. W. Emerson.]

Serial No.	Terms of resolution passed or promise made.	Action taken.
17	This Council recommends to the Government so to amend the Punjab Legislative Council Electoral Rules as to remove the sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in the elections held for the Punjab Council. (7th December 1925).	The sex disqualification has been removed and regulations in connection therewith have been framed.
18	This Council recommends to Government that the Punjab Electoral Rules be so amended as to remove the sex disqualification in the matter of election or nomination of women as members of the Punjab Legislative Council. (21st October 1926).	The necessary amendment of the Electoral rules has been made.
19	This Council recommends to the Government to take necessary steps to exempt the following classes of men from the restrictions in the matter of keeping swords in the Province :— (a) all jagirdars, (b) those who pay Rs. 50 as land revenue, (c) all income-tax payers, (d) title-holders, (e) Government servants drawing a salary of over Rs. 250 per mensem. (f) retired military men of and above the rank of Jemadar. (23rd October 1926).	The recommendation was accepted by the Punjab Government and the Government of India, vide amendment in the Indian Arms Rules, 1924, published with Government of India, Home Department, (Police), notification No. F-21/IX/27, dated the 10th March 1927.

COMPULSORY PRIMARY EDUCATION ACT.

*626. **Chaudhri Afzal Haq :** Will the Honourable the Minister for Education be pleased to state whether under the Compulsory Primary Education Act, private institutions were given the option of applying the Act within the sphere of their operation as determined by the local bodies and sanctioned by the Government? If so, how many private institutions have availed themselves of this option?

The Honourable Mr. Manohar Lal : The honourable member seems to be under a misapprehension as regards private institutions under the Primary Education Act, 1919. The Act only applies to areas, but I may state for the information of the honourable member that wherever compulsion has been introduced by a local body all privately managed schools in the area have willingly accepted the position. Up to this time there has not been to my knowledge a single case where a private body has protested or otherwise complained against it, though compulsion has up-to-date been introduced in a large number of urban and rural areas.

COMPULSORY PRIMARY EDUCATION ACT.

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

- (a) whether it is a fact that very few private institutions availed themselves of the "option" of applying the Compulsory Primary Education Act within their sphere of operations;
- (b) whether it is due to the fact that liberal grant-in-aid was not given to the institutions for the spread of compulsory primary education;
- (c) whether there is any other reason for these institutions not availing themselves of that option?

The Honourable Mr. Manohar Lal : (a) The honourable member is referred to answer to his question No. 626 *ante*.

(b) and (c) do not arise.

GRANT TO MUSLIM-RAJPUT HIGH SCHOOL, KALANAUR (ROHTAK).

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

- (a) whether it is a fact that Muslim Rajput High School, Kalanaur (Rohtak), has obtained the sanction of the authorities to introduce compulsion within the area of its operation;
- (b) whether it is a fact that the managing committee of that school has applied for a liberal grant from the Government to translate it into practice;
- (c) whether the Government is considering the desirability of giving a liberal grant to the institution for primary education?

The Honourable Mr. Manohar Lal : Enquiries are being made and a reply will be sent when ready.

GRANT OF PROPRIETARY RIGHTS IN LYALLPUR.

***629. Lala Bodh Raj :** With reference to the answer to starred question No. 320,¹ asked on 19th July 1927, will the Honourable Member for Revenue please state how far the matter has received the consideration of the Government?

The Honourable Mian Sir Fazl-i-Husain : The matter has since been decided and revised rates for the sale of proprietary rights have been sanctioned.

JINJI BATAI.

***630. Lala Bodh Raj :** With reference to the answer to starred question No. 321,² asked on 19th July 1927, will the Honourable Member for Revenue please state how far the matter has received the consideration of the Government?

The Honourable Mian Sir Fazl-i-Husain : The matter is still under consideration.

¹Page 833 *ante*.

²Page 833 *ante*.

TERMINAL TAX.

***631. Lala Bodh Raj :** With reference to the answer to starred question No. 828,¹ asked on 19th July 1927, will the Honourable Minister for Local Self-Government please state the result of the enquiry?

The Honourable Malik Firoz Khan, Noon : The committee has so far not succeeded in drawing up proposals which will bring in an amount of revenue from terminal tax equal to that derived from octroi.

Lala Bodh Raj : Will the Honourable Minister please state if proposals have been received by him from the municipal committee, Multan?

The Honourable Malik Firoz Khan, Noon : I have not seen them yet.

PUNISHMENT OF OFFICIALS IN THE JAIL DEPARTMENT.

***632. Lala Bodh Raj :** With reference to the answer to starred question No. 397,² asked on 21st July 1927, will the Honourable Member for Finance please state what further reductions have been made as referred to in part (b) of the answer?

The Honourable Sir Geoffrey deMontmorency : Orders have been issued for the reduction of 3 more Jailors and 7 Deputy and Assistant Jailors.

Lala Bodh Raj : Will the Honourable Member please lay on the table a list of persons who have been removed?

The Honourable Sir Geoffrey deMontmorency : The names are not yet decided on.

REDUCTION OF SUBORDINATES IN ENGINEERING SERVICE.

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

- (a) if it is a fact that the Superintending Engineer, second Bahawalpur Circle, Sutlej Valley Project, has reduced certain subordinates in Engineering Service from class A to B;
- (b) the reasons for this action;
- (c) if it is a fact that some of them when appointed were taken as subordinates in A class;
- (d) the names of such subordinates as have been reduced from class A to Class B within the last 12 months;
- (e) if the reduction of the said subordinates is under the authority of letter No. 02965/83-E. I., dated 29th September 1924, of the Chief Engineer or under some other authority;
- (f) whether it is a fact that the letter referred to in part (d) above applies to such subordinates as have passed their examination for Engineering from the Engineering School, Rasul? If so,

¹Page 834 ante

²Page 910 ante.

will he please state why those who passed their examination long before the Rasul School was started and who were taken in A Class at the time of their appointment have been treated under the authority of the said letter?

The Honourable Mian Sir Fazl-i-Husain : It is a fact that some temporary subordinates were erroneously appointed to grade A instead of to grade B and these errors were subsequently rectified. No reduction, however, was made in the pay the subordinates in question were at that time drawing. The orders on the subject of appointment to grade A or grade B apply to all subordinates whether they are from the Rasul School or elsewhere.

MUNICIPAL COMMITTEE, KASUR.

***634. Lala Bodh Raj :** With reference to the answer to starred question No. 488¹ asked on 22nd July 1927, will the Honourable Minister for Local Self-Government please lay the report referred to in the answer on the table?

The Honourable Malik Firoz Khan, Noon : The substance of the report received has been communicated to the honourable member through the Secretary of the Council.

MUNICIPAL ELECTION AT KASUR.

***635. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that municipal elections at Kasur were held in August last and that the names of the successful candidates have not been notified in the *Government Gazette* so far? If so, what are the reasons for the delay?

The Honourable Malik Firoz Khan, Noon : Yes. The notification was held up pending examination of the report of the Commission appointed to enquire into the circumstances of the outbreak of cholera at Kasur.

KASUR MUNICIPAL COMMITTEE AND ENQUIRY COMMISSION.

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

(a) if it is a fact that an Enquiry Commission consisting of the Commissioner, Lahore, and two non-official members of the Council was appointed to enquire into the alleged failure of the President and other members of the Kasur Municipal Committee to take effective measures against the spread of cholera;

(b) what action has been taken on the report of the said Commission?

(ii) Will the Honourable Minister please lay on the table the copy of the said report?

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

(b) The honourable member is referred to the *Press Communiqué* of which a copy is laid on the table.

(ii) A copy of the report has been placed in the Council library.

[Hon. Malik Firoz Khan, Noon.]

Press Communiqué.

An outbreak of cholera began at Kasur on the 8th May 1927 and towards the end of the month assumed alarming proportions; from the 28th May to the 11th June there were 186 cases, from 12th June to 20th June, 376 cases. The matter was then brought to the notice of Government and a notification was issued under the Epidemic Diseases Act, 1897, conferring special powers upon the Deputy Commissioner and the Sub-Divisional Officer. The epidemic was thereafter brought under control: from 21st June to 29th June there were 134 cases and the disease finally disappeared on 14th July. Meanwhile, however, as a result of the outbreak not only was there heavy mortality in Kasur itself, but the disease spread to the surrounding districts and caused the loss of hundreds of lives. From the reports of officers of the Public Health Department it appeared that the severity of the outbreak was largely due to the failure of the Municipal Committee of Kasur to take the advice of the District Medical Officer of Health and adopt measures which might at an early stage have prevented the spread of the disease and the results of this failure were so serious that the Punjab Government (Ministry of Local Self-Government) considered that it was desirable to hold a public enquiry to establish the extent to which the Municipal Committee was in fact, if at all, culpable. A Commission was accordingly appointed consisting of the Commissioner of Lahore as Chairman and Sir Muhammad Iqbal, M.L.C., and Lala Mohan Lal, M.L.C., as members. The Commission met at Kasur on the 19th August and recorded evidence and another meeting was held at Lahore on the 10th when certain members of the Kasur Municipal Committee put in supplementary statements and made representations. The report of the Commission, which was unanimous, was forwarded to Government on the 5th September.

2. The Commission finds that though in respect of certain matters the Municipal Committee cannot be blamed for failing to adopt measures recommended to it as it had not the necessary statutory powers, it was guilty of serious neglect in respect of three matters:—

- (a) On the 18th May the District Medical Officer of Health recommended that all the wells in the municipal area should be disinfected within a week. Within the week, however, only 71 were disinfected, while by the end of June (when control had been largely taken out of the hands of the committee) over 700 were dealt with. The Commission considers that in view of the urgency of the situation the Municipal Committee was seriously to blame for the delay in carrying out the District Medical Officer's instructions.
- (b) On the 18th June the District Medical Officer of Health asked that the ice factory should be closed, and that the soda-water factory should either be closed or made to use boiled water only. The ice factory was not closed and, in view of the fact that bacteriological examination revealed that it was seriously infected by filth bacilli, failure to do this was in the Commission's opinion a serious defect.
- (c) On the 18th May the District Medical Officer of Health advised that the refuse, which was collected in heaps all over the town,

should be burnt or that lime should be thrown on it. The Municipal Committee met on the 20th May and passed the resolution that the Medical Officer of Health's instructions should be carried out; no instructions were, however, issued for the burning of the refuse, but on the contrary on the 1st June directions were given for the removal of the refuse. The committee met again on the 2nd June and two members urged that the refuse should be burnt at once: this, however, was not sanctioned. The matter came up again on the 10th June and the committee again refused to have the rubbish burnt. The Commission considers that it is probable that the refuse was the exciting cause of the spread of the disease and the advice to burn it which was pressed on the committee by some of its own members also, was not a precaution which the committee had any right to disregard. By neglecting to burn it the committee preferred its income to its responsibility for preservation of human life and was, therefore, in the opinion of the Commission guilty of a grave neglect of duty.

3. The Commission desires to except from its general condemnation of the committee the President, Khan Sahib Sardar Muhammad Shahbaz Khan, who did his best to induce the committee to carry out the measures recommended to it and Messrs. Dev Raj, Jaini, Harbhagwan Das and Gokal Chand, members, who supported the proposals of the District Medical Officer of Health as to the burning of the rubbish.

4. The Punjab Government (Ministry of Local Self-Government) have accepted the findings of the Commission and consider the dereliction of duty by the committee so serious that they have ordered the seats of members who are not exonerated by the Commission to be vacated. Meanwhile, however, fresh elections have been held and the following members of the old committee have been re-elected :—

M. Rahim Bakhsh.
 M. Hidayat Ullah Khan.
 M. Sardar Ali Khan.
 Khan Sher Nawab Khan.
 M. Muhammad Shafi.
 M. Khushi Muhammad.
 M. Muhammad Amin Gora.
 Lala Labha Ram.

The Punjab Government (Ministry of Local Self-Government) have accordingly also passed orders sanctioning under the proviso to section 24 of the Punjab Municipal Act, 1911, the refusal of the Commissioner of the Lahore Division to notify the re-election of these members. Their re-election thus becomes void and under sub-section (2) of section 16 of the Act they will remain disqualified for election unless and until the Local Government otherwise direct. Government are of opinion, that those who have been shown to have so little sense of the responsibilities of their position, are not fit to be members of a municipal committee.

LAHORE :

MUZAFFAR KHAN,

19th November 1927.

Director, Information Bureau, Punjab.

VICE-PRESIDENT, MUNICIPAL COMMITTEE, KASUR.

***637. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that a report was made to the Commissioner, Lahore, against the Vice-President, Municipal Committee, Kasur, for his not delivering some of the weighing scales for the purchase of which he was entrusted with money by the Committee? If so, what action has been taken by the Commissioner on the said report or complaint?

The Honourable Malik Firoz Khan, Noon : A complaint was received by the Commissioner and was sent to the Deputy Commissioner for report.

HINDU REPRESENTATION ON KASUR MUNICIPAL COMMITTEE.

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

- (a) whether on the Kasur Municipal Committee, there are 4 Hindus as compared with 9 Muhammadans;
- (b) if it is a fact that there has been a practice in the past to fill up the two nominated seats one by a Hindu and the other by a Muhammadan;
- (c) if it is a fact that there is a proposal for taking away the nominated seat of the Hindus? If so, what are the reasons for such action?

The Honourable Malik Firoz Khan, Noon : (a) The rules provide for nine Muslim and four non-Muslim elected members. The non-Muslim members may or may not be Hindus.

(b) There are three seats to be filled by appointment, and on the last occasion when appointments were filled one official, one Muslim and one Hindu were appointed.

(c) It is understood that the Commissioner contemplates the appointment of a Sikh instead of a Hindu gentleman, as he considers that Sikh interests should be represented on the committee.

Sardar Ujjal Singh : Will the Honourable Minister kindly state the number of Sikh gentlemen on the Kasur Municipality?

The Honourable Malik Firoz Khan, Noon : I understand the number is nil.

STARTING OF HIGH CLASSES IN SCHOOLS.

***639. Lala Bodh Raj :** Will the Honourable Minister for Education lay on the table the information referred to in the answer to starred question No. 427¹ asked on 22nd July 1927?

The Honourable Mr. Manohar Lal : The information is laid on the table.

Answer to Question No. 427.

The Honourable Mr. Manohar Lal : (a) Yes; a copy of the circular has now been obtained.

(b) Yes; advice was given to this effect.

(c) Yes.

(d) No.

COMPLAINT AGAINST HEADMASTER, HIGH SCHOOL, KAHROR.

***640. Lala Bodh Raj :** Will the Honourable Minister for Education please state if any representation has been made by the Hindu Sabha or the Hindus of Kahror Pacca in Multan district complaining against the conduct of the Headmaster of the High School, Kahror, and the inefficient working of several teachers. If so, what action has been taken by the authorities in the matter?

The Honourable Mr. Manohar Lal : Yes. The matter is under enquiry.

MEMORIAL OF THE SHOP-KEEPERS COMMITTEE OF LYALLPUR DISTRICT.

***641. Lala Bodh Raj :** Will the Honourable Member for Finance please state if it is a fact that the shopkeepers committee of Lyallpur district submitted a memorial to the Deputy Commissioner, Lyallpur, against the boycott propaganda carried on by some of the Muhammadans in the villages? If so, what action has been taken by the Deputy Commissioner concerned in order to stop such a propaganda?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) The Deputy Commissioner, Lyallpur, made personal enquiries into the statements contained in the memorial. He found that some of the statements are not in accordance with the facts, that in some cases copies of the memorial had been signed by persons who admittedly were ignorant of its contents, and that the agitation was to a large extent artificial. In a few villages of the Lyallpur District, however, the boycott movement at one time threatened to exacerbate communal feeling, and where the objects and methods of the propaganda carried out were clearly communal and not economic, and there was an indication that persons were likely to be delivered by show of undue influence from dealing with shops; the Deputy Commissioner took suitable action to discourage it and to prevent Lambar-dars and other village officials from taking any part in it. His action appears to have been timely and no complaints in regard to the movement have been received by Government from the Lyallpur District for some time.

LOCAL ALLOWANCE TO POLICE SUB-INSPECTORS.

***642. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

- (a) if it is a fact that local allowance is granted to the Police Superintendent, Inspectors, Head Constables and Constables at Lahore ;
- (b) if it is a fact that such allowance is not granted to the Police Sub-Inspectors ? If so, what are the reasons for the distinction ?

The Honourable Sir Geoffrey deMontmorency : (a) Local allowances, i.e., allowances to compensate for expensiveness of living in Lahore, are granted to the Senior Superintendent of Police, to all Head Constables and to all Constables working at head-quarters. No Inspector gets such an allowance, though all Inspectors engaged on duty at head-quarters are granted some other allowance in the form of special pay to remunerate them for the arduous nature of their duties.

(b) The facts are being enquired into and a reply will be communicated to the honourable member in due course.

COMPULSORY PRIMARY EDUCATION ACT.

***643. Chaudhri Afzal Haq :** Will the Honourable the Minister for Education be pleased to state the conditions which are generally imposed upon those institutions by the Government and district boards which apply for sanction to introduce Compulsory Primary Education Act within the areas of their operation ?

The Honourable Mr. Manohar Lal : The Honourable Member's attention is invited to the answer to question No. 626¹.

DISTURBANCES IN MONTGOMERY JAIL.

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

- (a) whether in the month of May last there was a disturbance in Montgomery Jail ;
- (b) whether it is a fact that about ninety Muhammadan prisoners were challaned for the charge of rioting, etc. ;
- (c) whether any official was wounded in that riot ;
- (d) whether any Government property was damaged ?

(ii) If the answer to (c) and (d) above is in the negative, will the Honourable Member be pleased further to state—

- (a) whether it is a fact that all the prisoners were sentenced from four to six years' rigorous imprisonment ;
- (b) whether the Government is considering the advisability of lodging an appeal on behalf of these prisoners against such heavy sentences ?

The Honourable Sir Geoffrey deMontmorency : (i) (a) Not in May but from April 22nd to 26th.

(b) Eighty-eight.

(c) No.

(d) Yes.

(iv) (a) Yes.

(b) It is not for Government to lodge an appeal. The prisoners themselves have appealed.

DISTURBANCES IN MONTGOMERY JAIL.

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

(a) the causes of the Montgomery jail riot ;

(b) whether Government appointed any commission or held any enquiry into the causes of the riot ;

(c) the findings of the commission or the result of the enquiry ?

The Honourable Sir Geoffrey deMontmorency : (a) The event, out of which subsequent disturbance arose, was an allegation that Assistant Jailor Jagannath had kicked a Koran stand belonging to a convict.

(b) After the riots an investigation was at once held on the departmental side by Major Puri and in addition a magisterial investigation was held.

(c) As a result of the latter and of investigation by the Deputy Superintendent of Police, with whom a magistrate was associated in the enquiry, 88 out of the 93 rioters were sent up for trial by the courts. On the departmental side the Civil Superintendent of the Jail was reverted to the Provincial Civil Service ordinary line and the Jailor was transferred to a smaller jail.

NON-CO-OPERATION OF JAILORS AND ASSISTANT JAILORS WITH CIVIL SUPERINTENDENTS.

***646. Chaudhri Afzal Haq :** (a) Will the Honourable the Finance Member be pleased to state whether any complaints have reached Government that at places where Civil Superintendents have been appointed the Jailors and the Assistant Jailors do not co-operate with the Civil Superintendents ?

(b) If so, what action has the Government taken to remedy the state of affairs ?

The Honourable Sir Geoffrey deMontmorency : (a) No such complaints have been received.

(b) Does not arise.

FLOGGING IN MONTGOMERY JAIL.

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

(a) if it is a fact that after the Montgomery jail disturbance flogging of the prisoners was carried on for three consecutive days ;

[Chaudhri Afzal Haq.]

(b) the number of prisoners who were flogged;

(c) the number of those prisoners who were flogged and who died within a fortnight?

The Honourable Sir Geoffrey deMontmorency: (a) Yes; from 27th April 1927 to 29th April 1927, inclusive. Certain prisoners were flogged on each of these days.

(b) Twenty-two.

(c) One; Fazal Rahman was flogged on 28th April 1927 and died on 3rd May 1927. The *post-mortem* report shows that he died from the effects of early pneumonia. A magisterial enquiry was held which found that he died from the effects of pneumonia.

AGE, ETC.; OF PRISONERS FLOGGED IN MONTGOMERY JAIL.

***648. Chaudhri Afzal Haq:** Will the Honourable the Finance Member be pleased to prepare a statement showing the age, the state of health and the weight of each of the prisoners who were flogged for rioting in Montgomery Jail?

The Honourable Sir Geoffrey deMontmorency: The information called for by the honourable member is being collected and will be supplied to him in due course.

PROSECUTION OF PRISONERS IN MONTGOMERY JAIL FOR RIOTING.

***649. Chaudhri Afzal Haq:** Will the Honourable the Finance Member be pleased to state the name of those prisoners of the Montgomery Jail who were prosecuted for rioting and also given jail punishments stating the days of remission forfeited and the nature of other jail punishments awarded to them?

The Honourable Sir Geoffrey deMontmorency: The information required by the honourable member is being obtained and will be supplied to him in due course.

KHURSHAID AHMAD KHAN, RESEARCH SCHOLAR.

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

(a) if it is a fact that Khurshaid Ahmad Khan, M.A., a research scholar who is now-a-days investigating into the conditions of labour applied to the Punjab Government to allow him to take some figures, especially weight and height, of prisoners and the scale of their diet from the Punjab jails;

(b) whether Government is considering the application of the gentleman favourably?

The Honourable Sir Geoffrey deMontmorency: (a) One Mukhtar Ahmad Khan, M.A. (not Khurshaid Ahmad Khan) applied for permission to visit the Punjab jails and collect certain statistics for the purpose of an economic enquiry on which he was engaged.

(b) Permission was granted to him to visit 3 jails for the purpose.

COMPULSORY PRIMARY EDUCATION ACT IN WAZIRABAD MUNICIPALITY.

***651. Chaudhri Afzal Haq :** (1) Will the Honourable the Minister for Education be pleased to state—

(a) whether it is a fact that Wazirabad Municipal Committee in February 1926 decided unanimously to introduce the Compulsory Primary Education Act within their local limits ;

(b) whether it is a fact that for this purpose an allotment was made in the budget for 1926-27, but the Act was not brought into operation ;

(c) whether it is a fact that in the budget allotment for 1927-28 again a considerable sum was allotted for the introduction of compulsory education but it has not been introduced so far ?

(2) If so, will the Honourable Minister for Education please state :—

(a) why compulsory education has not been introduced in Wazirabad as yet ;

(b) how that budget provision has been used ?

The Honourable Mr. Manohar Lal : Enquiries are being made, and a reply will be supplied when ready.

NAMES OF CASTES DEBARRED FROM ENTERING GOVERNMENT SERVICE.

***652. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state the names of those castes if any which are debarred from entering Government service ?

The Honourable Sir Geoffrey deMontmorency : No person is debarred by reason only of his caste from entry into Government service.

TREATMENT OF APPLICANTS FOR FOREIGN PASSPORTS BY LAMBARDARS AND THE POLICE.

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

(a) if the Government is aware of the complaint of the applicants for passports to foreign countries that they are very badly treated by Lambardars and the police when the application is sent to the police station for the certification of character ;

(b) if the Government is further aware that there is also a serious complaint against the treatment meted out to the applicants by the clerks of Deputy Commissioners' offices ?

(ii) If so, what is being done to remove such complaints ?

The Honourable Sir Geoffrey deMontmorency : (i) (a) No.

(b) Only one complaint has so far been received by Government and it is being enquired into.

(ii) Does not arise.

APPLICATIONS FOR PASSPORT TO FOREIGN COUNTRIES.

***654. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state the number of applications received for the grant of passports to foreign countries in the year 1926, and the number of applications that were rejected in the same year ?

The Honourable Sir Geoffrey de Montmorency : The number received was 5,188 and the number rejected 178.

DISTRIBUTION OF GRANTS-IN-AID.

***655. Chaudhri Afzal Haq :** With reference to the Education Department Circular No. 13070-G., dated 6th November 1923, will the Honourable Minister for Education be pleased to state what steps, if any, the present Ministry has taken for equal distribution of grants-in-aid amongst communities and for the encouragement of the educationally backward communities ?

The Honourable Mr. Manohar Lal : No change has been made recently in the general plan of the grants-in-aid ; those who are educationally backward are usually treated with particular consideration.

DIFFERENTIATION BETWEEN SAYADS AND BRAHMANS IN THEIR AGRICULTURAL STATUS.

***656. Diwan Bahadur Raja Narendra Nath :** Will the Honourable the Revenue Member be pleased to state —

- (a) whether it is a fact that Sayads are notified as an agricultural tribe in the Punjab having a preferential right to purchase land from other agricultural tribes (Hindu, Muhammadan or Sikh) ;
- (b) whether they are notified as such a tribe in every district of the Punjab except in Simla and Kangra where their number is 369 and 353 respectively ;
- (c) whether Brahmans are notified as agricultural tribes in certain districts forming a separate group by themselves not entitled to purchase land like the Sayads from other agricultural tribes ;
- (d) whether Brahmans and Sayads in the districts given below have the population respectively shown against them and whether in none of these districts, Brahmans hold the status of agricultural tribes whilst Sayads do :—

District.	Brahmans.	Sayads.
Ludhiana	19,621	3,063
Ferozepore	19,642	6,011
Lahore	31,348	11,330
Amritsar	32,470	4,548
Sheikhupura	5,715	3,856
Lyallpur	11,849	5,867
Gujranwala	12,941	7,197

(e) whether the total population of Brahmans in the Punjab is 988,616 and of Sayads 247,087.

(f) whether the following comparative table is a correct synopsis of the figures given in table XXI of the Census report :—

PERCENTAGE FOLLOWING TRADITIONAL OCCU- PATION OF PRIESTS.		PERCENTAGE WHO ARE RECEIVERS OF RENT.		PERCENTAGE WHO ARE ACTUAL TILLERS OF SOIL, FIELD LABOUR- ERS, WOOD CUTTERS, RAISES OF LIVESTOCKS, MILKMEN AND HERDSMEN.	
Sayads.	Brahmans.	Sayads.	Brahmans.	Sayads.	Brahmans.
12.8	7.7	1.8	1.5	7.5	19.1

(g) whether a larger proportion of Brahmans serve in the Army than of the Sayads.

(h) if the above facts are correct, will the Honourable the Revenue Member be pleased to explain what are the grounds of differentiation between Sayads and Brahmans in their agricultural status :

- (i) in districts in which they are notified as agricultural tribes, and
- (ii) in other districts ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Sayads are notified as an agricultural tribe in every district of the Punjab, except in Simla and Kangra. This does not confer any preferential right to purchase lands, but merely entitles them to do so in common with other agricultural tribes ;

(c) Yes ;

(d), (e) and (f) The figures given in the question are approximately correct.

(g) The information is not readily available :

(h) Notifications of the agricultural tribes in each district are issued according to local circumstances, the main determining factors being—

- (i) that the tribe depends mainly on agriculture, and
- (ii) that it requires protection from expropriation by money-lenders of non-agricultural tribes.

For these reasons Sayads have been notified in the districts mentioned. Brahmans have not so been notified as, although there are genuine agriculturists among them, the tribe as a whole is not considered by Government to be an agricultural tribe. Where Brahmans (as e.g. Gaur Brahmans) actually form a tribe which can be described as agricultural they have been so gazetted.

PROPORTION FOR ENLISTMENT OF VARIOUS COMMUNITIES IN THE SERVICES.

***657. Diwan Bahadur Raja Narendra Nath :** (a) Will the Chief Secretary be pleased to state whether the orders fixing the following proportions for enlistment in services of various communities are still in force :—

Hindus and others 40 per cent., Muhammadans 40 per cent. and Sikhs 20 per cent. ?

(b) If so, how are these orders co-ordinated with the policy prescribed by resolution No. 4572-S., dated the 8rd October 1919, of Government ?

(c) Which of the two policies or orders has priority over the other, when the percentage prescribed for agriculturists is in excess of 40 per cent. ?

Mr. H. W. Emerson : (a) No orders of the kind referred to by the honourable member have been issued by Government.

(b) and (c) Do not arise.

AGRICULTURAL INDEBTEDNESS.

***658. Diwan Bahadur Raja Narendra Nath :** With reference to the unstarred question No. 223, asked on the 18th July 1927, and its answer will the Honourable the Revenue Member be pleased to state whether—

(a) the removal of restrictions placed on alienation by men who have selected trade, banking or various professions as their principal avocation, and

(b) the preferential right of purchase which these classes enjoy, depend on application to be made by them and whether Government proposes to wait till such applications are received ?

The Honourable Mian Sir Fazl-i-Husain : Government does not contemplate at present taking any action in this matter. Any applications received will be dealt with on their merits.

AMRITSAR-PATHANKOT ROAD.

***659. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Agriculture be pleased to state —

(a) the length and breadth of the Amritsar-Pathankot road ;

(b) whether the Public Works Department proposes to widen it to 220 feet or so ;

(c) the area of the land that will have to be acquired to carry out the proposal, and its estimated cost ;

(d) the number of dwellings, sacred buildings and waqf properties that shall have to be acquired and demolished, and that of fruit gardens that shall have to be cut down to carry out the proposal ;

(e) the procedure which is followed on other roads in the province to get earth ;

- (f) the amount of earth annually required for the berms of this road, and its average cost for the last two years ;
- (g) whether the Government is aware that this road runs through a densely populated ilaqa especially in the Amritsar district where the zamindars own rather small holdings ;
- (h) whether the Government is further aware of the fact that the Amritsar district board in its meeting held on 1st September 1927, unanimously passed a resolution characterising the aforesaid proposal of widening this road as disastrous to the agriculturists ;
- (i) whether the Government is prepared to consider an alternative proposal of acquiring plots of banjar land one acre or so in area for every mile of the road ?

The Honourable Sardar Jogendra Singh : There is no proposal before Government for increasing the existing land-width of the road between Amritsar and Pathankot. The questions concerning such a proposal do not therefore arise.

GRANT-IN-AID.

***660. Rana Firoz-ud-Din Khan :** (i) Will the Honourable the Minister for Education please state—

- (a) whether private educational institutions are allowed to introduce compulsion in primary departments ;
- (b) the number of such institutions that have so far introduced compulsion in their primary departments ;
- (c) the grants-in-aid which they are, under the existing rules, entitled to and are actually getting ;
- (d) whether it is a fact that under compulsory education there is a wholesale concession of fees, and the institution is financially a loser by the introduction of compulsion ?

(ii) Does the Government propose to revise the existing rules governing the grants-in-aid so as to allow grants for full expenditure in the primary department to private aided institutions allowed to introduce compulsion ?

The Honourable Mr. Manchar Lal : (i) (a) No.

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

(ii) The whole question of compulsion is under consideration.

ARMS LICENSE TO MUSLIMS IN ROHTAK DISTRICT.

***661. Rana Firoz-ud-Din Khan :** (a) Will the Honourable the Revenue Member please state the number of licenses for fire-arms granted to Muslim gentlemen in the Rohtak district that were either confiscated by the Deputy Commissioner or not renewed for the current year, and give reasons for such refusals or confiscations ?

(b) Does the Honourable Member propose to take any steps in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) During the current year the Deputy Commissioner of Rohtak has cancelled the arms licenses of nine Muhammadans. As regards the reason for the Deputy Commissioner's order in six cases, I would refer the honourable member to the answer which is being given to his Question No. 662 (below). As regards the other cases, one licensee was in military employ and his license was cancelled at the instance of his Commanding Officer and one was a person who in the opinion of the Deputy Commissioner could not in the public interest be allowed to possess arms. In one case the licensee, having decided not to purchase a gun, agreed that he had no need for a license. During the same period the Deputy Commissioner has refused to renew the arms' licenses of ten Muhammadans. Of these four were Government servants and their superior officers did not recommend renewal while in the case of five men after an investigation of their circumstances the Deputy Commissioner came to the conclusion that it was undesirable that they should be allowed to possess arms. In one case renewal was refused because the licensee had no weapon.

(b) No. All these men have a right of appeal to the Commissioner under rule 43 of the Indian Arms Rules.

CONFISCATION OF ARMS LICENSE OF CERTAIN PATHANS.

***662. Rana Firoz-ud-Din Khan :** Will the Honourable the Revenue Member please state if it is a fact that fire-arms' licenses of all the Pathan residents of Mohalla Garhi Afghanan in Rohtak were confiscated by the Deputy Commissioner, Rohtak? If so, for what reasons?

The Honourable Mian Sir Fazl-i-Husain : In February last a man was murdered in Mohalla Garhi Afghanan. The alleged murderer, a Pathan, escaped and is still at large, but in pursuance of section 88 of the Code of Criminal Procedure his property was attached. After the murder, six Pathans of Mohalla Garhi Afghanan, who were then in possession of arms licenses, threatened with violence certain persons entering the Mohalla in connection with the police investigation, and these men also obstructed the attachment of the absconder's property. In consequence their arms' licenses were cancelled by the Deputy Commissioner of Rohtak. On appeal to the Commissioner the order of the Deputy Commissioner was set aside in one case.

COPYING EXAMINERS OF DEPUTY COMMISSIONERS' OFFICE.

***663. Rana Firoz-ud-Din Khan :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that the post of the Copying Agent in the offices of the Deputy Commissioners is a permanent pensionable one, while that of the Copying Examiner is a non-pensionable one;
- (b) whether it is a fact that duties of Copying Examiner were under the old system carried on by such responsible officials as Superintendents and Head Vernacular clerks;

- (c) whether it is proposed to take steps to remove this discrimination between the two posts and make the post of Copying Examiner also a permanent pensionable one?

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

(b) Yes.

(c) The attention of the honourable member is invited to the reply given to part (d) of Council Question No. 1637 by my predecessor on the 14th of March 1925.

SCALE OF PAY FOR COPYING EXAMINERS.

***664. Rana Firoz-ud-Din Khan :** (a) Will the Honourable the Revenue Member be pleased to state whether it is a fact that the post of Copying Examiner carries a fixed emolument, which is sometimes less than what copyists earn.

(b) If so, whether the Government is prepared to consider the case and make the post a graded one like that of the stenographers with a salary of Rs. 100—5—150?

The Honourable Mian Sir Fazl-i-Husain : (a) The emoluments of Copying Examiners are fixed. Government is not aware whether these emoluments are occasionally less than the monthly earning of copyists. The latter fluctuate according to the total income of the Copying Agency.

(b) The attention of the honourable member is invited to the reply given to part (c) of his question No. 663 (*supra*).

MUSLIM SUB-ASSISTANT SURGEONS IN LYALLPUR.

***665. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Local Self-Government please state the number of civil dispensaries in the Lyallpur district and of Muslim Sub-Assistant Surgeons in charge thereof?

The Honourable Malik Firoz Khan, Noon : The number of dispensaries is 18 and of Muslim Sub-Assistant Surgeons 2.

S. LABH SINGH, ASSOCIATE PROFESSOR OF AGRICULTURE.

***666. Rana Firoz-ud-Din Khan :** With reference to the answer to starred question No. 222, put on 22nd March 1927, will the Honourable Minister for Agriculture please state—

- (a) if he is aware that the officer appointed to the post of Associate Professor of Agriculture passed his B. Sc. Agriculture in 1925 in the third division and obtained less marks than his own pupils;
- (b) whether the appointments of Professors and Associate Professors of the Agricultural College, Lyallpur, are made according to seniority in service or according to merits;
- (c) whether he still considers the above appointment of S. Labh Singh to the post as a mere transfer and not a promotion;

* Vol. VIII—A, pages 535-36.

* Vol. X—A, pages 640-41.

[Rana Firoz-ud-Din Khan.]

(d) the pay the gentleman was drawing as an Assistant Professor and the pay he has been drawing as an Associate Professor, and the rates of increment in the two capacities ;

(e) the qualifications of Chaudhri Abdul Wahid as compared with those of S. Labh Singh ?

The Honourable Sardar Jogendra Singh : The answer to this question is not yet ready, but the answer I gave yesterday practically covers the answer to this question.

FRUIT AND MILLET SPECIALISTS.

***667. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Agriculture please state—

(a) if appointments to the posts of Fruit Specialist and Millet Specialist have been made ;

(b) the names of the gentlemen who have been appointed ;

(c) the procedure that was followed in making the selection ?

The Honourable Sardar Jogendra Singh : (a) Yes. The appointments to the posts of 2nd Fruit Specialist and Botanist for Millets have been made.

(b) Mr. Satya Dev Loomba and Mr. Bajra Sain, Sawhney, respectively.

(c) The selection was made by a Selection Committee consisting of the Honourable Minister for Agriculture, Financial Commissioner, Development and Director of Agriculture.

APPOINTMENTS TO THE SUPERIOR AGRICULTURAL SERVICE.

***668. Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Agriculture please state the number of appointments made to the superior agricultural service, direct or by promotion from the provincial service, since December 1925 with names and qualifications of the gentlemen appointed as compared with their rival candidates ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

FIRING ON ZAMINDARS IN VILLAGE KHOKHORZER.

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

(a) if it is a fact that on the 22nd June 1927 in the village Khokhorzer, Tahsil Chakwal, District Jhelum, three zamindars named Hafiz Hasan Din, Saghar and Kehr Mehdi were fired upon and they received several injuries ;

(b) if it is a fact that the matter was reported to the police station ;

- (c) if it is a fact that even the Superintendent of Police was approached by the party so that the matter might be enquired into by him ;
- (d) if it is a fact that no action has so far been taken by the police.
- (e) if it is a fact that a rich and influential man is suspected to have fired the gun which injured the zamindars ;
- (f) why no action has so far been taken in this case ?

The Honourable Sir Geoffrey de Montmorency : (a) No.

(b) No.

(c) In July last one Muhammad Ali, presented a petition to the Superintendent of Police which was investigated and found to be without foundation.

(d) No.

(e) No.

(f) The reason is apparent from the reply to part (c).

REMOVAL OF THE NAMES OF RAJPUTS OF VILLAGE RATHAUR FROM THE REGISTER OF CRIMINAL TRIBES.

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

- (a) whether the attention of the Government has been invited to the article which appeared in the "Muslim Rajput," a weekly of Amritsar on the 5th January 1927, under the heading of "Rajputs" as members of criminal tribes ;
- (b) whether it is a fact that Rajputs of village Rathaur, Tahsil Naraingarh, who are registered as members of the criminal tribes served the Government in the Great War and some of them are big zamindars ;
- (c) whether the Government is considering the desirability of removing the names of Rajputs of village Rathaur from the register of criminal tribes ?

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

(b) Rajputs of village Rathaur, tahsil Naraingarh, were not notified as a whole. Action was taken in regard to certain individuals only whom it was desirable to bring within the purview of the Act. Nothing is known in regard to war services rendered by any of these individuals. None of them are big zamindars.

(c) No.

PRINCIPAL, VICTORIA GIRLS SCHOOL, LAHORE.

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

- (a) the age of the Principal of Victoria Girls School, Lahore ;

[Chaudhri Afzal Haq.]

- (b) the number of years for which she has been given extension of service;
- (c) if it is a fact that inspite of her very old age it is contemplated to extend her service by another year?
- (d) the grounds for the extension of the service of the Principal year after year?

The Honourable Mr. Manohar Lal : (a) There is no Principal of the Victoria School for Girls, Lahore. There is, however, a Lady Superintendent whose age is over 68 years.

- (b) Nine years
- (c) The question of grant of extension in service has not yet been taken up.
- (d) For exceptional ability and merit.

QUALIFICATIONS OF THE MISTRESSES OF VICTORIA GIRLS'
SCHOOL, LAHORE.

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

- (a) the qualification of the mistresses of Victoria Girls' School, Lahore;
- (b) whether it is a fact that some of the mistresses draw Rs. 500 a month without any academic qualifications? If so, why?

The Honourable Mr. Manohar Lal : (a) A statement is laid on the table.

- (b) No.

STAFF STATEMENT OF THE VICTORIA SCHOOL FOR GIRLS, LAHORE.

Serial No.	Name.	Qualifications.	Designation.	Grade.	Pay.	Remarks.
1	Miss N. Bose	Teacher Diploma Home and Colonial College, London.	Lady Superintendent	Ra. 350-20-850	Ra. 530	
2	Miss F. L. Stuart	The Royal Academy of Music Teachers Certificate for teaching voice culture and voice production for children. 2. National Frolic Union, Elementary Certificate for teaching Kindergarten, Black-board drawing, Nature Knowledge, Hand-work and Singing. 3. The School Teacher's Music Certificate. S. E., J. A. V.	Head Mistress	300-30-550	400 O. S. P. 50	
3	Miss N. Setna	B. A., B.T.	Assistant Mistress	110-5-135	135	
4	Miss B. Ghosh	F. A., J. A. V.	Ditto	110-5-135	130	
5	Miss E. Andrews	Primary, Domestic Science Examination Trained.	Ditto	80-4-100	100	
6	Ribi Habib	M. S. V., S. V.	Vernacular teacher	55-3-70	70	
7	Mrs. G. Pinth	M. S. V., S. V.	Ditto	55-3-70	70	
8	Mst. Haslmi Begum	M. S. V., S. V.	Ditto	55-3-70	70	
9	P. Beli Ram	Visharad	Ditto	55-3-70	70	
10	Sh. Ram Pyari	M. S. V., S. V.	Ditto	55-3-70	70	
11	Mst. Amir Begum	M. S. V., S. V., H. P. in Urdu.	Ditto	55-3-70	61	
12	Mst. Mahenda Begum	H. E., H. P., S. U.	Ditto	55-3-70	55	
13	Mst. Barkat Jan	M. S. V., S. V.	Ditto	35-3-50	50	

[Hon. Mr. Manohar Lal.]

STAFF STATEMENT OF THE VICTORIA SCHOOL FOR GIRLS, LAHORE—continued.

Serial No.	Name.	Qualifications.	Designation.	Grade.	Pay.	Remarks.
14	Sh. Jagt Devi	M. S. V., J. V.	..	Rs. 35-3-50	Rs. 50	
15	Sh. Suraswati	M. S. V., J. V.	..	35-3-50	50	
16	Sh. Kesro	Primary	..	35-3-50	50	
17	Sh. Bhagzithi	J. V., Needlework certificate	..	35-3-50	50	
18	Sh. Durgu	J. V.	..	35-3-50	50	
19	Sh. Mula Devi	M. S. V., S. V.	..	35-3-50	50	
20	Mst. Iqbal Begum	M. S. V., S. V.	..	35-3-50	35	
21	Mst. Khursid Begum	M. S. V., S. V.	..	35-3-50	41	
22	Mst. Amir-un-Nisa	M. S. V., S. V. failed	..	35-3-50	41	
23	Mst. Aziz Begum	M. S. V., S. V.	..	35-3-50	47	
24	Sh. Kishen Devi	M. S. V., S. V.	..	35-3-50	47	
25	Mst. Bakhtawar	M. S. V., J. V.	..	20-2-30	28	
26	Sh. Ram Fiyari	M. S. V., J. V.	..	20-2-30	22	
27	Sh. Daroydi	M. S. V., J. V.	..	20-2-30	30	
28	Mst. Wazir Begum	M. S. V., J. V.	..	20-2-30	20	
29	Mst. Sardar Begum (Sh. Mohan Devi) Offg.	M. S. V., J. V.	..	20-2-30	28	Offg. in the grade of Rs. 35-50.

SATTA GAMBLING.

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

- (a) whether the Government received any application from the traders of Ludhiana complaining that *Satta* gambling is openly practised in the Ludhiana market ;
- (b) whether it is a fact that every day in the evening *Sattawalas* gather together in hundreds in the main street of Ludhiana causing hindrance to the traffic ;
- (c) whether the Government has taken any step to stop *Satta* gambling in Ludhiana ?

The Honourable Sir Geoffrey deMontmorency : (a) An application was received by the Superintendent of Police, Ludhiana.

(b) No.

(c) Unless the law is reinforced, it will not be possible for Government to take more general or drastic action than it has been taking hitherto.

SCARCITY OF MECHANICAL ENGINEERS.

***674. Dr. Sir Muhammad Iqbal :** Will the Honourable the Revenue Member please state—

- (a) the respective number of mills and factories requiring first and second class Engineers in accordance with the Punjab Boilers rules ;
- (b) the number of first and second class certificates regarding both service and competency issued by the Board of Examining Engineers since 1906 ;
- (c) the number of complaints received by Government from the factory owners (with names and addresses) about the scarcity of Mechanical Engineers ?

The Honourable Mian Sir Fazl-i-Husain : The Honourable Member is referred to the reply given to question No. 440 put by Chaudhri Afzal Haq.

BOARD OF EXAMINING ENGINEERS.

***675. Dr. Sir Muhammad Iqbal :** (i) Will the Honourable the Revenue Member please state—

- (a) whether it is a fact that since the starting of the Board of Examining Engineers in 1906 not a single Muslim has secured a seat on the Board ;
- (b) whether it is a fact that the members of the Board never changed ;
- (ii) If the answer to (a) and (b) is in the affirmative, does the Government propose to put a Muslim on the Board and to make rules regulating change of the personnel of the Board after a fixed period of time ?

The Honourable Mian Sir Fazl-i-Husain : (i) (a) The Honourable Member is referred to the answer given to Council Question 443.

(b) No.

(ii) No. Appointments to this Board are made on the score of technical qualifications or *ex-officio*, as will be clear from its undermentioned present constitution :—

(1) The Director of Industries, Punjab, *Ex-officio*—Chairman.

(2) The Chief Boiler Inspector, Punjab. *Ex-officio*.

(3) The Works Manager, North-Western Railway, Loco Shops, Mughalpora.

(4) Mr. J. Gately, Superintendent, Water Works and Boiler Inspector, Delhi.

Government sees no reason to change the present rules.

BOARD OF EXAMINING ENGINEERS.

***676. Dr. Sir Muhammad Iqbal :** (i) Will the Honourable the Revenue Member please state—

(a) whether the Board of Examining Engineers is contemplating issuing first and second class certificates without pre-examination ;

(b) whether it is a fact that there is already a good number of first and second class Mechanical Engineers who are out of employment and whom the industry cannot absorb ?

(ii) If the answer to (a) and (b) is in the affirmative, what is the reason for issuing first and second class certificates without examination ?

The Honourable Mian Sir Fazl-i-Husain : (a) No changes in the existing rules are under consideration. The powers of the Board are restricted by the rules contained in Appendix B of the rules issued under the Boiler Act.

(b) Government has no information.

(c) Does not arise.

COMPULSORY PRIMARY EDUCATION ACT.

***677. Dr. Sir Muhammad Iqbal :** (i) Will the Honourable the Minister for Education please state—

(a) whether it is a fact that private institutions were given the option of applying the Compulsory Primary Education Act within the sphere of their operations ;

(b) whether it is a fact that a great many private institutions desire to adopt the principle of compulsion but have not availed themselves of this 'option' owing to the exiguity of grant allowed under the existing rules ?

(ii) If the answer to (a) and (b) is in the affirmative, does the Government propose to amend the existing rules relating to grants so that private institutions adopting the principle of compulsion may not be handicapped?

The Honourable Mr. Manohar Lal : (a) The honourable member's attention is invited to the replies to questions Nos. 626-27.

(b) and (c) do not arise.

EDUCATIONAL INSTITUTIONS IN AMRITSAR DISTRICT.

***678. Dr. Sir Muhammad Iqbal :** Will the Honourable the Minister for Education please state—

- (a) the number and standard of the various kinds of educational institutions, community-wise, in the Amritsar district;
- (b) the number of Anglo-Vernacular Middle Schools with optional English classes in the Amritsar District;
- (c) the number of Muslim and non-Muslim Headmasters in these institutions and their qualifications;
- (d) the total number of Vernacular Middle Schools in the Amritsar district;
- (e) the number of non-Muslim and Muslim Headmasters in the schools mentioned in (d)?

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

MUNICIPAL BOARD NIGHT SCHOOLS, AMRITSAR CITY.

***679. Dr. Sir Muhammad Iqbal :** Will the Honourable the Minister for Education please state—

- (a) the number of adults on rolls on 31st March 1926 and 31st March 1927 in Municipal Board Night Schools in Amritsar City;
- (b) the amount of money spent on the schools annually;
- (c) the number of adults who have secured literacy certificates from these schools?

The Honourable Mr. Manohar Lal : Enquiries are being made and a reply will be sent to the honourable member when ready.

DISTRICT INSPECTORS OF SCHOOLS.

***680. Dr. Sir Muhammad Iqbal :** Will the Honourable the Minister for Education please state—

- (a) the names of headmasters, community-wise, appointed by District Inspectors of Schools, during the last six months;
- (b) the respective ages of the new District Inspectors of Schools and the period of their inspection experience in the department?

The Honourable Mr. Manohar Lal : (a) District Inspectors of Schools have the appointment of headmasters in Board Schools only. If

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the honourable member desires this information, it would be collected though it is feared that the time spent on the enquiry would not be commensurate with the value of the information.

(b) If the honourable member will define the expression—"new District Inspectors" an effort will be made to supply the information desired.

INSPECTOR OF SCHOOLS, LAHORE DIVISION.

***681. Dr. Sir Muhammad Iqbal :** (a) Will the Honourable the Minister for Education please state whether it is a fact that among the Deputy Inspectors of Schools, there are some who are senior to the present Inspector of Schools, Lahore Division, both in point of pay and academic qualifications?

(b) If the answer to (a) is in the affirmative, what consideration led the Honourable Minister to promote him in preference to those senior to him?

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

(b) The officiating appointment was made in the ordinary course by promotion of the Deputy Inspector who is held competent to hold charge, and had held charge of the division on a former occasion also.

DISBURSEMENT OF MILITARY SCHOLARSHIPS IN JHELUM DISTRICT.

***682. Dr. Sir Muhammad Iqbal :** (a) Will the Honourable the Minister for Education please state whether it is a fact that a report was made by the Deputy Commissioner, Jhelum, and Inspector of Schools, Rawalpindi Division, against Lala Sant Ram, District Inspector of Schools, Jhelum, regarding serious irregularities in the disbursement of military scholarships in the Jhelum district?

(b) If the answer to (a) is in the affirmative, will the Honourable Minister for Education kindly place on the table his decision on the case?

The Honourable Mr. Manohar Lal : (a) and (b) Certain irregularities were brought to light in connection with the administration of military scholarships in the Jhelum district. The reports thereon of departmental and other officers are confidential. Appropriate departmental action has been taken.

GRANT-IN-AID.

***683. Dr. Sir Muhammad Iqbal :** Will the Honourable the Minister for Education please state—

(a) his decision on the case of the grant-in-aid of the D. A.-V. School, Bara Manga, Gurdaspur District;

(b) his decision on the case of grant-in-aid of Islamia High School, Dasuya, Hoshiarpur District?

The Honourable Mr. Manohar Lal : (a) No case has recently been under the consideration of Government relating to a grant-in-aid of a D.-A. V. School at Bara Manga.

(b) The grant-in-aid of the Islamia High School, Dasuya, is under suspension.

REPORT OF THE COMMITTEE ON UNEMPLOYMENT.

***684. Dr. Sir Muhammad Iqbal :** (a) Will the Chief Secretary please state whether the committee to consider the question of unemployment have submitted a report?

(b) If so, will he please place the report on the table?

(c) If not, will the Government please get the matter expedited?

Mr. H. W. Emerson : (a) No.

(b) Does not arise.

(c) The committee hopes to be able to submit a report to Government by the end of January.

MUSLIM REPRESENTATION IN THE OFFICE OF SUPERINTENDING ENGINEER, 3RD BAHAWALPUR DIVISION.

***685. Dr. Sir Muhammad Iqbal :** (a) Will the Honourable the Revenue Member please state whether it is a fact that out of the 49 posts in the office of the Superintending Engineer, Third Bahawalpur Circle, Sutlej Valley Project, only five clerkships are held by Muslims and the remaining 44 are held by Hindus?

(b) If the answer to (a) is in the affirmative, does the Honourable Member propose to take steps to correct this glaring disproportion?

The Honourable Mian Sir Fazl-i-Husain : (a) The answer is in the negative.

(b) Does not arise.

A statement is attached to give further information, if needed.

Total number of clerks in 3rd Bahawalpur Circle, Sutlej Valley Project	..	..	..	..	45
Number of Hindus	..	..	..	..	26
Number of Muslims	..	..	..	..	16
Number of Sikhs	..	..	..	..	3

SARDAR KARTAR SINGH AND SARDAR TEJA SINGH.

***686. Sardar Hira Singh :** Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that Sardar Kartar Singh of Jhabar in Sheikhpura District and Sardar Teja Singh of Bhuchar in Amritsar District, two Gurdwara prisoners (who were at one time released on certain conditions but were rearrested) were offered release as Gurdwara prisoners on their undertaking to work the Sikh Gurdwaras Act;

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(b) whether it is also a fact that the Government has now classified them as prisoners convicted of violence against person and property ;

(c) the reasons why these prisoners have now been ranked as persons guilty of violence against person and property ?

The Honourable Sir Geoffrey deMontmorency : (a) The sentences of these two convicts were suspended in 1921 under section 401, Criminal Procedure Code, upon certain special conditions. These conditions were violated and the suspension of the sentence was consequently cancelled by Government under section 401 (3), Criminal Procedure Code.

(b) As Teja Singh, son of Maya Singh, was convicted under section 395/452, Indian Penal Code and Kartar Singh, son of Teja Singh, was convicted under section 395, Indian Penal Code, in two cases and under section 452, Indian Penal Code, in two cases, they have been classed as persons convicted of violent crime.

(c) Because they have been convicted under sections 395 and 452, Indian Penal Code.

RELEASE OF GURDWARA PRISONERS.

***687. Sardar Hira Singh :** Will the Honourable the Finance Member kindly state —

(a) the number of Gurdwara prisoners released since the resolution regarding the release of the Gurdwara prisoners was passed by the Council in its meeting held on the 21st March 1927 ;

(b) the intention of Government regarding the release of the remaining Gurdwara prisoners ?

The Honourable Sir Geoffrey deMontmorency : (a) Eleven, in the following detail :—

(i) Persons serving a portion of a sentence of fine only ..	5
(ii) Persons serving a portion of a sentence for jail offences only	2
(iii) On medical grounds	1
(iv) On reduction of sentence	3

(b) The policy of Government has been indicated in considerable detail in statements made by me in this House on 21st March¹ 1927 and 21st July² 1927, to which I have nothing to add.

CHAUKIDARA TAX.

***688. Sardar Hira Singh :** Will the Honourable the Revenue Member kindly state —

(a) whether it is a fact that a tax called the "Chaukidara tax" is realised from the villagers and that no such tax is charged from the people living in towns ;

¹Vol. X-A., pages 608-10.

²Pages 938-41 ante.

(b) whether the Government proposes to abolish this tax?

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

(b) No.

OPENING THE SIDE ROADS ALONG CANAL BANKS TO PUBLIC TRAFFIC.

***689. Sardar Hira Singh :** (a) Will the Honourable the Revenue Member kindly state whether it is a fact that the side roads constructed by the Canal Department along the banks of canals are not open to public traffic?

(b) Does Government propose issuing orders removing all restrictions on the use of these roads?

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

(b) No. Canal banks are unsuitable for public traffic because they can stand up to light traffic only; when wet they have to be closed because even the lightest traffic destroys the surface. Also they are not wide enough for a double line of traffic and many are only just wide enough for a single line; it would therefore be dangerous to open them to public traffic.

CLASSIFICATION OF MAIZE AS FODDER CROPS.

***690. Sardar Hira Singh :** (i) Will the Honourable the Revenue Member kindly state whether he is aware of the fact—

(a) that in the past the water-rate on maize sown in the months of March and April was charged at that fixed for fodder crops;

(b) that the rate has now been changed since the last season;

(c) that maize sown in the months of March and April is never used except as fodder?

(ii) Will the Honourable Member kindly state whether the Government proposes to charge the same rate on maize sown in March and April as that charged for the fodder crops?

The Honourable Mian Sir Fazl-i-Husain : (i) (a), (b) and (c). Replies are in the affirmative.

(ii) The matter is under consideration.

CONSTRUCTION OF A RAILWAY LINE BETWEEN QILA SOBHA SINGH AND ZAFARWAL.

***691. Khan Muhammad Abdullah Khan :** Will the Honourable the Revenue Member kindly state whether it is a fact that a survey for the extension of a railway line was carried out between Qila Sobha Singh and Zafarwal in the Sialkot District some time ago? If so, will he kindly enquire from the authorities concerned and state when the construction of this line is likely to be taken in hand?

The Honourable Mian Sir Fazl-i-Husain : The reply to the first part of the question is in the affirmative. The prospects of this proposed

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branch line were, however, found to be so poor that the Agent, North Western Railway, has been asked to advise on the prospects of a narrow gauge tramway in lieu of the broad gauge line originally contemplated.

RAILWAY LINE FROM PASRUR TO ZAFARWAL.

***692. Khan Muhammad Abdullah Khan :** Will the Honourable the Revenue Member be pleased to enquire from the authorities concerned and state whether the line shown in the railway map printed with the Railway Time and Fare Table in force from 1st October 1927 under construction from Pasrur to Zafarwal is proposed to be constructed instead of the proposed line from Qila Sobha Singh to Zafarwal or in addition to that line?

The Honourable Mian Sir Fazl-i-Husain : In the map accompanying the North Western Railway Time Table the projected line to Zafarwal should have been shown as running from Qila Sobha Singh and not from Pasrur.

USE OF GOVERNMENT MOTOR LORRIES FOR PRIVATE BUSINESS.

***693. Khan Muhammad Abdullah Khan :** Will the Chief Secretary be pleased to lay on the table a list of the departments in the Punjab which use Government motor lorries for carriage of stores, etc., belonging to Government and state whether these motor lorries are allowed to be used for private business of the officers of the department concerned?

Mr. H. W. Emerson : Government does not consider that the preparation of a list of the departments which use Government motor lorries will serve any useful purpose and hopes that in view of the reply to the latter part of the question the honourable member will not press for the preparation of such a list. It is a general principle that Government officers are not entitled to use Government motor lorries for the purpose of private business or gain. The travelling allowance rules give effect to this principle either by reduction of the ordinary rates, or otherwise, in those rare cases when an officer on tour or on transfer uses motor lorries belonging to Government.

CONSTRUCTION OF A ROAD FROM SHEIKHUPURA TO HARAN MUNARA.

***694. Khan Muhammad Abdullah Khan :** (a) Will the Honourable the Minister for Agriculture be pleased to state whether it is a fact that in the Sheikhupura District there exists a place called "Haran Munara" (hunting resort of the late Emperor Jahangir) which is protected under the Ancient Monuments Act and is most frequently visited by public from far and near?

(b) Is it also a fact that this place is situated at about 3 miles from Sheikhupura proper and that there exists no general road to that place except a *kacha* canal road which is closed for wheeled traffic and horses under the orders of the Executive Engineer, Gujranwala, and the public has to walk to that place on foot?

(c) If the answers to the above be in the affirmative, does Government consider it desirable to open this canal road for horses and all kinds of traffic or order the District Board concerned to construct a *pucca* road from Sheikhpura to "Haran Munara" at an early date?

The Honourable Sardar Jogendra Singh : (a) and (b) The reply is in the affirmative.

(c) Orders are being issued to open the canal road to the public.

LICENSES FOR MOTOR CARS PLYING BETWEEN LAHORE AND SHEIKHPURA.

***695. Khan Muhammad Abdullah Khan :** Will the Honourable the Member for Revenue be pleased to state—

(a) whether it is a fact that there are several motor cars and lorries which are quite unfit for plying on hire but which have been passed and granted license for plying them on hire between Lahore and Sheikhpura;

(b) If the answer be in the affirmative, does he propose to direct the authorities responsible for issuing licenses to these lorries—

(i) to cause an inspection and to cancel the licenses of those that are found to be unfit to carry passengers; and

(ii) to be very careful in issuing licenses in future?

The Honourable Mian Sir Fazl-i-Husain : (a) So far as Government is aware, road certificates valid for the road between Lahore and Sheikhpura have been issued only in respect of serviceable motor vehicles.

(b) This part of the question does not arise; but I may inform the honourable member that in future all motor vehicles plying for hire between Lahore and Sheikhpura will be subjected to an official inspection each quarter.

MOTOR LORRY No. P.-5622 PLYING BETWEEN LAHORE AND SHEIKHPURA.

***696. Khan Muhammad Abdullah Khan :** Will the Honourable the Revenue Member be pleased to state whether motor lorry No. P.-5622 plying between Lahore and Sheikhpura has been licensed for hire? If so, will he kindly enquire and state whether this lorry is in a serviceable condition? If the answer to the latter part be in the negative, will he kindly state why this lorry has been licensed for hire?

The Honourable Mian Sir Fazl-i-Husain : Yes. This lorry was inspected in March last and was then found to be in a serviceable condition. It is now being inspected again, and if it is found to have become unserviceable its road certificate will be cancelled.

RECEIPT OF GRATUITY BY POLICE SERVANTS.

***697. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable the Finance Member be pleased to state whether it is a fact that the Superintendent of Police, Ludhiana, has issued a declaration that no gratuity

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should be received by police servants at thanas at the time of reports from the public and that reports to the police might also be sent in writing?

(b) If so, does the Government propose to get such a notice issued in other districts of the province also?

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

(b) The declaration was issued to all districts under the orders of Government.

MOTOR ACCIDENT AT THE LEVEL CROSSING NEAR VERKA.

***698. Rai Sahib Lala Ganga Ram :** Will the Honourable the Revenue Member be pleased to state—

(a) whether it is a fact that a serious motor accident occurred recently at the railway level crossing near Verka, Gurdaspur District;

(b) the details of the accident and the action which the Government proposes to take to stop the recurrence of such accidents?

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

(b) A passenger train collided with a motor bus; ten persons travelling on the bus were killed or subsequently died and 14 were injured. The Railway Administration have under consideration a proposal for the installation at the level crossing at which this accident occurred, of gates which will open simultaneously and close simultaneously. As regards level crossings generally, they have under consideration the question how danger to the public can be minimised in the case of those which are not in charge of an attendant. The level crossing at which the accident under reference occurred is one which is in charge of an attendant.

The question of responsibility for the accident has not yet been finally decided.

BANASPATI GHI.

***699. Rai Sahib Lala Ganga Ram :** (i) Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that *Banaspati ghi* is being imported in large quantities into this province;

(b) whether it is also a fact that *Banaspati ghi* does not contain essential nutritious elements, such as vitamins;

(c) whether it is also a fact that preparations made by this *ghi* are freely sold without letting the customer know about it?

(ii) If so, does the Government propose to take steps to check the free sale of *Banaspati ghi* and its preparations?

The Honourable Malik Firoz Khan, Noon : (i) (a) Government have no information.

(b) *Banaspati ghi* is deficient in certain vitamins which are present in natural *ghi*.

(c) Probably, as there is no provision of law which requires a vendor to state the ingredients of articles sold by him, but if he sells anything as something which it is not he is punishable under the ordinary law.

(ii) The steps that it is necessary or desirable to take with regard to the sale of vegetable *ghi* are being considered by Government. Natural *ghi* has now been notified under the Punjab Adulteration of Food Act, 1919, which has been applied to the municipalities of Simla and Lahore, and public analysts have been appointed for these towns, while the question of appointing a public analyst for the whole province is under consideration.

INJUSTICE TO HINDU TEACHERS.

***700. Rai Sahib Lala Ganga Ram :** Will the Honourable the Minister for Education be pleased to state—

(a) whether the attention of the Government has been drawn to an article headed "Worthy of attention of Education Minister of the Punjab," published in the *Milap*, dated the 15th October 1927, regarding the alleged injustice done to Hindu teachers ;

(b) whether there is any truth in these allegations ;

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

The Honourable Mr. Manohar Lal : (a) I have not been able to discover such an article in the issue referred to.

(b) and (c) Do not arise.

ABOLITION OF MONOPOLY OF RUNNING TAXIES ON THE TALA GANJ-ANJIA ROAD, DISTRICT ATTOCK.

***701. Raizada Hans Raj :** Will the Honourable the Revenue Member be pleased to state—

(a) whether it is a fact that a monopoly has been created in favour of one person or firm for running taxies on the Tala Ganj-Anjia road, district Attock ;

(b) whether the terms of the said monopoly were ever advertised and whether tenders were called for it ;

(c) under what law this monopoly has been created ;

(d) whether the Government will see its way to abolish the monopoly ?

The Honourable Mian Sir Fazl-i-Husain : (a). No ; (the road in question is the Talagang-Injra road). The District Board of Attock are, however, desirous of creating a monopoly for a period of three years.

(b) Terms were not fixed in advance, but applications for the monopoly were invited throughout the Pindi Gheb sub-division.

(c) The monopoly has not as yet been created.

(d) Government is enquiring into the matter. It is improbable that a monopoly will be permitted.

"MOTHER INDIA" BY MISS MAYO.

***702. Raizada Hans Raj :** Will the Honourable the Finance Member please state—

- (a) whether it is a fact that Government officials in the Punjab, especially of the police department and the Information Bureau, helped Miss Mayo in the collection of materials for the publication of her book "Mother India"?
- (b) whether the Government is aware that this book has been bitterly resented by the Indian public;
- (c) whether the Government intends to take steps to proscribe its entry into the Punjab;
- (d) whether in the American edition of the book, there were certain things written against Muhammadans but were removed in the English edition;
- (e) whether the Punjab Government had anything to do in the matter?

The Honourable Sir Geoffrey de Montmorency : (a) Government understands that during her visit to the Punjab Miss Mayo met and conversed with a number of officials and non-officials. No official help was given to her in the Punjab towards the collection of material.

- (b) Yes.
- (c) No.
- (d) Government has no information on this point.
- (e) No.

MIDDLE SCHOOL AT HATHEAIR.

***703. Raizada Hans Raj :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) if the building of the middle school at Hatheair in Ludhiana District is a rented one;
- (b) whether the building of the said school was sold by the district board;
- (c) the date on which the building was sold and the purpose for which the amount so realised has been utilised;
- (d) when a new building for the school will be built?

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

(c) On 11th October 1927. The sale-proceeds have been credited to the district fund.

(d) Probably during the current financial year.

DISPENSARY AT HATHEAIR.

***704. Raizada Hans Raj :** Will the Honourable the Minister for Local Self-Government please state—

- (a) whether the Government is aware of the fact that the dispensary at Hatheair, district Ludhiana, which has been in existence

for the last twenty years has no building of its own but occupies a room in a mill which is a noisy place ;

(b) whether the provincial Government granted a sum for a building for the dispensary ;

(c) the amount and date of this grant ;

(d) the reason why that money has not been utilised for the purpose so far ?

The Honourable Malik Firoz Khan, Noon : (a) The building rented for the dispensary has a mill in a part of it.

(b) Yes.

(c) Rs. 7,000 on 8th December 1922.

(d) It is reported that the failure to construct a building is due partly to the difficulty of acquiring a suitable site and partly to financial stringency. A building is however now being constructed.

HAISIYAT TAX.

***705. Raizada Hans Raj :** Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether the Government is aware of the fact that the imposition of *haisiyat* tax has been held to be illegal by judicial courts in the Punjab ;

(b) what steps does the Government intend to take to refund the *haisiyat* tax already realised ?

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

(b) A Bill is being introduced this session to validate *haisiyat* taxes with effect from the date of their imposition.

HINDI TEXT BOOKS FOR UNIVERSITY EXAMINATIONS.

***706. Raizada Hans Raj :** Will the Honourable the Minister for Education be pleased to state—

(a) whether the attention of the Government has been drawn to the issue of the *Tribune*, dated the 27th September 1927, page 11, column 3, wherein it is complained that some of the Hindi text-books for University examinations are not available ;

(b) whether the Government proposes to take steps to remedy the defect ?

The Honourable Mr. Manohar Lal : I have seen the issue of the *Tribune* referred to by the honourable member, but I do not find there is anything at page 11, column 3, about Hindi text-books for University examinations. It may be that the honourable member wished to refer to Resolution No. (3) reported to have been passed at a meeting of the Hindi Sahitya Sammelan at Simla in the month of September, and to be found at page 11, column 1, but that invites the attention of the Director of Public

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Instruction to the desirability of text-books being published in Hindi also. If the honourable member would make his question more precise, I would be in a position to give an answer.

CARTOON IN HISSAR-I-ISLAM, LAHORE.

***707. Chaudhri Ram Singh :** Has the attention of the Honourable the Finance Member been drawn to a cartoon which appeared in one of the October issues of the "Hissar-i-Islam" of Lahore depicting a Muslim with a drawn dagger in his hands and Hindus trembling, quivering, fleeing and clasping their hands before them? If so, has Government taken any action against the person responsible for the appearance of the said cartoon? If not, why not?

The Honourable Sir Geoffrey deMontmorency : The honourable member presumably refers to a cartoon which depicted in the first part, the Mahabir Dal proceeding to conquer Kabul and in the second part to its defeat by a Muslim with a sword. No action was taken in regard to it because it was doubtful whether a prosecution would be successful.

BOOK ENTITLED "MAHARISHI OF THE 19TH CENTURY".

***708. Chaudhri Ram Singh :** (a) With reference to the statement made by the Government in answer to Council question¹ No. 996 and the supplementary questions thereto put on 18th November 1924, that "though the book entitled 'Maharishi of the Nineteenth Century' contained language which was open to objection, it was decided not to prosecute as there was no ground for thinking that the book had attracted any general attention," will the Honourable the Finance Member please state the reasons why a book which is regarded objectionable by the Government has been allowed unrestricted circulation?

(b) Will the Honourable the Finance Member also please state whether Government proposes to proscribe the book now?

The Honourable Sir Geoffrey deMontmorency : (a) The honourable member has on previous occasions been given the reasons why Government did not take action when this book was first published. In the opinion of Government the subsequent increase in the circulation of this book is largely the result of agitation, and in such circumstances it sees no reason for taking action when more than 4 years have elapsed since the book was first published. It is suggested to the honourable member that if he wishes that the circulation of this book should not be increased, he should refrain from constantly bringing it to the notice of the public (laughter).

(b) No.

MURDEROUS ASSAULTS ON HINDUS.

***709. Chaudhri Ram Singh :** (a) Will the Honourable the Finance Member kindly state whether it has been brought to his notice that it has

been alleged by the Hindu public and the press that the recent murderous assaults of Muhammadans on Hindus are the result of an organised conspiracy?

(b) If the answer to (a) above be in the affirmative, will the Honourable Member kindly state what steps the Government have taken to prevent the recurrence of such events and to unearth the conspiracy, if there is any, that is working behind them?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Very careful enquiries which have been conducted under the instructions of Government as to the existence of an alleged conspiracy have failed to reveal any evidence which would support the allegations of a conspiracy.

"THE HISTORY OF SIKH GURUS AND THE RELIGION OF GURU NANAK."

***710. Chaudhri Ram Singh :** Will the Honourable the Finance Member kindly state—

(a) whether it is a fact that one Maulvi Abdul Rahman of Qadian has published a book entitled "The History of Sikh Gurus and the Religion of Guru Nanak" which offers insult to Sikhism;

(b) whether any steps have been taken by the Government against the publisher of the book? If not, why not?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) No. The Government understands that the book has been withdrawn from circulation and is practically not obtainable.

ORDINANCE FOR THE SUPPRESSION OF COMMUNAL DISTURBANCES.

***711. Chaudhri Ram Singh :** Will the Honourable Finance Member kindly state whether it is a fact that the Punjab Government contemplates promulgating an Ordinance like that of the Bengal Ordinance to suppress communal disturbances in the Punjab?

The Honourable Sir Geoffrey deMontmorency : No. I may point out that a reference to section 72, Government of India Act, will show that the power to take such action is not vested in the local Government by statute.

MURDEROUS ASSAULTS ON HINDUS.

***712. Chaudhri Ram Singh :** Will the Honourable the Finance Member please state whether any steps have been taken by the Government to stop further murderous attacks by Muslim fanatics on Hindus in the province?

The Honourable Sir Geoffrey deMontmorency : Government has taken and will continue to take all possible measures to prevent any person of any community making a murderous attack on any person of the same or any other community.

SHAH NEHR, MUKARIAN.

***713. Chaudhri Ram Singh :** (i) Will the Honourable the Revenue Member kindly state—

- (a) the extent of the area of land, in each village, situated on Shah Nehr, Mukarian, in which rice was cultivated in Kharif 1926 and the proportion of matured crop and Kharaba out of it ;
- (b) the extent of the area of land, in each village, situated on Shah Nehr, Mukarian, in which rice has been cultivated in Kharif 1927 and the proportion of matured crop and Kharif out of it ?

(ii) Will he kindly also supply similar information with regard to the area of land situated on the private canals in tahsil Dasuha, district Hoshiarpur, paying 10 per cent. as tribute to Shah Nehr Department ?

(iii) Will the honourable member kindly further state—

- (a) whether it is a fact that Government contemplates decreasing the area irrigated by private canals ;
- (b) the number of applications received this year by officers of Shah Nehr Department complaining about the deficiency of water for irrigation purposes and the action taken on them ?

The Honourable Mian Sir Fazl-i-Husain : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

ACTION AGAINST KHILAFAT NEWSPAPER FOR ITS ALLEGATIONS AGAINST THE POLICE.

***714. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Finance Member be pleased to state whether the attention of the Government has been drawn to the article headed "Punjab Police" in the *Milap*, dated 27th July 1927, page 4 ?

(b) What action has been taken or is intended to be taken against the allegations made by the *Khilafat* newspaper, dated the 22nd May 1927, condemning the attitude of the Punjab Police ?

The Honourable Sir Geoffrey deMontmorency : (a) Government's attention had not previously been drawn to this article.

(b) It is not intended to take any action.

APPOINTMENT OF AN INDIAN DEPUTY SECRETARY, REVENUE DEPARTMENT.

***715. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- (a) whether the post of a Revenue Secretary has been recently created ;
- (b) whether the Government intend to appoint an Indian with secretariat experience as his Deputy ?

The Honourable Sir Geoffrey de Montmorency. : (a) The post of Revenue Secretary has been recently revived.

(v) The Senior and Junior Secretaries to the Financial Commissioners are at present Deputy Secretaries to Government in the Revenue Department. One of these is an Indian Officer. The present Under-Secretary in the Revenue Department is also an Indian.

VARIATIONS BETWEEN THE ESTIMATES AND ACTUALS OF INCOME
AND EXPENDITURE.

***716. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state the variations between the estimates and actuals of income and expenditure for 1926-27, under the various recognised heads, such as Revenue, Capital, etc.?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the statement showing the state of various accounts, such as Revenue, Capital, &c., which accompanies the explanatory memorandum on the supplementary demands by the Finance Secretary.

LALA RATAN LAL, A CANDIDATE FOR PUBLIC PROSECUTORSHIP.

***717. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- (a) whether a gentleman named Lala Ratan Lal, B.A., LL.B., has been placed on the approved list of candidates for public prosecutorship in the Rohtak District in the current year ;
- (b) whether the District Magistrate and Sessions Judge of Rohtak, or either of them, recommended him for being placed on the list of the district ;
- (c) how the gentleman came to be entered on the list ;
- (d) whether the gentleman belongs to Rohtak or has ever practised at Rohtak ;
- (e) what tribe the gentleman belongs to ;
- (f) whether the tribe to which he belongs is under-represented in the cadre of public prosecutors ;
- (g) whether it is the Government's ordinary practice to enter on the approved list of candidates men not belonging to the district concerned ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes ; both.

(c) Under orders of the Legal Remembrancer.

(d) Yes.

[Hon. Sir Geoffrey deMontmorency]

(e) Aggarwal Vaish.

(f) There is no Aggarwal Vaish amongst the Public Prosecutors at present.

(g) No; but there is no bar to such enrolment.

APPOINTMENT OF A HINDU JAT AS INSPECTOR OF POLICE.

***718. Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable the Finance Member kindly state—

- (a) whether, in 1918 or thereabout, the Inspector-General of Police held out an assurance in answer to a Council question that he would appoint at least one Hindu Jat as Inspector as soon as vacancies occurred;
- (b) whether that promise has been redeemed;
- (c) whether the Government is prepared to redeem that promise now;
- (d) whether the Government is aware that there is no dearth of arts and law graduates now among Hindu Jats and if the Government is not aware of this, whether it will care to make enquiries from the Deputy Commissioners of the Ambala Division;
- (e) whether, if young men of the requisite qualifications, educational and otherwise, are forthcoming from the ranks of this tribe, the Government will give the next two vacancies to Hindu Jats; if not, whether the Government will explain the reasons for its refusal to do this?

The Honourable Sir Geoffrey deMontmorency: It is regretted that a reply cannot be given for want of necessary information. A reply will be sent to the honourable member in due course.

PAYMENT FOR WATCH AND WARD.

***719. Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable the Revenue Member kindly state—

- (a) whether the police required for watch and ward in most towns is paid for by the Government;
- (b) whether the *chaukidars* in villages are paid for by the villagers;
- (c) the grounds on which the Government justifies this invidious distinction;

- (d) whether these *chaukidars* are appointed and dismissed by the village community or by Revenue officers ;
- (e) the justification for the anomalous position that, while the obligation to pay rests on village communities, power of appointment and dismissal rests with Revenue officers ;
- (f) whether the Government is prepared to pay for the watch and ward of villages as in the case of towns and, if not, why not ?

The Honourable Mian Sir Fazl-i-Husain : (a) In all the headquarters and very large towns and in some of the smaller towns the police are paid by the Government.

(b) Yes.

(c) The present system of payment for *chaukidars* by villagers has been in existence from time immemorial, and a change would impose a heavy burden upon provincial finances.

(d) The appointment and dismissal of *chaukidars* rests with Deputy Commissioners or officers duly authorised by them. The nomination to the post of *chaukidars* is made by the village headman.

(e) The watchman is primarily the servant of the village community, but his duties are such as to render it desirable that he should be under the control of the Deputy Commissioner.

(f) No, in view of the cost involved.

UNSTARRED QUESTIONS AND ANSWERS.

CATTLE FAIRS.

398. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to lay a statement on the table showing the number of cattle fairs and their respective receipts, held by the municipal committees in the Punjab during the last financial year ?

Will he be further pleased to state whether these municipal committees incurred any expenditure during the last financial year for the improvement of cattle breeding or for fighting cattle diseases, apart from prizes given at fairs ? If so, to what extent ?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the answer given to Council question No. 358.

BRIDGES ON RAJBABAS ON MOGA-KOTKAPURA ROAD.

399. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state—

- (a) whether Government is aware that the bridges constructed by the Canal Department on Rajbahas on Moga-Kotkapura Road, in miles 8 and 13 are so built as not to be sufficiently safe for vehicular traffic, particularly motor traffic ;

[Mr. E. Maya Das.]

(b) whether it is a fact that a number of accidents have occurred at these places;

(c) whether the Government proposes to remodel these bridges?

The Honourable Mian Sir Fazl-i-Husain: The information required is not available at headquarters and has been called for from local officers. The information, when ready, will be communicated to the honourable member.

MOTOR LORRIES LICENSED BY THE MOGA MUNICIPAL COMMITTEE.

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

(a) the number of motor lorries plying for hire on 1st January 1927 licensed by the Moga municipal committee and the amount realised by the committee as fees;

(b) the corresponding number on 1st January 1926 and the amount realised in fees?

The Honourable Malik Firoz Khan, Noon: (a) and (b) Motor lorries plying for hire are not licensed by the committee.

CENSUS OF PLOUGHS.

401. Mr. E. Maya Das: Will the Honourable Minister for Agriculture be pleased to state whether a census of ploughs has been taken; if so, will he be pleased to state the number of ploughs worked by animals in each district?

The Honourable Sardar Jogendra Singh: A quinquennial census of ploughs was taken in 1923 and the information asked for by the honourable member will be found in statement VII on page XXXV of the Report on the season and crops of the Punjab for the year 1925-26, a copy of which is laid on the table.

GRANTS TO DISTRICT BOARDS.

402. Mr. E. Maya Das: Will the Honourable Minister for Agriculture be pleased to state whether grants to district boards given by the Communications Board for construction of new roads are given so much for a road irrespective of the consideration whether the work is completed in one year or spread over a number of years, or whether the grants are given year by year?

The Honourable Sardar Jogendra Singh: As far as possible, year by year.

VOTERS OF THE PUNJAB LEGISLATIVE COUNCIL.

403. Mr. E. Maya Das: Will the Honourable Revenue Member be pleased to lay a statement on the table showing the total number of voters as well as the number of Christian voters in each of the non-Muhammadan constituencies of the Punjab Legislative Council?

The Honourable Mian Sir Fazl-i-Husain : The statement asked for is laid on the table.

Name of Constituency.	Total number of Non-Muhammadan Voters.	Total number of Christian Voters.
Lahore City (Non-Muhammadan) ..	11,268	880
Amritsar City (Non-Muhammadan)	10,326	109
South-East Towns (Non-Muhammadan)	8,563	81
North-East Towns (Non-Muhammadan)	9,727	922
East and West Central Towns (Non-Muhammadan) ..	6,569	619
North-West Towns (Non-Muhammadan)	10,397	386
West Punjab Towns (Non-Muhammadan)	9,549	168
Total Urban ..	66,953	2,175
Hissar (Non-Muhammadan)	12,473	1
South-East Rohtak (Non-Muhammadan)	15,393	5
North-West Rohtak (Non-Muhammadan)	10,492	4
Gurgaon (Non-Muhammadan)	17,936	2
Karnal (Non-Muhammadan)	10,438	7
Ambala cum Simla (Non-Muhammadan)	7,565	39
Kangra (Non-Muhammadan)	12,937	23
Hoshiarpur (Non-Muhammadan)	13,672	55
Jullundur cum Ludhiana (Non-Muhammadan)	5,496	4
Lahore and Ferozepore cum Sheikhupura (Non-Muhammadan)	7,624	362
Amritsar cum Gurdaspur (Non-Muhammadan)	9,223	524
Rawalpindi Division and Lahore Division (North) (Non-Muhammadan).	18,273	361
Multan Division (Non-Muhammadan)	13,937	432
Total Rural ..	156,420	1,609
Grand Total ..	223,382	4,094

WELLS IN THE JULLUNDUR DISTRICT.

404. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to lay a statement on the table showing—

- (a) the number of wells in the Jullundur district affected by the fall in the water table ;
- (b) the number of those wells that have been so bored as to draw their supply from a lower water table ;
- (c) the facilities afforded to the well owners to get their wells bored so as to draw their water supply from a lower water table ;
- (d) the extent of the area affected ?

The Honourable Sardar Jogendra Singh : (a) 83,563, according to revenue records.

(b) The total number of wells bored so as to draw their supply from a lower substratum from 30th June 1914 to 30th June 1927 is 273, out of which 200 are successful.

(c) Facilities afforded are as follows :—

- (1) Three Well Borers are stationed in the district with full equipment consisting of up-to-date boring plants, pipes and strainers, etc.
- (2) One Well Supervisor is stationed at Jullundur.
- (3) The Department is also prepared to recommend applications for the grant of taccavi loans under the provisions of the Land Improvement Loans Act of 1883 to those who need funds to meet the cost of pipes, strainers, etc., required by them for boring purposes.

(d) 815,842 acres, according to revenue records.

TREATMENT OF ANIMALS AT THE VETERINARY COLLEGE, LAHORE.

405. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to lay a statement on the table showing—

- (a) the number of cases that were admitted for treatment during the last financial year at the Veterinary College, Lahore, under the Act for Prevention of Cruelty to Animals ;
- (b) the cost of treatment of these animals ;
- (c) the amount recovered from the owners ?

The Honourable Sardar Jogendra Singh : (a) One-thousand and seventy-four as detailed below :—

Bullocks	..	..	..	927
Donkeys	..	..	..	142
Mules	..	..	..	58
Ponies	..	..	..	547
Total				1,074

(b) This information is not available as no separate accounts are kept for the treatment of such animals. It may be mentioned, however, that while the figures under this head should, in addition to the cost of medicines, include a proportion of the pay of officers and assistants who superintend this work, the expenditure is more than counterbalanced by the fact that these animals provide cases for the practical training of the students of the College without which the students could not get the requisite training.

(c) No charge is recovered by the Civil Veterinary Department.

RECRUITMENT OF CONSTABLES AND HEAD CONSTABLES.

406. Lala Gopal Das : Will the Honourable the Finance Member kindly state from what castes and tribes are the constables and head constables in the present police force recruited?

Will he kindly give a statement showing by castes and tribes the number of constables and head constables in each district?

The Honourable Sir Geoffrey de Montmorency : The attention of the honourable member is invited to Police Rule 11-12. The directions therein contained are generally followed. I regret that Government is unable to prepare the statement asked for in the last part of the question, as it will involve an amount of time and trouble which does not appear to be justified in the circumstances.

EFFECT OF SEEPAGE ON AGRICULTURAL LAND.

407. Lala Gopal Das : Will the Honourable the Member for Revenue kindly state what is the area of agricultural land in each district that has been rendered unfit for cultivation on account of seepage from the irrigation canals?

The Honourable Mian Sir Fazl-i-Husain : Figures of area, spoiled by seepage, have not been collected on a uniform basis in all districts in the past. An officer of the Revenue Department has now been placed on special duty, as Civil Member of the Water-logging Enquiry Committee, for the purpose of ascertaining on a uniform basis the extent of water-logged land in those various districts of the province, which have been seriously affected. He has started a survey of such areas in the districts of Gujranwala, Sheikhupura, Sialkot, Jhang, Shahpur and Gujrat for the present. As soon as his report is received Government will be in a position to furnish the information required by the honourable member.

MEASURES TO COUNTERACT SEEPAGE.

408. Lala Gopal Das : Will the Honourable Member for Revenue kindly state what measures have so far been taken in each district to counteract the seepage and with what results?

The Honourable Mian Sir Fazl-i-Husain : The attention of the honourable member is invited to paragraph 17 (d) and (e) of the Land Revenue Administration Report of the Punjab for the year ending 30th September 1926, which gives an account of the measures taken to counteract seepage in the province.

409. Please see pages 1261-62 *infra*.

COMPENSATION FOR LAND SPOILT BY SEEPAGE.

410. Lala Gopal Das : Will the Honourable the Revenue Member please state what area of agricultural land has been granted in the new canal colonies in lieu of the land spoilt by seepage?

The Honourable Mian Sir Fazl-i-Husain : A reference has been made to the local officers and on receipt of reply an answer will be communicated to the honourable member.

ARTIFICIAL GHI.

411. Lala Gopal Das : Will the Honourable Minister for Local Self-Government kindly state whether the Government has moved municipal committees and town committees in the matter of taking action against the importation of vegetable ghi or other artificial ghi? If so, will he state what action the different local bodies in the province have taken in the matter?

The Honourable Malik Firoz Khan, Noon : No; but Government are fully alive to the importance of this matter, and the steps that can be taken are being carefully examined.

REVENUE ASSESSMENT IN LAHORE URBAN AREA.

412. Lala Gopal Das :- Will the Honourable Member for Revenue kindly state by what percentage has the revenue assessment in the Lahore urban area been increased in the recent re-assessment? Will the Honourable Member give reasons justifying this increase?

The Honourable Mian Sir Fazl-i-Husain : The revenue assessment of the Lahore urban area has been increased 40 per cent. in the recent re-assessment.

The assessment has been based on the figures of rent charged on the adjoining agricultural lands and at one-third net assets standard has been adopted.

DRAINAGE SCHEME FOR SHADIWAL.

413. Mr. Labh Singh : Will the Honourable the Minister for Local Self-Government please state—

- (a) whether the drainage scheme for the town Shadiwal in the district of Gujrat, Punjab, has been pending since 1894;
- (b) whether the Government is aware that the financial resources of the local committee of Shadiwal are too poor to finance any satisfactory drainage scheme for the town;
- (c) whether the Government is aware that the health of the town is suffering badly for want of proper drainage;
- (d) whether the Government intends to finance the drainage scheme for the town entirely from the provincial funds?

The Honourable Malik Firoz Khan, Noon : (a) No. The first scheme of which there is any record was prepared in 1918.

(b) Yes.

(c) No.

(d) As the committee is not prepared to raise funds even for the maintenance of the scheme, the suggestion of financing the project from provincial revenues is premature.

ANGLO-VERNACULAR MIDDLE SCHOOL FOR KLOREKOT.

414. Mr. Labh Singh : Will the Honourable Minister for Education be pleased to state—

- (a) whether the Government is aware that there is a great demand for an Anglo-Vernacular Middle School in Klorekot in the Mianwali district ;
- (b) whether it is a fact that the people of Klorekot were asked to make contributions to the Education Department as a condition precedent to the raising of the Primary school to the lower Middle Standard and then again to the raising of the latter to the Upper Middle Standard ;
- (c) whether it is also a fact that the site for the school buildings, etc., was granted free of cost by a local representative of the people ;
- (d) whether the people have petitioned to the Education Department more than once that the school be turned into an Anglo-Vernacular Middle School ;
- (e) whether Government, in view of all the circumstances of the case, intends to accede to the persistent requests of the people ?

The Honourable Mr. Manohar Lal : The school has been converted into an Anglo-Vernacular Middle School with effect from the 1st April 1927.

REMOVAL OF EARTH BY THE CANAL DEPARTMENT.

415. Mr. Labh Singh : (a) Will the Honourable Member for Revenue be pleased to state if the Government is aware —

- (i) that earth required for making the annual or other repairs to the embankments of canals, minors and distributaries is generally taken from private fields adjoining such canals, minors or distributaries ;
- (ii) that this digging of pits for earth in private fields causes an appreciable damage to the owners of such fields ;
- (iii) that as a rule no compensation is made to such owners for the damage done to their lands and crops by the removal of earth ?

[Mr. Labh Singh.]

(b) If the answer to question (a) be in the affirmative, is it the intention of Government—

(i) to issue instructions that no earth for repairing banks be taken from privately owned lands;

(ii) to grant adequate compensation to the owners in case earth is unavoidably removed from private lands?

The Honourable Mian Sir Fazl-i-Husain: (a) (i) On channels where heavy recurring repairs are necessary land has been permanently acquired by the Irrigation Branch for taking earth from.

At other places where repairs are not heavy or recurring, earth is taken from privately owned land.

(ii) and (iii) Clear and detailed orders exist in the Irrigation Manual of Orders on the subject,—vide paragraph 144 and 145, copy of which is enclosed for reference. The procedure laid down eliminates chances of damage. If under some special and exceptional circumstances damage is unavoidable the Department readily meets claims made.

(b) (i) and (ii) The existing rules are full and clear on the subject and Government does not think it necessary to take any further action.

COPY OF ARTICLES 144 AND 145 OF THE IRRIGATION MANUAL OF ORDERS.

LAND REQUIRED FOR BORROW PITS.

I. B. Circular
No. 172-I.,
dated 21st
January 1904.

144. 1. The following rules should be observed with regard to digging borrow pits in privately owned lands for the supply of spoil for the maintenance of Canal Channels, and to the award of compensation for damage done to such land. Canal Officers should, however, carefully avoid entering on privately owned lands, at times when any loss will result to the interests of cultivators:—

(i) Spoil is in no case to be obtained from privately owned land on which crops exists, or which has been ploughed for cropping, except in the case of breaches or for prevention of accidents, when the procedure, laid down in section 15 of the Canal Act, should be followed.

(ii) Where high banks exists, likely to demand constant repairs, land should be specially acquired for borrow pits.

(iii) Where the quantity of spoil likely to be required is small, repairs, except in the cases mentioned in rule (i) above, should only be executed when there are no crops on the ground, and when spoil can be obtained and the bottom of the borrow pit left in a clear level condition fit for ploughing by the time the ground has to be prepared for the next crop. In no such case are the pits to exceed one foot in depth, measured from the original natural surface level. Borrow pits, for the supply of spoil

are in no case to be dug on the sites of pits dug on previous occasions, as this would result in lowering the surface to an extent liable to collect water and to render the ground less suitable for cultivation.

- (iv) No borrow pits are to be dug within 10 feet of the boundary of canal land.
- (v) Officers should be careful to carry out operations of this kind at times when agricultural interests will not suffer.

COMPENSATION FOR LAND TAKEN FOR BORROW PITS.

145. Compensation for damage done to land should usually only be necessary in the following cases :—

- (a) Destruction of standing crops.
- (b) Prevention of cultivation for a certain time.
- (c) Removal of earth from ploughed or sown land.
- (d) Removal of earth to a greater depth than one foot.
- (e) Removal of earth a second time from the same area when the aggregate effect is to lower the original surface of the ground by more than one foot.

2. Except in the case of 1 (i) of Article 144, it is possible under careful management, to execute work at such times and in such a manner as will obviate demands for compensation being made in any of the cases (a) to (e) inclusive.

3. When earth has been removed from private land, the sides of the borrow pits should be ploughed down and the bottoms ploughed over, so as to make cultivation easy for the owners, at the time of entry on the land, the owners and cultivators should be informed that this will be carried out, and strict compliance should be observed. If compensation is claimed, the following general principles should be followed :—

Compensation is chargeable to I. B.—Maintenance and Repairs, L.—Earthwork, and should be provided for in a separate estimate, so as to maintain an easily accessible record of compensation paid. The ordinary repairs estimate should contain a note to the effect that a certain amount will probably be required for compensation. Compensation in each of the five cases mentioned in paragraph 1 above should be assessed as follows :—

- (a) *Destruction of standing crops.*—The average outturn as recorded at last settlement in the Assessment Reports, multiplied by the probable market price of the next harvest less any fluctuating rates, such as occupiers rates, will be the amount fairly payable on ordinary occasions. In the case of minor crops, the value of which is not worked out in the Assessment Reports, the rates given in Statistical Statement III-E should be used. Average crops should generally be treated as 16 anna crops, but for very poor crops the compensation should be reduced proportionately; otherwise the procedure would probably lead to discontent: Provided a crop is in

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

good condition its value as a matured crop should be paid irrespective of the stage of its growth.

- (b) *Compensation for prevention of cultivation for a certain time.*—On single cropped land, cultivated by the owner, the compensation should take the form of one year's rent, counting from the ordinary date of preparing the land for the crop not sown, plus 15 per cent., on account of disturbance.

On double cropped land, if neither crop could be grown, compensation should be paid as in the case of single cropped land, at the loss of rent for the two crops plus 15 per cent. If only one crop is prevented, the compensation paid should bear the same proportion to the total rent at the value of the crop not grown bears to the total value of the two crops. The amount of nett profits is not always easy to find out and the land revenue assessment, though based theoretically on the rent, is but a poor guide to a Canal Officer in assessing the rent. In the case of land cultivated by tenants having a right of occupancy, the compensation should comprise a fair allowance for the rent they pay the owner, together with an additional allowance for loss of profits from cultivation. Each Executive Engineer should frame once for all a period of five years an estimate of the rentals to be assumed for the purposes of these rules for single and double cropped land (1) irrigated by canal, (2) irrigated by wells, and (3) unirrigated. Such estimate should be prepared with the help and advice of the Collector and should be submitted to the Superintending Engineer for approval.

- (c) *Compensation for the removal of earth from ploughed or sown land.*—Cost of ploughing plus rent for half or whole year as the case may be, according to whether the land is single or double cropped, plus 15 per cent. of the latter on account of loss of profits, for ploughed land, occupied for borrow pits. If sown an average or good crop rate should be paid according to the quality of the land, as prescribed under (a) above.

- (d) and (e) *Compensation for pits over 1 foot deep.*—These cases should generally be prohibited, but when unavoidable, they must be dealt with as special cases on their merits and very liberal compensation should be given.

KHAL KHUDAI CHARGES.

416. **Mr. Labh Singh :** (i) Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the canal department has been charging the owners of canal-irrigated lands at the rate of annas 8 per acre on account of Khal Khudai charges ;

- (b) whether the Government is aware that no such Khals (water-courses) have ever been dug by the canal department, and that they are constructed only by the private persons concerned ;
- (c) whether the Government is aware that there is a considerable feeling in the country-side against this exaction being made ?
- (iv) Does Government intend —
 - (a) to refund the money so far received under this head ; or
 - (b) at any rate to discontinue the imposition of this rate in future ?

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

(b) No.

(c) Government is aware that there is some feeling against this in certain localities.

(iv) (a) No.

(b) The recovery has already been discontinued on one canal, the Upper Chenab, pending an examination of the accounts.

BRIDGE OVER BHIMBAR NALA ON THE GUJRAT-KUNJAH ROAD.

417. Mr. Labh Singh : Will the Honourable Minister for Agriculture be pleased to state if any steps have been taken to construct a bridge over the Bhimbar Nala on the Gujrat-Kunjah Road by the District Board of Gujrat or if the district board is unable to do anything in the matter, then, by the Punjab Government ?

The Honourable Sardar Jogendra Singh : No steps have been taken by the District Board of Gujrat to bridge the Bhimbar. If a proposal, now under consideration, to include the Gujrat-Kunjah road in an arterial alignment, becomes effective, then the bridging of this river will be taken into consideration along with the general programme of the improvement of arterial roads.

BAJWAT ILAQA IN THE SIALKOT DISTRICT.

418. Mr. Labh Singh : (a) Will the Honourable Member for Revenue be pleased to state—

- (i) whether it is a fact that the supply of river water to Ilaqa Bajwat in the Sialkot district has been in various parts of the Ilaqa either considerably curtailed or altogether stopped ;
- (ii) whether the Government is aware that the market value of agricultural land in Bajwat has gone down by 400 per cent. ; if not that, by how much ;
- (iii) whether it is a fact that the agricultural population of Bajwat has been petitioning the local authorities to enquire into the causes of deficient water supply from the river and for adopting suitable remedial measures to restore the original condition ;

[Mr. Labh Singh.]

- (iv) whether it is a fact that no proper investigation has been ordered in respect of the complaint, and that the people continue to clamour for their riparian rights without any response from the authorities concerned ;
 - (v) whether it is a fact that this interference with the supply of water is due to the Canal Head Works designed and executed by the Kashmir State ;
 - (vi) whether the Government approved of the engineering scheme for the said Canal Head Works ;
 - (vii) whether the Government took any steps for ensuring compensation for the people of Bajwat for the gross injury caused to their vested rights ;
 - (viii) whether it is a fact that despite the discontinuance of water supply the revenue rates charged from Bajwat Ilaga are the same as for canal-irrigated areas ;
 - (ix) if there are any proposals on foot to permanently reduce the revenue assessment rates applicable to the Ilaga ;
 - (x) whether the Government intends instituting a comprehensive enquiry into the problem of reduced water supply ?
- (b) Will the Honourable Member for Revenue be pleased to lay on the table the correspondence between the Punjab Government and the Kashmir State authorities, if any has taken place on the subject ?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

KACHCHA ROAD FROM BILASPUR TO GOPAL MOCHANA.

419. Rai Sahib Lala Ganga Ram : Will the Honourable the Minister for Local Self-Government be pleased to state—

- (i) the annual income derived from and the annual expenditure incurred on the Gopal Mochana fair (Ambala district) by the District Board, Ambala, for the last five years and how the balance is utilised ;
- (ii) the condition of the kachcha road from Bilaspur to Gopal Mochana ;
- (iii) the approximate amount to metal the road ;
- (iv) the amount spent on the annual repairs of the road during the last five years ?

The Honourable Malik Firoz Khan Noon : (i) The annual income derived from and the annual expenditure incurred on the Gopal Mochana fair by the District Board, Ambala, is :—

Year.				Income.	Expenditure.	Surplus.
				Rs.	Rs.	Rs.
1.	1922-23	..	..	616	275	341
2.	1923-24	..	..	634	279	355
3.	1924-25	..	..	587	283	304
4.	1925-26	..	..	914	339	575
5.	1926-27	..	..	1,060	420	640
Total				3,811	1,596	2,215

The surplus goes to the general revenues of the District Board, Ambala, which supervises the fair.

(ii) This road approximately 2 miles in length is only a village track and not on the sanctioned list of district board roads. As such it is quite good and serviceable.

(iii) Rupees thirty thousand.

(iv) This being merely a village track and not a recognised road, no separate accounts are kept of its maintenance, but it is repaired annually at the time of the small Gopal Mochana fair and about Rs. 100 is spent in so doing.

TRAVELLING ALLOWANCE OF MEMBERS AND VICE-PRESIDENTS OF DISTRICT BOARDS.

420. Rai Sahib Lala Ganga Ram : Will the Honourable the Minister for Local Self-Government be pleased to lay a statement on the table showing by districts, during the last financial year —

(a) the amount spent on travelling allowance of district board members ;

(b) the amount of travelling allowance drawn by Vice-Presidents of district boards ? Where there is more than one Vice-President, and both have drawn travelling allowance, a note to that effect may kindly be given.

The Honorable Malik Feroz Khan Noon: A statement giving the required information is laid on the table:—

Serial No.	Name of District Board.	Amount spent on travelling allowance of members of the district board during the financial year 1926-27.	AMOUNT SPENT ON TRAVELLING ALLOWANCE OF VICE-CHAIRMAN OF DISTRICT BOARDS DURING THE FINANCIAL YEAR 1926-27.			Total.
			Senior.	Junior.	Total.	
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1	Faisal	2,912 0 0	26 0 0	4 0 0	40 0 0	2,952 0 0
2	Rawalpindi	2,496 15 0	217 2 0	..	217 2 0	2,716 1 0
3	Gurgaon	8,231 7 0	..	..	179 4 0	8,410 11 0
4	Karnal	1,768 13 0	..	21 4 0	21 4 0	1,790 1 0
5	Ambed	3,171 0 0	..	..	10 0 0	3,181 0 0
6	Sirsa	..	..	..	..	..
7	Kangra	2,558 0 0	..	..	80 0 0	2,638 0 0
8	Hoshiarpur	2,251 0 0	..	..	..	2,251 0 0
9	Jullundur	4,923 0 0	..	..	..	4,923 0 0
10	Ludhiana	950 14 0	..	..	189 8 0	940 6 0

Deputy Commissioner constitutes the district board.

11	Ferozepore	..	2,133 0 0	..	..	300 0 0	2,523 0 0
12	Lahore	..	2,401 9 0	..	..	..	2,901 0 0
13	Amritsar	..	1,334 0 0	..	..	..	1,334 0 0
14	Gurdaspur	..	1,439 6 0	..	..	70 0 0	1,509 6 0
15	Sialkot	..	1,103 4 0	..	..	..	1,103 4 0
16	Gujranwala	..	2,509 0 0	..	..	..	2,509 0 0
17	Bhakhapura	..	2,873 0 0	150 0 0	111 0 0	261 0 0	2,834 0 0
18	Gujrat	..	1,331 0 0	..	..	..	1,331 0 0
19	Shahpur	..	359 0 0	..	46 0 0	46 0 0	1,005 0 0
20	Jhelum	..	1,204 9 0	..	..	120 5 0	1,324 14 0
21	Bawalpindi	..	2,962 0 0	260 0 0	..	260 0 0	3,212 0 0
22	Attock	..	1,131 0 0	..	..	93 0 0	1,224 0 0
23	Manwali	..	1,665 0 0	..	..	..	1,665 0 0
24	Montgomery	..	1,243 10 0	..	..	592 0 0	1,835 10 0
25	Lahore	..	4,499 3 0	..	508 14 0	508 14 0	5,008 1 0
26	Jhang	..	2,321 2 0	..	..	276 3 0	2,497 5 0
27	Multan	..	1,980 3 0	..	161 14 0	161 14 0	2,142 1 0
28	Muzaffargarh	..	1,266 0 0	..	..	199 0 0	1,465 0 0
29	Dera Ghazi Khan	..	1,249 4 0	..	..	..	1,249 4 0

NOMINATIONS TO CHINIOT MUNICIPAL COMMITTEE.

421. Dr. Shaikh Muhammad Alam : Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) whether any regard was paid to the claims of non-Khoja Muslim population of Chiniot in making the recent nominations of Muslims to serve on the Chiniot municipal committee ;
- (b) whether it is a fact that the learned Commissioner did not nominate any member from the non-Khoja population which forms about two-thirds of the whole Muslim *abadi* of that town ;
- (c) whether it is a fact that the learned Commissioner nominated Shaikh Dost Muhammad directly without any recommendation of the Deputy Commissioner ;
- (d) whether it is a fact that Shaikh Mahbub Ilahi was nominated without his consent or application during his absence from India when he was away on pilgrimage ;
- (e) the reasons why no member of the non-Khoja Muslim population in Chiniot was nominated ;
- (f) the grounds on which the recommendation of the Deputy Commissioner in favour of a non-Khoja to represent the labour class was rejected by the Commissioner ;
- (g) whether it is a fact that the President-elect of Chiniot municipality is about 80 years of age and is unable to attend to his official duties ;
- (h) whether it is a fact that the said President cannot even write Urdu except scribbling his signatures ;
- (i) whether it is a fact that objections were raised on grounds of incompetency and incapability of the said President before the Deputy Commissioner, but he recommended a trial for him ;
- (j) whether a representation was made to the Honourable Minister for Local Self-Government expressing grievances over recent nominations in Chiniot municipality and for incompetency and incapability of the President-elect ;
- (k) whether it is a fact that a deputation of Chiniot Musalmans waited upon the Honourable the Minister for Local Self-Government for purposes mentioned in the above question ;
- (l) what action has been taken by the Honourable Minister in this matter ?

The Honourable Malik Firoz Khan, Noon : (a), (b) and (e). Neither Government nor the officers of Government to whom the power of making appointments to local bodies has been delegated in certain classes of cases, attempt to complicate communal representation by consideration of the internal divisions of the main communities.

(c) and (f) Government are not prepared to make any statement with regard to the recommendations of local officers in such cases.

(d) The gentleman in question was temporarily absent on pilgrimage but had previously expressed a desire to be appointed.

(g) and (h) No.

(i) Yes.

(j) Two gentlemen from Chiniot did see me and make the complaints mentioned in this question.

(k) Yes.

(l) The matter is being looked into.

BACKWARD COMMUNITIES.

422. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to lay a statement on the table showing the names of communities or classes by districts known to be backward educationally?

The Honourable Mr. Manohar Lal : Enquiries are being made and a reply will be sent to the honourable member when ready.

EDUCATION OF DEPRESSED CLASSES.

423. Mr. E. Maya Das : Will the Honourable the Minister for Education be pleased to lay a statement on the table showing the names of districts where schools have been specially opened for depressed classes, also the number of schools per district, as well as the percentage of boys of the depressed classes of school-going age attending such schools?

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

ASSISTANCE FOR STUDENTS SEEKING EMPLOYMENT.

424. Mr. E. Maya Das : Will the Honourable the Minister for Education be pleased to state whether in Government schools and colleges, when students have completed their course, any effort is made to assist them to place them in positions as would enable them to earn a living? If so—

(a) in how many institutions was this done during the last financial year;

(b) with what results;

(c) what percentage of students succeeded in obtaining work through the help of such institutions?

The Honourable Mr. Manohar Lal : Considerable efforts are made in Colleges to help students in seeking employment on the completion of their educational course. In training institutions very great success is achieved and it is in regard to this alone actual statistics are available. The following figures will show how far students after completing a training course for teachers in the Central Training College and in the two Government

[Hon. Mr. Manohar Lal.]

Junior Anglo-Vernacular classes, have been successful in gaining employment through the help of the institution concerned :—

<i>Name of the class or institution.</i>	<i>Percentage of students obtaining work through the help of the institution.</i>
(1) Central Training College, Lahore—	
B. T. Class	70*
S. A. V. Class	50*
O. T. Class	100
P. T. Class	100
(2) J. A. V. Class, Government Intermediate College, Lyallpur ..	100
(3) J. A. V. Class, Multan College, Lahore	61†

*The remainder got employment direct.

†The remainder were either the nominees of the N.-W. F. P., or those who already held liens on posts elsewhere.

2. Statistics are not available about the ordinary college students who obtained employment through the help of the institutions that they were attending but the Principals concerned report that they make all such effort as is possible for them in assisting students to obtain employment. Government College, Lahore, claims that it may be considered the most important employment agency in the province. It is found that the recommendation of the Principals carries very great weight and thus the college has a definite liaison with Government departments with the result that a large number of men are placed. In dealing with the enormous number of students that pass through schools and colleges it is impossible to give definite figures as so many rely merely on letters of recommendation from the heads of schools and colleges and do not report their success or failure in obtaining employment.

FACILITIES FOR STUDENTS TO EARN MONEY IN SPARE TIME.

425. Mr. E. Maya Das : Will the Honourable the Minister for Education be pleased to state whether in Government schools and colleges any facilities are afforded to enable such students as wish to do so to earn a little money in their spare time ?

The Honourable Mr. Manohar Lal : 1. In vernacular training institutions where handicrafts and manual labour are a part of the training experiments are being made in the matter of remuneration for work done.

2. A recently appointed committee is taking up the question of remuneration for work done by school boys on school farms.

SIKH KANYA MAHA VIDYALA, FEROZEPORE CITY.

426. Mr. E. Maya Das : Will the Honourable the Minister for Education be pleased to state—

- (a) the amount of grant paid to the Sikh Kanya Maha Vidyalā, Ferozepore City, during the last financial year ;
- (b) the number of girls studying in the school ;
- (c) the number of boarders in the school ?

The Honourable Mr. Manohar Lal : (a) Rs. 4,098.

(b) One hundred and eighty-four—17 in High, 24 in Middle, and the rest in the Primary.

(c) One hundred and eleven.

STATISTICS REGARDING HEIGHT AND WEIGHT OF BOYS.

427. Mr. E. Maya Das : (a) Will the Honourable the Minister for Education be pleased to state if the system prevails in schools according to which the height and weight of students are noted down ?

(b) If so, since what year have these statistics of boys appearing for the Entrance Examination or studying in any other class been recorded ?

(c) Will the Government be pleased to lay a statement on the table showing the average height and weight per student since then to the present time year by year ?

The Honourable Mr. Manohar Lal : The system of medical inspection and record introduced in all schools in 1915 was interrupted by the shortage of medical officers available during and after the War. Its re-introduction proved unsatisfactory and experiments have been instituted with a view to developing a more satisfactory system. Experiments are being carried out in selected areas but no statistics having any provincial application are available. Such information as is available is being collected.

MAINTENANCE CHARGES AND YIELD OF MILK OF COWS AND BUFFALOES.

428. Mr. E. Maya Das : Will the Honourable the Minister for Agriculture be pleased to lay a statement on the table showing by districts :—

- (i) (a) the average cost per annum of feeding a cow in towns ;
- (b) the average cost per annum of feeding a cow in villages ;
- (c) the average cost of feeding a buffalo in towns ;
- (d) the average cost of feeding a buffalo in villages ;

[Mr. E. Maya Das.]

(ii) the average quantity of milk produced per annum—

- (a) by cows in towns and its equivalent money value ;
- (b) by cows in villages and its equivalent money value ;
- (c) by buffaloes in towns and its equivalent money value ;
- (d) by buffaloes in villages and its equivalent money value ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture whose reply has not yet been received.

WELLS.

429. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) the number of wells bored by Government borers during the last financial year, by districts ;
- (b) the average cost per well ;
- (c) if there were any failures ; if so, how many ;
- (d) whether in cases when failure was experienced the pipe was allowed to remain inside the well or was it taken out ;
- (e) whether when it was allowed to remain inside the well, the owner of the well had to bear the cost of the pipe ?

The Honourable Sardar Jogendra Singh : (a) A statement showing the number of wells bored in each district of the Province and Delhi Province which is included in the jurisdiction of the Department of Agriculture, Punjab during the agricultural year ending 30th June 1927 is laid on the table.

(b) Average cost per well including cost of pipes, strainers, footage allowance, overhead charge and carriage of plant comes to Rs. 168. This amount does not include labour which varies according to the depth and strata of the bore. The zemindars generally do this work themselves and have therefore nothing to pay.

(c) 108.

(d) and (e) In case of failure the pipes are taken out from the wells, except in cases where the well-owners do not allow the removal of pipes. In such cases the cost thereof is recovered from them. Such instances are however rare.

Statement.

Serial No.	District.				Wells bored.
1	Jullundur	..	..	..	28
2	Hoshiarpur	..	..	..	37
3	Amritsar	..	..	..	20
4	Gujranwala	..	..	..	44
5	Gujrat	..	..	..	35
6	Sialkot	..	..	..	5
7	Rawalpindi	..	..	..	2
8	Shahpur	..	..	..	24
9	Lahore	..	..	..	49
10	Montgomery	..	..	..	46
11	Ferozepore	..	..	..	47
12	Ludhiana	..	..	..	22
13	Multan	..	..	..	33
14	Jhang	..	..	..	16
15	Lyallpur	..	..	..	2
16	Muzaffargarh	..	..	..	6
17	Gurgaon	..	..	..	67
18	Delhi	..	..	..	4
19	Ambala	..	..	..	30
20	Karnal	..	..	..	46
21	Rohtak	..	..	..	9
22	Hissar	..	..	..	8
23	Gurdaspur	..	..	..	4
Total					584

FRACAS BETWEEN HINDU AND MUSLIM STUDENTS OF INTER-MEDIATE COLLEGE, HOSHIARPUR.

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

- (a) whether it is a fact that Hoshiarpur Intermediate College is the first College where Hindu-Muslim fracas took place amongst the students ;
- (b) whether the Principal of Hoshiarpur College had for the first time the charge of an educational institution ?

The Honourable Mr. Manchar Lal : (a) Government is not in a position to say.

(b) Yes.

HOLIDAYS IN THE INTERMEDIATE COLLEGE, HOSHIARPUR.

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

- (a) whether it is a fact that the Principal of the Intermediate College, Hoshiarpur, did not allow holidays on the occasion of the gazetted Muslim festivals ;
- (b) whether it is a fact that no time is allowed to Muslim students for offering Jumma prayers in the College ; if so, why so ?

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

(b) No.

REPORT OF ILLNESS OF CERTAIN PUNJABI PRISONERS.

432. Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to state whether the Government received report of illness of the following Punjabi prisoners in 1927 who are serving their terms of imprisonment in other provinces :—

Jaggat Ram, son of Ditta Mall.

Master Mota Singh, son of Gopal Singh.

Parma Nand, son of Giya Parsad.

The Honourable Sir Geoffrey de Montmorency : Jaggat Ram was reported in May 1927 to have suffered from Dysentery.

With regard to Mota Singh, the honourable member is referred to my answer to question No. 350 (starred) part (a), in the last Council session.

Parma Nand is reported never to have been seriously ill during his imprisonment.

PUNJABI PRISONERS CONFINED IN JAILS OF OTHER PROVINCES.

433. Chaudhri Afzal Haq : With reference to the answer to Council question No. 6 put by me on 28th February 1927, will the Honourable the Finance Member be pleased to state—

- (a) whether any of the political prisoners mentioned in the list has since been released ;
- (b) whether any of the political prisoners mentioned in the list has since been transferred to the jails of this province ?

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

(b) It is proposed to transfer 8 prisoners and one of them has already arrived in the Punjab.

¹ Page 843 ante.

² Vol. X-A., Page 32.

PUNJABI PRISONERS CONFINED IN JAILS OF OTHER PROVINCES.

434. Chaudhri Afzal Haq : With reference to the answer to Council question No. 6 put by me on 28th February 1927, will the Honourable the Finance Member be pleased to state whether Government proposes to call for periodical reports regarding the health and weight of all the political prisoners whom the Government has transferred to the prisons of other provinces?

The Honourable Sir Geoffery deMontgomery : The Governments concerned have been asked to submit a report when any of these prisoners becomes seriously ill.

FLIGHT OF ZAMINDARS IN FLOODED AREAS.

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

(a) whether the District Magistrates of Hoshiarpur and Ludhiana submitted any special reports as to the plight of the zamindars of flooded areas in their respective districts during the last three years;

(b) whether they made any suggestions for the relief of the zamindars of the flooded areas; if so, what were those suggestions?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member when it is ready.

MUSLIM REPRESENTATION IN MUNICIPAL AND SMALL TOWN COMMITTEES.

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

(a) the names of those municipal committees and small town committees where no Muhammadan is elected as member;

(b) the names of those municipal committees and small town committees where neither any Muhammadan is elected nor any Muhammadan is nominated and also the reasons for this extraordinary state of affairs?

The Honourable Malik Firoz Khan, Noon : (a) (1) Municipal Committees—

Beri.
Isa Khel.
Kalabagh.
Pakpattan.
Pindigheb.
Simla.

(2) Small Towns—

Anandpur.
Budledha.
Gardhiwala.
Jaijon.

Jakhal.
Kalanwali.
Kalaswala.
Kangra.
Khanna.
Ladwa.
Palampur.
Sangla.
Sillanwali.
Sri Gobindpur.

[Hon. Malik Firoz Khan, Noon.]

(b) (1) Municipal Committee—
Ber.

(2) Small Towns—

Anandpur. (All elected seats being filled by Sikhs, the Commissioner appointed a Hindu to the only seat to be filled by appointment presumably because the Hindu population is nearly three times as large as the Muslim population.)

Budladha. (The Muslim population numbers only 80 out of a total of 2,276.)

Jakhal. (The Muslim population numbers only 86 out of a total of 755.)

Kalanwali. (The Muslim population numbers only 29 out of a total of 562.)

GRANT OF CROWN LANDS TO ZAMINDARS OF VILLAGE ABHA.

437. Chaudhri Afzal Haq : (i) Will the Honourable the Revenue Member be pleased to state—

(a) if it is a fact that almost all the lands of village Abha, tahsil Dasuha, District Hoshiarpur, have been washed away by floods ;

(b) if it is a fact that even the residential quarters of the villagers were washed away by the river ?

(ii) If so, will the Government be pleased to state whether the Government has given grants of crown lands to any of the zamindars of this village ?

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

(b) Yes.

(ii) A certain area of land in the Nili Bar is being reserved for villages which have suffered from river action. This land has not yet been distributed to Deputy Commissioners, and no land in the Nili Bar has been allotted to Abha. The Deputy Commissioner of Hoshiarpur will consider the claims of this village when the time comes to allot grants.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY AND ADDITIONAL GRANTS, 1927-28—CONCLUDED.

PROVINCIAL LOANS AND ADVANCES GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move :

"That a supplementary sum not exceeding Rs. 6,00,000 be granted to the Government 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 Provincial Loans and Advances (Reserved)."

The motion was carried.

GOVERNMENT'S DEMANDS FOR EXCESS GRANTS, 1925-26.

REFUNDS (RESERVED) GRANT.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :

"That an additional sum not exceeding Rs. 64,185 be granted to the Governor in Council to meet the excess expenditure incurred during the year ending the 31st of March 1926, 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. 1,63,051 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ending the 31st of March 1926, in respect of Refunds (Transferred)."

Mr. President : The question is :

"That a supplementary sum not exceeding Rs. 1,63,051 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ending the 31st of March 1926, in respect of Refunds (Transferred)."

Lala Bodh Raj : Sir, I rise to a point of order. Is the Honourable Member in order in moving this excess grant ? Under Article 133 of the Punjab Constitutional Manual, it is the Honourable the Finance Member who is competent to move this grant.

Mr. President : Article 133 lays down, no doubt, that such demands shall be presented to the Council by the Honourable the Finance Member, but if the honourable member will read the concluding portion of the Article, he will find that a demand for the excess grant shall be dealt with in the same way by the Council as if it were a demand for a grant. The general budget is always presented by the Finance Member, but the demands for grant are moved by the Ministers concerned. In the same way, I think, after the necessary presentation of the particulars of an excess demand is made there is no objection to the demand being moved by the Minister concerned.

The question is :

"That a supplementary sum not exceeding Rs. 1,63,051 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ending the 31st of March 1926, in respect of Refunds (Transferred)."

The motion was carried.

RESOLUTION.

RESOLUTION re DEMANDS FOR GRANTS.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I beg to move :

"This Council recommends to Government that the recommendation contained in paragraph 12 of the report of the Public Accounts Committee of this Council on the accounts for the year 1925-26, be accepted, and that the following demands be added to the number of demands now presented to the Council :—

- (1) Forest-Capital Expenditure (met from Revenue 8-A and met from Capital—52-A).

[Hon. Sir Geoffrey deMontmorency.]

- (2) Irrigation—Capital Expenditure (met from Revenue—16, and met from Capital—55).
- (3) Industrial Development—Capital Outlay (met from Revenue—35-A, and met from Capital—56-C).
- (4) Hydro-Electric Scheme—Capital Expenditure (met from Revenue—41-B, and met from Capital—56-D).
- (5) Civil Works—Capital Expenditure (met out of Extraordinary Receipts—41-A, and met from Capital—60).
- (6) Commutation of pensions—Capital—Expenditure (60-B).

Sir, honourable members will observe that this resolution has its origin in a recommendation by the Public Accounts Committee. The report of the latter was laid on the table yesterday by the Secretary to the Punjab Legislative Council. But, I should like to explain a little more fully how this matter came to be discussed by the Public Accounts Committee and how it arose. In dealing with the Audit and Appropriation Accounts for 1925-26, the Auditor-General wrote as follows:—

"I notice that both capital and revenue expenditure has been provided for in the same demand for grants and in this connection the question arises whether it is not desirable to present separate demands for capital and revenue expenditure. A budget estimate as presented to a Legislative Council presents to the Council an estimate of the net result of the revenue transactions of a year and also an estimate of the closing balance of Government as a whole, having regard to revenue, capital and debt transactions. The inclusion within one grant of capital and revenue transactions of the same character enables the Local Government to re-appropriate between the revenue and capital account and such re-appropriations will necessarily affect the revenue balance to which the Legislative Council may, and should, attach considerable importance.

"On the other hand it is admitted that the question whether expenditure of a capital nature should be met from loan funds or from current revenues is merely a problem of ways and means and it may be convenient for the Local Government not to decide until the close of the year how much of such expenditure is to be met from capital and how much from current revenues. Further a Local Government can always affect the revenue balance by increasing or reducing non-voted expenditure.

"It is for the Public Accounts Committee to advise the Legislative Council and Local Government what view should be taken on this aspect of the question. I suggest that the real issue can be raised if the Public Accounts Committee will consider whether it shall advise that capital and revenue transactions shall not be included within the same grant."

These observations of the Auditor-General were laid before the Public Accounts Committee. It was explained to the

3. P. M.

Public Accounts Committee that we have at present, as honourable members will see from a glance by looking at that part of the budget volume which is entitled "Statement of Demands for Grants," 32 demands for grants. Among these the following demands for grants include both capital and revenue expenditure. Grant 4 includes 8—Forests, 8-A—Forests, which is capital expenditure met from ordinary revenues, and 52-A—Forests, which is capital expenditure. Grant 6 includes XIII—Irrigation—Working Expenses; 14—Interest on Irrigation Works; 15—Other Irrigation Expenditure financed from ordinary revenues; 16—Irrigation, Capital Expenditure financed from ordinary revenues; 55—Construction of Irrigation Works, Capital Expenditure. Grant 18 includes 35—Industries, 56-C—Industrial Development, Capital Expenditure. Grant 21 includes 41—Civil Works, Transferred; 56-D—Hydro-Electric Scheme, Capital Expenditure; 60—Civil Works, Capital Expenditure. Grant 23 includes 45—Superannuation Allowances and Pensions and 60-B—Payments of commuted values, of pensions, which is capital expenditure.

It was also explained to the Public Accounts Committee that the Government agreed with the Auditor-General in principle that it was improper that re-appropriations should be made from revenue to capital or capital to revenue, and that a change in system was clearly called for if it can be devised by which such re-appropriations should not be possible. Such re-appropriations in the past had mainly taken place in the Irrigation head. The cure seemed to be to separate off all items of capital expenditure and this would necessitate an addition of six demands for grants in the manner shown in the resolution. The addition of these six demands for grants would achieve what propriety and principle demands. But, at the same time it was made clear that this change would have some results affecting the legislature because even with the existing number of grants, the Legislative Council sometimes finds that time is short in the budget discussion to discuss them all. If demands for six grants are added, this difficulty naturally increases. At the same time, it was felt that there is rarely any long discussion on demands for grants connected with capital. No doubt a big capital scheme, when it first comes up, has to be examined and discussed in all its branches and implications. But such big schemes are not common. On looking into the past debates, it appears that new expenditure from capital coming up yearly and connected with schemes which have once been thoroughly ventilated and discussed in the Council and the scope of which is well-known to the Council do not usually occupy much time or even lead to discussion. It was therefore probable that the increase of six demands for grants under capital head would not intrude unduly or make any serious encroachment on the time available for the Legislative Council for the discussion of grants either individually or as a whole. The members of the Public Accounts Committee examined the *pros* and *cons* of the situation with very great care. The Public Accounts Committee came to the conclusion that the point of principle which the Auditor-General has raised and on which the Punjab Government was in agreement with the Auditor-General, was of greater importance than the avoidance of some rather remote risk of possible curtailment of the time for the discussion of some grants; they pronounced themselves strongly in favour of the separation of the revenue and capital grants; and they recommended the addition of the six separate grants to which allusion has been made in the resolution. The Punjab Government desired before making any change, to obtain the views of the Punjab Legislative Council upon the proposed change. It is for this reason that I have moved this resolution advocating the adoption of the advice given by the Public Accounts Committee.

Mr. President : The resolution proposed runs :

"This Council recommends to Government that the recommendation contained in paragraph 12 of the report of the Public Accounts Committee of this Council on the Accounts for the year 1925-26 be accepted, and that the following demands be added to the number of demands now presented to the Council :—

- (1) Forest-Capital Expenditure (met from Revenue—8-A and met from Capital—52-A).
- (2) Irrigation—Capital Expenditure (met from Revenue—16, and met from Capital—55).
- (3) Industrial Development—Capital Outlay (met from Revenue—35-A and met from Capital—56-C).
- (4) Hydro-Electric Scheme—Capital Expenditure (met from Revenue—41-B and met from Capital—56-D).

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(5) Civil Works—Capital Expenditure (met out of Extraordinary Receipts—41-A and met from Capital—60).

(6) Commutation of pensions—Capital—Expenditure (60-B)."

The question is that that resolution be adopted.

The motion was carried.

THE PUNJAB TENANCY (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to present the report of the Select Committee on the Punjab Tenancy (Amendment) Bill.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to move :

"That the Punjab Tenancy (Amendment) Bill as reported by the Select Committee be taken into consideration."

It will be noticed, Sir, that the Select Committee has hardly made any alteration.

Mr. President : The question is :

"That the Punjab Tenancy (Amendment) Bill as reported by the Select Committee be taken into consideration."

The motion was carried.

Mr. President : The question is :

"That clauses 2, 3 and 4 stand part of the Bill."

The motion was carried.

Mr. President : The question is :

"That these be the title and the Preamble to the Bill."

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to move :

"That the Punjab Tenancy (Amendment) Bill be passed."

I need only add that though this is a non-controversial measure and though it is a simple measure, yet it is an extremely useful measure.

The motion was carried.

THE PUNJAB MUNICIPAL (EXECUTIVE OFFICER) BILL.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, I beg to present the report of the Select Committee on the Punjab Municipal (Executive Officer) Bill.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to move—

"That the Punjab Municipal (Executive Officer) Bill as reported by the Select Committee be taken into consideration."

Mr. President : The question is :

"That the Punjab Municipal (Executive Officer) Bill as reported by the Select Committee be taken into consideration."

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu) : Sir, I beg to move :

"That the Punjab Municipal (Executive Officer) Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928."

As my friend, Dr. Muhammad Alam, stated in his speech while opposing this Bill, when it was first introduced in the Simla session, the object, of in-

roducing such a Bill and of the appointment of an Executive Officer is to take away by one hand the small measure of local self-government granted to us by the other. I appreciate the efforts of the Select Committee in tinkering and improving it, and I congratulate them on the result of their labours. But keeping in view the importance and seriousness of the step proposed, I think it imperative that public opinion must be invited before we shape it into a law. The Bill, even as it has emerged out of the Select Committee is defective and no Legislative Council which considers itself as representative of the people can allow it to be introduced. I submit that there is no demand for such a measure and certainly no need has been established. Even in the statement attached to the Bill, the Government has not informed us about the objects and reasons for its introduction. It only says that the Bill is being introduced to obtain more efficient control. If this is the only thing they want, and there is nothing to show that they want anything else, they must not, in order to achieve this little object, lay the axe at the very root of local self-government in the province. If the Honorary President and the Secretary cannot exercise full control over municipal affairs, the best way out of it is to appoint an Assistant Secretary and if you are really enamoured of the name, call him "Executive Officer". But why should you give him statutory birth and arm him with statutory powers? Why not allow the committees themselves to appoint an executive officer? It is just like asking a family which is quite independent in their own home, to accept, and that even against their will, the appointment of a servant who will take away from them all their powers of self-control and self-determination.

Though the Government has not been frank in the Statement of Objects and Reasons and has not established very clearly the need for the measure, the Honourable Minister in replying to the speech of Dr. Alam admitted that for the present it is intended not only to improve the administration and control the staff, but to check corruption so rampant in municipalities. Now, Sir, this is a statement which every patriotic Indian must resent, and as long as it is not withdrawn, we must not agree to this Bill. It makes us pause and think whether only the appointment of an executive officer can root out corruption and whether we are, personally, really incapable of that. Sir, I say that I am not an irreconcilably seditious man. I am certainly not one who feels it his duty to condemn Government even where no censure is warranted and none is earned. But the statement of the Minister makes me ask whether there is any department under Government where you do not find corruption in spite of the presence of efficient and experienced officers at their heads. Take the police. The report of this department is about to come up before you. Is there not corruption in it? Then, again, where are these executive officers to be recruited from? From among the officers in the various departments of Government. Is there no corruption among them? When responsible officers, officers with education, officers with wide experience of administration have not been able to extirpate this evil wholly or partially, from the departments under their care, how can one poor officer, even though he be an executive officer, do that? The Honourable Minister by making that statement has censured the departments under his charge, and though he has not defended them

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I feel I must do that. If there is corruption in the municipalities, it is 16 times more so in the departments under Government control. Without caring for the big beam in their own eyes, they are searching for the mote in the eyes of others. If really you want to remove corruption, you should have said so in the Statement of Objects and Reasons and then we would really have supported you as a body. But I submit, and I shall prove from his own speeches, that he is aiming at something else, that he wants official control over local bodies. He has said so in his reports. It is ingrained in the official mentality. They are after it and this is the way they mean to get it. But they are doing so only on the suggestion of two or three officers. One of them is the Commissioner of our division who suggested that the administration of local self-government through municipalities cannot improve without official control. But you must weigh this statement. You must test it by our past experience. You know what the nature of the municipal administration was when it was under the control of the officials, under the influence of the District Magistrates, who are generally supposed to kill corruption and you also know how they have improved in efficiency since this protecting influence has been removed. Is it not a fact that the municipal administration has really improved by far since its coming under non-official chairmen? It has created and fostered public spirit and love of public service in the minds of people. Can you name any place where municipal working has suffered for lack of official control? I am a whole time worker for the Council, I mean, I spend my whole time in studying the conditions of the province, and I assure you that almost invariably official control over municipalities has resulted in deterioration in the working of the municipalities. I have a lot of material to throw light on this point and if I get an opportunity to-morrow when a relevant issue will be raised in a resolution, I will show how officials are guilty of unnecessary and uncalled for interference in the municipal affairs. I am afraid, I am crossing the forbidden line and my statement may be out of order....

The Honourable Malik Firoz Khan, Noon: On a point of order, Sir, may I ask whether the honourable member is opposed to the consideration of the bill altogether or whether he just wants it to be circulated? If he wants it to be circulated, I have not yet heard anything in favour of its being circulated.

Chaudhri Afzal Haq (continued in Urdu): With your permission, Sir, I was just analysing the psychology of this measure and I was trying to gauge the mentality which brought about the introduction of such a Bill. I was also giving my reasons why it should be circulated for public opinion, so that we may know the opinion of the people on a bill which is really a blow at the very root of local self-government. If any municipality has come to a crisis it is due to the undue interference of the District Magistrate. These bodies have failed only when they had the misfortune of placing their affairs in the hands of men anxious to curry official favour. The greatest argument that I have in favour of my amendment is this. Anybody and everybody that I have heard, and I have heard a lot of them discussing the proposed measure, has objected to the proposed pay of the officer, as put down in the bill. The second objection is that

there is no precedent in which Executive Officers have been appointed for first class municipal committees. Reliance has been placed for the introduction of the present measure on the existence of Executive Officers in the cities of Madras, Bombay and Calcutta. But even the Acts passed in the legislatures of those provinces, fail to supply an instance of the kind in which appointment of Executive Officer may have been urged for the first class municipalities. But the truth of the matter is that Government is anxious to thrust upon the municipalities a measure with the help of which it can exercise full official control over their working. It does not like the independence of the local bodies. Just have a look at the nature of the appointment of the Calcutta Executive Officer. He is just as good or as bad a servant of the municipality as a Secretary. We do not object to the name. We object only to the functions entrusted to the post. Then, Sir, it has been proposed to appoint only first class officers, with Rs. 2,500 as pay. But have you ever considered whether such municipalities can afford to bear so much burden?

The Honourable Malik Firoz Khan, Noon : Up to Rs. 2,500.

Chaudhri Afzal Haq : Quite so. But the passing of the Act will give you the power to pay him anything up to Rs. 2,500 and I am sure you will not consult me when appointing him whether to pay him Rs. 2,500 or less. Then, Sir, it is generally believed that this is another opening for retired Indian Civil Service officers.

The Honourable Malik Firoz Khan, Noon : Absolutely false.

Chaudhri Afzal Haq : Probably so, and I am glad to have that repudiation. But I am only giving you a bit of information and I am not expressing my belief. You are probably not going to appoint Indian Civil Service officers but that is the general impression. Even names are being mentioned. I have heard of them in Amritsar and at Lahore. But I do not want to say anything about them at present.

The Honourable Malik Firoz Khan, Noon : On a point of order, Sir. Is not the honourable member anticipating discussion on the amendment which is coming later on to reduce the salary from Rs. 2,500 to Rs. 1,500? This will involve a repetition of arguments.

Mr. President : In view of the possibility that that amendment may not be moved, I think the honourable member is not out of order.

Chaudhri Afzal Haq : The First Minister, the Honourable Mian Sir Fazl-i-Husain in the report of 1924-25 expressed his gratification at the conduct of municipal affairs and he found nothing wrong about them. But suddenly in 1925-26, on the report of two Commissioners, those of Jullundur and Ambala, it was felt that many evils, like corruption, had crept in in the working of municipalities and that official control would be desirable. I would admit for argument's sake the accuracy of these statements. Suppose there is corruption, communal tension, party feeling and all. But you must admit that barring a short period of the last six years or so, there had been official control all over the municipalities. How then can we be expected to have mastered the art of Local Self-Government in this short span and how can we be judged by this little accomplishment? Government has not given

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us enough time to learn it. But this is only true if all the charges of irresponsibility, communal tension and corruption were admitted. The people, however, say that there is now greater public spirit exhibited in the administration of our municipal affairs and citizens have become more efficient to control their affairs.

Why, then, has this new appointment been created? Is it that the work has increased? Why not leave it to municipalities to appoint such officers of their own accord. Where is the necessity for the statutory provision that in case a municipality refuses to appoint an Executive Officer within three months of the passing of this measure, the Local Government shall appoint the executive officer? Why does Government seek to impose upon the municipality an officer whom it does not want? Is it not like appointing a servant for a family which does not want one? Under the circumstances, I appeal to the House not to agree to brand the country as unfit for Local Self-Government. We know that the Statutory Commission is coming, though we shall have nothing to do with it, but Government no doubt will advance it as an argument, if this Bill is passed, against our fitness for Self-Government. I hope the House will, in order to save the province from a bad name, agree to my motion.

Mr. Owen Roberts [Nominated (Non-official)]: Sir, there is nobody more in favour of the principle of an executive officer than myself, but I have no doubt at all that this bill has been prepared without due regard to the needs of the subject and I would be prepared to oppose the motion entirely rather than see the bill pass in its present form. My objections may not be the same as those of my friend who has just taken his seat, but my principal objection to it is that I do not think that the conditions brought about by the bill are such as would be fair to the executive officer. If one turns to the Statement of Objects and Reasons, one finds in the first line—

"The administration of a large municipality involves the supervision of a large staff."

Then again we are taken right into the confidence of Government by the Honourable Minister who told us in the last meeting of the Council:—

"I will just tell the honourable members why an executive officer is needed for the Municipal Committee. There are certain provisions of the Municipal Act which involve infliction of punishments or which necessitate the President to carry out duties which are unpleasant. The members who are elected by the voters and who depend on their voters for their own success cannot act independently. Similarly the President who is elected by the members every three years has certainly to have a regard for their feelings."

I quote this at the moment only to show that one of the paramount duties of the executive officer will be to control the staff. I shall have occasion to refer to it later from another point of view. Now, Sir, if we refer to clause 4 (1) of the bill, this question of staff is dealt with there. What that clause means is beyond me. I have tried to read it in every possible way; it says definitely that the executive officer shall not exercise the powers under section 39 of the Municipal Act. Now section 39 of the Municipal Act reads thus:—

"Subject to the provisions of this Act and the rules and bye-laws made thereunder, a committee may employ such other officers and servants as may be necessary or proper for the efficient execution of its duties and may assign to such officers and servants such remuneration as it may think fit, and may remove or dismiss any officer or servant so appointed."

Whatever the duties of this officer may be, he has neither to appoint nor to dismiss nor to exercise any control over his staff. That, Sir, is a serious defect. I have taken out the figures of the staff in the Lahore Municipality and I find that there are now about 178 employees in his own personal staff, and even if it is assumed—and I certainly cannot say that I read it that way—that he has power to appoint or dismiss all servants drawing less than Rs. 50 a month, still this will leave him 106 members of his own personal staff outside the sphere of his own control, and when one looks through the departmental staffs—staffs which he might be well expected to control—the situation is almost comic. In the Public Health Department, for instance, there are eight persons all of whom get more pay than Rs. 50. Besides, the great weakness of the section is that it would be quite simple for a committee to land the executive officer high and dry by passing a resolution that no employees except menials should be engaged on a salary of less than Rs. 50 per mensem and leave the Executive Officer to control the menial establishment only. Government may have power to prevent this being done, but such a resolution would not be unreasonable in itself and I doubt if Government would be justified in interfering merely to save the executive officer.

Now, another very material alteration that the Select Committee has made in the bill is to be found in clause 6 (2). In the old clause 6 (2) there was a definite amount laid down for which the executive officer could give contracts or up to which he could incur expenditure, but the present clause 6 (2) alters this. The sum is to be fixed by the committee and if the sum fixed by the committee is nominal, I submit that the position of the executive officer must become ridiculous.

Mr. President : Order, Order. May I ask the honourable member whether he is opposing or supporting the amendment ?

Mr. Owen Roberts : I am supporting the amendment.

Mr. President : It appears that the honourable member is discussing an amendment which is not before the House. The honourable member is supporting an amendment to recommit the bill to the Select Committee. The reasons he is advancing are not reasons for circulation of the Bill.

Mr. Owen Roberts : I understand, Sir, by the amendment that the consideration of the bill be postponed.

Mr. President : The amendment is that the bill be circulated for eliciting public opinion thereon. If the honourable member desires to move an amendment to the effect that the bill be recommitted to the Select Committee on account of certain defects, which the honourable member wishes to be removed, he is welcome to give me his amendment in writing.

Mr. Owen Roberts : Sir, the amendment is to the effect that we should delay the bill and not allow it to be dealt with in this Council, and I am giving my reasons to the best of my ability to that end.

One principle of this bill that I wish to speak about is this. In paragraph (2) of clause 1 the bill is extended to the municipalities of Lahore and Amritsar. I said a moment ago that I would again refer to the speech made by the Honourable Minister, and I desire to do so now. I particularly want to draw attention to one sentence. It is this : "The members who are elected by the voters and who depend on their voters for their

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own success cannot act independently." Sir, I ask the honourable members of this Council what picture does this bring before them; surely it is that of a body of weak-kneed persons led by a knock-kneed President who refuse to do their work because they are afraid of losing their position. I submit that this is not a fair picture. I submit that this does not do justice to the members of first class municipalities, and I think we might well go to the public before we erect a monument through this bill to perpetuate the picture that the Honourable Minister has drawn of the character of the municipalities.

The next important point to which I wish to refer is that we are in this case handing executive power to a Ministry. I take it that the Local Government means Ministry. I think before we do that, Sir, the public ought to be allowed to say what they think of it. There seems to me to be no difference between handing executive power to one body or to another; indeed we may well reflect whether we shall not be merely exchanging King Log for King Stork and I am not certain that it would not be far more generally approved if instead of making the Local Government the authority to apply the bill to any particular municipality, we substitute the Standing Committee for Local Self-Government, it is a point well worth thinking about. I bring out these matters, Sir, because there is no doubt that in the minds of a large number of municipal commissioners there is very grave suspicion on the subject of an executive officer. Municipalities and persons interested in them are turning over in their minds the important question as to whether these executive officers are going to be useful and employable servants, or whether they are simply going to be new masters. Sir, we serve many masters and we should consider well before we add another to the list. Once committees are convinced that these officers are only their masters, a deadly apathy will set in; there will be empty meetings and municipal administration instead of being a subject of keen public interest will steadily decline and not develop.

You may ask what grounds there are for thinking that there is more in the appointment of these officers than meets the eye. Well, Sir, I do not pretend to be a lawyer but what is the meaning of Section 8 of the bill? It says that the executive officer shall prepare Annual Estimates and so on and concludes that "if it is in his opinion necessary or expedient to vary taxation.....shall submit proposals in regard thereto." What does this statutory power mean? The committees already have their Finance Sub-Committees in whom these powers now rest. What will happen if these sub-committees and the general committee disagree with the executive officer's proposals? And when finally the matter has to be carried to Government for sanction, from what point of view will the submission be made? Will the executive officer have to frame the letter from the point of view of the committee or will he express his own views, or will he have the right of adding a minute of dissent to views which he may be obliged to express on behalf of the committee? If he has the right to add a minute of dissent, then, Sir, I hold that he is no servant of the committee. It is matters like this, small matters if you like, that make the bill an object of suspicion. It seems to me that the bill has been hurried through the Select Committee without due regard to these and other points and for these reasons, Sir, I support the amendment as a delaying motion.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, the more one looks at the Bill the more he feels that it is defective. Government wants to have more effective control over the municipalities. The Honourable Minister has not attempted to improve the machinery of Local Self-Government so as to bring it more under popular control, but has done what all bureaucratic governments will do, that is, has started to take away every bit of authority which was accorded under the popular Municipal Act in the time of Lord Ripon. Sir, Government wants to go back thirty years. Lord Ripon thirty years back passed a bill which was a great improvement on the then existing law and here we find the Minister representing this House coming forward to curtail the authority of the municipalities through this Council. He is trying to strike a blow on Local Self-Government. He has been hardly six months in his office, and I say, Sir, he has not had enough experience of the working of the municipalities to push through a bill of this kind. He knows nothing about their working. If he had been a Minister for two or three years he would have fully examined the provisions of this bill and would have come to right conclusions and, after fully examining the working of the municipalities, would have tried to improve the existing law after finding that it was unworkable. Instead of that we find that the official benches have prepared a bill for him which is a retrograde measure and we see the Honourable Minister pushing it through this Council. Surely he has not examined the provisions of this bill and he has never examined the system of Local Self-Government in all his life. (Laughter.) Read this bill, Sir, clause by clause. You will see how defective and how unworkable it is. Start from one end to the other, you will find that no effort has been made to improve the position of municipalities. Look at clause 10, which still retains the provision that the Deputy Commissioner and the Commissioner have a right to cancel any resolution passed by a municipal committee. Instead of trying to get the power transferred from the reserved side to the transferred side, he is trying to transfer the power to the reserved side. The Honourable Minister is trying to take away the power of the people but he has not the courage to attempt to take away the power from the officials. Why? He knows that already the Deputy Commissioner has got varied duties of administration, such as registration, police, army and so on and that he has not got time to give even two minutes for municipal affairs. Yet, has the Minister really made an attempt to dispense with the Deputy Commissioner in the administration of municipal affairs? If he had done that I would have believed that he was really in earnest in improving the system of Local Self-Government. He is not doing anything to improve the bill. He is only doing what the officials have asked him to do.

Take again the salary of the executive officer. He is to be given Rs. 2,500 *plus* something. How many people earn Rs. 2,500 in this province? Many of the leading lawyers do not get as much. Even businessmen do not earn so much. Even the Premier of Japan does not get Rs. 2,000. The Premier of New South Wales does not get Rs. 2,000. On the other hand it is proposed to give the executive officer of the Amritsar municipality Rs. 2,500 *plus* some allowances. Probably because the Minister gets

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Rs. 5,000 he thinks that Rs. 2,500 is nothing. He seems to think "It does not matter. After all Rs. 2,500 is only half of my pay." The Deputy Commissioner may get only Rs. 1,000, still his junior will get Rs. 2,500.

Then, Sir, the executive officer is to present the budget. Has it ever entered the head of my friend as to what is a budget? What will happen if the municipal committee refuses to pass the budget prepared by the executive officer. How will the work be carried on if the budget is rejected? I don't think an attempt has been made by the Honourable Minister or his department really to solve this question. Thus if you go on examining the bill in detail you will find that the measure is a retrograde measure. The real point is that the Government does not want the Indians to enjoy self-government. That is all. It has been said that the municipal administration is bad and requires an executive officer to improve it. But what has the Government itself done to improve its own system of government? I know several cases where the Assistant Surgeons have taken bribes and none of them has been punished by Government. I can state many other cases in other departments also where corruption is prevailing and no executive officer is appointed. Perhaps Government has had several complaints about them and yet not a single officer has been dismissed. The public knows full well that the Government departments are run very badly.

The Honourable Malik Firoz Khan, Noon : Sir, I challenge the statement that the honourable member has made that doctors take bribes and cases have been reported to Government and that nothing has been done by it. Will he please give one case brought to the notice of Government where action has not been taken?

Shaikh Muhammad Sadiq : I cannot give names now, but I can say that the Inspector-General of Civil Hospitals has received several complaints. Take the police department? What is happening there? Are you appointing executive officers for that? I am asking the Honourable Revenue Member, "What about zaildars"?

The Honourable Mian Sir Fazl-i-Husain : Sir, I would request the Chair to kindly try to keep the honourable member to the bill under consideration and not run on to other subjects.

Mr. President : I would request the honourable member to speak to the motion.

Shaikh Muhammad Sadiq : Sir, because this bill is being supported by the other members of Government I have to refer to the administration of their departments, in order to prove that while supporting a measure affecting the Local Self-Government they should look to their own affairs and see how they are managed before trying to throw the blame on others.

Why has the Honourable Minister brought forward this bill? Not because he wanted it, but because some Commissioner or Deputy Commissioner wanted it. The cat has been let out of the bag. I shall read extracts from the Report on Municipalities for 1925-26 to prove my statement—

"The Commissioner of the Jullundur Division considers that the number has been reduced to a dangerous minimum and that official control from outside is no substitute for the control that formerly could be exercised by official members of committee."

and the opinion of a Commissioner weighs more with Government than that of anybody else. The Commissioner says that the number has been reduced to a dangerous minimum because more non-officials are elected as members—

"Similarly the Deputy Commissioner of Shahpur complains that though formerly when a trained official was at the head of each municipality his energy and efficiency made up for deficiencies in other directions"

What other directions, we do not know—

"Direct and personal control by officials has been replaced by periodical supervision....."

So he complains that he has no effective direct control over municipalities. Something has slipped out of his hand and he wants to regain it and as he cannot do this directly he wants this executive officers Bill passed.

"The Commissioner of the Ambala Division also expresses the opinion that it was a mistake to give all municipalities non-official presidents with one stroke of the pen"

he wanted two strokes perhaps. (Laughter.)

"and where such presidents have proved to be failures official presidents should be restored, a step which he considers would not be resented but would be cordially welcomed by the general public."

So, you can say, Sir, why this bill is attempted to be passed in this Council. It is not because the Honourable Minister or the other Ministers wanted it, not because there was a feeling that there was some lack of control, but because this bill was something akin to what was wanted by the reserved side to get their hold stronger on municipalities. Is it not a strange thing that my honourable friends who want further

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instalments of reforms for India should now consent to pass a measure which aims at curtailing the freedom of municipal committees? The fact is that the Ministry is showing its incapacity to govern this province. Unfortunately the Honourable Minister does not seem to have gone deeply into this matter. He does not seem to have given full attention to it. The Honourable Minister is the representative of the people of the province and instead of getting the powers that now vest in the reserved side transferred to the transferred side of Government, he is seeking to strengthen the hands of the reserved half of the Government. With one stroke of the pen he wants to hand over all powers to the Deputy Commissioner to cancel any resolution passed by a municipal committee or to suspend or dismiss any municipal employee. What is the attitude that he should take, if he finds that a Deputy Commissioner does not carry out the orders of the Ministry?

Mr. President : May I ask the honourable member how his speech is relevant to the Punjab Municipal (Executive Officer) Bill ?

Shaikh Muhammad Sadiq : Clause 10 of this bill says :—

"The Local Government, the Commissioner, and the Deputy Commissioner shall have in respect of the executive officer all the powers of control, inspection, requisition, suspension, etc., etc."

I want to show that if the Honourable Minister really represents the people of the province and if he wants to strengthen the transferred half of

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the Government, effective powers should be vested in the members of the municipal committee, who represent the people. What is the difference that we find between the reserved and the transferred side of the Government? If the Honourable Minister in charge of the transferred side should hand over his powers to the reserved side officers on whom he has absolutely no control, then all this talk of further reforms is a mere sham. The Honourable Minister has no power or authority over a Deputy Commissioner; he cannot transfer a Deputy Commissioner from one district to another. If a certain Deputy Commissioner is not helping the transferred half of Government in the expeditious discharge of work, and if the Honourable Minister wants to get that Deputy Commissioner transferred to another district, he cannot do it himself. He has to go to the Revenue Member or the Finance Member who would say: 'Look here, if you don't want this Deputy Commissioner to be retained in this district, we want him to remain in the same district. Our necessity must have prior claim.' Then the Honourable Minister will have to keep quiet. The drafting of this particular clause shows the mentality of the Honourable Minister. It really passes one's comprehension to read the clause which purports to take away the powers given to municipal committees. His explanation is that the municipal committees are corrupt. I can assure him that there is not more corruption than other departments. I can assure him from my experience of the Amritsar municipality during the three years that I have been there, that there was no more corruption than while the Deputy Commissioner was in control of the same. Of course nobody dare tell him that he was doing the wrong thing. The Deputy Commissioner is the distributor of land, he is the distributor of titles, he is the distributor of sanads, he is the man who administers justice in the district. The whole district is under him. Naturally even though corruption is rampant nobody would have the courage to go and tell him that he was doing the wrong thing or that under his administration corruption was prevalent. Even the Czar of Russia could not have the courage to go and complain against a Deputy Commissioner. No doubt there is a procedure to be followed in every matter, but the Deputy Commissioner is so powerful that he can set aside all rules of procedure with one stroke of the pen. High officers tremble in the presence of the Deputy Commissioner. Even higher officers like the Sessions Judge, the Superintendent of Police tremble before the Deputy Commissioner. If any of the municipal commissioners take courage to tell the Deputy Commissioner that there is corruption in the municipality, he would summarily dismiss him by saying 'Jau'. There is no *vakil*, no *dakil* and no appeal. The result was that nobody had the courage to tell anything to the Deputy Commissioner. Now, the Deputy Commissioners have not got much power. Formerly they were enjoying much power. Naturally, because they have been bereft of power, there is bickering. In France, there has not been any continuity of Premiers for the last two years. The Premiers have been changing every now and then. If my honourable friend had been the Emperor of Germany, probably, seeing the state of affairs in France, he would have said, 'Let us go and take possession of France and appoint a Premier'. What the Honourable Minister now seeks to do sounds very much like that. He wants that all the powers which have been conferred on municipalities should be taken away by his Act. He strikes

at the very root of municipal administration. I cannot see the fun of introducing a clause like this. If the municipal committee wants to dismiss a servant, it has no power to do that. Even if an employee of the municipal committee is insolent and inefficient, there is no power in the municipal committee to remove him from office. That has to be done by the executive officer. The section says, above Rs. 50 they can dismiss a man, but under Rs. 50 they cannot dismiss a man. If my honourable friend has any experience of any municipality, he should have known that only 10 per cent. of the staff draw more than Rs. 50, all the others draw less than Rs. 50. When I asked him a plain question, he evaded giving a plain answer. He thought he was giving a clever answer. What is the position? Here is a man who is drawing Rs. 40, a man who is very inefficient. He does not do his work properly. Five or seven municipal commissioners report to the executive officer against that man. They bring a resolution to that effect in the municipal committee and have it passed. The president of the municipal committee wants to dismiss him. All the municipal commissioners want to dismiss him. But the executive officer says he is not going to dismiss that man. How can the efficiency of the municipal committee be maintained? The fact is that the municipal committee cannot dismiss even a single man for inefficiency, because the executive officer is obstructive. What is left for the municipal commissioners to do? They must bring a motion of censure against the executive officer in order to dismiss even a sweeper or a chaprasi. The executive officer by his obstructive tactics will be forcing the municipal commissioners to bring a motion for censure against himself. So in order to dismiss a sweeper we will have to pass a vote of censure against the executive officer. Is that the protection offered to a high class officer? The desire of the Government in bringing forward this measure seems to be to deprive the municipal committee of powers of control over its subordinate employees. If the municipal committee wants to get a *darogha* dismissed for insubordination or inefficiency, they will have to seek the sanction of the executive officer. Can anything be more humiliating to the municipality? The municipal committee and the executive officer will be at loggerheads. It will be an insult to the whole municipal committee. Even if two-thirds or 60 per cent. of them want to dismiss a servant, they cannot do it without the concurrence of the executive officer. It is this provision that makes the Act really unworkable. If two-thirds of the members of a municipal committee want that a particular man should be reprimanded or punished in order to make that desire effectively carried out they will have to bring in a motion of censure against the executive officer, they will have to make all sorts of speeches attacking him. If that is the underlying desire of the Honourable Minister, I cannot congratulate him for incorporating this clause in this bill.

What is the use of giving enormous powers to the executive officer? The granting of license to tongawalas is vested in the executive officer. In Lahore, there are nearly 5,000 tongas. Do you expect the executive officer, to inspect each one of these tongas before granting license? It will take months for him to personally inspect these tongas. That work will necessarily have to be entrusted to a *darogha* getting something like Rs. 50. It means corruption. If the Honourable Minister had really studied

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the Municipal Acts in England, France and other western countries and also the Municipal Acts of other provinces in India, he should have found out that it is physically impossible for an executive officer to attend to all his duties, if he has to give personal attention to them, so these powers are not given. What is the meaning of vesting so much power in that officer? Is it the idea of the Honourable Minister that the whole fabric will crumble unless he is vested with such extraordinary powers? My honourable friend will get the odium for enacting such a measure. Why should this Council get the odium by passing such a measure? In the whole of the Punjab, there are only two municipalities, Amritsar and Lahore, where this Act is being applied. The Lahore municipality is not a small affair. It is not a municipality like Ajnala. These two cities are big places. If my honourable friend is going to push this measure through the Council, he will make the Act unworkable. That is absolutely the wrong thing to do. He should have seen to the convenience of other members. There is no use of rushing this measure through. There is no use of throwing this burden on the Amritsar and Lahore municipalities. If the Government is really honest in their endeavour to reform the first class municipalities, why should they not apply the same principle to some district boards, which are directly under the Deputy Commissioners?

The Honourable Malik Firoz Khan, Noon : Wait and see.

Shaikh Muhammad Sadiq : Perhaps my honourable friend has learnt that phrase from Mr. Asquith. Probably my honourable friend wants to imitate the juggler, who when all his tricks are exhausted, promises another trick and sends round his hat for collection of money. So his promise of wait and see may only be an empty promise. If you are really honest about reforming the local bodies, you must have begun with district boards. The Deputy Commissioner who is in charge of district boards is really overworked. Why should he be burdened with the district board administration in addition to his normal executive and judicial duties? Is it because that the Ministry is afraid of Deputy Commissioners that the district boards are not being touched? I am afraid no Ministry can stay for a minute, if it dares to attack the District Magistrate. My honourable friend thinks that because the municipalities of Lahore and Amritsar consist of only poor businessmen, he can do whatever he likes with them. He has evidently followed the line of least resistance. I remember that a District Magistrate when acting as president simply used to say No. 4, *manjur*, No. 6 *namanjur*, No. 10 *manjur*, No. 12 *namanjur*, and so on without allowing members to speak. That is the way in which the work was carried on. That is not the way of achieving local self-government. If that is the spirit of local self-government then I must admit frankly that municipal administration is a thorough failure. If he had studied the problem carefully, he would have seen that the whole bill requires radical alteration. It requires a good deal of pruning. There are so many defects in the bill that it makes the position of an executive officer absolutely impossible. You are trying to thrust more responsibility on the executive officer than he can really bear. As my honourable friend Mr. Roberts has said, the municipal committee may become apathetic. The executive

officer having too much power will simply hand over all his functions to his head clerk or somebody drawing something like Rs. 50 or so and that means corruption.

The bill seeks to take away all the powers vested in the municipal committee. If they want to remove any subordinate menial, all that they have to do is to increase the salary of the individual whom they want to dismiss so that they can themselves do so. The bill merely aims at the adoption of surreptitious plans by the municipal committee to get their wishes satisfied. If the executive officer will not listen to their words, they will achieve their object by a subterfuge. In the olden days, if a raja wished to punish a man with a fine of Rs. 50, he used to give him an inam of Rs. 60 and then mete out punishment. The same will be the case with municipalities if this bill is passed. Is it seriously contended that it is workable? It is very dangerous for the Government to push this bill through with their majority. It is a bill of the most retrograde character aiming at the powers of the elected representatives of the people in municipal committees and as such the bill should not be rushed through the House. If to-day we pass this bill, more bills of a retrograde character will be put forward to-morrow. The Honourable Minister naturally thinks that he can have the support of certain members of certain parties in this House who have really no concern whatever with this matter and who know nothing about the difficulties of the town people. To-day he relies on the support of these members and to-morrow our votes will be utilised against those very worthy gentlemen. When they come forward to-morrow and appeal to us, our answer probably will be the same as they give us to-day. Thus a division is attempted between the members of the Council. If to-day the turn of the municipal committees has come, to-morrow the turn of other bodies, probably the district boards with non-official presidents will come. Of course those district boards where the Deputy Commissioner is the president will not be touched. The Honourable Minister might say 'wait and see'; but in view of the opinion given by big Commissioners and important Deputy Commissioners, I say no Ministry of this Council will dare touch their powers. So I appeal to the members of this House not to be led away by the false promises of the Minister but to see for themselves how defective is the whole bill. Go through the bill section by section and see how impossible the work of the municipal committees will become by the handing over of their powers to the executive officers. In Amritsar we had an Electrical Department costing 15 lakhs, and by a stroke of the pen the whole management of that department was handed over to the executive officers. Even the Honourable Minister does not seem to know that Amritsar city possessed its own electric scheme. We were forced to lose Rs. 60,000 in coal because a certain high officer did not exercise proper control.

The Honourable Malik Firoz Khan, Noon : There was no executive officer then.

Shaikh Muhammad Sadiq : No ; but if he had been there perhaps we should have added another zero to that figure. Now look at the Back Bay scheme. They appointed executive officers on salaries of Rs. 3,000 to Rs. 5,000 and what is the result ? Again what about the Canteen Board where the

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officers were being paid Rs. 5,000 and more? There are any number of examples to show such failures even in the departments of which you are the head. My honourable friend says that the members of the municipal committee are elected; but I ask, are you not an elected member? To-morrow the executive authority might say the Honourable Minister is an elected member so let us take away his powers.

Mr. President : The honourable member will please address the Chair.

Shaikh Muhammad Sadiq : What I say, Sir, is that if the Honourable Minister says this to-day, he has to look to his own powers. To-morrow others may say that elected members are unfit to do any work. When the reforms come to-morrow other executive officers might say, "look at this gentleman; he has been himself saying that elected members are unfit; so he cannot have any power". The Commission is coming not only to give us powers but probably to take back something from us. So if we say this to-day, to-morrow the same principle will be applied to us. Don't think that because the Ministers are there we will be silent when the time comes. If you push forward this bill now, we will have to say to the Commission—we may not go to the Commission but we can say through somebody who are ready to go there—'take back the powers now given'. What I say, to Minister, Sir, is this: if you feel you are our representative, you should look to the opinions of the members of the municipal committees but not to the opinions of members who do not know anything about the committees. Has the Honourable Minister any experience of the municipal committee? Has he ever worked as a member of any municipal committee? (Hear, hear.) No, he has never been; but he is trying to sit in judgment over them. He does not know anything about the working of the municipality. It is a great honour to serve as a member of the municipality. The Honourable Minister is trying to ride roughshod over the municipal committees. Therefore, with the greatest respect to this House, I appeal to those members who are members of municipalities and also to others—there may be some who may not speak and I appeal to them also

Mr. President : The honourable member will not direct his speech to any part of the House.

Shaikh Muhammad Sadiq : Through you, Sir, I want to give a message to them. Let them come forward and help us and let them not stand on false dignity. I want to tell them that we who have been working in the municipalities consider that this bill if given effect to will bring the whole municipal administration into collapse.

Dr. Gopi Chand, Bhargava [Lahore City (Non Muhammadan), Urban] (Urdu) : Sir, I do not want to make a lengthy speech on the subject under discussion. I cannot, however, refrain from saying that no cogent reasons have been given for the hurry in which the Bill is being rushed through. It has been asserted that corruption is rampant in the municipal committees of the province and that the appointment of an executive officer will go a long way towards putting a stop to it and therefore the sooner this bill is passed into law and brought into force the better it would be for the municipal administration of the province. I should, however like to point out, Sir, that the municipal committees have been working under the new Act

for the last 8 or 9 years, and that it will not make any appreciable difference if they are left alone for another three months or so, and the bill is circulated for eliciting public opinion thereon. A good deal of time is spent in settling matters of greater public importance and Government takes no step to expedite them. Then why do you hurry this up? For instance, take the case of the Lahore municipal committee. It took three months to bring it into working order. General elections were held in July; names of the elected members were gazetted in August, about three or four weeks after and the general committee and sub-committees were only able to function towards the end of October or early in November. When so much time was taken for bringing into working order the municipal committee of Lahore, I fail to understand why this bill, which so vitally affects the interests of the people should be rushed through in this session of the Council.

Another reason given for rushing through this bill is that it is desirable to introduce official control in municipal committees with the least possible delay. But this is contrary to facts, and in order to prove this, I will give a concrete example. In the municipal committee of Lahore, out of the 44 members 11 are nominated, i.e., $\frac{1}{4}$ th of the power is in the hands of the Government and through them the Government can and really does exercise vast influence and control over the municipal affairs. I have given notice of a question which is coming up on the 24th, and from that you will learn the amount of control exercised by the Deputy Commissioner or the Commissioner through the nominated members.

The honourable gentlemen who have just preceded me said that the bill under consideration was a very important one and I am at one with them. It contemplates sweeping changes in the municipal administration of the province and seeks to impose very galling restrictions on the rights and privileges of the people. By this bill a servant is forced upon a committee in whose appointment it has not much voice. A municipal committee which is so handicapped cannot be expected to discharge its duties efficiently, or to control the activities of an officer whose appointment, suspension or removal is not within its power.

This measure is an encroachment upon the rights of the people, and it is in the fitness of things that they may be given time to raise their voice in favour of or against this measure, and convey their opinion to the House and to Government. The Minister in charge has just advised another member with reference to an enquiry made by him that he should wait and see. I would respectfully advise the Honourable Minister to act on this suggestion and to circulate this bill for eliciting public opinion thereon. He should wait and see its result.

Mr. E. Maya Das (Nominated, non-official): Sir, at times a question like this becomes more easy to understand by means of an analogy and the analogy that I will put forward now will be that of the captain of a cricket team. In case the Amritsar municipal committee has a high school and the high school has a good cricket team, and that cricket team has to go and play a match, will the members of the municipal committee appoint two or three captains or will they think it better to decide which of the persons composing the team is to be bowler, which

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one is to be the wicket-keeper and so forth or will they ask the captain to do that? In the same way, I think that one officer under certain conditions is able to manage and control better than if the control is placed in the hands of a large number of people.

Then, Sir, it also seems that in such matters that well known proverb applies—"Too many cooks spoil the broth". Repeatedly we have read in the papers not only about the Punjab municipal committees, but municipal committees in other parts of India also that they are at times unable to come to a decision to dismiss an employee whom they have pronounced as being quite inefficient.

Then, Sir, there is one other matter I wish to speak about. There is, I think, one serious defect in this bill. At present all the employees getting up to Rs. 50 salaam the municipal members. If the power of appointment and dismissal is taken away from the members and if it is made over to the executive officer, what guarantee is there that these employees will continue to salaam the members? I think, Sir, some provision should be made in the bill about this matter and I think by doing so a great defect will have been removed.

Rai Bahadur Lala Rattan Chand [Nominated, non-official] (Urdu): Sir, I am an old municipal commissioner and as such can speak at length and with some authority on the subject under discussion. But as I have not been keeping good health for some time past I will refrain from making a long speech on this motion.

The matter under discussion is a very important one, and we should think twice before expressing an opinion on the subject. I would ask the Honourable members to lay their hands on their hearts and say, whether the administration of municipal committees has not suffered considerably under non-official control. Some 6 or 7 years ago, the Deputy Commissioners used to be the presidents of the municipal committees and the administration of municipalities was all that could be desired. But ever since the appointment of non-official presidents, the affairs of the municipal committees have gone very bad. Under the existing circumstances different departments of a municipal committee are under their respective executive officers. There is no central control over them, the members have made it impossible for them to exercise a healthy control over their subordinates on account of communal tension, party feelings and personal interests.

In my opinion, the appointment of an executive officer, who is capable of discharging his duties fearlessly and conscientiously will go a long way towards solving this problem. With these words, I heartily support this bill.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan), Urban] (Urdu): Sir, I fail to understand or appreciate the point of view of the Government Member to whose clever brain the bill under consideration owes its inception. This bill was presented in hot haste amidst the cool breeze of Simla at the last session of the Council and now we are asked to give our consent to it in the same hurry in which it was presented. Sir,

whether we shall have anything to do with the Royal Commission or not is beside the point, but we are certainly interested in the advancement of self-government in this province. With the creation of the third ministry and the appointment of one of the elected members to this exalted position we were hoping that we shall get a further instalment of self-government, but we had not even dreamt of the fact that what little we possess will be taken away from us, and that a cruel blow will be aimed at the sapling which we had nourished with our life blood—

وہاں یہ حکم کہ کچھ بھی چھین لو اُن کے
میں منتظر کوئی خامت حضور لے آئے

It had never entered our minds that the new Minister and his advisers would be preparing an engine of destruction which will drain away the last drop of blood in our veins ; and which will render self-government lifeless as a corpse. Sir, this is the reward of the progress which we have made during the last eight or nine years.

The amendment moved by my honourable friend Chandhri Atzal Haq merely demands that the consideration of the bill should be postponed for another two months or so and in the meanwhile it may be circulated for eliciting public opinion thereon. But the Government officials are notorious for their obstinacy. They have never given way in the past to the righteous demands of the people and are not likely to do so now. The members of Government have always disdainfully refused to follow the right path and are not likely to change their tactics this time. The indecent haste with which this bill is proposed to be rushed through clearly signifies that some power is working behind the Ministry, and that the Minister is only playing the second fiddle to that power. I appeal therefore to my honourable colleagues, whether Hindus, Muhammadans or Sikhs, to realise their responsibility. They owe it to themselves and to the public at large that this bill should not be proceeded with to-day, and that the consideration of the same should be postponed so that the people should have an opportunity of expressing their opinions on it.

Sir, this measure is perhaps the most important that has been introduced in this Council ever since the inauguration of the reforms. The honourable members of the Council before giving their votes should realise this fact that this bill is dealing a death blow to the system of local self-government in this province. They should realise the fact that the Punjab is the most backward province in India, and that the voice raised here does not find an echo in any other part of this vast continent. They should realise once for all that the Punjab is not taking large strides towards progress ; it is, on the other hand, going down the incline with a vengeance. If this bill is passed to-day, of what use would be the reforms to us. If once we give our consent to this bill, we have no right to demand anything in the way of self-government.

After ruling us for 150 years, the British Government was pleased to reward us with a petty instalment of self-government but to-day we are dubbed as being incapable of shouldering this responsibility. Goodness knows

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whether our teachers have the best of motives for depriving us of this or whether we have really proved ourselves incapable. The Government was pleased to initiate us into the mysteries of self-government and when we had learnt by rote the alphabet of self-government by grinding at it for eight or nine years we are now told by Government that we are incompetent, and that this primer of self-government at which we had been grinding for so many years should be taken away from us.

لکھو ہمارا نام زمین پر مٹا دیا
اُن کا تو کھیل خاک میں ہم کو ملا دیا

Sir, I should like to tell the Government in no uncertain terms that what little sympathy or love it had gained during the last eight or nine years it will lose by pressing this bill. The Government by its present attitude is disgracing itself and I would therefore call upon every member of the Council, whether he is a supporter or a critic to advise the Government to abandon its present attitude of riding roughshod over the feelings of the public. I would ask them to request the Government not to destroy the sapling which we have nourished with our life blood. I would ask them to request the Government to learn to respect the voice of the country. I would ask them to tell the Government that no harm would ensue if this bill is postponed for another two or three months. Now let us see what this bill really signifies. I will discuss its provisions section by section and clause by clause and expose the hollowness of the Government's claim that it is meant for the good of the people. I should like to say at the very outset that the absurdities of this bill go on increasing as we pass on from one clause to another, and that the only object of this bill is to wrest from our hands what little power we possess in the matter of managing our own affairs. It is from beginning to end a living insult to the patriotic and national sentiments of the Indians and proclaims in unequivocal terms our incapacity for self-government.

Now I will take the bill clause by clause. Clause 1 deals with the extent of the Act and says that it will be applicable to the municipal committees of Lahore and Amritsar, but it can be extended by the Local Government to any other municipalities of the first class. The Government by introducing this provision has tried to silence such of the members who are the residents of second class municipalities. Why should they bother their heads about an Act which will apply to the municipal committees of Lahore and Amritsar and other first class municipalities? But I should like to tell these gentlemen that if the Government desires to thrust an executive officer upon such municipalities, what is there to prevent them from making a second class municipality a first class one and thereby make this Act applicable to it?

Clause 2 of the proposed bill deals with definitions. I do not, however, propose to discuss them just at present. I will do so when the time comes. Clause 3 relates to the appointment and pay of the executive officer. The Government has not imposed any limitation upon its right of approving

the appointment of an executive officer. It can approve of the appointment of any body and every body, no matter whether he is blind or cripple; whether he is insane or a knave. But as far as the committee is concerned it can only appoint an executive officer with the concurrence of two-thirds of its members, and if they fail to do so, the Government would thrust one upon them. But this is not all. The municipal committee is not entitled to suspend or remove an executive officer. The powers of suspension and dismissal are completely vested in the Local Government. The committee can only make a recommendation to this effect to the Local Government, and that too in case two-thirds of the members of the municipal committee are of this opinion. Now comes the question of emoluments.

The executive officer will be a servant of the Government. The Government alone will be able to suspend or remove him, but the municipal committees will have to foot his salary bill. This reminds me of a story in which two friends entered into a partnership for the purchase of a she-buffaloe. One of them who was the cleverer of the two insisted that the other will have to supply grass and fodder for the buffaloe and in case it was lost he will have to make a report to the Police and in the event of its death, he will have to purchase a new one and to crown all he will have to spare the whole of the milk for the other one. This story aptly applies to the Government. The committee will be called upon only to pay and the Government will reap the benefit in the shape of having its own man appointed to the post of executive officer.

Next comes clause 4. It deals with the powers of the executive officer and lays down that all the powers, duties and functions vested in the committee shall vest in the executive officer to be exercised by him subject to such limitations, restrictions and conditions as may be imposed by the Local Government. In other words the municipal committee will become a mere nonentity and the executive officer will be all-in-all. May I ask, Sir, if this is in consonance with the principles of Self-Government? During the last eight or nine years we have been enjoying some sort of self-government, but even this is being taken away from us and still the Government insists upon saying that self-government will be doled out to us by degrees. It is no use deceiving us. Why does not the Government say honestly that nothing will be given to us? Why does the Government try to keep us in the vicious circle of giving with one hand and taking away with the other?

Next comes the question of bye-laws. Here, too, the Government has shown its unrelenting hand by laying down that all bye-laws framed prior to or after the passing of this Act shall be null and void if they are inconsistent with this Act. The Government has by one stroke of the pen done away with the municipal committees; it has done away with the bye-laws and now comes the turn of the Secretary. Ordinarily the Secretaries of municipal committees are non-officials, though it is a fact that in certain municipalities officials have been thrust as Secretaries. Now under clause 5 of the proposed bill the Secretary too is deprived of his powers and in future his powers will be exercised by the executive officer. The work of destruction is thus complete.

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Clause 6 deals with contracts. Under the Municipal Act the committee had the right of giving contracts, but this power is also being taken away. Under this clause every contract entered into by the committee shall be made on behalf of the committee by the executive officer.

Next comes clause 9. This clause gives the executive officer the right of attending all meetings of the committee and of any sub-committee, except the one where the question of his suspension or removal is being discussed. But no such question will ever arise, because if he is present in all other meetings no such proposal for his suspension or removal from office can possibly arise. Who will dare to raise a voice against a favourite of the Government, against a civilian who has already seen service under the Government? This clause has been imported into the bill with a view to prevent freedom of speech and liberty of action of the municipal commissioners. The executive officer will be a sort of censor placed over the head of the City Fathers. Lastly, there is clause 10. Here the Government has shown its love of concentrating all power into its own hands. It prescribes that the powers given to the executive officer shall be exercisable subject to the control of the Local Government and its satellites, the Deputy Commissioner and the Commissioner. In other words, if the executive officer is a man of independent character and has the temerity to act on his own initiative he will have no option but to bend his knees before the Government as provided by this clause.

This in short, Sir, is the true character of the bill which we are called upon to pass in such a hurry, without giving the public a chance of expressing its opinion upon its merits or demerits.

Some of my friends have expressed the opinion that the appointment of executive officers is essential because corruption is rife in the municipal committees, but, Sir, does it stand to reason that by the appointment of a single executive officer corruption will be eradicated? Does not corruption exist in each and every department of Government, and if Government has not been able to put a stop to it in 150 years, how can it say that corruption will be eradicated by the appointment of an executive officer or executive officers? The only solution of the difficulty lies in the fact that Government should make up its mind to listen to the advice of its critics. It should not be led away by the representations or what should be more properly called, the misrepresentations of its toadies and hangers-on, and as long as this is not done corruption cannot be stopped. It was with a view to bring to light the corruption practised in police thanas and police offices that I requested the Head of the Police Department to grant to the members of the Police Standing Committee of this Council, the right of visiting police stations and police offices just as the members of the Jail Committee are granted the right of visiting jails. But he flatly refused to accede to my request. This shows the mentality of the Government and its responsible officials. Neither the Government nor its officials are prepared to take the representatives of the public into their confidence, and the result of it is that corruption is practised under the very nose of the Government and nobody seems to be the wiser for it. The Government will not allow the non-official members to help it by their criticism of its methods and matters seem to be at a stand-still.

Again, a friend of mine was pleased to say that just as a cricket team will be nowhere without a captain, similarly, the municipal committees are labouring under a great disadvantage in the absence of executive officers. The only reply which I can make to this analogy is that it is our slave mentality which impels us to say such things.

The Honourable Malik Firoz Khan, Noon : Is it not an insinuation, Sir, to say that a member possesses a slave mentality ?

Mr. President : The honourable member will proceed and speak to the question. I think he has been shown sufficient latitude already.

Dr. Shaikh Muhammad Alam : I will submit that I am trying to pin myself only to the particular issue, that is the consideration of this Bill should be postponed.

جادوئے محمود کی تاثیر سے چشم ایاز دیکھتی ہے حلقہ گردن میں ساز دلیری

Sir, I had absolutely no intention of imputing bad motives to any one. My remarks were addressed to no member in particular. All that I wish to say is this, that the presentation and introduction of such bills is the result of a deep set policy for depriving the Punjabis of their right of governing themselves. We are not in need of a captain. If the powers of the municipal committees are to be taken away from them, where is the justification for us to stick to our rights in this Council ? Upon this question rests the foundations of our national life and, therefore, no Indian worth the name should allow this legislation to be rushed through this session of the Council. With these words I again request my honourable colleagues to support the motion under discussion.

Mr. J. G. Beazley (Secretary, Transferred Departments) : Sir, I do not want to follow the members who have spoken already into the various provisions of this Bill. The time for that will, I hope, come later when we consider the provisions of the Bill. I wish merely, with reference to the main question which we are now considering that is, whether the consideration of the Bill should be postponed or not, to lay before the House the history of this legislation. Some of the members have said that it is a hasty piece of legislation being rushed through without an opportunity being given to members to understand it or realise the meaning of the various provisions of the Bill.

Mr. President : Order, order. I do not think any member has said that the members of the Council do not understand the Bill. The contention put forward is that the Bill has not been circulated for public opinion. No one has said that he does not understand the Bill.

Mr. J. G. Beazley : It has been represented, at any rate, that it is a hasty piece of legislation which Government is attempting to rush through. The genesis of this Bill was a note made by a Select Committee appointed by this Council to consider a Bill to amend the main Punjab Municipal Act in 1922. The Select Committee then noted that they were unanimously of opinion that a separate Bill should be drafted so as to provide for the appointment of an executive officer in municipalities as in Presidency towns. This recommendation of the Select Committee was considered by Government

[Mr. J. G. Beazley.]

and as a result, a few months later, the matter was put before the Standing Committee on Local Self-Government of this Council, and that Standing Committee reported in favour of the institution of an executive officer in all municipalities with a minimum income of Rs. 4 lakhs a year. In consequence of that recommendation of the Standing Committee, a Bill was drafted and was circulated to the presidents of three of the largest municipalities in the Province—Lahore, Amritsar and Rawalpindi. Their reception of the Bill was various. Some thought that it did not go far enough and others thought it went too far. The question was, therefore, in the beginning of 1924, again referred to the Standing Committee on Local Self-Government of the Council, and that Standing Committee recorded the view that the draft Bill enabling the committees to appoint officers was not suitable. The Bill merely gave the option to the committees to appoint Chief Executive Officers and it also proposed that those Chief Officers should derive their powers by delegation from the respective authorities. The Standing Committee advised that that Bill was not suitable, and that legislation enabling the appointment in the largest municipalities of the Province of officers on the analogy of the Municipal Commissioner of Bombay should be undertaken, but it was thought that at that time though such a Bill would be good in principle, it was not advisable to introduce it for financial reasons. The legislation, therefore, was postponed in 1924, but in 1925 the matter was again taken up and in consequence of the recommendation of the Standing Committee, a Bill modelled on the Bombay principle was drafted. That was the present Bill in its original form. That Bill was then circulated to 12 of the largest municipal committees in the Province in order to obtain their opinions and copies were also supplied to the members and a considerable correspondence took place in the press during the 3 or 4 months in the summer of 1925. The Bill was then again, after all these opinions had been received, referred to the Standing Committee on Local Self-Government, but the Committee was divided in its opinion as to whether the Bombay model or the Calcutta model should be followed. During 1926, the Minister then in charge of Local Self-Government did not feel in a position to bring forward the Bill. This year the matter was again placed before the Standing Committee. Unfortunately, only two members of the Standing Committee on Local Self-Government took the trouble of attending that meeting and they were divided in their opinion. Government, therefore, decided to proceed with the Bill and it was introduced into the Council in July, four months ago. The whole subject has been before the Province and people interested in the subject, for five years and more. I ask, under these circumstances, is there any need to obtain any further information than that which we have already obtained in the Select Committee? The Select Committee was composed of 8 present or former members of municipal committees, two of them having been presidents, and it cannot be supposed that the municipal point of view was entirely disregarded in the deliberations of the Select Committee. The Select Committee consisted of—

Rai Sahib Chaudhri Chhotu Ram,

Diwan Bahadur Raja Narendra Nath,

Malik Nawab Major Talib Mehdi Khan,

Sardar Habib Ullah,
Mr. Din Muhammad,
Lala Kesho Ram, Sekhri,
Sardar Ujjal Singh,
Sardar Mohindar Singh,
Captain Sardar Sikandar Hayat Khan,
Rana Firoz-ud-Din Khan,
Mr. Labh Singh,
Lala Mohan Lal,

and all have unanimously signed the Select Committee report, except Mr. Labh Singh whose minute of dissent is attached to the report.

The Honourable Malik Firoz Khan, Noon : I would like to know what the views of the Council are. I do not wish to press a measure of this sort at a pace which the members of the Council consider a hasty one. It may be that the speeches that have been so far made were made in ignorance of the facts that have just now been narrated by the Secretary, Transferred Departments. But if still after the relation of these facts, the Council thinks that more time should be given for consideration of the Bill by the public at large and by members of the Council, I would certainly be the last person to go against the wishes of the Council. I should like to know the wishes of the Council as to whether they still wish the Bill to be postponed for further consideration. If that is their wish, I will willingly accept their suggestion but I leave the matter for the decision of the Council.

Mr. President : In other words, what the Honourable Member proposes is that the amendment may now be put to the House ?

The Honourable Malik Firoz Khan, Noon : That is not my wish. Now that the statement has been made by the Secretary, Transferred Departments, I should like to know the views of the House.

Mr. President : Will the Honourable Member point out any rule or standing order under which the views of the House may be ascertained otherwise than by putting the amendment to the House ?

The Honourable Malik Firoz Khan, Noon : If any member would like to make a speech, that might be an indication of the views.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhamadan), Rural] : Sir, some of the members who spoke a few minutes ago have complained, and complained bitterly, though wrongly, that adequate opportunity has not been given to the House or to the public in general to discuss this Bill. I think after the narration of the facts by the Honourable Member Mr. Beazley, it ought to be clear to everybody that more time has been given to this Bill than to any other Bill that has come before this Council during the last five years.

Diwan Bahadur Raja Natendra Nath : Except the Land Revenue (Amendment) Bill.

Rai Sahib Chaudhri Chhotu Ram : Even the Land Revenue (Amendment) Bill comes only next to this Bill. This Bill has been discussed before

[Rai Sahib Chaudhri Chhotu Ram.]

so many special committees ; it has been published in the official gazette ; it has been referred to past Presidents of municipal committees and it has been commented upon in the press. There is absolutely no reason why this Bill should now be circulated for any further elucidation of public opinion. My own opinion is that it will be sheer waste of time to circulate this Bill over again. I may just draw the attention of the House to the fact that before this Bill came for discussion in the July session, it was published in the *Gazette* of 22nd July. I doubt whether any members who have shown so much heat to-day (hear, hear) took the trouble of addressing a single line either to the Honourable Minister or to the press. If so much apathy has been shown by the members of this House who are all educated, I do not think any useful purpose will be served by circulating the Bill over again and my humble opinion is that the Bill should be taken into consideration in this session and passed. (Applause).

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadian), Rural] (Urdu) : Sir, I have only to say a few words in connection with the amendment under consideration. I am not at one with the honourable member who has referred to the municipal administration of Amritsar when he says that the appointment of an official President for a municipal committee is always good and conducive to better administration, and that the municipal committees have much deteriorated since the appointment of non-official Presidents. It may have been in the case of Amritsar municipality about the work of which the Honourable Member has some experience. Sir, while discussing the Lahore municipal administration some honourable members of the House have transgressed the ordinary limits of courtesy and have gone so far as to make attacks which one may take as personal on the gentleman who had once been the President of the Lahore municipal committee. The present Municipal Administration of Lahore may not be better than what it was under the official President, but at the same time it cannot be said to be worse. Sir, I have not only been a member, but have had the privilege and the honour of being the President of Jullundur municipal committee, and that at a time when the non-co-operation movement was at its height. I admit that our committee earned a name—perhaps a bad name in official eyes—for presenting an address of welcome to Mahatma Gandhi. This was such a heinous offence in the opinion of local officers that in spite of the fact that we had succeeded in presenting a balanced budget by effecting economies in various directions, the Deputy Commissioner did not think fit to send up our local budget to Government for sanction. We held our soul in patience till the month of April arrived. The Municipal employees were clamouring for their pay, but nothing could be done since the requisite sanction of the budget had not been received. I wrote to the Deputy Commissioner, but in vain. There was a lengthy correspondence on the subject which culminated in a notice from Government asking us to show cause why our committee should not be dissolved and the charge of the administration taken over by the Government. On receipt of this I went over to the Commissioner with the keys and necessary papers who advised me to keep patience and see the Deputy Commissioner. I was a believer then as now in non-co-operation and as such it was not usual for me to pay visits to Government officials. In the interests of the

committee, however, and much against my inclination, I accepted the advice of the Commissioner and interviewed the Deputy Commissioner. The Deputy Commissioner was Mr. Jacob. He asked me to put off my khadar clothes as a condition precedent to the sanctioning of the budget (laughter and a cry of shame). To this my reply was that I preferred self-respect to self-government (laughter). This mutual warfare between the Deputy Commissioner and the Committee was going on when the Deputy Commissioner had resort to other tactics. He asked the Committee to levy a fresh tax on the ratepayers with a view to raise a sum of fifty thousand rupees. It was clear that this suggestion was made with a view to lower us in the esteem of the ratepayers. We had no option but to refuse to comply with his request. There was no possibility of any compromise. It so happened that the Local Self-Government portfolio was then held by the Honourable Mian Sir Fazl-i-Husain who summoned both the non-co-operating President and Mr. Jacob, Deputy Commissioner, to Simla. In spite of my khadar dress, I was admitted to the presence of the Honourable Minister who after giving a patient hearing to both sides gave the verdict in favour of the municipal committee. This, Sir, will give you an idea of the use or rather abuse of the power vested in and the control exercised by the Deputy Commissioner over the affairs of municipal committees. Sir, to be brief I would ask this Honourable House to calmly consider the consequences of such an enactment. Sir, it is very unfortunate, but it is a fact that whenever a new calamity visits India, it is the Punjab that it selects for its visit. It was the Punjab which was visited by plague first of all. It was again the Punjab where the communal riots broke out for the first time and it is in the Punjab that this Bill is going to be passed. Sir, I am sure that the legislatures of other Provinces will have to follow the example set by the Punjab Legislative Council and therefore we have to be very careful. Sir, the municipal committees have been under the non-official control since 1922 and if all this period has not caused any disturbance in the administration, another two months would not affect it adversely. I am, therefore, of opinion that the Bill may be circulated for eliciting public opinion thereon. I support the motion before the House.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I will save the discussion, and I accept the amendment. (Loud cheers).

Mr. President : The original motion was :

"That the Punjab Municipal (Executive Officer) Bill as reported by the Select Committee be taken into consideration."

since which an amendment has been moved :

"That the Punjab Municipal (Executive Officer) Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928."

The question is that that amendment be made.

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 the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee."

It will be remembered, Sir, that this Bill was introduced by me in the beginning of this year not for the first time, for, as a matter of fact, I introduced this Bill in 1926. It was referred to a Select Committee, and the Select Committee was considering it. Then the Council of 1926 expired and the Bill expired with it, but during the meetings of the Select Committee I had assured the members that as soon as the new Council was assembled I would re-introduce the Bill. Well, Sir, it was not for the first time that the Bill was placed before the Council in 1926 either. This Council has been persistent in its desire to have a revenue Bill brought before it since 1922, so far as I recollect. In the various debates during the budget sessions and other sessions, members of different constituencies have been pressing Government hard to prepare a Bill and bring it before the Council. This has been done, but the subject is one of extreme difficulty and the reason why last time I did not move that the Bill be referred to a Select Committee was that, as a matter of fact, I was myself going away from the province for a short while and I felt that it would probably be best if the Select Committee sat when I was also in the Punjab. The honourable members of the Council expressed their willingness to meet my wishes in this connection and therefore I undertook to make this motion as soon as the Council assembled after the Simla session. It is in pursuance of that promise that I am making this motion to refer the Bill to the Select Committee. There is, I notice, Sir, an amendment tabled that the Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1930. Well, Sir, to me as Revenue Member it would afford a very great relief indeed, if this Council carried that amendment. It would mean that for the next two or three years, this Council does not want to see this Bill. I will be very glad indeed, Sir, if this is the wish of the members. As Member in charge of the Bill, and as Leader of the House, however, I am prepared to assure the House that I am not keen that this Bill be pushed through with any great haste. The Council can take its own time and if the members of this Council wish that for two or three years the Bill be not brought before the Council, I am quite ready to do so.

Mr. President : I invite the attention of the Honourable Sir Fazl-i-Husain as well as of the members of this Council to Article 79 of the Business Rules. It says :

"When a Bill is introduced or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to his Bill, namely :—

(a) that it be taken into consideration by the Council either at once or at some future day to be then specified : or "

this is the particular sentence to which I wish to draw the special attention of the honourable members.

"(b) that it be referred to a Select Committee composed of such members of the Council as he may name in his motion."

As no names of members have been mentioned in the motion, the motion is incomplete and defective, so I must decline to put it to the House.

The Honourable Mian Sir Fazl-i-Husain : I bow to your ruling. It is perfectly correct that the names ought to have been put in. As a matter of fact, I have got the names with me now, and if you feel that the motion should be completed I will at once comply with your desire. What I had in mind was this that in view of the amendment proposed if the rules permitted it might be found possible to split up the motion into two parts and the discussion which was going on

Mr. President : Order, order. As the motion itself has not been put yet from the Chair, the House is not in possession of it, and when the House is not in possession of the motion no amendment to it can be moved.

The Honourable Mian Sir Fazl-i-Husain : Perhaps I have not been able to make my meaning clear. If the Chair were pleased to take the view that in view of the amendment it would be advisable to split the motion into two parts and to put the first part to the House, then it would not be necessary to give the names of the members now. I have got the names and if the Chair rules.

Mr. President : Will the Honourable Member please make himself clear ?

The Honourable Mian Sir Fazl-i-Husain : Sir, the motion as a whole consists of the part regarding the reference of the Bill to the Select Committee *plus* the second part giving the names of the members of the Select Committee. In view of the amendment that was to be moved and to which I was not personally opposed I thought that perhaps the rules might permit the President to split up this motion into two parts and put the first part to the House first. The question is whether the House wants the Bill to be referred to the Select Committee or be circulated for eliciting further opinion. In case it is decided that the Bill should be circulated for eliciting public opinion the second part of my motion would be unnecessary. But in case the Chair considers that it is not open to me to move my motion unless it is complete, I am at your service.

Mr. President : I would ask the Honourable the Revenue Member to read Article 79 of the Business Manual. Under that Article it was open to him to make one of the three motions with regard to his Bill—

- (1) that it be taken into consideration by the Council either at once or at some future day to be then specified ; or
- (2) that it be referred to a Select Committee composed of such members of the Council as he may name in his motion ; or
- (3) that it be circulated for the purpose of eliciting opinion thereon.

After having once chosen the second course, now he wants to fall back upon the third alternative, which has been suggested by a member of the Council in the form of an amendment under Article 81. The motion as it stands is defective ; therefore, I decline to put it to the House.

The Honourable Mian Sir Fazl-i-Husain : Then would you not permit me to complete it ?

Mr. President : I have no objection to his giving at this stage the names of the members of the Select Committee.

The Honourable Mian Sir Fazl-i-Husain : The names of the members of the Select Committee are—

The Honourable Member for Finance,
The Revenue Secretary,
The Legal Remembrancer (*ex-officio*),
The Member-in-charge of the Bill,
Sayad Muhammad Husain,
Diwan Bahadur Raja Narendra Nath,
Rana Firoz-ud-Din Khan,
Sardar Ujjal Singh, and
The President's nominee.

Mr. President : The question is—

“That the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee consisting of the following:—

The Honourable Member for Finance,
The Revenue Secretary,
The Legal Remembrancer (*ex-officio*),
The Member-in-Charge of the Bill,
Sayad Muhammad Husain,
Diwan Bahadur Raja Narendra Nath,
Rana Firoz-ud-Din Khan,
Sardar Ujjal Singh, and
The President's nominee.

Chaudhri Afzal Haq : (Hoshiarpur-cum-Ludhiana, Rural) (Urdu):
Sir, I beg to move—

“That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928.”

Sir, I have never found myself in agreement with the terms of the Land Revenue Bill since its very inception and introduction. I had, however, kept silent expecting that some other zamindar member of this Honourable House would come forward and tell the Honourable Member for Revenue that the demand of this Council is nothing short of permanent settlement and this Bill in any form is not acceptable to the general public and the poor zamindars. I admit that the present draft of the Bill is a great improvement on the Bill as originally introduced. Of course it has provided some facilities for the zamindars, but it has done no material good to them. Sir, centuries ago, Manu, for the first time introduced a system of assessment in the country which underwent certain changes in later times. But because the circumstances of the country did not permit, no regular law was enacted on the subject. In the time of Alla-ud-Din Khilji an attempt was made to systematise and legalise the existing custom, but to no particular advantage. During Akbar's regime Malik Ambar and Raja Todar Mal introduced a system of assessment in the country which was given the sanction of law. The Mughal Emperors who succeeded him did not bring about any changes in the system realising the consequences which the enhancing of land revenue too frequently entailed. Unfortunately since the advent of the British Government Settlement operations have been made and land revenue enhanced after every ten or twenty years. Sir, I think it impolitic on the part of the Government to effect changes and revisions in records after

every ten years even with regard to those areas which are now incapable of yielding any further crop or greater revenue. The people of the province have much to say against the present system. Sir, the advancement and contentment of the people of Bengal is due to the permanent settlement and this is why we do not find there any agitation of this nature. It was Lord Cornwallis who made a report in favour of permanent settlement basing it on two main grounds, firstly that in the interest of the people's allegiance to the Crown it was essential for the Government to comply with their wishes and secondly, if the land revenue were to be reassessed after every ten or twenty years the people would hesitate to improve their lands and the Government would also stand to lose in the long run. During the Great War the sons of the soil readily responded to the clarion call of duty and if in consideration of that we were to be treated according to the principles enunciated in the report made by Lord Cornwallis our province would be found all the more deserving. Sir, the Punjab made good many sacrifices during the Great War and it has a right to demand that Government should, in consideration of all these sacrifices, mete out a preferential treatment to her sons. We have purchased that right with our blood and it will be by no means a cheap bargain. The people of this province are industrious, persevering and are not easily cowed down by adverse circumstances. Sir, they have always realised the economic pressure caused by a periodical enhancement of revenue, but they have failed to address their efforts to ameliorate the condition of their lands in order to meet the exorbitant demands of the Government. My honourable friend Rai Sahib Chaudhri Chhotu Ram has rightly observed that it is a great pity that the zamindar has to pay enhanced land revenue even if he has sunk a well at his own expense. Besides the Bill is defective in another respect. It contains no saving clause. It would apply to the whole of the Punjab. With the exception of two or three districts there is absolutely no room for further agricultural development in the province. Take for instance the districts of Sialkot, Hoshiarpur, Ludhiana, Jhelum and Campbellpur, where even the hills and ridges are not spared and have been brought under cultivation. Sir, there is a general complaint that we have no grazing grounds for our cattle and this fact alone is responsible for the deterioration of the cattle breed and absence of good nourishment for the children of this province. People have not spared even their graveyards and have ploughed them to yield more crop in order to meet their requirements. Sir, if justice is to be done to the zamindars I would say that a better Land Revenue Bill should be introduced in the Council and if the Honourable Member for Revenue cannot see his way to comply with our request, he would be well-advised if he withdraws the present Bill, for I think it to be of no use at all. Sir, I do not mean to offer any destructive criticism on the Bill but I would appeal to your good sense and say that the Bill in its present form is useless and we would be better without it.

The Council then adjourned till 2 p.m. on Wednesday, the 28rd November, 1927.

MEASURES TO PREVENT THE CRUMBLING OF HOUSES IN SAMBRIAL.

409. Lala Gopal Das : Will the Honourable Minister for Local Self-Government state what measures have been taken to prevent the crumbling of houses in Sambrial?

The Honourable Malik Firoz Khan, Noon: A drain to carry off water from the pools around Sambrial and a bund to prevent the flood water from approaching the town have been constructed and have proved very satisfactory. The level in the water in the ponds has now fallen and will drop still further during the next five months. The damp in the walls of the houses in the town which previously stood five feet above the floor all the year round has now disappeared and the floors themselves are much drier.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 23rd November 1927.

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

STARRED QUESTIONS AND ANSWERS.

NOMINATED MEMBERS OF THE COUNCIL AND VOTING.

***720. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the exact position of the nominated members of the Council in the matter of voting ;
- (b) whether the Government asks them or expects them generally to vote with the Government ;
- (c) whether if a nominated member votes against the Government he is guilty of any constitutional impropriety or incurs the displeasure of the Government ;
- (d) whether the Government tries, directly or indirectly, to influence their votes or leaves them free to vote as they like on all or any special occasions ;
- (e) whether the Government has any constitutional right to influence their votes ?

Mr. H. W. Emerson : (a) The position of a nominated non-official member in the matter of voting is the same as that of an elected member.

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

RECOMMENDATIONS OF THE JOINT SELECT COMMITTEE OF PARLIAMENT, REGARDING VOTING BY OFFICIAL MEMBERS.

***721. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the nature or class of motions on which the Joint Select Committee of both Houses of Parliament recommended official members to be neutral at the time of voting ;
- (b) whether this advice had generally been followed in the Punjab Council in the past ;
- (c) whether the Government means to act upon this advice in the future ?

Mr. H. W. Emerson : (a) The honourable member presumably refers to the Joint Select Committee of the two Houses of Parliament on the Government of India Bill. The Committee made no recommendations of this character.

(b) and (c) Do not arise.

RECOMMENDATIONS OF THE JOINT SELECT COMMITTEE OF
PARLIAMENT, REGARDING VOTING BY OFFICIAL MEMBERS.

***722. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether the Joint Select Committee of the two Houses of Parliament recommended that official members of the Council should, generally speaking, remain neutral when a motion relating to a transferred department was voted upon ;
- (b) whether this recommendation had generally been acted upon in the Punjab Council ? If not, why not ?

Mr. H. W. Emerson : (a) The honourable member presumably refers to the Joint Select Committee of the two Houses of Parliament on the Government of India Bill. The Committee made no such recommendation.

(b) Does not arise.

POWERS OF MINISTERS, REGARDING APPOINTMENTS AND DISMISSALS.

***723. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether appointments to subordinate posts carrying a pay of less than Rs. 250 per mensem in transferred departments are made by heads of departments ;
- (b) whether appointments to posts carrying a monthly pay of Rs. 250 or upwards in transferred departments are made by Ministers with the concurrence and sanction of the Governor ;
- (c) whether there are any class of servants whom a Minister can dismiss without the concurrence of the Governor ? If so, what are those classes ?

Mr. H. W. Emerson : The information asked for is being collected and will be communicated to the honourable member in due course.

POWERS OF MINISTERS TO TAKE DISCIPLINARY ACTION.

***724. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether a Minister can even censure a member of a Provincial or an Imperial service without the concurrence of the Governor ;
- (b) whether a Minister can, under the constitution, take any disciplinary action against any class of servants in his own right

and without reference to the Governor or a Head of a Department? If so, against what classes of servants, what kind of action and under what rules?

Mr. H. W. Emerson : (a) and (b) The honourable member is referred to Devolution Rule 10 and to Government of India, Home Department, notification No. F-472-II-23, dated the 21st June 1924.

POWER OF A MINISTER TO OVER-RULE A COMMISSIONER OR
A HEAD OF A DEPARTMENT.

***725. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state whether a Minister can over-rule a Commissioner or a Head of a Department in his own right and without reference to the Governor? If so, under what rule?

Mr. H. W. Emerson : The honourable member is referred to Punjab Government notification No. 5899, dated the 23rd of February 1921, Rule 7.

RIGHT OF AUDIENCE OF SECRETARY OR HEAD OF A DEPARTMENT
WITH GOVERNOR.

***726. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state whether a Secretary or a Head of a department has a right of audience with the Governor without permission of a Minister? If not, what is the provision of law or rule of executive business which bars this right?

Mr. H. W. Emerson : There is no provision of law or rule of executive business which bars the right of audience of any person with His Excellency the Governor. The question of audience is entirely the concern of His Excellency the Governor.

DISTRICT INSPECTORS AND ASSISTANT DISTRICT INSPECTORS
OF SCHOOLS.

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

(a) the number, separately, of Hindu and Sikh District Inspectors per division in the province and the number of members of agricultural tribes among them;

(b) the number, separately, of Hindu and Sikh Assistant District Inspectors per division and the number of members of agricultural tribes among them?

The Honourable Mr. Manohar Lal: A statement showing the desired information is laid on the table.

STATEMENT SHOWING THE NUMBER, SEPARATELY OF HINDU AND SIKH DISTRICT INSPECTORS AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS PER DIVISION IN THE PUNJAB AND THE NUMBER OF MEMBERS OF AGRICULTURAL TRIBES AMONG THEM.

Names of Divisions.	DISTRICT INSPECTORS OF SCHOOLS.				ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.				REMARKS.
	Hindus.		Sikhs.		Hindus.		Sikhs.		
	Members of notified agricultural tribes.	Others.	Members of notified agricultural tribes.	Others.	Members of notified agricultural tribes.	Others.	Members of notified agricultural tribes.	Others.	
Ambala Division	..	2	1	..	4	5	4	1	
Jullundur Division	..	2	2	1	..	6	9	3	
Lahore Division	1	2	..	3	2	6	
Rawalpindi Division.	..	1	..	..	..	2	1	4	
Multan Division...	5	1	1	
Total	5	4	3	4	21	17	15	

COMMUNAL REPRESENTATION IN PROVINCIAL SERVICES.

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

- (a) the number, separately of Hindu and Sikh gentlemen appointed, permanently or temporarily, to provincial service since January last and the number of members of agricultural tribes among them ;
- (b) the number of Muslims appointed, permanently or temporarily, to provincial service and the number of members of agricultural tribes among them ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer to Council questions¹ Nos. 1961—1975.

COMMUNAL REPRESENTATION IN SUBORDINATE EDUCATIONAL SERVICE.

***729. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the number separately of Sikhs, Hindus and Muslims appointed, permanently or temporarily, in the Subordinate Educational service in each division since January last to posts carrying a pay of Rs. 80 or upwards and the number of members of agricultural tribes among them ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer to Council questions¹ Nos. 1961—1975.

CENTRAL TRAINING COLLEGE.

***730. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state, separately, the number of Hindus, Muslims and Sikhs who joined the Central Training College from each division of the province this year and the number of members of agricultural tribes among them ?

¹ Vol. VIII—B, pages 1167-81, and page cxli, Appendix VIII.

The Honourable Mr. Manohar Lal: A statement containing the information desired is laid on the table:—

STATEMENT SHOWING THE NUMBER OF CANDIDATES ADMITTED TO THE CENTRAL TRAINING COLLEGE, LAHORE FOR THE SESSION 1927-28.

Division.	HINDUS.		MUSLIMS.		SIKHS.		CHRISTIANS.		TOTAL.
	Agricultural.	Non-Agricultural.	Agricultural.	Non-Agricultural.	Agricultural.	Non-Agricultural.	Agricultural.	Non-Agricultural.	
Lahore	5	16	19	12	5	5	1	1	62
Jullendar	8	21	12	4	4	1	1	1	50
Multan	3	5	7	..	4	2	..	1	21
Rawalpindi	4	8	6	4	..	12	..	1	34
Ambala	3	10	2	1	3	..	..	1	19
Total	23	60	46	21	16	19	1	1	186

ADMISSION OF MEMBERS OF BACKWARD CLASSES TO CENTRAL
TRAINING COLLEGE.

***731. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state if he took any, and if so, what, steps to ensure that graduates from backward classes and backward areas joined the Central Training College in sufficient numbers this year ?

The Honourable Mr. Manohar Lal : In accordance with the practice in recent years special consideration was given to candidates from backward classes and backward areas in making admissions to the Central Training College.

GRANT OF CONCESSION OF HALF FEES TO AGRICULTURISTS.

***732. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state whether the Government is prepared to grant the concession of half fees to agriculturists in two most backward and poorest districts in the South-East Punjab, two in the West Punjab, one in the Central Punjab and one in the North-West Punjab ?

The Honourable Mr. Manohar Lal : The general question of concessions to the children of agriculturists in regard to school fees is under consideration, and the honourable member's suggestion will be considered in connection therewith.

SCHOOLS RECEIVING GRANT-IN-AID.

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

- (a) the names of the schools which have been recognised or placed on the grant-in-aid list this year ;
- (b) the names of the schools which applied to Inspectors for recognition or for a grant and from which recognition or grant has been withheld ?

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

OPENING OF JUNIOR ANGLO-VERNAICULAR TRAINING CLASSES IN
GOVERNMENT INTERMEDIATE COLLEGE, ROHTAK.

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

- (a) whether Junior Anglo-Vernacular Training class is attached to any college in the South-East Punjab ;
- (b) if not, whether the Government intends to attach such a class to the Government Intermediate College at Rohtak ?

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

(b) Government does not at present propose to do so.

MONEY LENDERS BILL.

***735. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- (a) whether a new Money-Lender's Bill has been drafted ;
- (b) whether the sanction of the Government of India for the Bill has been obtained ? If not, what is the exact stage reached by the proposed Bill ;
- (c) whether the Government expects to introduce the said Bill in the November or January session of the Council ?

The Honourable Sir Geoffrey deMontmorency : (a) Draft Bill has been prepared.

(b) No, because the draft is still under examination by Government.

(c) Not in this session. It is not possible to say in what session it may be found possible to introduce a Bill.

AGRICULTURISTS IN THE JUDICIAL SERVICE.

***736. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state whether the views of the High Court about the advisability of increasing the present proportion of agriculturists in the Judicial Service have been received ? If so, whether the Government is prepared to place them on the table ? If not received so far, whether the High Court has intimated the time by which the receipt of these views may be expected and if no such intimation has so far been received, whether the Government will care to remind the High Court ?

The Honourable Sir Geoffrey deMontmorency : Government understands that the reference made by Government on this matter is under the consideration of the Honourable Judges of the High Court. It does not consider that it is at present necessary to issue any reminder to the Honourable Judges.

NUMBER OF WORKING DAYS IN THE SECRETARIAT, ETC., OFFICES.

***737. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- (a) the average number of working days in a year in (i) the Secretariat, (ii) the High Court, (iii) the Government College, Lahore ;
- (b) the number of half holidays in (i) the Secretariat, (ii) the High Court, (iii) the Government College at Lahore ;
- (c) whether in striking the averages these half holidays have been counted as working days ?

The Honourable Sir Geoffrey deMontmorency : The information is being collected and will be communicated to the honourable member when ready.

STRENGTH OF HIGH COURT JUDGES AND DISPOSAL OF CASES.

***738. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- (a) the number of High (or Chief) Court Judges in 1908, 1912, 1916, 1920, 1924 and 1926 ;
- (b) the number of cases, classed under the various recognized heads, decided by the High Court in each of the years stated in (a) ?

The Honourable Sir Geoffrey deMontmorency (a) & (b). The information asked for by the honourable member is available from the annual reports (now notes) on the Administration of Civil and Criminal Justice for the years concerned.

SUB-JUDGES.

***739. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the number of candidates accepted as Sub-Judges in 1924 and 1926 separately ;
- (b) whether any of the candidates accepted in each of the two years were sons or near relations of judicial officers ? If so, how many ?

Mr. H. W. Emerson : (a) Fourteen in 1924 and fifteen in 1926 ; and

(b) One in 1924 and four in 1926.

SUB-JUDGES.

***740. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state whether the High Court has issued instructions to District Judges to show any kind of preference to agriculturists in making their recommendations for the posts of Sub-Judges ; and if not, whether it proposes to do so now ?

Mr. H. W. Emerson : The information is being collected and will be communicated to the honourable member when ready.

SUB-JUDGES.

***741. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the High Court proposes to make any selection of Sub-Judges this year or early next year ;
- (b) whether he would make the necessary enquiries if he has no information on the subject already ?

The Honourable Sir Geoffrey deMontmorency : (a) & (b). Government is informed that the Honourable Judges have not yet arrived at any decision in the matter.

RESULTS OF INTERMEDIATE EXAMINATION FOR GOVERNMENT
COLLEGE AND D. A. V. COLLEGE.

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

- (a) whether it is a fact that the Government College at Lahore admits only First Division Matriculates to the First Year Intermediate class ;
- (b) the number of students which the Government College and D. A.-V. College at Lahore sent up respectively for the Intermediate Examination in 1916, 1920, 1924 and 1927 and the number of students who were successful in each of these years from each of these Colleges ?

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

MATRICULATION EXAMINATION.

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

- (a) the number of students who appeared at the Matriculation Examination of the Punjab University this year ;
- (b) the number of students who appeared for this examination this year from Government and private schools, respectively ;
- (c) the general percentage of successful candidates for the province as a whole and for each of the five divisions in respect, separately, of Government and private schools ?

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

PRIVATE TUITION.

***744. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state the percentage for each division separately, of teachers in Government High Schools who were allowed the privilege of undertaking private tuition in 1926 ?

The Honourable Mr. Manohar Lal : The requisite information is not available. This is being collected and will be supplied to the honourable member when ready.

FLOOD HAVOC IN ILAQA BEIT.

***745. Sardar Habib Ullah :** (a) Will the Honourable Member for Revenue please state whether it is a fact that about 40 villages of ilaqa Beit in the Gurdaspur district have been practically ruined by the recent floods in the Beas river ?

(b) If the answer to (a) be in the affirmative, what action does Government intend to take to ameliorate the condition of the people whose cattle and stores of grain and fodder have been swept away, houses have collapsed, crops have been destroyed, and agricultural land has become unfit for cultivation, being covered with sand about 8 feet deep ?

(c) Does Government intend to take any action to prevent a recurrence of such havoc ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. Only four villages, namely, Jagatpur Kalan, Chhawala, Daowal and Bhaini Milwan, all in the neighbourhood of Naushehra ferry, were badly affected.

(b) Government has sanctioned a sum of Rs. 20,000 for distribution as *taccavi* in the villages affected and the grant will be increased if necessary. The Deputy Commissioner is considering the question of the necessity for suspensions and remissions of land revenue. The honourable member is referred to the *Press Communiqué* on the subject (copy of which is placed on the table) which shows that the damage done and loss sustained were not so great as is indicated in the question.

(c) No. Riverain areas throughout the province are subject to seasonal floods.

Press Communiqué,

Beas Floods.

Inquiries made with regard to the reports which have appeared in the press as to damage by floods this year from the Beas have elicited the following facts :—

In Gurdaspur district the only villages badly affected were Jagatpur Kalan, Chhawala, Daowal and Bhaini Milwan, all in the neighbourhood of Naushehra ferry. The water extended over some other village areas also, but did not do much damage there. The river started rising at 10 A.M. on the 4th August, the flood reached its height at 4 to 5 P.M. and subsided by midnight. The villagers had time to remove their grain and take such other protective measures as were possible.

Detailed enquiries as to the damage done have been made in the four villages principally affected, with the following result : No human lives and only eight head of cattle were lost. Two hundred and forty-two houses have been more or less damaged but none collapsed entirely. The Deputy Commissioner has visited the spot.

The damage to crops can only be estimated at the coming girdawari. It has been reported that sand was deposited on some 160 acres of land in Bhaini Milwan, Daowal and Chhawala, but this is to some extent retrieved by good silt deposited on 120 other acres.

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

Government has sanctioned a sum of Rs. 20,000 for distribution as *taccavi* in the villages affected and the grant will be increased if necessary. The Deputy Commissioner is considering the question of the necessity for suspensions and remissions of land revenue.

* * * * *

WATER RATE ON OAT CROP.

***746. Lala Gopal Das :** (a) Will the Honourable Member for Revenue please state whether the canal water rate on oat crop has been raised to more than double ?

(b) If so, will the Government be prepared to reconsider the question taking into consideration the fact that oat crop is used for fodder only ?

The Honourable Mian Sir Fazl-i-Husain : (a) On certain canals oats were for a short time assessed at the fodder rate. After full consideration of the difficulties involved in such assessment of this crop, which is also used for grain, at varying rates, it was decided to withdraw this concession. Oats are, therefore, assessed now in Class VI and IX according to whether they are irrigated by perennial or kharif channels. An exception has, however, been made in the case of declared paddock areas in certain horse-breeding estates, in these oats are assessed at fodder rates.

(b) The question has already been thoroughly considered.

ALLOWANCE TO ZAILDARS.

***747. Lala Gopal Das :** Will the Honourable the Revenue Member please state whether the allowance to zaildars has been increased ? If so, when will it be given effect to ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Council question No. 2670¹ on the 5th March 1926.

WELL BORING BY AGRICULTURAL ENGINEER, LYALLPUR.

***748. Lala Gopal Das :** Will the Honourable the Minister for Agriculture please state—

(a) whether he is aware that the Agricultural Engineer at Lyallpur does not undertake tube well boring of a zamindar who may be possessing an engine of his own ;

(b) the reasons for forcing a zamindar to dispose of his existing engine and to pay for a new one to be fitted by the Agricultural Department ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

TERMINAL TAX, KASUR MUNICIPALITY.

***749. Lala Gopal Das :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) if it is a fact that the question of terminal tax for Kasur Municipal Committee is under consideration of the Government ;
- (b) whether the question has been under the consideration of the Government for about ten years and still no decision has as yet been arrived at ;
- (c) whether the Secretary deputed officially there has made any report in favour of the introduction of the terminal tax ;
- (d) when the terminal tax would be introduced in Kasur ?

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

(b) No.

(c) Government have no information.

(d) The proposal to impose terminal tax is now under examination and if it is found in order the tax will probably be imposed shortly.

EMPLOYMENT OF RETIRED MILITARY OFFICERS AS SUB-REGISTRARS.

***750. Sardar Bahadur Captain Dalpat Singh :** Will the Honourable the Minister for Local Self-Government kindly state—

- (a) the total number of sub-registrars in the Punjab ;
- (b) the number of retired military officers among them ;
- (c) the pay of a departmental sub-registrar in the Punjab ;
- (d) whether rules exist to the effect that retired military officers should be given preferential treatment when vacancies occur ?
If not, whether Government is prepared to frame such rules ?

The Honourable Malik Firoz Khan, Noon : (a) 202 of whom only 72 are non-officials.

(b) 26.

(c) Rs. 80 per mensem except in the case of Lahore and Amritsar where it is Rs. 120 per mensem.

(d) There are no special rules for the appointment of retired military officers as sub-registrars, and no such rules appear to be necessary, as due weight is always given to the services of each candidate.

MILITARY GRANTEES AND MILITARY JAGIR GRANTEES.

***751. Sardar Bahadur Captain Dalpat Singh :** Will the Honourable Member for Revenue kindly state—

- (a) the difference of privileges between military grantees and military jagir grantees ;
- (b) whether it is obligatory on a military grantee to settle personally on the land ;

[Sardar Bahadur Capt. Dalpat Singh.]

(c) whether the existing rules do not permit the grantee to send one of his major sons to settle there in his own place ;

(d) whether Government is prepared to modify the existing rules so as to permit sons and near relatives of the military grantees to settle on the land instead of the grantee ?

The Honourable Mian Sir Fazl-i-Husain : (a) The difference of privileges between military grantees and military jagir grantees is that the former grantees get proprietary rights on payment and are exempted from personal residence when necessary while the latter grantees receive proprietary rights free of cost, without any residential condition.

(b) Yes.

(c) No, they do not.

(d) The matter is under consideration.

APPOINTMENT OF DEMOBILIZED EDUCATED COMBATANT YOUTHS.

***752. Sardar Bahadur Captain Dalpat Singh :** Will the Honourable Member for Finance kindly state—

(a) the number of demobilized educated combatant youths who have been given civil appointments as officers in the Punjab ;

(b) whether rules exist to the effect that civil appointments as officers should preferentially be given to them ;

(c) whether Government is prepared to issue orders accordingly, if none exist already ?

The Honourable Sir Geoffrey deMontmorency : (a) I am not sure what the honourable member means by using the word 'officers.' If his meaning is "officials in civil departments," I will collect information showing the number of demobilized persons or ex-soldiers who have been appointed to posts of executive officers or officials or to ministerial appointments and supply it to him.

(b) Yes.

(c) Does not arise.

NOMINATION OF MUSLIMS TO THE CHINIOT MUNICIPALITY.

***753. Dr. Shaikh Muhammad Alam :** Will the Honourable the Minister for Local Self-Government be pleased to state—

(i) the number of seats of nominated members which have been filled up by Musalmans in Chiniot municipality ;

(ii) whether it is true that the nominated members are taken only from Khoja Sheikh community in Chiniot ?

The Honourable Malik Firoz Khan, Noon : (i) and (ii). The number of non-official appointed Muslim members is two and both are Khoja Sheikhs.

NOMINATION OF MR. FAKHAR-UD-DIN TO CHINIOT MUNICIPALITY.

***754. Dr. Shaikh Muhammad Alam :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (i) whether it is a fact that the Deputy Commissioner of Jhang recommended one Mr. Fakhar-ud-Din, Pleader, to be taken as nominated member of the Chiniot municipality to represent the non-Khoja Sheikh communities, particularly the labour classes in Chiniot;
- (ii) the result of this recommendation of the Deputy Commissioner?

The Honourable Malik Firoz Khan, Noon : Government do not consider it desirable to disclose the recommendation of local officers in such cases.

NOMINATION OF NON-KHOJAS TO CHINIOT MUNICIPALITY.

***755. Dr. Shaikh Muhammad Alam :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (i) whether it is true that the proportion of elected Muslim members in Chiniot municipal committee is 1 to 6 as between non-Khojas and Khojas;
- (ii) whether the Government proposes to give both or one of the nominated seats to non-Khojas at least?

The Honourable Malik Firoz Khan, Noon : (i) Of elected Muslim members one is a non-Khoja and four are Khoja Sheikhs.

(ii) The appointment of members has already been made by the Commissioner.

NOMINATION OF A TEACHER OF ISLAMIA SCHOOL TO THE CHINIOT MUNICIPALITY.

***756. Dr. Shaikh Muhammad Alam :** (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether it is a fact that out of the nominated seats in Chiniot municipality one is filled up by a teacher of the local Islamia School?

(b) If so, was this fact within the knowledge of the Government at the time of making this nomination?

(c) What qualifications were considered by Government when nominating this gentleman?

The Honourable Malik Firoz Khan, Noon : (a) Yes, the member is the Headmaster of the School.

(b) The Commissioner made the appointment and was presumably aware that the candidate was a Headmaster.

(c) Interest in education.

Dr. Shaikh Muhammad Alam : Will the Honourable Member be able to clear this presumption?

The Honourable Malik Firoz Khan, Noon : If the honourable member wishes, I will make enquiries.

RIGHT OF APPEAL BY MEMBERS OF PROVINCIAL CIVIL SERVICE.

***757. Dr. Shaikh Muhammad Alam :** (i) Will the Chief Secretary please state—

- (a) if it is a fact that formerly the members of the Punjab Civil Service had a right to appeal from the orders of the Local Government to the Government of India and further on to the Secretary of State for India ;
- (b) if it is true that according to the new rules framed under the Government of India Act the right of the members of the Punjab Civil Service to appeal to the Government of India and to the Secretary of State for India has been withdrawn ;
- (c) if it is a fact that under the aforesaid rules the only right of appeal now available to the members of the Punjab Civil Service is to appeal to His Excellency the Governor from the orders of the Governor in Council ?
- (ii) if the answers to (b) and (c) are in the affirmative, has the Government received any representation protesting against such restriction on the right of appeal of the members of the Provincial Civil Service ?

Mr. H. W. Emerson : (i) (a), (b) and (c) Yes.

(ii) No.

RIGHT OF APPEAL UNDER THE GOVERNMENT OF INDIA ACT.

***758. Dr. Shaikh Muhammad Alam :** Will the Chief Secretary please state—

- (a) the number of appeals which have been preferred to His Excellency the Governor against the orders of the Governor in Council since the new rules framed under the Government of India Act regarding the right of appeal ;
- (b) the result of such appeals, if any ;
- (c) if the Government proposes to take steps to revise these rules with a view to grant the same right of appeal to the members of Provincial Civil Service as had existed under the previous rules ?

Mr. H. W. Emerson : Government regrets that it is unable to reply to the question as the honourable member has not made it clear as to the services in respect of which he requires the information.

SUB-JUDGES FOR PANIPAT.

***759. Lala Joti Parshad :** With reference to the reply to unstarred question¹ No. 817, put on 22nd July 1927, will the Honourable Member for Finance please state as to what has been the result of bringing my request to the notice of the Honourable the Judges of the High Court ?

The Honourable Sir Geoffrey deMontmorency : The honourable member's request was communicated to the Honourable Judges for such action as they might deem to be desirable but Government have no information regarding the decision of the Honourable Judges in regard to it.

BHATTU FATEHABAD-JAKHAL RAILWAY.

***760. Lala Joti Parshad :** With reference to the answer to question No. 898 starred put on 21st July 1927, will the Honourable the Revenue Member please state as to what further developments have been made with regard to Bhattu-Fatehabad-Jakhal Railway after the completion of the revenue survey in August 1927.

The Honourable Mian Sir Fazl-i-Hussain : I regret that answer to this question is not yet ready as the information from the Agent, North-Western Railway, is still awaited on the subject. It will be communicated to the honourable member when ready.

BACKWARDNESS OF HISSAR, ETC., DISTRICTS IN EDUCATION OF GIRLS.

***761. Lala Joti Parshad :** Will the Honourable the Minister for Education please state if it is a fact that the districts of Hissar, Karnal, Rohtak and Gurgaon constitute the most backward areas in the Punjab so far as the education of girls is concerned.

The Honourable Mr. Manohar Lal : Yes.

FACILITIES FOR THE EDUCATION OF GIRLS IN HISSAR, KARNAL, ROHTAK AND GURGAON DISTRICTS.

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

- (a) the total population of girls of school-going age, viz., 6 to 12, in the districts of Hissar, Karnal, Rohtak and Gurgaon ;
- (b) the facilities for education provided for girls of the school-going age in each of the said districts—
 - (i) by Government,
 - (ii) by municipal committees and district boards,
 - (iii) by private agencies.
- (c) the percentage of literacy amongst the girls of school-going age in each district for the last five years ;
- (d) the steps, if any, the Government has taken during the last five years to encourage the spread of literacy amongst girls ;
- (e) the measures the Government proposes to adopt during the coming five years to promote literacy amongst the girls of school-going age ?

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

OPENING OF NEW LIQUOR SHOPS.

***763. Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Agriculture please state if any new liquor shops were opened in the current year ; if so, how many and on what grounds ?

The Honourable Sardar Jogendra Singh : Ten new liquor shops were opened during the current year, but thirteen were closed. The net result is a decrease of three shops. The charges were made in the interests of the public and of excise administration.

COMPULSORY PHYSICAL TRAINING IN EDUCATIONAL INSTITUTIONS.

***764. Sardar Ujjal Singh :** (a) Will the Honourable the Minister for Education please state whether his attention has been drawn to the action of Bengal and Madras Governments in introducing a scheme of compulsory physical training in educational institutions ?

(b) Has the Honourable Minister contemplated a scheme for introducing compulsory physical training in schools and colleges of which he gave an assurance in reply to my resolution on the subject during the last Simla session ?

(c) If so, will he please make a statement of the detailed scheme ?

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

(b) Physical training is compulsory in schools and the first two years of Intermediate College. Arrangements have been made for the fuller development of physical training in Government colleges.

(c) A copy of the draft circular on physical training is placed on the table.

GOVERNMENT OF THE PUNJAB.

(Ministry of Education.)

From—R. SANDERSON, Esq., M.A., I.E.S., Offg. Under-Secretary to Government, Punjab.

To—The Divisional Inspectors of Schools, the Inspector of Training Institutions, Punjab, the Principal, Central Training College, Lahore, the Principals of all Government Intermediate Colleges in the Punjab, and the Advisor in Physical Education to the Education Department, Punjab.

C. M.

G., dated

November, 1927.

I AM directed to address you in the matter of physical training and will be glad if you will kindly refer to the Director of Public Instruction's letter No. 5066-G., dated the 16th March, 1922, to the Punjab Government (Ministry of Education), C. M. No. 822-G. S., dated the 17th August, 1923, and to the Director of Public Instruction's note on physical training dated the 16th of March 1926.

2. These documents indicate the difficulties met in developing a suitable form of physical training in this province. They also outline the steps taken by the Ministry of Education in improving physical training in the province. The difficulties experienced have been :—

(a) The type of instructor that has been inherited by the Department from earlier days when the physical training system was far

from scientific. The great majority of these instructors were illiterate and, therefore—

- (i) could scarcely be expected to apply intelligently any system of physical training, however good it might be;
 - (ii) were unable to increase their knowledge by a study of books;
 - (iii) as they became physically unfitted to be good practical instructors long before the age for retirement, and were unable to undertake any other type of educational work, our schools were burdened with a number of men that were inefficient and in reality unemployable.
- (b) The difficulty of adequate supervision throughout the province by the advisor and his one assistant.
- (c) The apathy of headmasters and others in all matters relating to physical training.
- (d) The difficulty of providing suitable instructors for normal schools where are trained the village schoolmasters who deal with the great bulk of our schoolboys.

8. The steps taken to improve physical training throughout the Punjab have been of a definitely progressive nature, improving as experience increased. The Minister is of the opinion that the experimental stage has now been passed and that we have sufficient information to lay down the nature of our policy for some years to come—

- (a) The courses for physical training in all grades of educational institutions have been worked out scientifically and tested in actual practice. They have been compared with the work being done by the Army physical training staff at the Central gymnasium for the training instructors for the Army in India, and the conclusion has been reached that our courses are generally satisfactory.
- (b) Strong endeavours have been made to select for training as instructors men with educational qualifications that will enable them to be employed in other ways when they are too old for physical training work and that will also enable them to study their subjects from books. While this is a great advance, it must still be remembered that our schools contain a large number of instructors of so poor an educational standard that no proper use can be made of them when they are too old to carry on physical training.
- (c) An attempt has been made to meet the difficulties of inspecting a large number of schools by inducing districts boards to appoint supervisors of physical training. A certain number of boards have made these appointments, but the system has not proved entirely satisfactory. It has not been applied universally, and some district boards have not realised the type of man that should be employed. In addition, inadequate control has sometimes allowed these men to waste their time.

[Hon. Mr. Manohar Lal.]

(d) Inspectors of all grades have been urging upon headmasters and others the importance of physical training, while the abolition of the divisional tournament with its trained gladiators has made possible the play-for-all movement which is rousing considerable interest in general physical development.

4. In view of the difficulties experienced in developing a body of district supervisors the Minister has decided to appoint men in Government service to these posts. This has required the creation of fifteen posts of district supervisors for the current year with effect from the 1st of October, and it is proposed to provide another fifteen next year. The men available for these posts are of a new type in the history of physical training in the Punjab. It will be noted that in the Punjab Government (Ministry of Education), C. M. No. 022-G. S., dated the 17th August, 1923, reference is made to the inclusion of physical training as an elective subject for students at the Central Training College, Lahore. While some of the students who chose the elective subject of physical training have proved satisfactory, experience shows that it was too often the weaker students who took the subject. Therefore, in 1926 it was decided to establish a special course under Mr. Hogg at the Central Training College for trained anglo-vernacular teachers. This course was nine months in length and included a training in scouting. Another novel feature was the accommodation of the men under canvas, and the institution of a hardy out-of-door life for all.

5. Three of these men have been posted to intermediate colleges and fifteen to vernacular training institutions. They have been appointed to appropriate grades in Government service and are given in addition a junior allowance of Rs. 8 or a senior allowance of Rs. 15 per mensem. These allowances will continue so long as their physical training work is satisfactory.

Arrangements have been made for training another batch of men to fill a similar number of posts in the coming year.

6. The Minister is of the opinion that in this system we can find a solution of many of our difficulties. The system is economical because these men can undertake other duties than physical training; and, when too old for that, will be competent and eligible to hold senior posts in schools and training institutions where their past training and experience of physical training and games will naturally incline them to watch this branch of school work with great care. Being trained men with reasonable education, they cannot only grasp the theory of physical training, but can apply it with a much greater intelligence than was shown by the old type of drill instructor. They will also have the respect of their boys, the want of which in the past made some of our physical training work farcical. As Government servants on the staff of training institutions they will be much more easily controlled and guided than district supervisors working almost independently in board service. Their qualifications are such that they can be called upon by divisional inspectors to advise in physical training in high schools.

7. The men appointed to intermediate colleges will occupy the post of the superintendent of the hostel (without any additional allowance above that given for physical training work) will undertake the physical training of the students and if suitably qualified, will assist in the supervision of the library. As most of these men possess comparatively high qualifications, it is suggested that their spare time, if any, may be utilised in the teaching of the junior classes. It is also suggested that the Divisional Inspector and the principal of the Intermediate College should discuss the possibility of the physical training instructor being released occasionally from his college duties to assist the inspector in high schools near the college. Should touring be necessary in this connection, tours may be arranged within the travelling allowance allotments provided for colleges; but any estimate above Rs. 100 should receive the previous sanction of the Department. As these instructors have been trained in playing games and in the duties of referees, it is thought desirable that they should attempt to organise games and athletic clubs for residents of all classes in the neighbourhood of the college.

8. It will be noted that the posts provided for fifteen physical training supervisors are attached to training institutions. It is therefore necessary to define their position somewhat closely. These men will draw their pay and special pay in the ordinary pay bills of the institutions to which each is attached. Each of them has an annual allotment of Rs. 500 for travelling allowances. In view of the fact that more than half of the year is now finished, the allotment is reduced to Rs. 300. Travelling allowance bills should be signed by the principal concerned and counter-signed by the divisional inspector. During six months of the year the main duties of these men will be the organisation and conducting of physical training work in the training institutions; but as all training institutions are expected to carry on work among the people living round them, these men should encourage games and athletic clubs for the inhabitant of the neighbourhood of the school. It is suggested that when the practical examinations for training institutions begin, these men should, by arrangement between the inspector and the head of the training institution, be set free to assist in the inspection of schools. In view of the fact that they are to function also as district supervisors, time must also be allowed for them to stimulate and supervise physical training and recreation in the schools in the district in which they are working. To make this possible, it has been arranged to retain on the staff of training institutions the drill instructors who were employed before the new men were appointed. At Christmas or in the Easter vacation or at other times which may be arranged with the district inspectors, these men should hold refresher courses for schoolmasters in the district board service. At such times, moreover, when general refresher courses are held at training institutions, inspectors, principals and headmasters should see to it that physical training instructors have a considerable share in the work to be done.

9. It has been noticed already since the appointment of these physical training instructors that some headmasters are still inclined to relegate physical training to a minor position and to employ these men too much in the teaching of general subjects. It is hoped that inspectors will see that

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this does not continue and that all concerned realise that the physical training instructors' first duties are physical training and physical recreation.

10. The Minister attaches great importance to the spread of interest in games and athletics among villagers and others not at school. It is hoped therefore that all district officials as well as the departmental staff will see how these instructors may best be helped in this part of their work.

11. It is believed that the new batch of men that have come up for training will prove even better than those who have just completed their course. The conditions on which they come for training have been improved and the allowances which have been sanctioned are rather more than were promised last year.

SUGAR AND OIL INDUSTRY.

*765. **Sardar Ujjal Singh :** (a) Will the Honourable the Minister for Education please state whether any investigations were made with regard to the possibilities and scope of sugar and oil industry in the Punjab ?

(b) Is it a fact that prospects of sugar industry were found to be very favourable in some parts of the province ?

(c) If so, what steps do the Government propose to take to encourage the establishment of sugar industry ?

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

MANDI HYDRO-ELECTRIC SCHEME.

*766. **Sardar Ujjal Singh :** Will the Honourable the Minister for Agriculture please state—

(a) the progress so far made in the Mandi Hydro-Electric Scheme ;

(b) the probable date when electricity will be made available for industrial and lighting purposes and in what centres ?

The Honourable Sardar Jogendra Singh : (a) The progress of the Mandi Hydro-Electric Scheme to date includes the design, purchase and installation at site of 70 per cent. of the necessary construction plant including one subsidiary hydro-electric plant for use in supplying electricity for operating all machinery on the project, and the opening of the lines of communication from rail head to the Uhl Valley, and the erection of necessary buildings for housing the staff and labour to be employed in constructing the headworks, tunnel, pipeline and generating station in Mandi State.

The surveys of the main transmission line from Jogindarnagar to Amritsar and Lahore and the branch lines to Ferozepore, Lyallpur and Ludhiana are all well advanced, and will be completed within 2 months.

(b) It is expected that electricity from the Mandi scheme will be available in Lahore, Amritsar, Ferozepore, Lyallpur and Ludhiana towards the end of 1930 or early in 1931 and at other centres along the connecting lines between these places where the load offered is large enough to warrant the erection of the necessary sub-station.

INFANT MORTALITY.

***767. Sardar Ujjal Singh :** Will the Honourable the Minister for Local Self-Government please state—

- (a) the rate of infant mortality in the Punjab since 1917 ;
- (b) the causes of the high rate of infant mortality in this province ;
- (c) the steps proposed to be taken to reduce the rate of infant mortality ?

The Honourable Malik Firoz Khan, Noon : (a) A statement showing the information required is laid on the table.

(b) Amongst important causes are unskilled attendance during parturition, unhygienic surroundings and lack of elementary knowledge of child welfare and the prevalence of certain diseases, such as malaria and dysentery, to which infants are peculiarly susceptible.

(c) The public health staff in both rural and urban areas is being rapidly expanded and special measures are being taken, in conjunction with local bodies and the Lady Chelmsford League, to promote child welfare.

Statement showing the rate of infant mortality in the Punjab, since 1917.

1917	..	..	..	262.20	(Malaria).
1918	..	..	..	242.53	(Influenza).
1919	..	..	..	177.29	
1920	..	..	..	182.85	
1921	..	..	..	195.78	
1922	..	..	..	161.85	
1923	..	..	..	208.92	(Malaria).
1924	..	..	..	209.57	(Malaria).
1925	..	..	..	185.15	
1926	..	..	..	208.58	(Malaria).

BHAI LABH SINGH, LATE JUNIOR ENGLISH MASTER, GOVERNMENT HIGH SCHOOL, BAHADURGARH.

***768. Sardar Narain Singh :** (a) Will the Honourable the Minister for Education please state whether any charge was brought against Bhai Labh Singh, late Junior English Master, Government High School, Bahadurgarh by the Education Department, and was he given a chance to explain the charge before his dismissal? If so, will he kindly lay on the table his explanation?

(b) If the answer to (a) above is in the negative, will the Honourable the Minister for Education please state why a Government servant of 18 years' length of approved service was not informed of his fault, and why was he not given a chance to explain the charge before his dismissal?

(c) Does the Government intend to reinstate him or grant him a pension?

The Honourable Mr. Manohar Lal : (a) and (b) Bhai Labh Singh was dismissed, in accordance with No. XIV of the Classification Rules, in consequence of facts established at a judicial trial.

(c) Government would be prepared to consider application duly made for a compassionate allowance.

SALUTING GOVERNMENT SERVANTS.

***769. Sardar Partap Singh :** (a) Will the Honourable Member for Finance please state if it is a fact—

(a) that the Sub-Inspector of Police, Police Station Nur Mahal, District Jullundur, beat one Narinjan Singh, son of Dewan Singh, in village Jandiala on the 6th June 1927, with his horse whip only because the latter did not salam him;

(b) that the said Narinjan Singh made a representation to the Superintendent of Police, Jullundur, on the 18th June 1927, requesting that departmental action may be taken against the Sub-Inspector?

(ii) If the answer to the above be in the affirmative, will the Honourable Member please state—

(a) the action taken against the said Sub-Inspector;

(b) whether it is legally binding on every villager to salute any Government servant?

(iii) If the answer to (b) above be in the affirmative, will he kindly lay on the table a list of Government offices the holders of which are to be compulsorily saluted? If the answer be in the negative, will Government kindly issue orders that the public should not be compelled to salute any officer against their will?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the reply to this question is not ready. The information asked for by the honourable member is being obtained and a reply will be sent to him as soon as it is ready.

MONEY SUITS IN CIVIL COURTS.

***770. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Member for Finance be pleased to lay on the table a statement in the following form showing the number of suits of money instituted in the Civil Courts of Lahore, Jullundur and Ambala Divisions in the five months beginning from the 1st February 1925 and ending on the 30th of June 1925—

NUMBER OF SUITS FOR MONEY.		VALUE OF SUITS FOR MONEY.	
Suits in which plaintiffs were members of agricultural tribes.	Suits in which persons other than members of agricultural tribes were plaintiffs.	Suits in which plaintiffs were members of agricultural tribes.	Suits in which persons other than members of agricultural tribes were plaintiffs.
—

The Honourable Sir Geoffrey de Montmorency: In order to obtain the information desired by the honourable member, it will be necessary to examine each individual record of a civil suit for money instituted during the period in question in the districts comprised in 3 Revenue Divisions. Even so it is doubtful whether each record would show with accuracy which, if any, of the parties was a member of a statutory agricultural tribe. I may remind the honourable member in this connection that the communities notified as agricultural tribes differ in each district and are notified by districts. The enquiry which would be necessary in order to furnish the honourable member with the information he desires would, therefore, be of a very exhaustive nature, probably involving the employment of extra staff in each of the districts concerned. In view of the labour and expense of such an enquiry and the doubtful accuracy of the results to be expected, Government does not consider that an attempt to provide these statistics will be justified or serve any useful purpose.

BHAKRA DAM SCHEME.

***771. Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable Member for Revenue kindly state—

- (a) whether the services of an American expert have been secured in order to report on the feasibility of the Bhakra Dam Scheme;
- (b) whether the expert has arrived;
- (c) whether the expert is expected to submit his report within three months of his arrival?

The Honourable Mian Sir Fazl-i-Husain: (a) and (b) The American Expert Mr. A. A. Wiley, Consulting Engineer to the Reclamation Service on High Masonry Dams of the United States America landed at Bombay on November 11th. The Committee of which he is a member consists of two Geologists who have previously reported on the site and a senior officer of the Irrigation Department of the Punjab who prepared the project.

(c) The report of the Committee will be submitted to Government before the end of January.

FAILURE OF CROPS IN THE SAUGHAR TAHSIL.

***772. Shaikh Faiz Muhammad:** (a) Will the Honourable Member for Revenue be pleased to state whether it has come to his notice that the continued failure of crops in the Saughar tahsil of Dera Ghazi Khan district has reduced the majority of the zamindars to a state of abject poverty?

(b) Is it a fact that the zamindars of this tahsil applied for remission or at least reduction of land revenue for the last two crops when the Deputy Commissioner of the district toured through that tahsil in the end of last month and the beginning of this month?

(c) If the answer to (b) is in the affirmative, has the Deputy Commissioner forwarded such applications to the Government with or without any recommendation?

(d) If the Deputy Commissioner has not so forwarded these applications, is Government prepared to call for them for consideration?

The Honourable Mian Sir Fazl-i-Husain : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

RELIEF TO THE POOR ZAMINDARS AND LAMBARDARS.

***773. Shaikh Faiz Muhammad :** Will the Honourable Member for Revenue be pleased to state—

- (a) if he is aware of the fact that the economic condition of the zamindars of Dera Ghazi Khan district generally and of Saughar tahsil particularly is very precarious ;
- (b) if it is a fact that owing to the poverty of the zamindars, the lambardars have to face an unusual difficulty in collecting and paying the land revenue within the prescribed period ;
- (c) if it is a fact that a number of lambardars applied to the Deputy Commissioner that owing to the extreme poverty of the zamindars they were unable to realise the land revenue in time ;
- (d) whether Government will after proper enquiry state how many lambardars sold or mortgaged their lands during the last two years ;
- (e) whether it is a fact that in majority of cases these sales or mortgages were made by the lambardars concerned to satisfy the land revenue demand of their *ilaga* ;
- (f) how many lambardars in the district had their *panjotra* forfeited wholly or partially and how many of them were fined during the last two years for not remitting to the Government treasury in time the land revenue of their *ilaga* ;
- (g) the nature of relief Government proposes to give to the poor zamindars and lambardars in this district ?

The Honourable Mian Sir Fazl-i-Husain : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

THAL PROJECT.

***774. Sayad Mubarik Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) if any agreement as regards the Thal project has been reached between the Punjab and the Bombay Government ;
- (b) whether there is any likelihood of getting this scheme in hand in the near future ?

The Honourable Mian Sir Fazl-i-Husain : The reply to both parts of the question is in the negative.

***775. Cancelled.**

HINDU REPRESENTATION IN THE ADDITIONAL POLICE, MULTAN.

***776. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

- (a) the number of Hindus who have been recruited for the additional police to be posted at Multan ;
- (b) if they belong to Multan proper or to outside stations ;
- (c) the total strength of the additional police ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is not available in the office. A reply will be sent to him as soon as it is ready.

SECRETARY, CHINIOT MUNICIPAL COMMITTEE.

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

- (a) whether it is a fact that towards the end of June or thereabout the Deputy Commissioner, Jhang, made certain remarks in the inspection book of Municipal Committee, Chiniot, complaining against the honesty of its Secretary and his fitness to discharge his duties ;
- (b) if it is a fact that at the time these remarks were made the Secretary was on probation for about 16 months ;
- (c) if it is a fact that the committee on or about 14th September resolved not to confirm his appointment and refused to grant him any further extension of service ;
- (d) if it is a fact that the Deputy Commissioner by an express telegram challenged the action of the committee referred to in (c) above and sent the officer in charge of the local bodies of the district on the spot who remained there till he could persuade the members to grant extension to the said Secretary ;
- (e) if it is a fact that at the time when the extension was granted on review as referred to in (d) above the right of ballot demanded was not given to the members ;
- (f) the reasons why the Deputy Commissioner adopted the procedure referred to in (d) and (e) above.

(ii) Will the honourable member please lay on the table the remarks made by the Deputy Commissioner against the Secretary referred to in (a) above ?

The Honourable Malik Firoz Khan, Noon : (i) (a) and (b) Yes.

(c) No.

(d) The officer was sent to explain to the committee the irregularities which had occurred in the procedure adopted by it in getting rid of the Secretary.

(e) The proposal to take votes by ballot was rejected by a majority of the members of the committee.

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(f) As regards part (d) of the question the reasons for the Deputy Commissioner's action have already been explained. As regards part (e) of the question the Deputy Commissioner is not concerned.

(ii) A copy of the remarks recorded by the Deputy Commissioner in the inspection book of the Municipal Committee has been requisitioned and will be supplied to the honourable member on receipt.

ADMINISTRATION OF CHINIOT MUNICIPAL COMMITTEE.

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

(a) if it is a fact that the Deputy Commissioner, Jhang, while dealing with a letter from the District Inspector of Schools, Jhang, made the following remarks against the Municipal Committee, Chiniot, on or about 26th September 1927: 'The Municipal Committee since the appointment of its new President had begun to undermine the whole administration. Really many things are done by the office-bearers of the committee other than the President ;'

(b) the facts showing how the municipal administration has been undermined since the appointment of the new President, and what things have been done by the office-bearers other than the President ;

(c) which office-bearer is referred to in the remarks in part (a) above ;

(d) whether it is a fact that the new President came into office on 26th August 1927 and that facts and things referred to in part (b) above happened before 26th August 1927.

The Honourable Malik Firoz Khan, Noon : (a) Yes ; but after further enquiry the Deputy Commissioner withdrew his remarks so far as they relate to the recently elected committee.

(b) Does not arise.

(c) The Vice-President.

(d) Yes.

APPOINTMENTS IN CHINIOT MUNICIPALITY.

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

(a) if it is a fact that on or about 26th September 1927 the Deputy Commissioner, Jhang, drew the attention of the Municipal Committee, Chiniot, that certain appointments had been made by the committee without reference to the District Inspector of Schools who alone was competent to make such appointments and that payments made to such employees will be recovered from the members of the Committee who were party to resolutions for their appointments;

- (b) the names of such employees as are referred to in (a) with the dates of resolutions of their appointments and their monthly pay ;
- (c) whether the amount paid to such employees has been recovered from the members party to the resolutions ;
- (d) whether the members referred to in (c) were the members of the old committee or of the new one ?

The Honourable Malik Firoz Khan, Noon : A report has been called for and a reply will be communicated to the honourable member in due course.

COMPLAINTS AGAINST THE SUPERINTENDENT OF GREY CANALS.

***780. Lala Bodh Raj :** (i) With reference to the answer to question¹ No. 3645, dated 23rd October 1926, will the Honourable the Revenue Member be pleased to state—

- (a) if the enquiry has been made with respect to all the allegations made by an official of the Grey Canal or about some of them, and if only about some of them which of them ;
 - (b) when the other charges would be taken up ;
 - (c) whether it is a fact that the Grey Canal accounts were audited in 1926 ;
 - (d) when the complaint under reference reached the Government and how long after that the enquiry was taken up ;
 - (e) whether the complainant ever applied for permission to prove his allegations and if so when and what the result was ?
- (ii) Will the Government be pleased further to lay a copy of the complaint as well as the audit note on the table ?

The Honourable Mian Sir Fazl-i-Husain : (i) (a), (b), (c), (d) and (e) An investigation was held in connection with the audit in 1926 of the Grey Canal Accounts with the result noted in reply to Council Question² No. 465 (unstarred).

(ii) Government is not prepared to lay a copy either of the complaint or the audit note on the table.

HONORARY LIEUTENANT HAJI SHER BAHADUR KHAN.

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

- (a) if it is a fact that Honorary Lieutenant Haji Sher Bahadur Khan who was an honorary magistrate at Pind Dadan Khan has now been removed from the post of an honorary magistrate ;
- (b) if it is a fact that Government has also recommended to the military authorities to remove his name from the rank of Lieutenantship ;
- (c) the charge against him ?

¹Vol. IX-B, pages 1763-64.

²Page 1316 *infra*.

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes.

(c) The reasons for his removal from his honorary magistracy were—

- (i) that he made a charge against a Government officer which on enquiry was established to be false and malicious, and
- (ii) that he was immersed in local factions and intrigues and unlikely on that account to be an impartial magistrate.

**DAMAGE TO GINNING FACTORIES OF CHAUDHRI SHER SINGH, AND OTHERS
BY RAIN WATER.**

***782. Lala Joti Parshad :** (i) Will the Honourable Minister for Local Self-Government please state whether it has come to the notice of Government—

- (a) that in the rainy season outside the Hansi town in the Hissar district, rain water from the town and other neighbouring villages flows into the ginning factories of Chaudhri Sher Singh, Messrs. Manohar Lal-Dwarka Das, Messrs. Ram Bakhsh-Indar Sain and others which does much harm every year to the buildings, etc., in spite of the efforts of the owners to stop it ;
- (b) that this water stands there for months together and has proved injurious to the health of Hansi people ;
- (c) that the attention of the District Board, Hissar, and Hansi Municipality, has been drawn to this repeatedly, but nothing has been done ?

(ii) Does the Honourable Member propose to take notice of the failure of these local bodies to attend to this matter ?

The Honourable Malik Firoz Khan, Noon : A report has been called for and a reply will be communicated to the honourable member in due course.

EXEMPTION FROM SWORD LICENSES.

***783. Lala Joti Parshad :** Will the Honourable the Finance Member please state—

- (a) why Rohtak and Karnal districts have not been included in the districts which have been granted exemption in the matter of licenses for keeping swords ;
- (b) whether in view of the keen demand from the public the Government would recommend to the Government of India that exemption may be extended to Rohtak and Karnal districts ?

The Honourable Sir Geoffrey deMontmorency : The attention of the Honourable member is invited to entry 3-A in Schedule II of the Indian Arms Rules. Swords possessed by certain responsible sections of the population in Rohtak and Karnal are already exempt from the provisions of sections 13 and 15 of the Indian Arms Act. Government is not satisfied that a wider exemption can at present be granted in these districts without danger to the public peace.

SEPARATION OF JUDICIAL FROM EXECUTIVE FUNCTIONS.

***784. Lala Joti Parshad :** (a) Will the Honourable the Finance Member please state whether it is a fact that a circular letter has been addressed by the Government to all Deputy Commissioners taking away magisterial work from the Revenue Assistant and from some of the Treasury Officers ?

(b) Will a copy of the circular be laid on the table ?

(c) What other steps, if any, are proposed to be taken towards the separation of judicial from executive functions ?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the information required is not yet ready. It will be communicated to the honourable member when ready.

CIRCULAR PROHIBITING OR RESTRICTING GRANTING OF BAIL.

***785. Lala Joti Parshad :** Will the Honourable the Finance Member please state—

(a) whether any circular has been issued by the Governor in Council to all magistrates in the province, prohibiting or restricting the taking of bail in non-bailable cases ; if so, will a copy of it be laid on the table ?

(b) whether the intention of that circular is that no bail as a rule should be granted in non-bailable offences ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) Does not arise.

COMMUNAL REPRESENTATION IN THE POLICE STAFF OF THE EASTERN RANGE.

***786. Lala Joti Parshad :** Will the Honourable the Finance Member please state—

(a) the total number of Sub-Inspectors, Head Constables and Constables in the Police Department recruited in the Eastern Range during the last three years from amongst (a) Hindus, (b) Muslims, (c) Sikhs and others ;

(ii) whether it is a fact that during the last five years several educated Hindus from Hissar district belonging to non-agricultural classes applied for the posts of Sub-Inspectors, Head Constables and none of them was selected for these posts ?

The Honourable Sir Geoffrey deMontmorency : A report has been called for and the result will be communicated to the honourable member in due course.

UNEMPLOYMENT COMMITTEE.

***787. Lala Joti Parshad :** Will the Chief Secretary please state what progress, if any, has been made by the Unemployment Committee so far and when its report is likely to be submitted to Government ?

Mr. H. W. Emerson : The committee will meet early in January to consider its draft report and the report, it is hoped, will be submitted to Government before the end of that month.

INDIGENOUS SYSTEMS OF MEDICINE.

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

- (a) whether it is a fact that Civil Surgeon, Hissar, in his letter No. 8387, dated the 23rd August 1927, asked the District Board, Hissar, to replace all Vaidas and Hakims by third or fourth grade compounders ;
- (b) whether he proposed a resolution in the meeting of the District Board held on 10th October 1927 to the same effect ; if so, will a copy of the letter and resolution be laid on the table ;
- (c) whether it is a fact that only those Vaidas and Hakims who are qualified,—vide notification No. 27527, dated 6th December 1924,—are employed by the District Board ?
- (d) whether Government intends to invite the attention of the Inspector-General of Hospitals and all the Civil Surgeons of the Punjab to the statement of views of the Punjab Government, dated 15th July 1927, on the subject of the encouragement of indigenous system of medicines ?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the reply will be communicated to the honourable member in due course.

INDIGENOUS SYSTEMS OF MEDICINE.

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

- (a) whether it is a fact that *auskhalayas* and *mutabs* were opened by the District Board at Tisham and Baksmand in the Hissar District and that the number of outdoor patients was very large ;
- (b) whether the District Board on the recommendation of Civil Surgeon had them replaced by hospitals under the Sub-Assistant Surgeons ;
- (c) whether it is a fact that the public of these and adjoining places have been petitioning the District Board to have indigenous systems of medicines ;
- (d) whether the number of outdoor patients has fallen down ;
- (e) whether it is a fact that the District Board built a dispensary at a cost of about Rs. 8,000 at Kairn, Tahsil Bhiwani, which did not attract any patient and the building is lying deserted ?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the reply will be communicated to the honourable member in due course.

ELECTRIFICATION OF HISSAR TOWN.

***790. Lala Joti Parshad :** Will the Honourable the Revenue Member please state—

- (a) whether it is a fact that the President, Municipal Committee, Hissar, has been corresponding with the Director of Industries and the Electrical Engineer to the Government, Punjab, about the electrification of Hissar town since March 1921 ;
- (b) whether it is a fact, that the Director of Industries and the Electrical Engineer visited Hissar on the 30th April 1921 and discussed the whole matter with the committee ;
- (c) whether it is a fact that in this very connection other officers of the Electrical Engineering staff have been visiting Hissar till recently ;
- (d) whether it is a fact that the papers were submitted for administrative approval over a year ago but nothing has been done in the matter so far ;
- (e) whether it is a fact that general conditions of contract sent by the Electrical Engineer were accepted by the committee in September 1926 and yet no progress has been made ;
- (f) whether the Government proposes to grant early administrative approval and to direct the Electrical Engineering staff to expedite matters ?

The Honourable Mian Sir Fazl-i-Husain : It is a matter which certainly will be enquired into without any further delay.

GRANT-IN-AID TO HISSAR MUNICIPAL COMMITTEE FOR WATER WORKS.

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

- (a) whether it has come to the notice of the Government that there is scarcity of drinking water in the Hissar town as almost all the wells except two or three contain brackish water ;
- (b) whether the Municipal Committee, Hissar, has been approaching the Government for the last ten years for a special grant-in-aid for water works ;
- (c) whether it is a fact that Rohtak Municipal Committee has been given special grant for this purpose ;
- (d) whether Government is prepared to favourably consider the claims of Hissar ?

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

(b) No.

(c) Yes.

(d) Any application made by the municipal committee will no doubt be sympathetically considered by the Urban Sanitary Board.

REVIVAL OF DISTRICT SCHOOL TOURNAMENTS.

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

- (a) whether it is a fact that the divisional and district school tournaments in all divisions and districts in the Punjab have been given up ;
- (b) whether Government is aware that games and sports are now generally neglected amongst the students ;
- (c) whether it is intended to revive at least the district school tournaments ?

The Honourable Mr. Manohar Lal : (a) Divisional tournaments have been abandoned, but district tournaments are still held in several districts.

(b) No. On the contrary Government is of opinion that the Boy Scouts, "Play-for-all" and similar movements have produced a wider diffusion of such activities than can be attained by the tournament system.

(c) Does not arise.

RESTRICTION OF TERM OF MEMBERSHIP OF *EX-OFFICIO* MEMBERS OF
SMALL TOWN COMMITTEES.

***793. Lala Bodh Raj :** (a) Will the Honourable the Minister for Local Self-Government be pleased to state whether Government is aware that the Small Town Committees of Chak Jhumra, Tandlianwala and of several other stations in the District of Lyallpur, as newly constituted in 1927, have not been able to exercise their right of electing a President, because the term of membership of the *ex-officio* Presidents of the previous committees did not cease along with the term of other members ?

(b) If reply to part (a) be in the affirmative, will the Honourable Minister be pleased to say whether it is intended to amend the rules so as to restrict the term of membership of *ex-officio* members along with the term of the Committee ?

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

(b) The matter is already under consideration.

TERM OF OFFICE OF VICE-PRESIDENTS OF MUNICIPALITIES.

***794. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) if he is aware of a bye-law of Multan Municipal Committee which provides that the Vice-Presidents of the committee shall continue to act as such on the new committee after the general election if they are re-elected ;
- (b) whether it is a fact that this bye-law was framed before the provision of oath of allegiance being taken by the members was introduced into the rules of election ;

(c) whether it is a fact that the rules provide that the members shall get the status as such and will be entitled to act as such after they have been sworn in;

(d) whether it is intended to have the bye-law referred to in (a) above so amended as to terminate the term of office of vice-presidents with the term of the committee?

The Honourable Malik Firoz Khan, Noon : (a) There is no bye-law providing specifically that vice-presidents shall continue in office as such after a general election if they are re-elected as members, but there is a bye-law fixing the term of office of vice-presidents at two years. Whether in view of this, vice-presidents who are re-elected as members continue in office if their 2 years' term has not expired is a matter of opinion, and as Government's confirmation of this bye-law was not required, Government have no power to cancel the bye-law and the question would appear to be one which can only be settled by a court.

(b) and (c) The bye-law as to the term of office of vice-president was made before the Punjab Municipal Act, 1911, was amended so as to require persons who are elected or appointed members of a committee to take or make an oath or affirmation of allegiance before they can take their seats.

(d) Government have no power to require the bye-law to be amended.

NEW CANAL FOR WESTERN JHANG AND MUZAFFARGARH.

***795. Lala Bodh Raj :** Will the Honourable Member for Revenue please state whether there is a proposal to have a new canal to irrigate the ilaqa of Western Jhang and Muzaffargarh?

The Honourable Mian Sir Fazl-i-Husain : Parts of the Western Jhang and Muzaffargarh districts come under the scope of the Haveli Project and when that project is carried into execution these areas will receive irrigation from this source.

PREPONDERANCE OF MUSLIMS ON THE STAFF OF BHAKKAR.

***796. Lala Bodh Raj :** Will the Chief Secretary please state if any representation has been made to him complaining against the preponderance of Muhammadan staff in the various departments of Government at Bhakkar? If so, what action has been taken by the Government thereon?

Mr. H. W. Emerson : (i) Yes.

(ii) Government does not propose to take any action, the excess of Muhammadans over Hindus is not very marked and it does not seem to call for readjustment in a tahsil which is predominantly Muhammadan.

PREPONDERANCE OF MUSLIMS IN THE EDUCATION DEPARTMENT AT BHAKKAR.

***797. Lala Bodh Raj :** Will the Honourable the Minister for Education please state if he has received any representation complaining against the preponderance of Muhammadan staff in the Education Department at Bhakkar? If so, what action has been taken thereon by the authorities?

The Honourable Mr. Manohar Lal: No such representation has been received.

GOVERNMENT SCHOOL, BHAKKAR.

***798. Lala Bodh Raj:** Will the Honourable the Minister for Education please lay on the table the figures for the Government School, Bhakkar, showing—

- (i) the strength of students community-wise ;
- (ii) the strength of the staff community-wise ;
- (iii) the percentage of results of the Matric and School Leaving Certificate Examinations of the Punjab University held in 1926 and 1927 ?

The Honourable Mr. Manohar Lal:—

(i) Hindus	..	..	..	172
Muslims	..	..	..	105
Sikhs	..	..	..	10
Total				287
(ii) Muslims	..	..	..	10
Hindus	..	..	..	6
Total				16

(iii) 60 per cent. in 1926.

25 per cent. in 1927.

PUNJAB JAIL ENQUIRY COMMITTEE.

***799. Lala Bodh Raj:** Will the Honourable Member for Finance please state the total amount spent on the Punjab Jail Enquiry Committee (establishment, travelling allowance, witness money and the salary of the three members)?

The Honourable Sir Geoffrey deMontmorency: The expenditure on the Punjab Jail Enquiry Committee, 1925, was as follows:—

			Rs.
Pay of establishment	..	..	878
Travelling allowances	..	..	1,738
Contingencies including witness money	..	..	147
Pay of officers ..	..	..	18,133
Total			
			20,886

ASSISTANT SUPERINTENDENTS OF JAIL.

***800. Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that Government is not prepared to entertain graduates for the post of Assistant Superintendents in the Jail Department? If so, why so?

The Honourable Sir Geoffrey deMontmorency : Government has not prohibited the employment of graduates as Assistant Superintendents of Jails, but the whole scheme of reorganisation of the subordinate staff of the Jail department is being carefully examined and the claims of graduates will receive due consideration.

TRAINING OF GRADUATES FOR ASSISTANT SUPERINTENDENTSHIP OF JAILS.

***801. Lala Bodh Raj :** Will the Honourable the Finance Member please state the number of graduates on the list of the Inspector-General of Prisons, Punjab, who have received the training for the post of Assistant Superintendents?

The Honourable Sir Geoffrey deMontmorency : It is not clear what list is referred to; but no graduates have received training as Assistant Superintendents of Jails as yet.

BHERA GOVERNMENT HIGH SCHOOL.

***802. Dr. Shaikh Muhammad Alam :** Will the Honourable the Minister for Education be pleased to state—

- (i) the total number of students in the Bhera Government High School;
- (ii) the total number of Muhammadan students in the said school;
- (iii) the total number of teachers in the said school;
- (iv) the total number of Muslim teachers in the said school?

The Honourable Mr. Manohar Lal : (i) 450.

(ii) 838.

(iii) 21.

(iv) 18.

CONFISCATION OF A *nagqarah* FROM KHILAFAT VOLUNTEERS.

***803. Dr. Shaikh Muhammad Alam :** (a) Will the Honourable Member for Finance be pleased to state—

- (i) whether it is true that the Lahore police confiscated a *nagqarah* (drum) from Khilafat volunteers in 1927;
- (ii) the occasion on which the police confiscated the *nagqarah*;
- (iii) in whose custody it is now?

(b) If the answer to part (i) is in the affirmative, whether it has come to the notice of Government that the confiscation of the *nagqarah* is causing great discontentment amongst local Muslims?

(c) Has the *nagqarah* been returned to its owners?

(d) If the answer to (c) is in the negative, whether the Government intends to return the said *nagqarah*?

The Honourable Sir Geoffrey deMontmorency : I regret the answer to this question is not yet ready. It will be communicated to the honourable member in due course.

MUSLIM REPRESENTATION IN RAWALPINDI CANTONMENT BOARD.

***804. Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to state—

- (i) whether any representation on behalf of the Musalman residents of Rawalpindi cantonment with reference to allotment of seats in Rawalpindi cantonment board and the system of election has been made to the Government ;
- (ii) the result of that representation ;
- (iii) whether the Government is prepared to lay on the table a copy of that representation with the orders passed thereon ?

The Honourable Sir Geoffrey deMontmorency : (i) No.

(ii) and (iii) Do not arise.

RAWALPINDI CANTONMENT BOARD.

***805. Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to state—

- (i) the proportion of Muslim and non-Muslim residents of Rawalpindi cantonment ;
- (ii) the proportion of Muslim and non-Muslim voters in Rawalpindi cantonment ;
- (iii) the number of elected members from the Muslamans on the said board ;
- (iv) the number of non-Muslim members on the said board ;
- (v) whether the system of election is one of joint or separate electorate ;
- (vi) whether the seats on the said board are fixed on communal basis regardful of the proportion of voters ;
- (vii) whether the Government proposes to fix the seats on communal basis according to the separate electorate system ?

The Honourable Sir Geoffrey deMontmorency : (i) According to the Census of 1921 there are 19,469 Muslims and 26,422 non-Muslims.

(ii) Muslims 3,235. Non-Muslims 4,784.

(iii) Three.

(iv) The number of non-Muslim elected members is four.

(v) Joint.

(vi) In Rawalpindi wards are arranged so as to include as far as possible an equal number of population and voters without regard for communal considerations.

(vii) No such proposals are under the consideration of Government.

REPRESENTATION OF BALMIK CHUHRAS.

***806. Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to state—

- (i) whether any representation was made to Government by the Conference of Balmik Chuhra in 1927 ;
- (ii) the nature of the representation ;
- (iii) whether the Government would be pleased to lay on the table a copy of the representation, if any ?

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

(ii) It deals with the question of the abolition of *begar*.

(iii) A copy is placed on the table.

ABOLITION OF BEGAR.

Balmik Conference's Resolutions.

In a Conference held under the auspices of the Punjab Achhut Udhar Mandal at Zafferke, a village in Lahore tahsil, representative Balmiks of over thirty villages have unanimously passed the following resolutions regarding the abolition of *begar* :—

1. Whereas the Punjab Government has issued explicit instructions first during the Lieutenant Governorship of Sir Dennis Fitzpatrick and then in 1921 prohibiting *begar* or forced labour and illegal extortions of any kind by public servants on tour ;

And whereas there is a universal complaint that contrary to such instructions a large section of the public servants, especially police and revenue officials, on tour in rural areas not only exact *begar* from the Kamin section of the population but also take grass, fuel and other things *gratis* and in case of refusal oppress them ;

This Conference representing Balmiks of over thirty villages of Lahore and Chunian tahsils strongly urges upon the Government to institute an impartial non-official inquiry into the mal-practices arising out of *begar* and to take all necessary measures for its immediate abolition.

2. Resolved that the aforesaid resolution with thumb-impressions of representative Balmiks of the villages participating in the Conference be sent to His Excellency the Governor and its copies to the Home Secretary, Members of the Punjab Legislative Council and the Press.

COMPLAINT OF ILLEGAL EXTORTION AGAINST POLICE OFFICERS.

***807. Dr. Shaikh Muhammad Alam :** Will the Honourable the Finance Member be pleased to state—

- (i) whether the Government has received any information as to forced labour taken from the Kamin section of the population of Lahore District in 1927 ;
- (ii) the names of the officials and the department to which they belong who were blamed in this connection ;
- (iii) whether the Government has received any complaints of illegal extortions of grass, fuel and such other things against officers of the police in Lahore district in the year 1927 ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is not available in the office. Enquiries are being made and a reply to the question will be sent as early as possible.

BEGAR.

***808. Dr. Shaikh Muhammad Alam :** Will the Honourable the Revenue Member be pleased to state—

- (i) whether the Government have received complaints that the system of forced labour is still prevalent in the province;
- (ii) the officials and the Departments to which they belong who are mainly to blame;
- (iii) whether the Government is contemplating some practical steps to abolish *begar*?
- (iv) the nature of the steps, if any?

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

(ii) Allegations have been made generally against tahsildars, thanedars, zaildars, sufaidposhes and lambardars.

(iii) & (iv) Reports have been called for from the Commissioners concerned.

**LEASE OF THE LAHORE CANTONMENT MUNICIPAL LAND BY A
NOMINATED MEMBER.**

***809. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state whether it is a fact that one of the nominated members of the Lahore Cantonment Municipal Committee holds a lease of the Lahore Cantonment Municipal land for 10 years?

The Honourable Sir Geoffrey deMontmorency : Government have no information but the Cantonment Board has been asked for a report. The information asked for by the honourable member will be communicated in due course.

COMPOUNDING OF AN OCTROI CASE.

***810. Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member be pleased to state—

- (a) whether the octroi case of a nominated member of the Lahore Cantonment Municipal Board has been compounded in utter disregard of section 69 of the Cantonments Act or not;
- (b) the amount of compounded octroi and the amount which he would have actually paid had this been not compounded;
- (c) whether any objection was raised to this compounding in the committee meeting or not; and if so, what it was and its fate?

The Honourable Sir Geoffrey deMontmorency : A report has been called for and the result will be intimated to the honourable member in due course.

EXPENSES ON EDUCATION IN LAHORE CANTONMENT.

***811. Dr. Gopi Chand, Bhargava :** Will the Honourable the Minister for Education be pleased to state the proportion of expenses on Education in Lahore Cantonment to the income of the Lahore Cantonment Committee ?

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

SCHOOLS IN LAHORE CANTONMENT.

***812. Dr. Gopi Chand, Bhargava :** Will the Honourable the Minister for Education be pleased to state the number of primary schools, middle schools and high schools both for boys and girls, respectively, in Lahore Cantonment, the number of students in them and the percentage of students compared with the population of Lahore Cantonment ?

The Honourable Mr. Manohar Lal : A statement giving the required information is laid on the table.

Statement showing the number, etc., of schools in the Lahore Cantonment.

	STANDARD.			ENROLMENT.			Total population, Civil.	Percentage of pupils at school to total population.
	High.	Middle.	Primary.	High.	Middle.	Primary.		
Schools for boys.	1	..	4	538	..	284	14,606	**6.73
Schools for Girls.	..	..	2	..	..	161		

**Military population aggregating 9,880 has not been taken into account in calculating this percentage as these men live single in their units.

IMPROVEMENT OF EDUCATION IN LAHORE CANTONMENT.

***813. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Education be pleased to state whether any steps have been taken to improve the education in Lahore Cantonment, after the formation of the Cantonment Board ?

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

COMMUNAL REPRESENTATION IN POLICE FORCE ACT, LAHORE CANTONMENT.

***814. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state the number of Hindus, Muhammadans and Sikhs, respectively, in the police force at the Lahore Cantonment ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being obtained and a reply will be sent to him as soon as it is ready.

IMPROVEMENT OF WATER-SUPPLY IN LAHORE CANTONMENT.

***815. Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member be pleased to state whether there is any proposal to improve the condition of the water supply in the civil population of the Lahore Cantonment?

The Honourable Sir Geoffrey deMontmorency : A report has been called for from the cantonment board. The information asked for by the honourable member will be communicated in due course.

PRISONERS CONVICTED BY THE DEFENCE OF INDIA TRIBUNAL.

***816. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state—

(a) the names of those political prisoners who were convicted in 1914 with Lala Ram Saran Das of Kapurthala by the Defence of India Tribunal;

(b) the term of imprisonment they were sentenced to;

(c) when they are going to be released?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being obtained and will be communicated to him in due course.

LIFE IMPRISONMENT OR TRANSPORTATION FOR LIFE.

***817. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to state the circumstances in which a sentence of life imprisonment or transportation for life is counted as imprisonment for 14 years?

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is invited to paragraph 516B(1) of the Punjab Jail Manual.

LALA RAM SARAN DAS OF KAPURTHALA.

***818. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member be pleased to lay on the table the correspondence between the Punjab Government and the Kapurthala State re: the release of Lala Ram Saran Das who was convicted in the Punjab by the Defence of India Tribunal and on release from the Punjab was arrested by the Kapurthala authorities?

The Honourable Sir Geoffrey deMontmorency : Government are not prepared to lay on the table the correspondence relating to the release of this prisoner, concerning whose alleged arrest by the Kapurthala authorities they have no information.

ASSISTANT SURGEONS IN MAYO HOSPITAL.

***819. Dr. Gopi Chand, Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state the names of the Assistant Surgeons in charge of wards in the Mayo Hospital where casualty patients were kept during the last Lahore riots of May 1927 and the periods they held the charge?

The Honourable Malik Firoz Khan, Noon : The names of the Assistant Surgeons in charge of wards in the Mayo Hospital, Lahore, where casualty patients were kept during the Lahore riots of May, 1927, and the periods during which each held charge are :—

- (1) Dr. N. B. Mukerjee, M.B., B.S., from 4th to 15th May 1927.
- (2) Dr. Shujjat Ali, M.B., B.S., from 16th May to 23rd June 1927.

A few cases were also treated by—

- (1) Dr. Gurdas Ram Charnalia, M.B., B.S.
- (2) Dr. Sant Ram Dhall, M.B., B.S.
- (3) Dr. Amir-ud-Din, M.B., B.S.
- (4) Dr. Prithi Raj Furi, M.B., B.S.

SUB-DIVISIONAL OFFICER, KHANEWAL.

***820. Dr. Gopi Chand, Bhargava :** Will the Chief Secretary please state (a) if it is a fact that the Sub-Divisional Officer, Khanewal, has been at the station for more than 3 years? If so, the reasons for his over-staying beyond three years ;

(b) whether it is a fact that he is a Muhammadan and the Tahsildar and the Naib-Tahsildar, Khanewal, are also Muhammadans ;

(c) for how long more it is intended to keep the present Sub-Divisional Officer at Khanewal ?

Mr. H. W. Emerson : (a) Yes. The officer in question was up to 1926, also Assistant Colonization Officer under the orders of the Deputy Commissioner, Montgomery. In 1926 the colony work of the Khanewal Tahsil was transferred from the Deputy Commissioner, Montgomery, to the Deputy Commissioner, Multan, and since it was necessary that the Sub-Divisional Officer at Khanewal should have experience of Colony work, the officer in question was retained as Sub-Divisional Officer.

(b) Yes.

(c) So long as it is in the interest of the public service to retain him.

UNSTARRED QUESTIONS AND ANSWERS.

GRANT OF CROWN LANDS TO FLOOD AFFECTED VILLAGERS.

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

(a) the names of those villagers in the Hoshiarpur and Ludbiana districts whose lands have been totally washed away by flood ;

(b) whether the Government has given grant of crown lands to the zamindars of such villages? If not, will the Government be pleased to state whether they now contemplate giving any grant of crown lands to the zamindars of such villages ?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member, when it is ready.

TAHSILDAR OF SHEIKHPURA.

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

- (a) since how long the tahsildar of Sheikhpura has been posted in that tahsil;
- (b) if it is a fact that the same tahsildar has been in the district for many years as Head Vernacular Clerk of the Deputy Commissioner's office?

The Honourable Mian Sir Fazl-i-Husain : (a) M. Jalal-ud-Din has been Tahsildar, Sheikhpura, from 4th January 1926, and has now been transferred.

(b) He was previously Head Vernacular Clerk at Sheikhpura for 8 years.

SCARCITY OF MECHANICAL ENGINEERS.

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

- (a) the respective number of mills and factories requiring first and second class engineers in accordance with the Punjab Boilers Rules;
- (b) the number of first and second class certificates regarding both service and competency issued by the Board of Examining Engineers since 1906;
- (c) the number of complaints received by Government from the factory owners (with names and addresses) about scarcity of mechanical engineers?

The Honourable Mian Sir Fazl-i-Husain : (a) 42 mills and factories in the Punjab require First Class Engineers and 225 factories require Second Class Engineers.

- (b) (i) First Class Certificates of Competency 87
- (ii) First Class Certificates of Service 276
- (iii) Second Class Certificates of Competency 226
- (iv) Second Class Certificates of Service 699
- (c) Nil.

MUNICIPAL COMMITTEE, KARTARPUR.

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

- (a) the population of—
 - (i) Hindus, and
 - (ii) Muhammadans
 in Kartarpur Municipality, district Jullundur;
- (b) the number of Hindu and Muhammadan members respectively, of the municipal committee showing the elected and nominated members separately?

The Honourable Malik Firoz Khan, Noon :

(a) (i)	Non-Muslims	5,180	
	Muslims	3,332	
(b)		Appointed.	Elected.
	Non-Muslim	1	5
	Muslims .. ..	..	2

MUNICIPAL COMMITTEE, KHANNA.

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

(a) the population of—

(i) Hindus, and

(ii) Muhammadans

in the Khanna Municipal Committee, District Ludhiana ;

(b) the number of Hindu and Muhammadan members, respectively, of the committee showing the elected and nominated members separately ?

The Honourable Malik Firoz Khan, Noon :

(a) (i)	Hindus	2,852
(ii)	Muslims	1,417
(b) (1)	Hindus, elected	5
	Appointed	1
(2)	Muslims, elected	Nil.
	Appointed	1

BOARD OF EXAMINING ENGINEERS (DEPARTMENT OF INDUSTRIES).

443. Chaudhri Afzal Haq : Will the Honourable the Revenue Member please state—

(a) whether any Muhammadan secured a seat on the Board of Examining Engineers (Department of Industries) since its start, i.e., 1906 ;

(b) whether it is a fact that members of the Board have never changed which should have been done after every three years ?

The Honourable Mian Sir Fazl-i-Husain : (a) No, so far as information is available in the Secretariat records. As *ex-officio* appointments are made from time to time, it is not easily ascertainable whether any of them was ever held by a Muhammadan.

(b) The rules do not require that members should be changed every three years. Vacancies occurring on the Board have been filled from time to time.

REMOVAL OF THE BOILER INSPECTOR FROM THE MEMBERSHIP OF
THE BOARD OF EXAMINING ENGINEERS.

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

- (a) if he is aware of the fact that in no other province in India a Boiler Inspector is taken as member on the Board of Examining Engineers ? If so, will the Government be pleased to state what special reasons led the Government to appoint the Boiler Inspector as a member on this Board ;
- (b) whether the Government is considering the desirability of removing the Boiler Inspector from the membership of the Board ?

The Honourable Mian Sir Fazl-i-Husain : (a) Government has no information as to the first part of the question. The second part does not therefore arise.

(b) No. The honourable member is referred to the reply given to a similar question No. 1911 in 1925.

MUSLIM BOILER INSPECTORS.

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

- (a) the number of Muslim Boiler Inspectors as compared with Boiler Inspectors of other communities ;
- (b) whether the Government is considering the desirability of increasing the number of Boiler Inspectors ?

The Honourable Mian Sir Fazl-i-Husain : (a) The number of Boiler Inspectors is—

Hindus	..	..	2
Sikhs	..	..	2
Muhammadans	..	..	Nil.

(b) No.

MUSLIM REPRESENTATION ON THE BOARD OF EXAMINING ENGINEERS.

446. Chaudhri Afzal Haq : Will the Honourable Member for Revenue be pleased to state if it is a fact that there has never been and is not now a single Muhammadan on the Board of Examining Engineers ? If so, whether the Government is considering the desirability of appointing Muhammadan members on the Board ?

The Honourable Mian Sir Fazl-i-Husain : In reply to the first part of the question the honourable member is referred to the answer given to Council question 448.

The answer to the second part is in the negative.

MUSLIM ENGINEERS AND THE BOARD OF EXAMINING ENGINEERS.

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

- (a) whether it is a fact that before the constitution of the Board of Examining Engineers Muslims held as many as 90 per cent. of the Engineer's posts?
- (b) whether it is a fact that since the constitution of the Board up till now the number of Muhammadan Engineers has been reduced to 30 per cent.? If so, will the Honourable Member be pleased to state the causes for that reduction?

The Honourable Mian Sir Fazl-i-Husain : (a) Information is not available.

(b) The number of certificates granted to Muslims since the constitution of the Board of Examining Engineers, Punjab, is given below :—

- (i) Second Class Drivers .. 638 out of 1,202 (viz., the total number of Certificates granted by the Board).
- (ii) Third Class Engineers which were previously known as First Class Drivers .. 1,501 out of 2,805 Ditto.
- (iii) Second Class Engineers—
 - (a) Service .. 232 out of 699 Ditto.
 - (b) Competency .. 27 out of 226 Ditto.
- (iv) First Class Engineers—
 - (a) Service .. 56 out of 276 Ditto.
 - (b) Competency .. 6 out of 87 Ditto.

The figures given above show that Muslims have received 46 per cent. of the certificate granted by the Board.

BOARD OF EXAMINING ENGINEERS.

448. Chaudhri Afzal Haq : Will the Honourable Member for Revenue be pleased to state whether the Board of Examining Engineers is contemplating to issue first class and second class certificates without holding any examination? If so, why?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to a similar question by Dr. Sir Mohammed Iqbal.

MUSLIM SUPERINTENDENTS AND HEAD VERNACULAR CLERKS OF THE DEPUTY COMMISSIONERS' OFFICES.

449. Chaudhri Afzal Haq : Will the Honourable the Revenue Member be pleased to state the number of Superintendents and Head Vernacular Clerks of the Deputy Commissioners' offices in the province with their qualifications, and the number of Muhammadans amongst them?

The Honourable Mian Sir Fazl-i-H-usain : Enquiries have been made and the result will be communicated to the honourable member in due course.

SUPERINTENDENT OF THE DEPUTY COMMISSIONER'S OFFICE, KANGRA.

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

- (a) if it is a fact that a junior local man has been promoted to the post of the Superintendent of the Deputy Commissioner's office at Kangra while the applications of those Mubammadans who were senior and better qualified have been altogether ignored ;
- (b) if Government is aware of the fact that there is a great paucity of Musalman Superintendents and Head Vernacular Clerks in the province ;
- (c) the reasons why the claims of Musalmans were ignored when the post fell vacant ?

The Honourable Mian Sir Fazl-i-Husain : (a) The answer to the first part of the question is in the negative. There was no senior or better qualified local Muhammadan candidates available for the post.

- (b) No.
- (c) Does not arise.

MUSLIM HEADMASTER FOR KASUR HIGH SCHOOL.

451. Chaudhri Afzal Haq : (a) Will the Honourable the Minister for Education be pleased to state—

- (i) if it is a fact that since the establishment of Kasur High School no Muslim headmaster has ever been posted there ;
- (ii) if it is a fact that 75 per cent. of the population of Kasur is Mubammadan ;
- (iii) if it is a fact that Government in answer to a question of Maulvi Mazhar Ali, Azhar, in the second Legislative Council promised to post a Muslim headmaster when the present headmaster will be transferred ;
- (iv) if it is a fact that the headmaster (Lala Dewan Chand) has been transferred ;
- (v) whether it is proposed to post a Muslim headmaster for the Kasur High School ?

The Honourable Mr. Manohar Lal : (i) Government has no information prior to 1921 as the school was then under the local body. In 1921 the school was provincialised and L. Diwan Chand, who was then headmaster, continued to hold the post.

- (ii) The Muslim population of Kasur is about 72 per cent.
- (iii) Government made no such promise.
- (iv) Yes.

(v) Mufti Abdul Majid, Vice-Principal in the school, has been appointed to officiate as Principal during the absence and subject to the lien of Lala Diwan Chand, who is officiating as District Inspector.

COMMUNAL REPRESENTATION IN THE OFFICES OF SUPERINTENDING ENGINEERS.

452. Chaudhri Afzal Haq: Will the Honourable the Revenue Member be pleased to state the number of head clerks, accountants and head draftsmen communitywise in the offices of Superintending Engineers?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is referred to the Annual Statement placed on the table.

BAR TO RAWAL COMMUNITY ENTERING GOVERNMENT SERVICE.

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

(i) if it is a fact that a constable named Ghulam Nabi, resident of Gardiwala, district Hoshiarpur, was enlisted in the police force;

(ii) if it is a fact that he was dismissed from the force in the month of February or March 1926 on the ground that he belonged to the Rawal caste;

(iii) if it is a fact that Central Rawal Board protested against this order of dismissal?

(b) if so, will the Honourable Member be pleased to state whether Rawal community is debarred from entering Government service?

The Honourable Sir Geoffrey deMontmorency: (i) No.

(ii) Does not arise.

(iii) Does not arise.

(iv) Does not arise.

GRANT-IN-AID TO SAMBRIAL ISLAMIA A.V. MIDDLE SCHOOL (SIALKOT).

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

(a) if it is a fact that Sambrial Islamia Anglo-Vernacular Middle School (Sialkot) was refused grant-in-aid last year;

(b) on what principle the grant-in-aid of this most flourishing school has been stopped;

(c) whether that principle is applied throughout the province?

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

(b) No grant was stopped, as the school was not on the grant-in-aid list.

(c) Does not arise.

POSTING OF MUSLIM CANAL OFFICERS FOR DIPALPUR DIVISION.

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

(a) if it is a fact that in the Dipalpur Canal Division almost all the members of the staff from the Superintending Engineer down to an ordinary orderly are non-Muslims;

[Chaudhri Afzal Haq.]

(b) whether it is a fact that in July last, Muhammadan zamindars of that division invited the attention of the Government to the paucity of the Musalmans in the canal department of this division;

(c) whether Government is considering the question of posting some of the Muslim canal officers in Dipalpur Division?

The Honourable Mian Sir Fazl-i-Husain : There are two Dipalpur Canal Divisions, an "Upper" and a "Lower". If the honourable member will intimate for which of these he requires the information stated in the question, it will be supplied to him.

COMMUNAL REPRESENTATION IN THE CLERICAL ESTABLISHMENT OF LOWER CHENAB CANAL.

456. Rana Firoz-ud-Din Khan : Will the Honourable the Revenue Member please lay on the table a separate list of clerical establishments in the Lower Chenab Canal, East and West Circles, Lyallpur, showing the appointments held by members of various communities?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the annual statement placed on the table.

The unit for clerical establishments in the Irrigation Branch is for the province as a whole and separate lists by smaller sub-divisions of this unit are not available nor can communal questions be watched and postings regulated on other than a provincial basis.

VACANCIES IN THE CLERICAL ESTABLISHMENT OF THE LOWER CHENAB CANAL.

457. Rana Firoz-ud-Din Khan : Will the Honourable the Revenue Member please state the number of vacancies that fell vacant since 1922 in the clerical establishment in the Lower Chenab Canal, East and West circles, Lyallpur, and also the appointments made according to various communities?

The Honourable Mian Sir Fazl-i-Husain : The required information is as follows :—

Name of Circle.	No. of vacancies that fell vacant since 1922 in the Clerical Establishment.	HOW RECRUITMENT WAS MADE ACCORDING TO VARIOUS COMMUNITIES.		
		Muslims.	Sikhs.	Other Non-Muslims.
Lower Chenab West	22	7	3	12
Lower Chenab East	22	4	6	12

**TRANSFER OF NON-GAZETTED OFFICERS IN THE IRRIGATION
DEPARTMENT.**

453. Rana Firoz-ud-Din Khan : Will the Honourable the Revenue Member please state if there are any rules to guide the transfer of non-gazetted officers in the Irrigation Department? If so, will he please lay them on the table?

The Honourable Mian Sir Fazl-i-Husain : There are no hard-and-fast rules governing the transfers of non-gazetted officers in the Irrigation Branch. Such transfers are made when vacancies occur for different reasons or when it is considered to be in the interests of the public service.

**TRANSFERS IN THE CLERICAL ESTABLISHMENT IN THE LOWER
CHENAB WEST CIRCLE.**

459. Rana Firoz-ud-Din Khan : Will the Honourable the Revenue Member please lay on the table a statement showing transfers ordered in the clerical establishment in the Lower Chenab West Circle, Lyallpur, since January 1927, and the transfer orders subsequently cancelled, together with reasons for such cancellation?

The Honourable Mian Sir Fazl-i-Husain : A statement giving the required information is placed on the table.

**STATEMENT SHOWING TRANSFERS ORDERED BY THE CHIEF ENGINEER IN THE
CLERICAL ESTABLISHMENT OF THE LOWER CHENAB WEST CIRCLE, SINCE
JANUARY 1927, AND THE TRANSFER ORDERS SUBSEQUENTLY CANCELLED
TOGETHER WITH REASONS FOR CANCELLATION.**

No. and date of letter ordering the transfer.	Particulars of transfer ordered.	Whether transfer was carried out or cancelled.	Reasons for cancellation.
871-E-I., dated 22-1-1927.	One permanent Assistant Clerk to 1st Bahawalpur Circle, Sutlej Valley Project.	Transfer carried out.	
1402-E-I., dated 5-2-1927.	Chandar Bhan, Probationer Clerk, to 1st Bahawalpur Circle, Sutlej Valley Project, as acting Divisional Head Clerk.	Ditto.	
01970-E-I., dated 2-8-1927.	B. Teja Singh (1), Divisional Head Clerk, Jhang Division, to Derajat Circle.	Ditto.	
01976-E-I., dated 2-8-1927.	H. Dayal Singh (1), posted to Jhang Division as acting Divisional Head Clerk.	Ditto.	
02117-E-I., dated 8-8-1927.	One Assistant Clerk to 3rd Bahawalpur Circle, Sutlej Valley Project.	Ditto.	
Telegram, dated 16-8-1927.	Adbul Qadir (1), acting Divisional 2nd Clerk, to Abbassia Division, 2nd Bahawalpur Circle, Sutlej Valley Project.	Transfer held in abeyance for 1½ months.	On account of clerk's wife being sick.
02661-E-I., dated 26-8-1927.	S. Abdul Karim (3), Divisional 2nd Clerk, Hafizabad Division, to Gujranwala Division.	Transfer carried out.	

COMMUNAL REPRESENTATION IN THE TEXT-BOOK COMMITTEE STAFF.

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

- (a) the number of Muhammadans in the Text-Book Committee staff as compared with the non-Muslim element ;
- (b) whether the Government is considering the advisability of increasing the number of Muslims on the committee ?

The Honourable Mr. Manohar Lal : (a) The present staff of the Text-Book Committee is as below :—

Secretary	..	..	..	European.
Head Clerk	..	..	..	Hindu.
Typist	..	..	..	Hindu.
Librarian ..	..	..	..	Sikh.
Editors ..	..	..	..	{ One Sikh.
				{ One Muslim.

These appointments are made by the Committee and not by Government.

(b) The number of members of the various communities was given in answer to Council¹ question No. 262. There is no proposal at present before Government to alter these numbers in any way, but as some changes have occurred in recent years, I will have the matter examined.

COMMUNAL REPRESENTATION IN THE CLERICAL STAFF OF THE TEXT-BOOK COMMITTEE.

461. Chaudhri Afzal Haq : Will the Honourable the Minister for Education be pleased to state if there is any Muhammadan on the clerical staff of the Punjab Text-Book Committee ? If not, does the Government propose to appoint Muhammadan clerks also when opportunity arises ?

The Honourable Mr. Manohar Lal : (a) Neither of the two clerks, who have been in service for a large number of years, employed by the Committee is a Muhammadan.

(b) The appointment is not made by Government.

REPORTER ON BOOKS.

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

- (a) whether it is a fact that the present Reporter on Books is to retire shortly ;
- (b) whether it is a fact that since this post was created Hindus have been appointed one after another as Reporters on Books with the exception of late Khalifa Imad-ud-Din, who for a short time held this post ;
- (c) whether the Government proposes to appoint a suitable Muhammadan to this post ?

¹ Pages 923-24 ante.

The Honourable Mr. Manohar Lal : (a) The late Reporter on Books retired some time ago.

(b) No.

(c) The appointment has already been made; the appointment is not made by reference to communal consideration.

SELECTION GRADE POSTS IN THE PROVINCIAL EDUCATION SERVICE.

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

(a) whether it is a fact that the number of posts in the selection grade are 10 per cent. of the total number of posts in the Provincial Education Service;

(b) whether it is a fact that the total number of posts in the service at present is 107;

(c) whether the number of posts in the selection grade which have been already filled up is equal to 8 per cent. of the total number of posts in the Provincial Education Service;

(d) whether the Government proposes to consider the claims of the community which is at present less represented while making future appointments to the selection grade of the Provincial Education Service?

The Honourable Mr. Manohar Lal : (a) The number of posts in the selection grade is limited to 10 per cent. of the total.

(b) The total number is at present 108.

(c) The existing number of selection grade posts is approximately 8 per cent. of the total.

(d) Promotion to selection grade posts is not determined by communal considerations.

REPRESENTATION OF VARIOUS COMMUNITIES IN SERVICES.

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

(a) whether it is a fact that since Mr. Cocks has taken over the charge of the police force as Inspector-General it has been the practice of the Government to make up the deficiency of Hindus amongst Deputy Superintendents of Police;

(b) whether it is a fact that in pursuance of this practice several Hindu police officers have superseded Muhammadan officers;

(c) whether it is the intention of the Government to pursue the same practice in other Government departments where any community is not fully represented?

(ii) Will the Honourable Member be pleased to lay on the table the order, if any, to the heads of departments that no further promotions be given to the members of a community which is already fully represented until the deficiency of other communities is made up, as is being done in the police force?

The Honourable Sir Geoffrey deMontmorency: (i) (a) The policy of Government in regard to recruitment, including recruitment to the police service, was fully explained in a speech of the Honourable Member for Finance made in this House on the 19th July, 1927. Recruitment made to the various ranks of the police has been proceeding under this general policy of Government during the period to which the honourable member alludes.

(b) No.

(c) The intention of Government is to pursue the policy explained by the Honourable Member for Finance on the 19th July 1927.

(ii) No orders have been issued to this effect.

COMPLAINT AGAINST THE SUPERINTENDENT OF THE GREY CANALS.

465. Lala Mohan Lal: Will the Honourable Revenue Member be pleased to state—

- (a) if the enquiry promised in reply to question No. 3645, dated 23rd October 1926, has been made; if so, with what result;
- (b) whether it is a fact that the complainant was called upon to substantiate his allegations, and that the person complained against was also called upon to disprove the charges;
- (c) whether if the allegations were found to be incorrect and false, any action was taken against the complainant and if they were found to be true, any action was taken against the person complained against;
- (d) the action taken in either case?

The Honourable Mian Sir Fazl-i-Husain: Yes. The Superintendent was served with 6 months' notice and the Commissioner and Deputy Commissioner were empowered to take such action as they considered necessary in regard to certain subordinates.

AUDIT OF THE ACCOUNTS OF THE GREY CANAL DEPARTMENT.

466. Lala Mohan Lal: Will the Honourable Revenue Member be pleased to say if the accounts of the Grey Canal Department were audited during 1926? If so, will he kindly lay a copy of the audit note on the table?

The Honourable Mian Sir Fazl-i-Husain: Yes, an audit was made. For the result of that audit, the honourable member is referred to the answer to Council¹ question No. 465 (above). Government is not prepared to lay the audit note on the table.

UPPER SOHAG INUNDATION CANAL.

467. Baba Kartar Singh Bedi : Will the Honourable the Revenue Member kindly state—

- (a) the date on which the Upper Sohag Inundation Canal began to flow this year and the amount of water supply made available therein ;
- (b) whether the original Head continued to supply water or a new Reserve Head had to be opened on the failure of the original one ;
- (c) if a new Head was opened—
 - (i) the date on which it was opened ;
 - (ii) the period for which it continued to work ;
 - (iii) the amount of water supplied by it and the division of the same
 - (iv) the period for which water was supplied at the tail of the said canal ;
- (d) if it is a fact that water was supplied to the tail of the Upper Sohag Canal from the Dipalpur Canal ? If so, for how many days this supply was made available and whether this supply was headed up at any time during these days ;
- (e) the necessary amount of water supply below regulator Bahawal Das which will make the water available at the tail ;
- (f) whether it is a fact that owing to the failure of the Head of the Upper Sohag Canal, the crops at the tail of the said canal dried up ? If so, whether the Government proposes to remit the land revenue and water rate recoverable from the zamindars on the said canal generally and from the zamindars on the tail particularly ?

The Honourable Mian Sir Fazl-i-Husain : (a) On 12th June 1927, but on account of a drop in the river supply it dried up after 4 days. It began to flow again on 1st July 1927 and continued to run up to 15th August 1927. During these 45 days, average daily discharge was 1,017 cusecs.

(b) The Reserve Head was opened as soon as conditions for its opening were favourable after 15th August 1927, when the canal ceased to get supplied from the working Head.

(c) (i) On 21st August 1927.

(ii) 42 days.

(iii) It supplied on average discharge of 538 cusecs, which were utilized in the canal and its distributaries.

(iv) 19 days.

(d) Yes, for 23 days. Supply was headed up at the regulating sites of the Canal according to requirements for feeding distributaries taken off above them, and supply was given to the tail of the Upper Sohag Canal for 11 days out of this period.

[The Hon. Mian Sir Fazl-i-Husain.]

(e) This varies with the condition of demand for canal water. The designed full supply discharge of the Upper Sohag Canal below Bahawal Das regulator is 114 cusecs.

(f) No, there has been no general failure of the crops on this Canal. The tail reach is reported to have fared better than in the past years. Thus the point in the concluding lines of this part of the question does not arise.

DEATH OF ANIMALS DUE TO HEMORRHAGIC SEPTICÆMIA.

468. Mr. E. Maya Das : (a) Will the Honourable Minister for Agriculture be pleased to lay a statement on the table showing by districts the number of animals that died of hæmorrhagic septicæmia for the past year or for any year for which the figures may be available?

(b) Is Government aware that in order to decrease the risk of the spread of this disease, the immediate burial of the carcass of such animals is advisable?

(c) Has it come to the notice of Government that in some cases the dead animals are cut up and disposed of in a manner which tends to increase the risk of the spread of the disease?

(d) What steps have been taken or are contemplated to be taken to see that the carcasses of such animals are buried at once?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture, Punjab, whose reply has not yet been received.

UTILITY OF WINDMILLS FOR COMMERCIAL PURPOSES.

469. Mr. E. Maya Das : (a) Will the Honourable Minister for Education be pleased to state if any experiments have been made to ascertain the utility of windmills for commercial purposes? If so, with what results?

(b) If the reply to the above be in the negative, does Government propose to institute such experiments?

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

(b) Government has at present no such proposal under consideration.

MARKING OR NUMBERING OF ROADSIDE TREES.

470. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state if any method of marking or numbering roadside trees has been discovered by which the mark or number remains clearly visible for at least a period of five years?

The Honourable Sardar Jogendra Singh : In the opinion of the Chief Conservator of Forests the most enduring method of numbering trees is to blaze the tree and impress the number on the wood by means of steel marking hammers or dies, or by cutting it with a chisel. The number then remains visible until the blaze is occluded by the growing trees, the time varying with the size of the blaze and the species. This method is however rather disfiguring to the tree, and the open blaze is apt to cause decay.

APPOINTMENT OF DEMOBILIZED OFFICERS.

471. Sardar Bahadur Captain Dalpat Singh : Will the Honourable the Finance Member kindly state—

- (a) the number of demobilized soldiers holding ministerial appointments ;
- (b) the number of demobilized soldiers holding such appointments as chaprasis and jamadars ?

The Honourable Sir Geoffrey deMontmorency : Government receive return every quarter of demobilized soldiers appointed to posts in civil employ in different departments. In the quarter ending March 1927 the number was 836 and in the quarter ending June 1927, the number was 431 ; but these returns do not in the case of every department distinguish as to whether the appointments were to (i) executive or (ii) ministerial or (iii) peon and jamadar's posts. I will try to secure that better details are given in future quarterly returns and will supply the honourable member with a return for a quarter when the details are complete.

INSPECTION OF THE GOVERNMENT RAILWAY TECHNICAL SCHOOL,
LAHORE.

472. Chaudhri Afzal Haq : (i) Will the Honourable Minister for Education be pleased to state—

- (a) if it is a fact that there has been no inspection of the Government Railway Technical School, Lahore, by any Inspector of Industries or Education for the last ten years ;
- (b) if it is a fact that all the Government schools are inspected by a competent authority every year ?
- (ii) If so, will the Honourable Minister be pleased to state why this institution has not been inspected for so long by any competent authority ?

The Honourable Mr. Manohar Lal : The necessary information has been called for.

HEADMASTER OF GOVERNMENT RAILWAY TECHNICAL SCHOOL,
LAHORE.

473. Chaudhri Afzal Haq : Will the Honourable the Minister for Education be pleased to state whether it is a fact that the present Headmaster of Government Railway Technical School, Lahore, is also the Inspector of his own institution, if so, why ?

The Honourable Mr. Manohar Lal : The necessary information has been called for.

HEADMASTER OF GOVERNMENT RAILWAY TECHNICAL SCHOOL.

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

- (a) the number of days in the year 1926 on which the Headmaster of Government Railway Technical School worked in the said school ;

[Chaudhri Afzal Haq.]

- (b) the number of days in the same year the Headmaster was on tour in districts other than Lahore ;
- (c) the arrangements made to carry on his work in the school in his absence ?

The Honourable Mr. Manohar Lal : The necessary information has been called for.

HEADMASTER OF THE GOVERNMENT RAILWAY TECHNICAL SCHOOL.

475. Chaudhri Afzal Haq : Will the Honourable the Minister for Education be pleased to state whether the Headmaster of the Government Railway Technical School has any practical experience in arts and crafts, viz., moulding, turning, metal working, blacksmith's work and drawing ?

The Honourable Mr. Manohar Lal : The necessary information has been called for.

CATTLE LIFTING.

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

- (a) if it is a fact that police in Gujrat district have succeeded in tracing more than one hundred cases of cattle-lifting ;
- (b) whether some C. I. D. officers or extra staff of police have been posted there to investigate the cases of cattle-lifting.
- (c) whether the Government proposes to take similar steps in other districts ?

The Honourable Sir Geoffrey deMontmorency : (a) No period is stated in the question, but it is probable that more than 100 cases have been traced in this district.

(b) A small extra staff was posted to Gujrat district to deal with a rise in crime.

(c) A special staff is already operating in several districts. It is the aim of Government to eradicate cattle theft as far as possible in those districts where it is prevalent.

CIVIL SUPERINTENDENTS OF JAILS.

477. Chaudhri Afzal Haq : Will the Honourable Member for Finance please state—

- (a) the names of those Extra Assistant Commissioners who are posted as Civil Superintendents of jails ;
- (b) the number of those who had previous experience of the working of jails and of those who had undergone a training course ?

The Honourable Sir Geoffrey deMontmorency : The following Extra Assistant Commissioners have been appointed as Civil Superintendents of jails :—

- (1) S. Muhammad Raza,
- (2) M. Ali Muhammad Khan,
- (3) Khan Bahadur Shah Nawaz Khan,
- (4) Bawa Nanak Singh,
- (5) Lala Mahesh Dass.....This officer is shortly to revert to the Punjab Civil Service and will be replaced by Lala Hargobind who is now under training.
- (6) S. Ahmad Hussain Shah,
- (7) Pandit Mannohan Nath,
- (8) M. Gul Nawaz Khan,
- (9) Khan Sahib Nawab Ali, Qureshi,
- (10) M. Murid Akbar,
- (11) Risaldar Ajai Singh,
- (12) Lala Balwant Rai, and
- (13) Rai Sahib Bishan Dass, retired Extra Assistant Commissioner.

Some of these officers have been in charge of jails before and all of them, except Rai Sahib Bishan Dass, are receiving or have received a special training of 3 months in jail work before being put in charge of a jail.

RESOLUTIONS.

RESOLUTION RE. CONTROL OF THE SALE OF ARTIFICIAL GHI (BANASPATI PRODUCTS).

Rai Sahib Lala Ganga Ram [Ambala *cum* Simla (Non-Muham-madan), Rural] (Urdu) : Sir, I beg to move the resolution that stands in my name and which runs as follows :—

“ This Council recommends to the Governor in Council that the sale of artificial ghi (Banaspatti products) be controlled in the province by some suitable legislation to the effect that the vendors of such ghi and of various preparations of this ghi shall hang a signboard in bold type saying that the ghi or the preparations thereof are of a particular variety.”

Sir, I had a mind to give notice of a resolution recommending the total prohibition of the sale of Banaspatti ghi but taking into consideration the fact that the Government may not be in a position to accept it, I changed my mind and limited the scope of my resolution. The resolution as moved by me simply asks that the vendors of this ghi and of various preparations of this ghi should be called upon by law to inform the buyer of the particular variety of ghi or preparations thereof he is purchasing.

My object in moving this resolution is to bring forward for the consideration of the Council the grievances of the public in the matter of the sale of Banaspatti ghi. At present Banaspatti ghi is being sold in three different ways. The first is that wholesale importers of this ghi sell it to retailers. The second is that it is mixed up with pure ghi and sold not as Banaspatti ghi

[**Tai Sabib Iala Ganga Ram,**]

but as pure *ghi* and the third way in which its sale is being pushed on is that numerous preparations of this *ghi* are being sold at railway stations, in *sarais*, etc., and the purchasers are completely in the dark as to whether the things purchased by them were prepared in pure *ghi* or adulterated *ghi*.

The Banaspati *ghi*, as the honourable members are well aware, is very injurious to the health, and especially for the throat and the stomach. In the Council of State a question was recently asked, in reply to which it was stated that Banaspati *ghi* is deficient in vitamins and therefore, it is not being given to the soldiers. This is amply supported by the testimony of the Chemical Examiner of the Punjab.

In his report for the year 1926 he says :—

"As to its food value when compared with good butter fat, an experiment was carried out in two female kittens of the same litter fairly near in size and weight. 'A' was put on fresh milk (Government Dairy) containing a known percentage of butter fat, 'B' was put on skimmed milk (butter-fat-free) plus the same per centage of Vanaspati fat. 'A' put on weight whereas 'B' lost weight. After one month the feeding was changed round, 'B' getting fresh milk and putting on weight whereas 'A' was put on Vanaspati mixture and lost weight. The effects on the cats were very marked.

"It seems apparent that *ghi* contains vitamins which are essential for growth and well-being and which are deficient in Vanaspati fat. Consequently Vanaspati cannot be used as a substitute for genuine *ghi* especially in the case of infants and lactating mothers. On the other hand this vegetable fat makes a good adulterant of *ghi* and could be substituted for *ghi* with impunity for cooking purposes."

The Banaspati *ghi* is not only injurious to the health but will also adversely affect the *ghi* trade if restrictions are not immediately placed on its sale. Just as the sugar industry of this country has suffered on account of the importation and sale of foreign sugar, similarly the *ghi* industry is likely to suffer if no legislation is undertaken in the near future restricting the sale of Banaspati *ghi*. The present age is an age of machinery, and I will, therefore, call cows and buffaloes machines for giving milk. These milk-giving machines are a source of great profit to the zamindars. The zamindars feed them on grass and waste products and make them yield *ghi*. If immediate measures are not taken for the protection of these machines and if restrictions are not placed on the sale of Banaspati *ghi*, pure *ghi* will be thrown out of market inasmuch as the price of the latter is much higher as compared with the former. If the Government does not take immediate measures in this direction, the natural result of this will be that people will cease to care for their cows and buffaloes and the *ghi* industry will be ruined.

The Banaspati *ghi*, strictly speaking, is not *ghi*. It is an oil and the existing law on the subject is, in my opinion not stringent enough to control the importation of Banaspati. I would, therefore, request the Government to frame a law which would efficiently control the sale of Banaspati. With these words I move my resolution for the acceptance of the House.

Mr. President : The resolution proposed runs :

"This Council recommends to the Governor in Council that the sale of artificial *ghi* (Banaspati products) be controlled in the province by some suitable legislation to the effect that the vendors of such *ghi* and of various preparations of this *ghi* shall hang a signboard in bold type saying that the *ghi* or the preparations thereof are of a particular variety."

The question is that that resolution be adopted.

Lala Gopal Das [Lahore and Ferozepore cum Sheikhpura (Non-Muhammadan), Rural]: Sir I beg to move:

"That the following be substituted for the original resolution:—

"This Council recommends to the Governor in Council that—

- (a) Municipal Committees, Town Committees and Notified Areas in this province be empowered to levy octroi duty or terminal tax on the import in the respective areas of artificial ghi or other various preparations of such ghi at such a prohibitive rate that its sale should become unprofitable, and
- (b) suitable legislation be undertaken to the effect that adulteration of pure ghi with such artificial ghi or with the various preparations of this ghi for purposes of sale be made punishable."

Sir, the resolution moved by my honourable friend Lala Ganga Ram does not cover all that we require in this province. We not only require legislation to control the sale and use of Banaspati ghi in the province, but we also require legislation to control the import of Banaspati products into this province by empowering municipal committees, town committees and notified area committees to impose a very heavy duty on these Banaspati products so that their sale may become altogether unprofitable. The chief difficulty, that I expect we would have to encounter, is that it will be very difficult for a man, at least for the authorities, to understand whether a ghi that is imported is pure or adulterated one. I expect this difficulty will soon be solved when analysts are appointed by Government. I would further like to supplement it with the suggestion that these analysts should have along with them health officers of the local bodies trained up in order that they may have these analysts by their side in checking such adulterated ghi. In this province, ghi is put on the market after the manufacturers' demand is satisfied in quantity as much as 40,000 maunds. The consumption of this province is 30 thousand maunds, leaving a balance of only 10 thousand maunds for export outside the Punjab. The United Provinces produce 60 thousand maunds and its consumption is 10 thousand, leaving as much as 50 thousand maunds for export. The Central India produces 100 thousand maunds, its consumption is 10 thousand maunds, leaving 90 thousand maunds for export. The Central Provinces produce 60 thousand maunds, its consumption is 20 thousand maunds and it exports 40 thousand maunds.

Mr. Owen Roberts: May I ask the honourable member to give us the source of his information?

Lala Gopal Das: This information is taken from the general market reports.

Mr. Owen Roberts: What publication of the general market reports?

Lala Gopal Das: From the ordinary market reports where ghi is sold in large quantities, and the large ghi centres in the United Provinces, in the Central Provinces, as well as in the Punjab. This statement shows that the Punjab consumes the largest amount of ghi produced as compared with other provinces and if Banaspati ghi is to enter the Punjab, then we are the worst sufferers. I recommend that the Government should advise local bodies to issue licenses to those who sell such commodity. Those who sell one kind of ghi should be prohibited from selling the other kind of ghi. Those who want to deal in Banaspati products should not deal in pure ghi and *vice versa*. If anybody does sell in contravention of this order, and if they should be

[Lala Gopal Das.]

found in possession of products which are licensed to be sold by the other kind of vendors, they should be punished under the law. The reports of the Chemical Examiner definitely say that the Banaspati *ghi* does not contain all the properties of pure *ghi* which go to supply nutrition to the body. The Banaspati products badly lack in vitamins and it also lacks in other nutritious substances. As everybody now knows well, the source of strength for the building up of human body is vitamins. Unfortunately the Banaspati product lacks in that very substance. I further understand that some experiments were carried out in Kasauli where two guinea-pigs were put on different kinds of *ghi*, the one was put on Banaspati *ghi* while the other was given pure *ghi*. The result was that the one that was put on pure *ghi* flourished, while the other lost heavily in weight. Another set was fed similarly which gave birth to some young guinea-pigs. The one that was fed on pure *ghi* gave birth to seven healthy young ones, while the one that was fed on Banaspati, gave birth to two sickly guinea-pigs. This clearly shows that Banaspati products do not possess those properties which pure *ghi* possesses. Owing to this adulteration of *ghi* many kinds of throat diseases are prevalent in this province. The mortality is increasing rapidly and the infants are showing very sickly nature in their growth and they clearly show signs of underfeeding. The inference that one can draw from these experiments is that the free use of Banaspati products as a substitute for pure *ghi* stands in the way of growth of children and they are also the cause of shortness of life. Moreover, the major portion of the army is recruited from the Punjab. If a war were to break out, which God forbid, then the ranks of the Indian army would suffer the most. If pure *ghi* is not supplied, then the people of the Punjab would not be strong enough, their health would suffer. I very much doubt if the Government will be in a position to recruit any healthy and strong men from the Punjab for the army, at least in large numbers. I further understand that the army takes a supply only of pure *ghi* and of nothing else. No vegetable products or *ghi* substitutes are accepted. Why is that so? That is for the only reason that these substitutes do not possess those ingredients which go to make a man healthy and strong. I may mention for the information of the House that the import of this vegetable *ghi* first made its appearance in 1921-22 in a quantity of about 500 cwts. Now from April to July 1927 the import has run up to 72,000 cwts., valued at 31½ lakhs of rupees. On a calculation, it would come to 216 thousand cwts. annually. The result is that the Punjab, which is the backbone of the Indian Army, has to suffer the most and it will fall to its lot to consume a major portion of this imported article. As everybody knows, Bombay, Bengal and Madras and other provinces do not live on *ghi* to such a great extent as the Punjab. They all live on oil. The result will be that owing to the consumption of inferior *ghi*, the people of the Punjab would deteriorate in strength and health. What we therefore want is that the sale of this artificial *ghi* should be stopped or at least that its sale should be made the most unprofitable by empowering the municipalities to impose a very heavy duty of 100 per cent. *ad valorem* when they import the Banaspati products into their jurisdictions. I would suggest that the very fact of adulteration should be made an offence. Unless these steps are taken this evil from which the Punjab suffers the most will not go out. With these few remarks I commend my amendment for the acceptance of the House.

Mr. President : The original question was—

"This Council recommends to the Governor in Council that the sale of artificial *ghi* (Banaspatti products) be controlled in the province by some suitable legislation to the effect that the vendors of such *ghi* and of various preparations of this *ghi* shall hang a signboard in bold type saying that the *ghi* or the preparations thereof are of a particular variety."

since which an amendment has been moved :

"That the following be substituted for the original resolution :—

"This Council recommends to the Governor in Council that—

- (a) Municipal Committees, Town Committees and Notified Areas in this province be empowered to levy octroi duty or terminal tax on the import in their respective areas of artificial *ghi* or other various preparations of such *ghi* at such a prohibitive rate that its sale should become unprofitable, and
- (b) suitable legislation be undertaken to the effect that adulteration of pure *ghi* with such artificial *ghi* or with the various preparations of this *ghi* for purposes of sale be made punishable."

The question is that that amendment be made.

Mr. Owen Roberts (Nominated, Non-official) : Sir, I came this afternoon with the intention, if not of opposing the original resolution, at any rate, of laying certain information before the Council that might influence the debate and lead to its modification. However, the amendment proposed out-herods Herod and leaves me no alternative but to oppose it. The effect of the original resolution would be that the steps suggested to meet the difficulty of imported *ghi* would in all likelihood result in increasing sales ; because if you advertise certain articles as sold in a certain place, you are more likely to sell that article than to sell something which is not advertised. I quite appreciate that there may be a certain amount of feeling on this subject and if a resolution were brought into the Council asking for a Pure Foods Act, it would have my strongest support. But when an attack is made on these products in the terms of the amendment and the information before us is not all it should be, there is nothing to do but to oppose it.

The first observation that I want to make is that members have got to realise that *ghi* as a cooking medium is probably the most expensive of any types of cooking medium used anywhere in the world, more expensive even than pure butter for the simple reason that pure butter is decreased in quantity in the process of being converted into *gh* and, if India is the poorest country in the world, as it always claims to be, I think it is only reasonable to look round for a cheaper and wholesome substitute. Now, Sir, the honourable mover of the resolution quoted from what he called the Chemical Examiner's Report. As a matter of fact, he was quoting from a contribution by Captain D.R. Thomas, Chemical Examiner, Punjab, to the Indian Journal of Medicine and Medical Research and the article is published in Vol. XIV No. 3, of January 1927. He read a portion of that article, but he had not the courage to continue because the article continues on page 665—

"The fact remains that these vegetable *ghis* fulfil the requirements of India except that they are deficient in vitamins. They are without doubt prepared in scrupulously clean factories and are not exposed to the various forms of contamination that beset the preparation of *ghis* in Indian bazaars. Previous to its importation, bazaar *ghis* were adulterated with all sorts of objectionable fats accounting for their rancidity and offensive smell. I have noted of late that *vanaspatti* is now generally used as the adulterant of *ghi*. It is without doubt a great improvement on the old-fashioned adulterants. Mixed with *ghi*, or alone it makes a very good cooking fat."

[Mr. Owen Roberts.]

Now, Sir, I notice that the amendment does not take exception to the adulteration of *ghi* as such. It takes exception to the adulteration of *ghi* with vegetable products and I am wondering whether my honourable friend would prefer to see *ghi* adulterated in the good old way, that is, "with all sorts of objectionable fats". The only alternative to *ghi* that previously existed in the country was crudely extracted oils. The composition of Banaspati *ghi* is given at page 1 of the article referred to above—

"It is probably a mixture of cotton-seed, arachis, sesame and coconut oil."

Recently there has been a committee sitting under the Punjab Government Development Board trying to go into this question of the production of hardened oils. The industry is a valuable one and we have got all the materials for it in the province and it would be of extreme value to us if instead of importing large quantities of this vegetable *ghi* as it is wrongly called, we were able to manufacture it in our own province and remove the prejudice attaching to a foreign preparation. My friend attempted to give us figures on the subject of the production of *ghi*. But I can assure him that it is only with the most extreme difficulty that the Army is able to procure the relatively small quantity of *ghi* that it requires. During the last fortnight I have been through a factory especially erected for the purpose and I can assure my honourable friend that it takes a large organisation, buying in the very centre of the *ghi* districts, six months of hard work, to get this small amount of pure *ghi*. I think we should be making a very grave mistake now if we attempt to touch the importation of the substitute. At the same time, I am only too willing to help any movement towards obtaining for this province a Pure Foods Act. I put it on the same basis as a Weights and Measures Act and other useful things, all of which will eventually, I hope, come under the supervision of the Board of Local Self-Government. But this is a far different matter to contemplating legislation against adulteration of *ghi* by vegetable product and by vegetable product only and I hope the Council will agree with me.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I cannot support the amendment moved by my honourable friend, because I am in favour of the original resolution and I want to go much further than that. The mover of the amendment only wants that power should be given to municipalities and other bodies to stop the import of artificial *ghi* and it does not affect the villages where the evil is even more widespread. *Ghi* is a national problem in the Punjab. (Hear, hear.) Every one of us has been bred and brought up by *ghi*. We cannot give up *ghi* as the Englishman cannot give up butter. Englishmen consume even in more quantities in the form of butter than we do in the form of *ghi*. We may utilise it as a medium for cooking or as something else and it is our national food and it is a food on which our forefathers and we have been bred and brought up. It is a fact that the Punjabis have been living on *ghi* and it is due to *ghi* that Punjab has produced such stalwart men. Even Lord Linlithgow, a strong and well-built man himself, when he visited the Punjab remarked that he found in the Punjab men of his own stature and it is due to the fact that the Punjabis have been brought up on pure *ghi* and pure milk. *Ghi* has now become very rare in this country and only those people who are fortunate enough to possess cows get pure *ghi*; others get only adulterated

ghi, this artificial or imported *ghi*. I do not want to say anything against that product, that it is composed of such and such substances and so on. But the ordinary people buy from the *baniya* who is only another medium for the evil. He supplies rotten stuff to the jats and others. They mix it up with milk in the night and early in the morning they churn it and we find half of the stuff pure *ghi* and the other half artificial one. I do not know much about it but I have heard much about the harmful effect of this artificial *ghi*. The Honourable Minister in charge of Local Self-Government has told us that two cats were brought up, one on artificial *ghi* and the other on pure *ghi*. The cat which was brought up on the artificial *ghi* became lean and was on the verge of starvation and death, whereas the other cat fed on pure natural *ghi* became fatter and fatter; the process was reversed with the result that the fat cat got leaner and leaner and the other cat became fatter and fatter. So my friend the Honourable Minister for Local Self-Government rightly came to the conclusion that the artificial *ghi* has very harmful effects. Now if we go on consuming the artificial *ghi*, we will grow like the cat which was fed on artificial *ghi*. I think something should be done to ensure a good supply of pure *ghi* and the only way which I can think of is to improve the cattle-breeding. Considerable efforts have been made and are being made by the Department of Agriculture towards the improvement of the cattle. Unless every one of us take interest in the problem I think pure *ghi* will become a rare thing which you may get only as a medicine to be prescribed by *hakims*. Every one of us will have to keep a cow or a buffalo and then and only then we will be in a position to get pure unadulterated *ghi*. Sir, unless we take some steps to ensure a good supply of pure *ghi* and pure milk, we may not be able to find hereafter people of the size and stature of our honourable President. (A voice: and yourself too.) Oh, yes; certainly. I may not be so strong as my father and my grandfather; but this is simply because we have been living in the centre of cattle-breeding districts and were bred and brought up on pure *ghi* and pure milk and that is why I inherit the stature which I am proud to possess. Some very serious steps should be taken by the Government in this respect. Whoever may be in charge of this, he should take immediate steps for procuring unadulterated *ghi* in this province. Therefore for the reason that the amendment weakens the effect of the original resolution, I cannot support the amendment. On the other hand if there is any amendment which goes to strengthen the original resolution, and which will have the effect of strengthening the hands of the Government, it will have my strongest support.

Mr. J. G. Beazley (Secretary to Government, Punjab, Transferred Departments): Sir, I should like first to deal with the relative merits of *ghi* and Banaspati *ghi* before considering the steps that have been advocated for preventing the sale of Banaspati *ghi* in this province. The honourable mover of the resolution and my friend Mr. Owen Roberts both quoted from a paper which was contributed by the Chemical Examiner to the Punjab Government to a scientific paper. The investigations which led up to that paper were conducted, I think, at the request of the Punjab Government, Public Health Department, and the subject is one which has been engaging the attention of the Government for the last two or three years; and we find it a very difficult subject indeed to tackle.

[Mr. J. G. Beazley.]

Captain Thomas has shown that this Banaspati *gñi* and other similar *gñis* are lacking in one very essential constituent, but he has also shown that in themselves they are exceedingly pure and healthy foodstuffs which if supplemented by other substances containing the essential vitamin can only be beneficial to people who consume them. Now the position as it presents itself to Government is this. Here we have an excellent food being made available more cheaply than natural *gñi*. We admit that for infants and nursing mothers this food is not suitable on account of the defect in its constituents, but it is suitable for adults in many circumstances if supplemented by other food. If we in any way succeed in checking the import of this new product, the result must be to force up the price of natural *gñi*. On the other hand, the Government has every reason to believe that an enormous amount of cheating now goes on in connection with this new product, and that a great deal of it is mixed with pure *gñi* and sold as pure *gñi* at the high rate prevailing for pure *gñi*, and this is a form of cheating which it is eminently desirable to put a stop to. But when we come to look at the remedies that have been proposed we see more and more how difficult it is to deal with the matter. The mover of the amendment to this resolution has suggested prohibitive rates of terminal tax or octroi tax. This is a suggestion that Government has already explored and though it might be effective to a certain extent it would have to be very greatly supplemented by measures for detecting adulteration. To begin with, the discouraging of the import into municipalities and small towns would not prevent import into the province, into the rural areas of the province or into those towns where it is not within the power of the local Government to sanction the imposition of a terminal tax. There are many places for which the sanction of the Government of India would be required and as things at present are it seems very doubtful whether that sanction would be obtained. As to the method advocated by the honourable mover of the original resolution, Mr. Owen Roberts pointed out that the sole result of the action recommended would be to advertise the Banaspati product and to give a free advertisement to Banaspati, which the natural *gñi* would not possess.

The mover of the amendment made another suggestion which is however not covered by the terms of the resolution. He recommended that local bodies should be instructed to license the sale of the Banaspati product and of natural *gñi* and that licenses should not be given for the sale of the two products on the same premises. That is a measure that we had not contemplated, but in that respect all municipal committees at present possess the fullest powers for deciding what articles of food and drink should be sold only on licensed premises and they can already take any action they like without any further legislation.

The great trouble of course is, as pointed out by my friend the honourable member for Montgomery, that there is not at present enough natural *gñi* to meet the demand. The apprehension of the mover of the original resolution that this foreign product would ruin the *gñi* industry of the province is, I am afraid, quite groundless. Had it been likely to have had such an effect the result would have been seen already. The import of this product is sufficient to have reduced the price of natural *gñi* if there has been a supply in excess of the demand, but the price of what is called pure

natural ghi remains as high as ever, and as a matter of fact pure natural ghi outside the private house is practically unknown.

The general problem of dealing with adulteration of foodstuffs is being tackled and we have been very carefully examining our existing Punjab Adulteration of Foods Act in order to remove the various defects in its working. We are also gradually introducing the necessary machinery for working the Act. We hope that our Public Health Department Chemist will be enabled by the grant of a Rockefeller research scholarship to obtain the full necessary training to qualify him for appointment as Public Analyst for the whole province. But till the Adulteration of Foods Act can really be worked, to prevent the import of this foreign product will serve really no purpose at all; it will merely stimulate the adulteration of natural ghi in order that it may be put on the market in large enough quantities to meet the demand. I would therefore put it to the mover of the amendment and the mover of the original resolution that the whole subject is receiving the most careful consideration of Government—I may here mention another measure of which we are exploring the possibility. If we can get sufficiently definite proof of the widespread adulteration of natural ghi with these Banaspati products, we are contemplating addressing the Government of India with a view to their legislating in some way so as to prohibit the import into India of these Banaspati products unless they are coloured in such a way that they cannot be mixed with natural ghi without detection—But that is a thing which requires careful examination and, as I began to say, I put it to the mover of the amendment and the mover of the resolution that as Government is doing all it can to find some solution of the difficulty it would be unwise to attempt by the definite form of the recommendations which the resolution and the amendment propose to bind Government down to any one or two particular methods of dealing with the problem. The measures advocated have been considered and will be reconsidered, but there are also other possibilities and many other sides of the question which have not been considered by the mover of the resolution or of the amendment. As I have said it would be unwise to attempt by resolutions of the Council to bind Government down to one particular way of dealing with the problem.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, I am glad to hear from the Secretary, Transferred Departments, that Government will take steps if it is convinced that the adulteration of Banaspati ghi with pure ghi prevails to a large extent. For his information I may say that I have found that this Banaspati ghi is being taken into the distant corners of Chakrata and Mandi where poor labourers are working. It was to my surprise that I found that Mandi, which used to get its ghi from Kangra and its neighbourhood which were the home of pure ghi, now gets this Banaspati ghi. Same is the case in the Chakrata division where Banaspati has been imported and we now get mixed ghi. I want to convince Government that cheating is going on on a very large scale. It is only either the importers or those who deal in Banaspati ghi who have benefitted by it. The poor have not benefitted at all. Their position remains the same. The price of the real ghi remains the same and the importation of this Banaspati ghi has not benefitted the poor or anybody the least. In the circumstances, does not Government think it proper to allow the municipalities or small

[Lala Mohan Lal.]

towns to impose a tax which will benefit them, or does not Government think it advisable to bring in a measure calculated to check this evil? Does not Government consider it advisable to support this resolution in a modified form so that people who buy should know that they are not buying pure stuff but that they are buying mixed stuff? It will be better if the poor know that they are buying bad stuff. The price of Banaspati should also be much lower than the price of pure *ghi* so that people can distinguish between good *ghi* and the imported *ghi*. In the circumstances, I submit that it should be the duty of Government to explore this matter. I am glad to say that they have been doing so for the last 2½ years, but that is a long time and not much has been done. This is a matter which affects the health of the province, and Government should kindly hurry up with the matter and take such steps as they think proper to see that either this *ghi* is not imported or if it is imported into the country the public should know that they are buying it and that they buy it at a price much lower than the price of pure *ghi*. Why should the public not get the original stuff instead of this imported thing if they have to pay the price for real *ghi*? It is admitted that vitamin is lacking in the imported stuff and that it is not very good for the health of the people. In the circumstances I submit that Government must take measures as early as possible to see that the people do not get this mixed stuff which they are at present getting.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan, Rural) (Urdu): Sir, I am glad to know from the Secretary, Transferred Departments, that Government is exploring various possibilities to control the sale of adulterated *ghi* in the province. For that it really deserves our sincerest thanks. As to the merits of the question before us, it can be said that Banaspati is not a good substitute of pure *ghi*. And a substitute it cannot be because one is artificial and the other is natural. But I hesitate to subscribe to the view that Banaspati is totally useless and is not required at all. Pure *ghi* being dearer than the artificial *ghi* is not within the easy reach of the poor people. They can hardly afford to buy it. In their interest, therefore, we should not ask for the prevention of the importation of Banaspati *ghi*. Of course measures should immediately be taken to put a stop to the sale of adulterated *ghi*. In my opinion, if by some legislation it is provided that artificial *ghi* shall have some deep and distinguishing colour, most of our complaints will have been removed.

The honourable member for Simla has told us to-day that even the unsophisticated villagers in the Kangra district have taken to producing adulterated *ghi*. I may add for the information of the House that Jullundur district also has not escaped this contagion. The producers of *ghi* in that district buy artificial *ghi* and mix it with milk. This milk is then churned and *ghi* produced out of its butter is presented in the market as pure *ghi*. Our friends the Englishmen, should, therefore, take warning that the butter that is supplied to them is, in most cases, impure.

The honourable members have heard an interesting account of how the Honourable Minister for Local Self-Government tested the comparative worth of pure and artificial *ghi* by experimenting their effects on two cats. This account appeared in a newspaper too which I had the occasion to read. But it would have been much more interesting if our friend Lala Mohan Lal

had informed the House, which he has not done, perhaps, because of his unassuming nature, the harmful effect of the use of artificial ghi to his own person, as is apparent from his appearance to-day (laughter).

Dr. Gopi Chand Bhargava [Lahore City (Non-Muhammadan), Urban] (Urdu): Sir, in my opinion, we can approach the subject under discussion from two different standpoints—from the point of view of public health and from economic point of view. I will deal with these aspects of the question while analysing the points raised by the Secretary, Transferred Departments, in his speech.

First of all the honourable Secretary tried to impress us, in his own sweet way, that the problem of Banaspati ghi is engaging the attention of the Government and that measures will be taken to control the sale of adulterated ghi as soon as it becomes possible for the Government to do so. He has been further pleased to express a wish that it would facilitate matters for the province if the Government of India were to check the importation of Banaspati. I hope I will be excused if I say that these lip assurances and the expression of pious wishes do not carry conviction with us particularly when we look a little deep into the arguments advanced by the Secretary while opposing the motion. He has said that Banaspati is not only itself cheaper, but its presence in the market has been instrumental in bringing down the price of pure ghi. That may be so. But I, for one, do not believe that artificial ghi has produced any such effect. I admit for a moment for the sake of argument that Banaspati is cheaper. But the fallacy of this argument becomes at once apparent when we take into consideration the opinion of the medical experts about this kind of ghi. They are of opinion that this ghi does not contain much of vitamins, the only nourishing part of a food, and that, therefore, the use of Banaspati must be supplemented by some such diet as contains vitamins in sufficient quantity. It is apparent, therefore, that what one will save by purchasing artificial ghi, at lower rates will have to be spent in procuring that kind of expensive diet. Hence the apparent cheapness of Banaspati should have no attraction for us. We do not stand to gain both from the point of view of public health and from economic point of view by the use of Banaspati ghi.

That is not all. If one were to look at this problem from political point of view, one would find that it is much more serious and grave than it appears on the surface. Our economic slavery is already proverbial. For all our requirements of life we depend on foreign countries. With regard to the foodstuffs alone we were comparatively independent as our province happened to be an agricultural province. But what a pity it is that on the break of famines we become helpless and we have seen that wheat is imported from countries like Australia to cope with the critical position. It is really shameful for an agricultural province. It appears that now attempts are being made to discourage the produce of pure ghi. Our markets are being flooded with Banaspati to successfully compete with pure natural ghi and then finally to exclude it from the field. I vividly see that day is fast approaching when Banaspati ghi will have the field entirely to itself and will cost us more than our pure natural ghi. I have not forgotten the days when similar tactics were employed to capture the cloth markets of this country.

[Dr. Gopi Chand Bhargava.]

In view of these considerations I would urge the Government to expedite the proposed legislation. It is no use saying that as soon as pure *ghi* is obtainable in abundance in the market, proper checks will be placed on the supply of Banaspati. We know it is only a plea to gain time for the Banaspati *ghi* to become popular. Is it possible that the produce of pure *ghi* will receive any encouragement so long as artificial *ghi* is available at cheaper rates? Certainly not. I am sure if the Government were to take up this question honestly, the matters will improve in no time. Let the Government provide pasture lands; let it spend some of its resources for the improvement of cattle breeding and I can assure it of encouraging results so far as the produce of pure *ghi* is concerned. Yesterday the Honourable Minister was pleased to remark that it was impossible to bring the sale of adulterated *ghi* in other parts of the province excepting Simla within the operation of the Adulteration of Foods Act.....

The Honourable Malik Firoz Khan, Noon: Sir, on a point of order. I did not say that it was not possible to put it down in the Foods Adulteration Act. What I did say was this: In Lahore and Simla we have appointed public analysts for the purpose of analysing *ghi* with the result that if the municipality or any individual gets hold of a sample of *ghi* and has it analysed and finds that it is adulterated then the person who wants to cheat will be prosecuted. In other places there is the difficulty of finding public analysts. It is not a question of putting it in the Foods Adulteration Act.

Dr. Gopi Chand, Bhargava (continued in Urdu): I stand corrected, and I am thankful to the Honourable Minister for this. It really pains me to find that even most important issues are being shelved. When we ask for some suitable legislation to be enacted to control the sale of Banaspati, we receive a curt reply that the local bodies already possess power to check the sale of adulterated *ghi* by imposing terminal-tax. And when it is proposed that municipal committees, town committees and notified areas be empowered to levy prohibitive taxes to discourage the sale of Banaspati, the objection is at once raised that in that case, this *ghi* will find a ready market in the villages. It is true and we are ourselves anxious to save the villages from this evil and not without reason. We have not only heard to-day during the course of discussion, but it is now a widely known fact that Banaspati is bought and mixed by the villagers with the milk. This milk is then churned and adulterated *ghi* is produced, possessing even a better look than that of pure *ghi*. We do not insist on getting the proposed resolution or the amendment thereon accepted as they stand. We are not enamoured of any particular form or words. We want only that effective checks should be placed on the sale of Banaspati. Let the Government accept our proposal in any form that is suitable to the interests of the villages and the cities alike.

Before closing my remarks, I would like to make one last request. If at present pure *ghi* is not available in abundance to meet our requirements and if, therefore, its supply is to be supplemented, the free sale of oils extracted from oilseeds be allowed and encouraged as a substitute of *ghi*. No facilities should be afforded for the sale of Banaspati *ghi* because it

is worse than the oils. With these words I support the motion before the House.

Mr. M. A. Ghani (Nominated, Non-official) : Sir, I do not think there can be any two opinions among the honourable members of this House as regards the evils of Banaspati ghi. But neither the proposal of the honourable mover of the resolution nor that of the mover of the amendment goes far enough to check this evil. If we want to remove this evil, we must go to the very root thereof. The resolution wants that the sale of artificial ghi should be controlled by legislation and that the vendors of artificial ghi and of various preparations of this ghi should hang a signboard in bold type giving a description of the ghi sold by them. My humble submission is that this will not check the evil at all. Most of the people who buy ghi in the shops are illiterate people. They will not be able to read the board or to see whether artificial ghi is sold and whether pure ghi is sold. My objection to the resolution is that it does not go far enough to strike at the root of the evil. The amendment says that municipal committees, town committees and notified areas should be empowered to levy octroi duty or terminal tax at such prohibitive rate that its sale should become unprofitable. My humble submission in that respect is that the importation of artificial ghi should be altogether prohibited. It must be remembered that artificial ghi is not only imported into cities, but also into villages. Even the amendment does not go far enough to strike at the very root of the evil. My humble submission is that instead of accepting the resolution or the amendment we must introduce some bill to the effect that artificial ghi should not at all be imported into this province and it should be made penal to import such ghi or to manufacture the same in this province. With these words, I ask the House to reject both the resolution and the amendment.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : There are just one or two words I wish to say on this resolution. The honourable member Dr. Gopi Chand, Bhargava, spoke about the need of increasing the production of ghi. I would refer him to the diagrams which I have placed in the lobby of the House. These diagrams show the programme of the Government in increasing the milk supply of the province by providing better bulls. My complaint is that the cities are not doing anything in the matter. Take for instance, Amritsar or Lahore, large cities in themselves, they have made absolutely no attempt to get better bulls. The district boards are getting better bulls from Hissar and other places. I regret that big cities like Amritsar and Lahore have not so far taken any step whatsoever to get better class of bulls which would increase milk and ghi supply. I wish to invite the co-operation of Amritsar and Lahore municipalities in this matter. They should take up this matter and provide better class of bulls just as district boards are providing better bulls for villages. It is an established fact that if you get better bulls, you can increase the milk supply almost immediately.

The other point to which I want to invite the attention of the House is that vegetable oil has always been used for food and Banaspati ghi is nothing else than hardened vegetable oil. The only objection against Banaspati ghi is that it is imported from outside and that it is not produced in this country itself. My honourable friend who spoke just before me said that we ought to be content with crude oils in preference to Banaspati ghi. As

[Hon. Sardar Jogendra Singh.]

the honourable member Mr. Owen Roberts pointed out, there is a sub-committee of the Development Board engaged in exploring the avenue of production of Banaspati *ghi* in the province. If it is possible to produce hardened oils, that is country-made Banaspati, if I may so call it, in the Punjab itself, it will go a long way to meet the demand in the province itself. Here, again it is for the members of this House and the people outside to co-operate with the sub-committee in establishing oil refineries where oil could be hardened and Banaspati *ghi* could be produced in the province. In the meanwhile, we have to consider whether it is conducive to the health of the people to deny them cheap Banaspati *ghi* if pure natural *ghi* is not obtainable, and whether it is in the interest of the province to go on using this *ghi* for food when the pure *ghi* is not obtainable in the province itself. I may mention that it has been said that this *ghi* is deficient in one vitamin it is true, but it is also true of any other vegetable oil that we may use. But as the honourable member Dr. Gopi Chand knows, other foods have the necessary vitamins and hardened oil gives sufficient nourishment if other vegetables are added to the diet. So in coming to any decision in this matter, we have to consider whether we are not depriving the poor of the province of the use of Banaspati *ghi* by prohibiting it altogether and by not making any provision for the supply of pure *gh* either. The remedy lies, as I have already pointed out, in our taking up the matter earnestly in hand and producing hardened oil in the province itself.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan, Rural)]: Sir, Mr. Beazley when he was making a statement with regard to the steps that have so far been taken by the Government said that if Government could be convinced that the evil existed to any very great extent, then they would be in a stronger position to press upon the Government of India the necessity of introducing suitable legislation.

Mr. J. G. Beazley: May I explain, Sir? I did not say that the Punjab Government was not convinced. They are convinced that cheating goes on on a widespread scale, but they want a considerable body of actual proof to lay before the Government of India to induce them to take any action in the matter.

Rai Sahib Chaudhri Chhotu Ram: I am afraid I am not in a position to supply any facts and figures or statistics of the amount of vegetable *ghi* that is used in adulterating natural *ghi*. I come from a part of the province which is a very important *ghi* producing centre. It has always been so, it continues to be so and probably it would continue to be so even in the future. I am very intimately acquainted with the conditions in the four or five districts in the South-East Punjab, Rohtak, Gurgaon, Karnal, Hissar, and Delhi. From my experience and knowledge of these tracts, I can say that the evil is really very widespread. There is persistent complaint throughout that area that vegetable *ghi* is imported in very large quantities and is mixed with natural *ghi* and sold out as natural *ghi*. So on that point the evidence is fairly strong and it ought to enable the Punjab Government to press its point of view on the Government of India with considerable force. From the experiments that were conducted in the Public Health Department, it is obvious that the nutritive value of Banaspati *ghi* is very poor. Another thing which makes us come to the same conclusion

is that the military authorities have prohibited the use of Banaspati ghi in regiments. Of course, I do not know exactly the ground on which the military authorities interdicted the use of Banaspati ghi, but I know very strong objection was taken by soldiers serving in such regiments against the use of Banaspati ghi, and amongst other things, this may be one of the main reasons why the military authorities forbade the use or sale of Banaspati ghi to their soldiers. From the experiments that have been conducted under the auspices of the Health Department here and from the fact that the military authorities have had to interdict the use or sale of Banaspati ghi, it is apparent that the food value contained in Banaspati ghi is very meagre. So the Government is in a very strong position to suggest to the Government of India any steps that may be necessary to prevent altogether or to discourage to a very large extent the importation of Banaspati ghi. However, I am not in agreement with some of the honourable members who have made speeches before me, particularly one honourable member—I infer from his speech—has misunderstood the motives of the Government and he denied the sincerity of the Government in combating this evil. The honourable member for Lahore suggested that the Government was really evading the issue. I feel sure there is absolutely no ground for any mistrust of this kind. The Punjab Government has tried its best to ascertain the nature and extent of the evil and to ascertain what steps may be taken to counteract this evil. I am sure that they are earnest about finding remedies to remove this evil altogether or at any rate to reduce it within very narrow limits. All that the Secretary to the Transferred Departments suggested was that the object of this resolution and the amendment would be better served if they were not pressed because the resolution and the amendment as they stand tie down the Government to one particular course of action. If neither the resolution nor the amendment is passed, the Government will be in a position to explore all the possible and practicable means of remedying this evil. (A voice: It is a recommendation only.)

Yes, but it is a recommendation addressed to a Transferred Department and if the resolution is adopted, then the

4 P. M.

Minister is bound to give effect to it. (Cries of no, no.) Oh, yes; anyway that is my reading of the constitution. People may differ, but I hold that if a resolution is passed by this Council, the Minister in charge of the department is bound under the constitution to give effect to it. (Hear, hear.) Therefore, in view of the statement that has been made by the Secretary, Transferred Departments, I would suggest that neither the amendment nor the resolution should be pressed. I had a talk with the Minister and I am satisfied that he is trying his very best to remove the evil to which his attention has been drawn in this House.

Shaikh Sir Abdul Qadir (Nominated, Non-official): Sir, I am in sympathy with the object underlying the original resolution as well as the amendment; but I cannot support all the suggestions which have been made in their entirety. That means that there is a difference of opinion in the House as to the methods to be adopted to remove the evil; but there seems to be a universal agreement as to the existence of the evil. It may be said that so far as the question of any legislation to prevent the import of this stuff is concerned, even if that were considered desirable, that would be

[Shaikh Sir Abdul Qadir.]

an all-India question and for that it will have to go to the central legislature. So far as the suggestion which has been referred to by the Secretary, Transferred Departments, is concerned, that, I think, should be pressed on the attention of the Government of India by our Government without any further delay. The Secretary, Transferred Departments, told us that Government is considering, if sufficient proof is forthcoming of the fact that this adulteration of Banaspati *ghi* with the natural *ghi* is going on on a large scale, to ask the Government of India to have legislation to prevent this stuff being imported into this country without some means of distinguishing it from the ordinary *ghi*, so that if it is coloured in such a way that anybody mixing it with the ordinary *ghi* in any form may be detected, that would prevent the wholesale process of adulteration. This is a very modest remedy, but quite useful for the present and as I have already said, it must be pressed on the attention of the Government at once, because we are assured that the Punjab Government is convinced that this adulteration is going on on a fairly large scale and I really do not know what kind of proof or evidence is required for the purpose when proof is to be found in the health of the people who live in this country and who are familiar with the conditions that are prevailing in this respect. We have had testimony this afternoon from so many honourable members who say that adulteration is going on on a large scale. I myself have heard of cases of comparatively great fortunes being made in a very short time by people in the *ghi* business by means of this adulteration. There have been remarkable instances of such fortunes almost in every large town in the Punjab. Several such cases have come to my notice and I am sure that similar cases would have come to the notice of many honourable members of this House. If Government is anxious to find any definite statistics on this point, all that it has to do is to ask the various municipalities to supply information about their local areas and various leading citizens in large towns to supply them information and I am sure that in no time they will be in possession of some definite information on that point. But I should not, if I were in their position, wait unnecessarily for the collection of that information before moving the Government of India. We should approach the Government and also start collecting the information at the same time. This modest step that has been thought of by the Government and which has been indicated by the Secretary, Transferred Departments, should be taken at once.

Then we come to another step which has been suggested in the original motion that in some way it should be made clear to the public which goes to purchase the *ghi* that what they are purchasing is the stuff for which they have paid. They can know whether they are purchasing the pure *ghi* or the adulterated *ghi*. This is a very modest demand. If it requires legislation, I would submit that it might be undertaken at once. If it can be done by simply authorising the municipalities to take such measures which would ensure the result we ask for, I think that should be done without further delay. I am told that a measure of this nature has been tried in the Delhi municipality. I am told that the municipality there have ordered that anybody who sells this particular brand of *ghi*, the imported stuff, which is deficient in certain nourishing elements, should have a descriptive

mark on the tin or on the vessel in which he offers it for sale, so that anybody who is purchasing it knows, in the first place, what he is purchasing and in the second place, that he purchases it at the price which is the proper price for it and is not victimised in the way in which many people in the Punjab are being victimised to-day who pay the price of pure ghi and get only the adulterated stuff. So far as this matter of adulteration goes, I may point out that I agree with Mr. Owen Roberts in some of the observations he made, but I do not agree with that part of his speech where he was drawing a contrast between the old system of adulteration when many objectionable fats were mixed with ghi and the present system by which the Banaspati is mixed with ghi, because the difference in these two processes lies in this: that the fats which were mixed with ghi under the old system were easily recognised and they could be mixed only in very small quantities. The moment anybody tried to mix a very large quantity of those objectionable and smelling fats, that was easily detected by merely smelling a small quantity. But this Banaspati can be mixed to such a large extent, half to half or even more, without any possibility of detecting the fraud either by smell or by looking at it. The adulteration is now going on on a much larger scale than in the old system of adulteration and therefore, the real remedy would be to have a measure against this adulteration. We have been told that the Government is trying to revise the Punjab Foods Adulteration Act in such a way as to meet some of the evils that are in existence and I hope that particular care will be taken to meet this evil which has been emphasised to-day.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I listened to the speech delivered by the honourable member who spoke for the Government and he told us that this problem is engaging the special attention of the Government of India, but the arguments which he gave showed that he himself was against the resolution and showed that there was not much of sympathy. For example, he was of opinion that this Banaspati ghi was a healthy food for adults and that it would force up the price of the natural ghi if its sale is stopped. Sir, some time ago a question was put in the Council of State in regard to the ghi and the Government on the basis of the answer given by His Excellency the Commander-in-Chief to that question should have stopped the sale of the ghi throughout the length and breadth of India. This was the question: 'Is it a fact that the military authorities do not allow the supply of artificial ghi, vegetable compounds or cocogem to the Indian army? If so, will they state the reasons?'

In the 3rd paragraph of the answer to that question, it is stated:— "It is not thought desirable to deprive the Indian soldier of an article which contains substances essential to his growth and physical fitness in favour of one which does not and which would probably be much less acceptable to him than the article to which he has been accustomed from childhood." Thus this artificial ghi is not given to the soldiers.

I was reading the other day the report of a doctor in a newspaper. If I remember aright, he said that the adulteration of pure ghi with cocogem or Banaspati leads to pthisis or consumption. Now what I respectfully submit to the House is that it should give its whole-hearted support to the resolution. I also want to remove one misconception which the honourable member for Rohtak is under. These resolutions are not binding on the

[Pandit Nanak Chand.]

Government, whether transferred or reserved. These are merely expressions of the opinions of the House on certain subjects and legally and constitutionally the Government is not bound to adopt a measure proposed in any particular resolution; but the spirit of the resolution the Government may accept and adopt measures for carrying it out, if it so desires. That is the constitution as it stands to-day. It might be changed to-morrow. I do not know that; but so far as the constitution as it stands to-day is concerned, even if a resolution is passed by the House the Government may or may not accept it. It is not legally and constitutionally binding on the Ministers to act upon it. Therefore, my submission is that Chaudhri Chhotu Ram was not right in saying that the resolution is legally binding on the Ministers. The House is perfectly justified in passing this resolution and thus giving an expression of its opinion that the people of this province are not prepared to tolerate this Banaspati *ghi*. That is the spirit of the resolution and that is what it implies. Now, Sir, one argument advanced by the Secretary, Transferred Departments, was that it would force up the price of natural *ghi*. I do not know whether that would be the result, but this one fact is certain, that people who used to be fed on natural and pure *ghi* are now being fed on poison. People who used to get pure *ghi* for the price that they paid are now getting poison in return for the money they spend. It is impossible for the ordinary man or for even an expert tradesman to find out whether the *ghi* is mixed *ghi* or not. Statements are made from time to time by those people who deal in this *ghi* that it looks very nice and so on. You cannot easily distinguish it from the ordinary *ghi*. I know that the Honourable Minister for Agriculture is very fond of this vegetable *ghi*. Outside the Council Chamber also he advises people to manufacture pure Banaspati *ghi*. But the experiments made from time to time show that this adulterated *ghi* is deteriorating the health of the people who feed on it. I do not know what is meant by saying that a large number of bulls are kept in the cattle farm. But I know that as a matter of fact there was a time when this cattle farm used to have a large number of cows and bulls. Now perhaps there are larger numbers of mules in this cattle farm than these bulls and cows.

The Honourable Sir Geoffrey deMontmorency : Certainly not. There are a large number of cows.

Pandit Nanak Chand : At any rate there has been a considerable reduction in the number of bulls and cows in the cattle farm. Is this statement challenged by the Government? I see that that statement is not challenged and it serves my purpose equally. Certain figures are placed in my hands by my honourable friend, Lala Gopal Das, who has studied this subject and it is found that 40,000 maunds of pure *ghi* comes to the markets in the Punjab and only 80,000 maunds are consumed; still there is a surplus of 10,000 maunds. It may be true that most of it is mixed up with vegetable *ghi*, but I cannot say anything about the matter.

This will show, Sir, that really this is a very acute problem. The greatest sufferer from this evil is the ordinary peasant in the village who used to keep a cow or a buffalo and used to sell pure *ghi* and make his living by it. Hundreds of people make their living by that. If you introduce this artificial *ghi* and it is impossible for people to make a distinction bet-

ween the two *ghis* and one *ghi* is sold cheaper than the other you are driving this seller of pure *ghi* out of the market. The result will be that he will sell his buffaloes and cows and you take away from him the only means of livelihood. A large number of people came and said to me: What are we going to do: we go to the bazaar and we find the people are selling *ghi* there at much cheaper rate, so cheap that we cannot afford to sell ours at that rate. They did not know that this *ghi* was mixed up with artificial stuff. There were only two courses open to them, that either they should also start mixing up their *ghi* with the artificial *ghi* or close their shops and go. The first course would lead to dishonesty and that is a thing which Government and we ought to discourage. This is a very serious problem. The hardest hit is the man who lives in the village, in the cottage. There are people undoubtedly, as my friend Shaikh Abdul Qadir said just now, who have made fortunes by the sale of this artificial *ghi* or by the sale of mixed-up *ghi*. But it has harmed hundreds of sellers of pure *ghi*. The resolution should be accepted from the public health point of view and it should be accepted from the economic point of view. This artificial *ghi* benefits materially a few and injures the health of the whole province, and the sooner the thing is put a stop to the better it is.

It is indeed very good that the Punjab Government is taking a keen interest in this matter. Nobody questions the *bonâ fides* of the Punjab Government, but the resolution if passed will go to strengthen their hands and they will be able to say to the Government of India that here is a resolution which the Punjab Council has passed on which the Government of India should also act.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I am grateful to the House for the very valuable light that they have thrown on this vexed question. I have been myself studying this evil as keenly as any member of this House. If you wish to find out as to what the Indian mind feels about the effect of Banaspati *ghi* you have got to go to the streets and see the labourers who eat simple *chapatis* and *dal*, having nothing more to eat. You will find that there are many in that class in this country with whom natural *ghi* is the only stuff which gives them the necessary vitamins. If you take the *ghi* out of their *dal* or out of their *chapatis*, you will find that their food will not be as nourishing as it ought to be. If a man in the course of the day has three or four meals and has butter, milk, eggs and meat, he does not require the use of *ghi* in his food because the other things are quite sufficient to keep him going. The next question is as to whether Banaspati which is only used for cooking purposes can be used by the Indians. If Banaspati is used for roasting meat or for other rich foods, then certainly you do not require *ghi* for that purpose. But if Banaspati is used in order to replace *ghi* which is used in Indian food, in cooking *dal* or *chapatis*, then certainly Banaspati is not the proper medium for roasting or cooking your food. So far as the Indian is concerned, I feel myself that Banaspati is not a good substitute for *ghi* and we in no case say that the Banaspati is a good article for food for the average Indian. So we have come to this conclusion that as far as the Indian public is concerned, the use of Banaspati is not good for them. It has been argued that Banaspati is not directly injurious. I certainly agree that it is not injurious in the sense, for instance, as arsenic is. Arsenic is directly inju-

[Hon. Malik Firoz Khan, Noon.]

rious. On the other hand Banaspati has not that effect. It has this effect that it greatly reduces a man's vitality and the effect of that article of food in the long run is, I think, as injurious as that of any poison. Banaspati is therefore a bad substitute for *ghi* and we should do our best to control its sale. I have been trying to study this question as minutely as possible. I have thought of the question of prohibiting the import of Banaspati into this province. I am sorry to say that to prohibit the import of this article into this province was not within my power nor within the power of this Government. Then, I further went into the question of requesting municipal committees to prohibit the sale of this article within their limits, and of prohibiting its being disembarked at certain railway stations. This method again was found defective because a man who wishes to cheat the public need not necessarily detain his Banaspati consignment at a particular railway station where there is a municipal committee. For instance, in the case of Lahore he can easily detain it some ten or fifteen miles out and then bring it into Lahore by a motor lorry. So even that method could not be as effective as it was desired.

Then again it could be detained at certain small stations on the line and from there taken to villages and there mixed with real *ghi* and imported into towns and municipalities, as has been pointed out by several honourable members of the House. That method again was found to be defective and could not be used to do away with this evil.

What we have been able to do and what we intend to do in this matter, I will lay before this House. When I took office I found that people who were adulterating *ghi* could not easily be caught or tried or punished and one of the reasons for that was that we had no public analyst. I am glad to inform the House that we have during the last few months appointed public analysts in Simla and Lahore. These are the only two places where such officers were available whose services we could utilise for this purpose. We have also under contemplation the appointment of a public analyst for the whole of the province, because each district board or municipal committee cannot have a public analyst of its own for want of funds. Therefore we thought of appointing one analyst for the whole of the province, and we are doing our best to bring that about. We have also issued instructions to all the District Health Officers to collect data in order to strengthen our hands to go to the Government of India. The only effective way in which we can stop the mixing of this article is, as has already been suggested, to colour it. We have already under contemplation the issue of a letter to the Government of India on the subject. We were no doubt waiting to get some material to strengthen our hands to go to the Government of India, and to-day, I am glad to say, this House has supplied us with that material. I am thoroughly convinced of the accuracy of the statements made on the floor of this House that this evil prevails to a great extent, and am strongly of opinion that something must be done. With the support of your speeches in this House we will certainly at once proceed to address the Government of India on the subject and try to bring about some sort of legislation or executive order by which all Banaspati produced in India or imported is coloured in such a way that if it is mixed with real *ghi*, it is spotted at once.

We have also under consideration the amendment of the Adulteration of Food Act and we are hoping to suggest some measures to cope with this danger.

The honourable member who moved the amendment has made a suggestion in clause (b), namely, that suitable legislation be undertaken to the effect that adulteration of pure *ghi* with such artificial *ghi* or with the various preparations of this *ghi* for purposes of sale be made punishable. Of course if a man adulterates *ghi* he could even now be punished under the ordinary law for cheating under the Indian Penal Code, and we have supplied the public with the machinery to find out whether a certain *ghi* is adulterated or not. We have also got the standard of good *ghi* fixed. So it is easy to find out whether a sample of good *ghi* obtained from a shop is adulterated or not. Besides, we intend bringing in some sort of measure suggested in the amendment.

I may also say that the suggestion of Lala Gopal Das is a very valuable one. He suggests that something should be done to regulate the sale of Banaspati *ghi* and pure *ghi* in municipalities and other places. I have decided to issue instructions to municipalities at once informing them that they have the power to license certain shops and if the municipalities make it obligatory on people to take out a license from them for the sale of Banaspati, I think that the evil may probably be checked to a great extent. If they also make it a rule that the same man is not to sell Banaspati and *ghi* that will be a great step forward. I have decided on that step and instructions will be issued accordingly.

Now, as far as this amendment is concerned, I am afraid I cannot agree with the first part of it, because as has been pointed out by the honourable member from Shergarh, this amendment really does not go far enough. The amendment only suggests the prevention of this evil in municipalities and small towns and notified areas and so on. You cannot keep off this evil in this way, as I have already said, because Banaspati will be brought into those places through the medium of villagers and it will not be possible to stop the evil. Therefore this part of the amendment, I hope, the honourable member will not press, because it does not go far enough and will not achieve the object that we have in view.

As for the second part, I have suggested already that we intend legislating. So I trust he will not press this part of the amendment also. If this amendment is pressed, I fear it will have undesirable effect on the resolution.

As far as the resolution is concerned, I am in entire agreement with the principles underlying that resolution. The suggestion that has been made therein is very simple and we already have in contemplation some measure of the sort suggested therein. But even there the resolution does not go far enough and we may be able to find other means of carrying out the object that he has in view. It is my intention, as well as his, to keep this danger away as far as possible. I leave it to him whether he wishes to withdraw or to press the resolution to a division.

Lala Gopal Das : Sir, having heard the assurance of the Honourable Minister for Local Self-Government, I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. President : The resolution moved is—

“This Council recommends to the Governor in Council that the sale of artificial *ghi* (Banaspoti products) be controlled in the province by some suitable legislation to the effect that the vendors of such *ghi* and of various preparations of this *ghi* shall hang a signboard in bold type saying that the *ghi* or the preparations thereof are of a particular variety.”

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION EE. UTILISATION OF THE GOVERNMENT OF INDIA'S REMISSION
FOR LEVELLING DOWN LAND REVENUE.

Captain Sardar Sikandar Hayat Khan (Muhammadan Landholders)
(Urdu) : Mr. President, with your permission, I beg to move the resolution standing in my name. It reads :—

“This Council recommends to His Excellency the Governor in Council—

- (a) that a sum of Rs. 50 lakhs, out of the remission made by the Government of India, in the annual contribution from this province, be set apart annually for the next ten years for the purpose of creating a special fund with a view to levelling down the land revenue in the province, and in particular to give relief to such *barani* tracts and districts in which the prospects of providing irrigation and other facilities for development are remote ;
- (b) that the amount of this fund be invested in the mortgage and co-operative banks, by way of loans to those institutions at six per cent. per annum and the income alone from these investments be utilised in the manner indicated in the preceding clause.”

Sir, my resolution is self-contained and for this reason needs no lengthy explanation from me. I hope that the Honourable the Revenue Member and the Financial Commissioner will welcome it or at least receive it sympathetically, since it will give them an opportunity of affording relief to those districts which are suffering from certain hardships owing to excessive rate of land revenue, resulting either from the settlement operations or otherwise. Instead of upsetting the whole of the settlement, which will really be involved if the Government were to attempt at relieving the hardships of the people by some way other than that embodied in my resolution, this proposal puts in their hands an easy means of achieving that object. I shall therefore at this juncture only refer to some of the prominent features and reasons for bringing forward this resolution and will, if need be, discuss them *in extenso* after hearing the speeches of the Government members. Sir, you have so often heard the tale of woe and of the sad plight of zamindars in this province that I need not emphasise this point any further. The Government are fully conversant with the unhappy position of the rural classes and are no doubt aware of the fact that their condition is getting from bad to worse. We have frequently brought to the notice of the Government the suffering of the zamindars caused by economic pressure and their impecunious state.

Mr. C. M. King : For what reason ? I could not catch you very well.

Captain Sardar Sikandar Hayat Khan (continued in Urdu) : I mean their miserable economic and financial condition. Government knows it and those who have read that very instructive book by Mr. Darling know how thoroughly he has studied and ably dealt with the problem of the indebtedness of the poor zamindars of this province. He has supported his contentions by facts and figures. According to his estimates the total annual interest that the zamindars pay amounts to 18½ crores, as compared

with the annual land revenue demand which is only about $4\frac{1}{2}$ crores. These figures are of the date of the publication of the book, and what these figures will be to-day needs only a simple arithmetical calculation. Everybody knows how interest accumulates. A sum borrowed at 6 per cent. compound interest, doubles in twelve years. But where the interest charged is as high as 20, 30 and even 40 per cent. you can yourselves imagine to what a huge amount it must have grown to. On the one hand we have 14 crores of interest to pay and on the other hand the ever-increasing demand for land revenue. Under these conditions the day, if it has not already arrived, cannot be far off when the zamindars will be totally ruined and there will be nothing for them but to starve. But my fear is that, in some districts at least, that evil day has already dawned. In others during the next few years when the next settlement takes place the situation will be similarly precarious and does not require much imagination to predict that the peasantry of the Punjab will in the near future be a complete wreck. It is, therefore, our imperative duty that immediate steps be undertaken to ameliorate their economic condition.

My resolution is not limited by the claims of any particular district. It has in view the good of the whole of the province, and it is for the province as a whole that it asks that immediate steps be taken to afford substantially material relief to the zamindars. No doubt it gives preference to *barani* and *chahi* areas, but, then again, these *barani* tracts are not confined to any one part of the province and I have made it a point "in particular" to give the words of the resolution, "to give relief to those districts and tracts". I wish that those districts which need speedy attention should be given relief first. I represent tracts which are *barani* as well *nahri* and some of which are very hard pressed and I do not wish to exclude even those areas which in spite of being irrigated by canals deserve our help.

(The honourable mover being a representative of land-holders who pay land revenue to the extent of Rs. 500 or more, the Honourable Mian Sir Fazl-i-Husain made the following remarks.)

The Honourable Mian Sir Fazl-i-Husain : Really? Have those who pay Rs. 500 or more land revenue fallen on evil days?

Captain Sardar Sikandar Hayat Khan : Yes, Sir. It is more so with them.....(as he was addressing the Revenue Member).

Mr. President : Order, order. The honourable member should address the Chair.

Captain Sardar Sikandar Hayat Khan : Those people are worse off. If you read Darling's book you will know from the facts and figures quoted by him that those who pay Rs. 40 land revenue are worse off than those who pay Rs. 30, and those who pay Rs. 100 are still worse off than those paying Rs. 50 and so on. The credit of people paying more revenue is greater and hence they possess greater borrowing capacity and consequently some of them are worse off than petty zamindars, and they are in a tighter noose. I do not however claim special treatment for my constituents over other zamindars. They borrow much more.....

The Honourable Mian Sir Fazl-i-Husain : And you want all this money for these people.

Captain Sardar Sikandar Hayat Khan : I want this money for all those who need it the most. I want it for those who pay Rs. 500 as revenue as well as for those paying Rs. 10. We have on several occasions heard from the honourable member for Montgomery at a great length, about the unfortunate conditions prevailing in Muzaffargarh, and I will not take your time by repeating them. Perhaps the honourable member for Montgomery will have something more to say about it presently. And my honourable friend Chaudhri Chhotu Ram will no doubt have something to add about the Southern districts. I shall only deal with Attock. Though what I said about it during the last session proved only a cry in the wilderness, I will now repeat my cry in the hope that this time it will be more effective, and that steps will be taken to afford relief in cases where considerable hardship has resulted on account of fresh settlements. Rawalpindi, Attock and Jhelum are all *barani* districts and their economic condition is extremely deplorable. These districts constitute the area that supplies the majority of recruits for the armies of India and have made great sacrifices for the Empire during the great war and may be rightly described as "*Kurbangah*". The percentage of recruits supplied by the Rawalpindi district alone was greater than that of any other district in the Punjab and for the matter of that greater than any other province in India.....

Sayad Muhammad Husain : Punjab is the only province that supplies recruits.

Captain Sardar Sikandar Hayat Khan : Quite so. When I last had something to say about Attock, the Honourable the Revenue Member's attitude was sympathetic but I believe his hands were tied. Perhaps he found it difficult to unsettle a settled fact and it was impracticable to amend the reports of settlements when once they had been signed. It may have entailed changes in all that lengthy process involving the preparation of *khasras* and *khatawanis*. The whole record from top to bottom would have to be upset. That is why the Financial Commissioners, when once the report is signed, give the general reply that the best that could be done to that area has been done and nothing else is possible. They are not justified in this. The advantages of giving relief to the poor zamindars should invariably weigh more with them even if the relief may not be commensurate with the labour and inconvenience involved. My resolution suggests a very practicable solution of obviating these difficulties. The adoption of my resolution will supply us with the means whereby we can rectify injustice and wrong done to zamindars which may have been unintentional, even at this late hour, and thus relieve the affected areas. There are 4 tahsils of Attock. Two of them Talagang and Attock were assessed during the last settlement at a very high rate as these two were assessed first. The increase in the former was 33 per cent. and the latter 38 per cent. though at first it was sought to assess an increase of 54 per cent. over the previous assessment in Attock tahsil. And when I raised the issue in this House there was a huge cry outside that they will not be able to raise revenue in the other two tahsils compatible with their conditions, as any increase over 15 per cent. or 18 per cent. will exceed the limit of 33 per cent. fixed for the district, and when I represented the matter to Government they found, and I am glad that they realised the correctness of my statement, that it was not possi-

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ble to effect a similar increase in other two tahsils of Pindigheb and Fatehjang, and they had to deal out tardy and unwilling justice to those tahsils.

Now, Sir, I ask if Fatehjang and Pindigheb can only pay 15 or 10 per cent. more than the last assessment, how is it that the other tahsils of Attock and Talagang have been assessed at rates 33 per cent. more as compared with last settlement? It is for this injustice, and others of the kind that may have been done to other tracts in the province that I want a remedy, and I submit that if it is possible to undo that wrong without the help of my resolution, well and good, do it. If it is not possible or not convenient to take other measures, then take my advice and accept this resolution.

What does my proposal imply. It means that the unexpected windfall of 60 lakhs, remitted by the Government of India if invested at 6 per cent. will, in 10 years, become nearly seven crores. That means that from the annual interest on the amounts of our capital which will be about 40 lakhs we should be able to afford relief to the extent of 10 per cent. of the total revenue in the province. We can with that amount give relief throughout the province, though we shall have to direct our attention at first on *barani* tracts only which depend solely on rainfall for their harvests, the districts which Government cannot help even if they wanted to and where people cannot afford to take any steps for their own amelioration. We can, thus without spending any farthing from our revenues or reducing our income, afford relief to the zamindars to the extent of 20 per cent. or more in such areas. My resolution seeks to benefit 90 per cent. of the population of the province, though I am not against the welfare of the remaining 10 per cent. living in towns. That is why I have left the remaining 15 per cent. of the windfall to them.....

The Honourable Mian Sir Fazl-i-Husain : How does the balance come to 15 lakhs?

Captain Sardar Sikandar Hayat Khan : No I said 15 per cent. not 15 lakhs. I have therefore left more for the people living in towns, and they can ask for creation of similar funds for them and bring about reduction in stamp duties, or give relief to towns by other methods from the income of the fund.

At this stage I would like to remove one misconception. As the Financial Secretary has mentioned in his note, none of us knows what the future has in store for us, and what would be the financial position of the province some years hence. I agree with him entirely. To meet such an eventuality, we can always utilise the amount of the fund if there is a deficit. I would go even further and suggest that to avoid any risk whatsoever, Government should place in the fund, I have suggested, only the surplus, the balance which may be left over after meeting the needs of the province, instead of funding 50 lakhs proposed by me in this resolution. This course would make our financial position much more secure and we would have no difficulty in getting over the vicissitudes of a lean period. I do not suggest that since it would be earmarked for the purpose I have mentioned, it would not be available in time of need to meet extraordinary contingency which may arise in future. I do not wish to retard the development work either. Far from it. I want to accelerate it, and my submission is that we can do so without curtailing our activities and in addition to creating the

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fund I suggest. According to the note presented by the Finance Department, our ordinary receipts will be more by a crore and 5 lakhs after about next 8 years, and if we add 60 lakhs remission to this, the increase will be over one crore and 70 lakhs. Now, Sir, when we take into consideration the general tendency on the part of the Finance Department to budget the receipts less than the actuals and expenditure more than what is really possible for the Government to spend, the difference becomes all the more glaring. I know this is done to save us from, what I will call, spending mania. And even if we take this forecast of revenue and expenditure as correct, even then, I submit our past experience shows that there is always a considerable surplus at the end of the year. I suggest, nay I am prepared to accept even this saving whether it is more or less than 50 lakhs, if it is earmarked for the purpose of materialising my scheme.

The Honourable Mian Sir Fazl-i-Husain : Do you mean the surplus only ?

Captain Sardar Sikandar Hayat Khan : Yes, Sir, the surplus only whether it is 5 lakhs or less or 50 lakhs or more. From the note handed to us it appears that the money will be used in the development of roads, expansion of education and provision of hospitals, etc. This will entail an expenditure of crores of rupees. Every department had chalked out a 5 years programme for itself and education had mapped out its course for 20 years in advance. This programme was chalked out when we had no idea of this windfall. We have not been able to work up to the programmes and spend all the money originally budgetted. What to say of spending 60 lakhs more. We have not been able to open as many colleges as we wished and start as many dispensaries as we intended. We are really spending less than we budgetted. I, therefore, will be satisfied if the surplus only is set aside to meet the demands of my resolution. You can, thereby, meet even the increased demands of education. But, Sir, I submit we should not insist upon very costly buildings for primary schools. We should see that the quality of education imparted is improved. Educate the primary classes in *chhappars*. Teach them in the open air. Why spend lakhs on buildings through district boards where 12 annas are wasted and we get returns for 4 annas only, out of every rupee. Then, Sir, what is the good of an elaborate expansion of roads. The ostensible object is to supply ready means of marketing the agricultural produce of the countryside. But, Sir, there is a *Punjabi* proverb:—

بیت نہ پٹیاں روٹیاں نے سب کھلاں کھوٹیاں

which means if we have nothing to eat everything else is useless. When we have no grain to eat what can we sell. I hope you will accept my proposal at least in the form of setting aside the annual surplus for the purpose.

Now I shall discuss very briefly the second part of my resolution. I have provided for investment in co-operative societies and mortgage banks with the idea of getting the best out of the relief afforded by the preceding clause of my resolution. So far, I find that co-operative societies have not been able to achieve the object for which they were established except in one or two districts and there even their success has been due to the activities of non-agriculturists. These societies have not been run on sympathetic business lines. We should run these co-operative societies in a way that

zamindars may be able to derive the greatest benefit from them. In our villages people are poor. It is very difficult for them to buy shares. But even if they manage to pay 8 annas or so at every harvest time, even then it is difficult to get 50 or 100 men who are willing to pay. At the most only 30 or 40 can be persuaded to join. The societies do not give money readily at the time of marriage or death, when it is needed the most. A man dies and his relatives need money. In order to get money from the society, they have to go to the headquarters, while the dead body is awaiting burial, while a sahukar is always at hand and ready to help them. But even if 30 or 40 men join together the central society will only advance them Rs. 200 or so and that only to members. But what will this paltry sum avail when people are indebted to the extent of Rs. 20,000 or more in a single village. The credit societies do not afford them means to get out of the ambit of a money-lender's influence. They are only nominal. The same is the case with the mortgage banks. These mortgage banks cannot advance money without security, for no banking business is possible without that. But the security of a zamindar is his land, which under the law cannot be leased or rented for more than 20 years. While the 20 years rental of the land amounts to only Rs. 2,000 his debt often exceeds 4 or 5 thousand rupees, and no bank can advance him sufficient amount to clear his debt when it can only realise half of that, for it is not sound banking. Special steps should be taken, therefore, to remedy this defect.

I understand that co-operative societies have achieved a large measure of success in the districts of Hoshiarpur and Jullundur. But there I am told the non-agriculturist and sahukar element is 30 per cent. of the total membership and they have brought their business acumen to bear on the venture with the resultant success (Hear, hear). They know that their money is safe. It brings them $7\frac{1}{2}$ per cent. interest and the realisation of it does not require any litigation. I understand steps are being taken to encourage the entry of similar element into these societies in the North-West Punjab as well and it is possible that they may come in elsewhere too. But the success of these societies depends on more money. I know that the first Minister asked for a loan of 10 crores of rupees from the Government of India to make these societies a success. But the Government of India refused to grant that sum for some reason best known to them. It may be that the personality of the Minister had something to do with this refusal. The result is that these societies are not doing the work for which they are meant, for lack of sufficient funds.

My proposal, therefore, suggests an easy means of removing the burden of debt as well as of the revenue. By this measure I am confident that within the next 20 years their economic condition will be much better. Every sound business concern requires a reserve fund. No business undertaking can be safe without a sound and safe reserve. This 50 lakhs will serve as reserve fund to the finances of the province. Let us give this scheme a trial for at least ten years and if it proves successful we can further extend it for another period of 20 years or so when we shall find that we have by very easy means reduced the burden of taxation to practically nothing. We will thereby earn the gratitude of our future generations for our foresight and

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prudence. I, therefore, hope that you will agree to give this proposal, which is sure to result in a great benefit to the province, a fair trial. With these words, I commend my resolution to your favourable consideration.

Mr. President : The resolution moved runs :

"This Council recommends to His Excellency the Governor in Council—

- (a) that a sum of Rs. 50 lakhs, out of the remission made by the Government of India in the annual contribution from this province, be set apart annually for the next ten years for the purpose of creating a special fund with a view to levelling down the land revenue in the province, and in particular to give relief to such *barani* tracts and districts in which the prospects of providing irrigation and other facilities for development are remote ;
- (b) that the amount of this fund be invested in the mortgage and co-operative banks, by way of loans to those institutions at six per cent. per annum and the income alone from these investments be utilised in the manner indicated in the preceding clause."

The question is that that resolution be adopted.

The Honourable Sir Geoffrey deMontmorency (Finance Member) :

Sir, as the honourable mover of this resolution has referred to a good many financial matters, before the administrative head in charge of the land revenue department deals with the resolution, there are some observations as regards finance which I may be permitted to make. Of course, when you deal with important sources of income, the phrase "levelling down" without any limit as to what depths this levelling down may go gives a sort of cold feeling about the heart to a Finance Member, because there is no indication as to where this levelling down may lead to. I would venture to suggest to honourable members that the proposition put forward by the honourable mover deserves their deepest thought as to what its consequences may be. Honourable members will recollect that land revenue forms nearly a third of our ordinary revenue and that if we are to begin on some vague and indefinite process of levelling it down, we do not know to what point there may be reduction in one of the chief and more important sources of provincial revenue. There are several financial points on which I might dwell such as, for example, whether after a good deal of effort, when we have received a recurring remission of provincial contribution from the Government of India amounting to 60 lakhs we should be right to at once devote 50 lakhs a year of this sum to one purpose and one class and should not try to benefit the whole province, and every class in the province, but only to benefit certain specified portions of the province. There is also the fact that as a practical measure of relief, if relief can be justified, the interest on this sum every year if applied to this purpose would only result in an infinitesimal relief to any particular tract ; but I do not propose to dwell on these points which will doubtless occur to many honourable members. The point I really wish to make clear is that this statement of examination of financial resources and requirements, which I had the honour of laying before the members clearly shows that if you devote 50 lakhs of this recurring remission of 60 lakhs to the purpose which the honourable mover desires, there are great many other things which you cannot do. That is, you must really choose between devoting this sum to the object which the honourable mover of this resolution has just alluded and other objects connected with beneficent development for which, certainly since I have been

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in this House, I have heard members of the different parts of the House repeatedly clamouring. When we were comparing, as we compiled the statement, the new recurring receipts and the new expenditure, we saw that new expenditure on development could be financed with fairly small balances in the years 1928-29, 1929-30 and 1930-31. The balances were 8 lakhs, 17.81 lakhs or roughly 18 lakhs and 18.90 lakhs or roughly 14 lakhs. Now imagine, if on the expenditure side 50 lakhs has got to be added or 50 lakhs deducted on the income side, these small figures of balance, which are all we have got for unforeseen needs and further development, all that we have got in hand, all disappear and they all become deficits.

Please also turn to the other calculation we made. The other calculation was that of comparing the total receipts and the total disbursements expected in the next three years. Now those results were even less favourable. They showed a deficit of 40 lakhs in 1928-29, a deficit of 6 lakhs in 1929-30 and a balance of 11½ lakhs in 1930-31. Therefore, if you give away 50 lakhs for special purpose as the honourable mover desires, in the first year 1928-29, you go out to the extent of having a deficit of over 90 lakhs. Next year you go out to having a deficit of 56 lakhs and in the third year instead of having a surplus, you again have a deficit of about 39 lakhs. This makes it obvious that if we agree to what the honourable mover of this resolution says, we must cut out large portions of the schemes of development in statement A which is contained in this volume, the main expenditure on development programmes, not what we are committed to already, but fresh development programmes. You have to cut down expenditure on jail reforms. You have to cut down expenditure on the contemplated reforms of police. You will have to cut down educational programme. You have to cut down medical programme, decrease or slow down the rural dispensaries scheme and the provincialisation of tahsil hospitals. You have to cut a bit as well on public health and agriculture. You might even have to cut down the programme which is referred to in the second part of this resolution, that is the co-operative programme. Now we have got a good provision of co-operative programme both on the loans side and on the expansion side of the department. Again progress with communications would have to be heavily cut down.

I want to make it quite clear that as far as expenditure is concerned it is really a choice between certain objects on which as far as I know the honourable members of this Council have always been very keen. It is a choice between going slow over these programmes and refusing to give the present generations, into whose laps this windfall has fallen from the Government of India the immediate advantages of the money to spend on the improvement of all classes or funding that in order to benefit posterity in the matter of relief in taxation. If honourable members like to slow down the development programmes for ten years to assist the experiment of the honourable member it will be an interesting decision, but I do not want there to be any doubt of what the honourable mover's proposal really means. It means definitely shutting down programmes for which honourable members have been pressing merely in order to proceed with the honourable member's scheme.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : (Urdu) : Sir, I have listened to the speeches delivered by my honourable and gallant friend Captain Sardar Sikandar Hayat Khan and the Honourable the Member for Finance, and I have come to the conclusion, that though their points of view and mode of work may be different, their goal, however, is the same. Both of them, Sir, desire to develop the resources of the province and to ameliorate the condition of the poor. This indeed is a happy augury for the future of the province, and nobody can take exception to the development and progress of the province. But in considering the development of the province which includes good many things, *viz.*, the improving of roads, building of hospitals, providing educational facilities for the illiterate and liquidating the debts of the poor, one thing should not, however, be lost sight of. The present relative position of each district of the province should be fully taken into consideration and their development should be in proportion to their backwardness.

Sir, it is a well known fact, that people living in the central districts of the province, *e.g.*, Lahore and Amritsar, are more fortunate and advanced than their brethren inhabiting the North-Western and Southern districts of the province like Gurgaon, Campbellpur and Muzaffargarh. The former enjoy every kind of convenience and facility in possessing good metalled roads, well-equipped dispensaries and up-to-date schools and colleges. But it is a pity that such facilities do not exist for their less fortunate brethren residing in places like Muzaffargarh, Gurgaon, Campbellpur and Hissar. In view of their backwardness, I propose, Sir, that more money, attention and energy should be devoted to ameliorate the pitiable condition of the residents of these districts in general, and of Muzaffargarh in particular, about which I will have to say something here.

Sir, my information about Muzaffargarh is mainly derived from the reports of Messrs. Anderson, Calvert and my honourable friend Khan Abdullah Khan, the representative of Muzaffargarh, so that if my speech carries conviction in the heart of the Honourable Finance Member, the credit thereof should not be given to me but to the gentlemen named above. Sir, the booklet which I have got in my hand is very illuminating and instructive. This is the report submitted by Mr. Anderson to Government regarding the conditions prevailing in Muzaffargarh district. It is a memorable document and those who have read it will testify to the ability, sympathy and the noble qualities of head and heart of Mr. Anderson. It has done the same amount of good as Mr. Thorburn's book did in Lord Curzon's time. Mr. Anderson, for whom I have great respect and esteem, is one of those Englishmen, who have and are helping in the consolidation of the British Empire in India, and like Dewan Sawan Mall and Akbar, the posterity will cherish his memory. He depicts the miserable plight of the people of the district in the following words :

"The unsecured debt of Muzaffargarh is enormous and ancient. At the first regular settlement, during the eighties of the last century, Mr. O'Brien found that he could count on his fingers the farmers who were free from debt. At the second settlement, the things were no better, nor have they improved since. What the total of the debt is no one can say. but it is agreed by all, who have inquired into it, that it bears no relation to the land revenue of the debtors, the mortgaged value of their land, or indeed to their total assets."—(*vide* page 9).

On the same page, while discussing the effect of this colossal indebtedness of peasants on agriculture, he writes :—

"The debt is bad for agriculture, since though the ordinary cultivator's land is safe from his creditor, his produce is not. When a good crop is paid into the bank the "*khar*" takes it all as part payment of the interest already due, and the producer gets no more than a subsistence allowance. The farmer has thus no money to spend on improving his land, nor has he any incentive to work harder than will satisfy his creditor, since it is the latter who gets the fruit of labour."

Having discussed the effect of indebtedness of the peasants on agriculture, Mr. Anderson enumerates measures which, in his opinion, will go a long way towards ameliorating the condition of the peasants. They are as follows :—

- (i) By emigration, to reduce the pressure of land.
- (ii) By education, to make the people more adaptive and self-reliant.
- (iii) By co-operation, to provide a less onerous method of financing the land.
- (iv) By improving the water supply, to give more certain produce, and higher standard of living."

This in short, Sir, is the condition of the people of Muzaffargarh. They are immersed in poverty, a heavy load of debt is crushing them; they are ill-fed; they have no clothes to conceal their nakedness; nor a cottage to shelter them from the inclemencies of the weather.

Mr. Darling writes in his book that he visited Muzaffargarh while it was in the clutches of relapsing fever. He found the sick people very much ill-dressed and asked them to change clothes but they replied that they had no other clothes except those that they were wearing. Under these circumstances unless Government comes to their rescue immediately, their doom is sealed, and their annihilation is a foregone conclusion. If another testimony is needed of their impecuniosity and helplessness, I will quote Mr. Strickland. He writes:—

"Muzaffargarh is sick and it is useless to ask a sick man to stand on his own feet. He must be supported, fed and taught for a long time before he can be regarded as fit and independent."

Mr. President : Order, order. The honourable member should speak to the resolution *re.* the reduction of expenditure and not wander away from it.

Sayad Muhammad Husain : The reduction of taxation is concerned with this in one way.

Mr. President : Order, order : Please speak to the resolution.

Sayad Muhammad Husain : Will not Government look to the poor, whom, Sir John Maynard, quoting Manu, compared to the clouds which absorb moisture in order to pour it again in the form of life giving showers. I admit that it is a colossal task, and will involve the expenditure of large sums of money, but I will ask the Government to return to these needy people what it has taken in the form of *abiana*.

Sir, let the Government tax us if it has no money, but it should also reduce its expenditure. Any how, it must help the unhappy zamindars of the Muzaffargarh district. I am not asking too much. Rs. 50 lakhs is not a big sum. With His Excellency Sir Malcolm Hailey and the present Executive Councillors at the helm of affairs, I am sanguine that my appeal

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will not fall on deaf ears, and no amount of money will be spared to ameliorate the condition of the people of the Muzaffargarh district. With these few words, Sir, I heartily support the resolution.

Mr. C. M. King (Financial Commissioner): Sir, I rise with some hesitation, because I am not sure whether I should speak at this stage or later. The Leader of this House asked me to speak after the first member who had spoken in support of the honourable mover of this resolution. The member who has just sat down began his speech by saying that he supported both the proposer of the resolution and the Honourable the Finance Member. This is rather an impossible position, because the views of the two seem to be quite opposed. Moreover, throughout his speech I did not hear a word which could be interpreted as being either in favour of, or against, the resolution. He went on to speak on a subject which had no relation, as far as I can see, to the motion before the House. He told us a great deal about the uplift of Muzaffargarh, which has nothing to do with the motion before the House, the essence of which is that certain reductions should be made in the land revenue. As to what he said about Muzaffargarh I will not follow him through the whole of his speech. I can only say this that Government has studied Mr. Anderson's report and intends to give that report most sympathetic consideration. (Hear, hear.)

Before I deal with the honourable proposer's speech I wish to make just one remark about a matter which hurt me somewhat at the time the proposer made it. He spoke about the injustice with which his district had been treated in the matter of land revenue assessment.....

Captain Sardar Sikandar Hayat Khan : I did not mean to say, Sir...

Mr. President : Order, order.

Mr. C. M. King : I took the honourable member's expression down very carefully. He said that his district was one which had been treated with *be-insaf*. I think that will be found in the records of this House. But I am quite sure he did not realise the implication of that expression, otherwise he would not have used it. Anyone who knew the late Mr. Barry and who is aware of the great sympathy, the great patience with which he approached his task in the settlement of the district of Attock, will know and realise that to suggest that he was unjust to them or to the people is to suggest something which is quite untrue. I am quite certain that the honourable member never intended the expression to be applied in that way. There was, however, the possibility that there might be some misconception in future, and in order to prevent that misconception I have thought it necessary to allude to the matter. The misconception will be prevented by the disclaimer which I am glad the honourable mover has now made.

Now, I come to deal with the essence of the honourable mover's speech so far as it deals with the Land Revenue Department. The Honourable Member for Finance has already dealt with the speech as far as it relates to financial issue. My task is to show and to explain to this House whether it is possible or not to comply with this measure of relief which he desires. The resolution as worded and as explained by the mover in his speech is intended ostensibly to relate to the whole province, but the mover has

explained that what he really meant was that it should specially apply to those parts of the province where owing to unfortunate circumstances there was no canal irrigation and where agriculture was exceedingly precarious or at any rate not as certain as in other parts of the province where more happy conditions prevail. Now I will assume for the purpose of this argument that he does not really intend to apply any measure of relief to those districts which receive canal irrigation, or which even if they do not receive canal irrigation are yet so happily situated as regards rainfall that in nine years out of ten their harvests are assured. The districts he has in mind are the south-eastern districts of the province and the western and the north-western districts. The south-eastern districts have an extraordinarily precarious rainfall and the north-western and western districts have not much summer rainfall and in most cases are cut off from canal irrigation. I have ascertained what portion of the land revenue of the province is collected from these two areas, the south-eastern area and the north-western and the western area. The districts concerned are, in the south-east chiefly those of the Ambala Division and in the north-west those of the Rawalpindi and Multan Divisions. The total land revenue which is levied on these two areas is about 160 lakhs of rupees per annum; and if the whole of the income from the fund which the honourable member desires to establish was applied to relieving, as he calls it, or lessening, perhaps he means the land revenue in those areas, the remission would amount to just about three annas in the rupee of the land revenue now assessed in those areas. Now the question is, first, is that remission justified, and, secondly, is it necessary? Now, let us take a district in the south-east of the province which has a most precarious rainfall and practically no canals and no means of sinking wells owing to great depth of water and where in many cases the water is saline. Take the Hissar district. The Hissar district pays a land revenue of 10 lakhs of rupees, but that is spread over some 27 lakhs of acres of cultivation; so that the land revenue falls at the unusually low rate of under six annas per acre all round. Now, no one who has any knowledge of the produce which is derived from agriculture, when there is any produce at all, can suppose that six annas per acre is a burden which can be felt. It is the lowest land revenue rate in the province and it has purposely been fixed low because of the exceedingly precarious conditions in that area. Moreover not only is the land revenue rate low, but there are special rules in force in that district, as there are in other adjacent districts, under which suspension of land revenue, when there is any serious failure of rainfall, is part of the land revenue system of the district, so that if there is any likelihood at all of the land-owner or the agriculturist not being able to get from his land any return in a particular year, he is given liberal suspensions. If it happens, over a cycle of years—for more than 2 years or 3 years or sometimes more than four years—that it is impossible to collect the land revenue suspended, our rules provide for the remission of the suspended land revenue, such part of it, that is to say, as it has not been found possible to collect. If you take account of the land revenue which has been thus remitted, even this low rate of six annas per acre is further reduced and the probability is that for the Hissar district, as a whole, for a cycle of years—for the whole series of settlement—the land-owner does not pay more than 5½ annas or so per acre of the cultivated area. That, Sir, is the position in the Hissar district. Yet,

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according to the honourable the mover of the resolution, if a measure of relief is to be granted anywhere in the province it ought to be granted to the Hissar district, and therefore he would further reduce the land revenue by what it amounts to about 3 annas in the rupee and would come down to another anna, so that instead of $5\frac{1}{2}$ annas per acre which is what the land revenue payer has to pay in the Hissar district, he would reduce it to, say, $4\frac{1}{2}$ annas per acre. I challenge anyone to say that $5\frac{1}{2}$ annas is an excessive rate of land revenue or that it should be reduced to $4\frac{1}{2}$ annas.

I pass now to the other extremity of the province, the area with which the honourable mover of the resolution is chiefly concerned, namely, the Attock district. The figures as far as the Attock district is concerned, are below what they ought to be because they are not the figures of the latest settlement. The actual figures are $7\frac{1}{2}$ lakhs for the whole district and the cultivated area in that district is very nearly 11 lakhs of acres. Therefore, there also the rate paid comes to something like 12 annas, an anna an acre all round. I would remark that that 12 annas an acre is reached only by including in the cultivation the whole area which is irrigated by wells where the land revenue comes to 5 or 6 rupees per acre. The normal land revenue—I hope the honourable member will correct me if I am wrong—I think the normal average revenue for the Attock district on *barani* lands is somewhere in the neighbourhood of 8 annas per acre of cultivation.

Captain Sardar Sikandar Hayat Khan : It is about 12 annas.

Mr. C. M. King : Eight annas per acre for cultivation ; that is per cultivated area, not 8 annas per matured acre. Here again if we are to follow the honourable mover's rule we shall have to give a reduction of about $1\frac{1}{2}$ annas, reducing the 8 annas to $6\frac{1}{2}$ annas. Again, I say that this reduction is quite unnecessary. If you judge the pitch of the land revenue by any of our standards, you will see that it comes to much below the standard rate prescribed for land revenue assessments. It is even below the rate used now in all our new assessments—one-third of the net assets.

Then, Sir, I was not quite able to follow the honourable mover in this method of granting relief. It was very vague, I think. He seems to think that all that you have to do is to go about the province and pick out people whose land revenue is thought to be high and grant relief in much the same way as relief is given to an importunate beggar. I do not know whether it was his real intention or not ; if so, whether it was his intention that the question whether relief should be given was to be considered year by year, or to be given once and for all. On that point, I am by no means clear as to what the meaning of the honourable mover was. From what he said, I judge that his intention is that every year the conditions of every one of the districts should be considered and that out of this income of 30 lakhs of rupees as much shall be allowed to any particular district as the authorities for the time being think that the district deserves on account of the particular conditions prevailing therein. If that is really the intention of the honourable mover of the resolution, I need not point out to this Council, how disastrous the result will be. Here you have a sum of 30 lakhs of rupees intended to be devoted year by year to the relief of land revenue payers. Who is going to be the ultimate arbiter to decide whether relief is to be given

**RESOLUTION RE UTILISATION OF THE GOVERNMENT OF INDIA'S 1855
REMISSION FOR LEVELLING DOWN LAND REVENUE.**

or not? It is impossible that the Deputy Commissioner or even the Tahsildar can keep that close supervision over the distribution of this bounty which would ensure that it should reach the proper quarters. All that can be done would be to see for the whole of a tahsil or district that the land revenue amounting to so much, say nearly a lakh of rupees, has to be remitted in that particular year, the lakh of rupees coming out of this fund. Think what that will mean. In the first place every one will want to get the benefit of that remission, whether the man owns one thousand acres of land or whether he owns 20 or 30 acres of land, it matters little; he will claim his relief in exactly the same way. Is that really the intention of the honourable mover of the resolution? Does he really think that the master, the lord of many acres is to receive relief in the same way as the humble man who follows the plough and who gets what living he can out of 30 or 40 acres of *barani* lands? If that is not his intention, then who is to decide? Who is to be the judge as to when a person is entitled to relief and when a person is not entitled to relief? Does not that itself open the road, open the way to vistas of corruption? Does he really wish to introduce that state of affairs into his own district? Does he really wish to give such a handle to subordinate officials? I can hardly believe he does. If it is not intended by the honourable mover of the resolution that relief should be given in this way, then there is only one other way in which it is possible to give this relief. That way is by making a permanent reduction in the land revenue of the district which it is intended to relieve. That is to say, supposing a lakh of rupees is allotted to Attock district we would have one lakh of rupees cut off from the land revenue of that district every year, for the next 30 or 40 years. That is the only possible way in which his proposed method of relief can be applied without causing the very greatest danger of malversation on the part of subordinate officials. If we do that, if we decide to reduce the land revenue of the district, that is Attock, it practically means this: that we shall have to have a new land revenue settlement. You cannot distribute the assessment—you cannot *bachk* the *jama* over a large district and involving such large amounts.....

Captain Sardar Sikandar Hayat Khan: Is there no time limit to speeches in this Council?

Mr. President: The honourable member may proceed with his speech.

Mr. C. M. King: I was saying, Sir, that I was a little doubtful whether the honourable member intended that there should at once be a new settlement of the Attock district. I am quite sure that he would not want such a thing, and yet without a new assessment I do not see how it is possible for us to distribute this large amount of relief which he desires should be given. There is one other point I can make. The honourable mover of the resolution has talked about the uselessness of roads. I think he said why have schools, why have roads, why have any of these other methods of improvement. I will deal only with the question of roads. Does the honourable mover of the resolution realise what the effect is on a zamindar of having a good road, a good metalled road from his home, or from near his home to the closest market? Does he realise the great lessening in the cost of carriage which results when you substitute bullock-cart-borne-traffic

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for a camel-traffic and if he does not realise it, may I point out to this House what the actual result is? If you reduce the cost of carriage for the average distance to a market by only half an anna per maund (this is a very low rate of reduction when compared with what you, in many cases actually will get)—if you assume that the produce is 8 maunds an acre, then your reduction in the cost of carriage amounts to four annas per acre—four annas per acre on the cropped area or three annas per acre on the cultivated area. In other words the result will be that you will give the zamindar ex-

6 P. M.

actly the same relief which the honourable member suggests should be given in the form of direct remission of taxation, namely, three annas per acre. I do not know whether that point was fully realised. I have just got one word to say and I shall finish. The mover of this resolution has said that he wants to relieve these dry areas where there is no canal irrigation. I do not know whether he realises the extent to which the policy of keeping the land revenue on *barani* and *chahi* lands has been followed lately. (Hear, hear.) I will, therefore, just tell this House that in 5 or 6 settlements that I have had to deal with lately, I have deliberately reduced, with the full consent of Government, the well rates and the *lavan* rates on the land which does not receive canal irrigation. (Hear, hear.) That is to say, we have in a sense anticipated the honourable mover in the relief which he desires to give. We have actually in the course of our settlement operations levelled down, as he calls it, but we have levelled down according to certain rules. We are doing this levelling whenever we get a new settlement in operation and whenever levelling down is necessary and it must be remembered that we have new settlements going on from year to year according to a fixed programme. That is the position and I hope that what I have said ought well satisfy the honourable mover of this resolution that we really are not callous to the requirements of the poorer zamindars and that we are really doing for them all that we possibly can do, and that to adopt his method will not in the long run be of any benefit to the zamindar.

The Council then adjourned till 2 P.M. on Thursday, the 24th November 1927.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 24th November 1927.

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

STARRED QUESTIONS AND ANSWERS.

MUHARRAM RIOTS AT MULTAN.

***821. Dr. Gopi Chand Bhargava :** Will the Honourable Member for Finance please state—

- (a) the number of Hindus and Muhammadans who were killed or injured in the recent Muharram riots at Multan ;
- (b) the number of cases that were challaned to the court and of those that were reported as untraced ; and
- (c) the results of the cases challaned in the court ?

The Honourable Sir Geoffrey deMontmorency :

	<i>Killed.</i>	<i>Injured.</i>
(a) Hindus	7	18
Muhammadans	5	6
(b) Eleven cases were registered of which five were put into court.		
(c) Of the five cases put into court, one was discharged in the committing court while the accused in the remaining four were acquitted in the sessions court.		

MUHARRAM RIOTS, MULTAN.

***822. Dr. Gopi Chand Bhargava :** Will the Honourable Member for Finance please state—

- (a) the number of Hindus and Muhammadans respectively challaned under section 188, Indian Penal Code, for disobedience of the order promulgated by the District Magistrate, Multan, under section 144, Criminal Procedure Code, after the recent Muharram riots at Multan ;
- (b) the number of those who were convicted ;
- (c) if it is a fact that practically all the police officials that reported against the accused in such cases were Muhammadans ? If not, will the Honourable Member please state in how many cases the report was made by the Muhammadan police officials ?

The Honourable Sir Geoffrey deMontmorency : Enquiries are being made and the result will be communicated to the honourable member in due course.

SOCIAL OR RELIGIOUS PROCESSION IN MULTAN.

***823. Dr. Gopi Chand Bhargava :** Will the Honourable Member for Finance please state if after the Muharram riots at Multan any instructions were issued by the Government to the local authorities for permitting or disallowing the taking of social or religious processions? If so, will he please lay a copy of such instructions on the table?

The Honourable Sir Geoffrey deMontmorency : No special instructions were issued to the local authorities at Multan.

ATTENDANCE OF MEDICAL COLLEGE STUDENTS IN PRIVATE FAMILY WARDS.

***824. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Local Self-Government please state as to whether Medical College students attend to the patients admitted into the Private Family Wards (Ramsaran Das ward and others) of the Mayo Hospital or not?

If not, are these wards of any help to medical education?

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

RAM SARAN DAS WARD, MAYO HOSPITAL.

***825. Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state the income derived by the institution from the patients admitted into the Ramsaran Das ward in the Mayo Hospital from October 1926 to September 1927, the expenses incurred by the institution for them and the authorised income derived by the physicians and surgeons of these wards during this period?

The Honourable Malik Firoz Khan, Noon : (1) The income derived from the patients treated in the Ram Saran Das Block, Mayo Hospital during the year from 1st October, 1926 to 30th September, 1927 was Rs. 20,055.

(2) The expenses incurred by the institution amounted to about Rs. 88,000.

(3) The physicians and surgeons of these wards derive no authorised income from them. The scale of fees for medical officers' attendance and the scale of fees for operations of various kinds charged to patients accommodated in the wards are contained in the rules of the Indian Private and Family Wards of which a copy is laid on the table.

MAYO HOSPITAL, LAHORE.

RAI BAHADUR RAM SARAN DASS BLOCK.

Indian Private and Family Wards.

1. The Indian Private and Family Wards are open to Indians on payment of the following charges :—

	Rs.
Private Wards	5 per diem (in).
Family Wards	10 " " "

First four rooms in the Indian Private Ward are reserved for persons whose mode of life is European, irrespective of their race or creed. The charge for them is Rs. 6-8-0.*

The charges of Rs. 5 and Rs. 10 per diem for the Indian Private and Family Wards respectively may be reduced at the discretion of the Medical Superintendent.

2. The daily charge includes the cost of diet according to the Hospital scale. When alcoholic stimulants and patent medicines and vaccines are prescribed patients must provide these at their own expense. This also applies to articles of food not included in the Hospital dietry, as well as to medical comforts such as jellies, meat, essences, biscuits, etc.

3. Stimulants must be made over to the charge of the House Surgeon, who will see that they are administered at the prescribed hours and in the prescribed quantities. Patients are not allowed to treat visitors to any form of spirituous liquors.

4. The scale of Medical Officers' attendance fee and the scale of fees of operations of various kinds charged to patients accommodated in the private rooms are as follows :—

	Rs.
<i>Operation Fees—</i>	
Persons whose income does not exceed Rs. 150 per mensem	Free.
Persons with a monthly income of Rs. 151—250 per mensem	50 maximum.
Persons with a monthly income of Rs. 251—500 per mensem	150 ..
Persons with a monthly income of Rs. 501—750	500 ..

It is left in all cases to arrangement between Medical Officer and patient what the actual fee should be.

Above Rs. 750 per mensem fees for operations will be left for private arrangements between the Medical Officer and the patients.

	Rs.
<i>Visiting Fees—</i>	
Income up to Rs. 150 per mensem	Nil.
Income from Rs. 151—250 per mensem	5 per diem.
Income from Rs. 251—500 per mensem	10 ..
Income from Rs. 501 and upwards	16 ..

These fees may be reduced at the discretion of the Medical Officer in attendance on the case.

Note.—The above scales of fees shall not apply to any person mentioned in Government of India, Home Department, Medical Notification No. 974, dated the 17th November 1920.

[Hon. Malik Firoz Khan, Noon.]

5. Patients occupying private wards within 24 hours of admission pay 10 days' fees in advance. No exception can be made to this rule and patients who fail to comply with it, will be transferred to the general wards. Fees are payable to the House Surgeon, who will furnish a receipt for the amount paid.

6. Patients on regular diets are supplied with two meals daily which will be served at hours fixed by the Medical Superintendent and no patient is allowed to have food of any kind except that ordered on the bed-head tickets. Patients' friends are earnestly requested to observe this rule strictly, as fatal results have followed its neglect.

7. One private servant is allowed to be with each patient whilst in Hospital.

8. Except in urgent cases the House Surgeon of these wards must not allot rooms to patients without sanction of the Medical Superintendent.

The admission of all urgent cases should be notified to the Medical Superintendent during office hours (10 A.M. to 4 P.M.).

INDIAN FAMILY WARDS, MAYO HOSPITAL.

*826. **Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state whether there is a proposal to throw open the Indian Family Wards in the Mayo Hospital for cases of private medical practitioners also? If so, when will it take effect?

The Honourable Malik Firoz Khan, Noon : Such a proposal was considered by Government eighteen months ago but it was not found practicable to adopt it.

FAMILY WARDS IN MAYO HOSPITAL FOR EYES, ETC., CASES.

*827. **Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state whether there are any Family Wards attached to the Mayo Hospital for eye, ear, nose and throat cases?

The Honourable Malik Firoz Khan, Noon : There are no Family Wards in the Mayo Hospital, Lahore, specially reserved for eye, ear, nose and throat cases but such cases are admitted to the Family Wards like other cases both medical and surgical.

RAI SAHIB LALA JAMNA DAS *versus* Bande Matram CASE.

*828. **Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state the amount spent by Government on the Rai Sahib Lala Jamna Das *versus* Bande Matram case?

The Honourable Sir Geoffrey de Montmorency : The attention of the honourable member is invited to the answer given to council question No. 2847 asked by Lala Mohan Lal Bhatnagar in the last Council.

EXPENDITURE ON JAIL ENQUIRY COMMISSION.

***829. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state the amount spent on the Jail Enquiry Commission ?

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is invited to the answer given to Council question No. 799 (starred).

RECRUITMENT TO JAIL DEPARTMENT.

***830. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state the number of Extra Assistant Commissioners, Tahsildars and Naib-Tahsildars who have been recruited to the Jail Department ?

The Honourable Sir Geoffrey deMontmorency : Twelve Extra Assistant Commissioners as Superintendents, 8 Tahsildars as Deputy Superintendents and 5 Naib-Tahsildars as Assistant Superintendents. Included among these Tahsildars and Naib-Tahsildars there are some Head Vernacular Clerks and Sadr Kanungos.

RECRUITMENT FOR JAIL SERVICE.

***831. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state whether any Sadr Qanungos, Head Vernacular Clerks and Qanungos have been recruited to the jail service or not ?

The Honourable Sir Geoffrey deMontmorency : The answer is in the affirmative as regards the first two classes of officials.

CANDIDATES FOR POSTS OF ASSISTANT SUPERINTENDENTS OF JAILS.

***832. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state the number of graduates on the waiting list of candidates for posts of Assistant Superintendentship of jails and how many of them have received training and how many have been appointed so far ?

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is invited to the answer given to question No. 801 starred. No graduates have yet been appointed as Assistant Superintendents in the Jail Department. It may be observed that the majority of the graduates who have applied have applied for the post of Deputy Superintendent and not for the post of Assistant Superintendent.

¹Page 1298 ante.

²Page 1299 ante.

INCREASE IN THE NUMBER OF TRAINED GRADUATES ON THE CADRES OF
SUPERINTENDENTS, ETC. OF JAILS.

***833. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state as to whether the Government is thinking of increasing the number of trained graduates on the cadre of Superintendents, Assistant Superintendents, Deputy Superintendents of jails or not? If so, when; if not, why not?

The Honourable Sir Geoffrey deMontmorency : Superintendents of Jails are at present being recruited only from officers of the Punjab Civil Service. As regards Deputy and Assistant Superintendents the attention of the honourable member is invited to the answer given to Council question No. 800 started.

PROGRESS OF JAIL REFORMS.

***834. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state the progress made by the Government in introducing reforms in the jails according to the recommendations of the Jail Enquiry Commission since March last?

The Honourable Sir Geoffrey deMontmorency : Two statements were placed before the Standing Committee of the Legislature on jails in September last showing (i) the progress made with the execution of the orders passed on the Punjab Jail Committee's report and (ii) the plans and estimates made and approved for works connected with the improvement of jails. These statements dealt with what has been done from the date of the Government resolution on the Jail Committee's report, i.e., the end of May 1926 up to the end of July 1927. If these statements will suffice for the honourable member's purpose I will supply them to him; but if he desires information only for the period from March 1927 to the end of October 1927 the requisite information will have to be collected.

PROSCRIPTION OF NEWSPAPERS.

***835. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state—

- (a) the names of the newspapers whose issues were proscribed by the Government during the last communal riots at Lahore;
- (b) the reasons for doing so;
- (c) whether it is a fact that the issue of 19th May 1927 of the *Partap* Daily was proscribed and all copies taken away by the police;
- (d) whether it is a fact that the office of the *Partap* was again searched on 24th May 1927 for the issue of 19th May 1927 and no issue was found;
- (e) the reasons for this double search for one issue?

The Honourable Sir Geoffrey deMontmorency : (a) A statement is attached.

(b) In the interests of public security.

(c) Yes.

(d) Yes.

(e) Government is not prepared to state any reasons.

Serial [No.	Name of the paper proscribed.	Date of issue.	The article on account of which proscrip- tion was ordered.
1	Zamindar ..	Issue No. 97, volume III, dated 5th May 1927.	For an article headed "Lahore men qiyamat-i-Sughra; Nehaie Mussalmanon ka qatal-i-am; Siva ji ki barsi his tareh masai gai; Tin shahid, char majruh; Sanghatan ki pahli Lahori qist; Sare shehr ki Mussalmani dukanen band; Mussalmanon ke lahu ka bhao pani se bhi sasta hai."
2	Inqilab ..	Issue No. 25, volume I, dated 5th May 1927.	For an article headed, "Lahore men Mussalmanon par Hinduon aur Sikhan ka qatlana hamla; Tin Mussalman shahid, char zakhami; Mussalmanon ke bazon men hartal; punish-able under section 153-A, Indian Penal Code.
3	Siyasat ..	Special Supplement volume No. 9, dated 9th May 1927.	For two articles headed, respectively:—(1) "Khuddam-i-Muhammad (fidaho ruhi) par aghyar ki yurash jari hai; Ek Muslim aur shahid hua, do zakhami hue, ek ki tang tori gai, sab se pahle Mussalman qaid hua; Hindu-Muslim idron ne dukanen khulwain; Mus-salman razi ho gai; Hindu hat par qaim rahe; Shehr par ala-i-parwaz uria raha; aur Hinduon ki imdadi Committee ban gai." (2) "Sanatgan College aur Khalsa School ke tulaba ki mafroza gariftari; Hindu boarding ki talashi; Khos adalton ka Hindu parwar rasayyah; Mussal-manon ka iflos; aur Muslim Imdadi Committee ka qiyam aur muzlumin se izhar-i-hamdardi."
4	Sacha Dhan-dora.	Issue No. 1, volume II, dated, 9th May 1927.	For an article headed "Lahore Shehr wick Mus-salmanon da raj; Sikh ate Hindu police de aamne kote ja rahe hain; Sikhan te Hinduon de khun dia nadian chal payyan; Hun naukar shahi nun Hindustan chhad ke lambhe ho jana chahida hai; Khalsa qaum di an shan qaim rakhne da saman a giya; Qurduware ate mandar sakht khatre wick han; Khalsa qaum nun apni rakhya karan lai hushiyar ate khabardar ho jana chahida hai; Akali dal nun jhat pat te pase dhiyan dena chahida hai."
5	Bande Matram	Issue No. 106, volume VII, dated 11th May 1927.	For an article headed "Hinduon ka wafad Mr. Oglvie ke pas; Deputy Commissioner, Lahore, ka jawab aur airaf ke police ne gundon ki fasad ke dinon men imdad ki."
6	Partap ..	Issue No. 111, volume VIII, dated 19th May 1927.	For an article headed "Bakraid par ek koror gaen zibah ki jaen; Gae men cutar koror denta hain inhen mitane ka sawab bhi hasil hoga; Ek ishkal anez Mussalman ka sharamat amez i'lan."
7	Siyasat ..	Issue No. 126, volume IX, dated 2nd June 1927.	For an article headed "Gai ke qurbani aur Hinduon ka ihtijaj; Yeh tamam ihtijaj lagha aur behda hai; Aryan ke bazurg gae ka gosht khate the."

PUNITIVE POLICE POST AT KALA KHATAI.

***836. Dr. Gopi Chand Bhargava:** Will the Honourable the Finance Member be pleased to state—

- (a) whether any punitive police was posted at Kala Khatai, tahsil Shahdara, district Sheikhpura, from the year 1922;
- (b) the period for which it was posted;
- (c) the amount spent on it;
- (d) the amount realised from the public living in the village;
- (e) whether any person, e.g., Government servants, Government pensioners and any other people were exempted from payment;
- (f) the criterion for fixing the tax;
- (g) whether all the people paid the tax, if not, what the Government proposes to do in that matter?

The Honourable Sir Geoffrey deMontmorency: The information asked for by the honourable member is not available in the office. Enquiries are being made and a reply to the question will be sent as early as possible.

BUILDING FOR THE RESIDENCE OF THE PUNITIVE POLICE,
KALA KHATAI.

***837. Dr. Gopi Chand Bhargava:** Will the Honourable the Finance Member be pleased to state—

- (a) whether any building was built for the residence of the punitive police at Kala Khatai; if so, when was it erected and what was the amount spent on it;
- (b) what amount was realised from the people for constructing the houses;
- (c) where the police people lived before the houses were erected and whether they paid any rent;
- (d) whether it is a fact that only Rs. 1,600 have been paid to the contractor so far and whether anything more is to be paid to him;
- (e) whether the building material has been sold for Rs. 120 only; and if not, for what amount;
- (f) whether the Government proposes to refund the balance of this amount to those from whom it was realised or not; and
- (g) whether any exemptions were made in the matter of realisation of this tax and if so, who were exempted?

The Honourable Sir Geoffrey deMontmorency: The information asked for by the honourable member is not available in the office. Enquiries are being made and a reply to the question will be sent as early as possible.

BEGAR.

***838. Dr. Gopi Chand Bhargava :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether *begar* is still prevalent in the villages of the Punjab or not ;
- (b) whether *begar* system is against the policy of the Government or not ;
- (c) whether the Government has received unanimous resolutions of the Valmikis of thirty villages in Lahore district urging an impartial non-official enquiry into this important question ;
- (d) whether any action has been taken so far and what the Government proposes to do to stop it in future ?

The Honourable Mian Sir Fazl-i-Husain : As pointed out in reply to a similar question No. 355, asked by Raizada Hans Raj in July last, the word *begar* has several meanings and until the honourable member defines exactly the meaning he here attributes to the word I regret I cannot provide an exact answer.

THE PREVENTION OF CRUELTY TO ANIMALS ACT.

***839. Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state (1) the districts where the Prevention of Cruelty to Animals Act has been applied ; (2) the number of Inspectors working under this Act ; and (3) the number of cases launched under this Act during the last one year ?

The Honourable Malik Firoz Khan, Noon : (1) The Prevention of Cruelty to Animals Act has been extended to all municipalities and cantonments in the Punjab and to the notified area of Chichawatni.

(2) The Act is enforced in those areas to which it has been extended by the police. In addition, the powers of a police officer under the Act have been conferred upon two sanitary inspectors employed by the municipal committee of Simla. The Local Government has no information as to the number of inspectors employed by branches of the Society for the Prevention of Cruelty to Animals.

(3) The attention of the honourable member is invited to entry No. 29 in part B of statement V appended to the Annual Report on the Administration of Criminal Justice in the Punjab during the year 1926.

LAHORE MUNICIPAL COMMITTEE.

***840. Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) when the last Lahore municipal committee was dissolved ;
- (b) when the new elections took place ;
- (c) when they were gazetted ;

[Dr. Gopi Chand Bhargava.]

- (d) when the president was elected;
- (e) when the vice-presidents were elected;
- (f) when the sub-committees were formed;
- (g) when the chairmen were elected;
- (h) whether any general meeting of the committee has been held after the publication in the *Gazette* of names of the municipal commissioners except for elections;
- (i) whether any building plans were accepted during this period;
- (j) the number of plans which were rejected owing to the fact that there was no regular committee to dispose them of;
- (k) whether any work was done and any money was spent during this period between gazetting the municipal commissioners and formation of sub-committees; if so, under what authority;
- (l) whether the Government interested itself in the election of a particular member as president of the committee?

The Honourable Malik Firoz Khan, Noon: (a) 27th August 1927.

(b) The new elections took place as under :—

Muslims	..	..	18th, 19th and 20th April 1927.
Hindus and Sikhs	..	..	26th, 27th and 28th July 1927.
Christians	..	..	13th and 14th August 1927.

(c) Muslims, Hindus and Sikhs were gazetted on the 27th August 1927; the Christian seat was notified on the 15th September 1927.

(d) 21st September 1927.

(e) 30th September 1927 and 10th October 1927.

(f) Election of members to the various sub-committees took place on the 18th October 1927 and the President made his nominations to the sub-committees on the 21st October 1927. The sub-committees were thus fully constituted on the 24th October 1927.

(g) With the exception of the Garden Sub-Committee the Chairman of the other sub-committees were elected on the 28th October 1927.

(h) Yes.

(i) No plans were sanctioned till the meeting held on the 14th November 1927, when 223 plans were dealt with and 185 sanctioned.

(j) 256 plans were provisionally rejected, out of which 223 plans were dealt with by the committees on the 14th November as stated above.

(k) Yes, for the maintenance of essential services, under the authority of the Deputy Commissioner and President.

(l) No.

DOGRA RAJPUTS.

***341. Chaudhri Ram Singh :** Will the Honourable the Minister for Local Self-Government please state the total number of Dogra Rajputs taken in the provincial medical service ever since its constitution, and the number of the same, holding posts in this service at the present time?

The Honourable Malik Firoz Khan, Noon : The information is being collected and will be communicated to the honourable member when ready.

"MAHARISHI OF THE NINETEENTH CENTURY."

***342. Chaudhri Ram Singh :** Will the Honourable the Finance Member be pleased to state—

- (a) the reasons for not proscribing the book entitled 'Maharishi of the Nineteenth Century'?
- (b) whether its circulation has not reached a stage at which the Government would consider the desirability of prosecuting its author?

The Honourable Sir Geoffrey deMontmorency : "The honourable member is referred to the answer to his question¹ No. 708."

RURAL GAMES.

***343. Sardar Sahib Sardar Fatah Singh :** (i) Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) if it is the intention of Government to encourage rural games in rural areas;
- (b) whether it is a fact that during the last financial year it was the intention of Government to make grants to district boards for this purpose?
- (ii) If so, will the Honourable Minister be pleased to lay a statement on the table showing by districts the amounts of grants it was proposed to make also showing the amounts of grants actually made?

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

(i) (b) & (ii) A copy of a letter on the subject issued by the Ministry of Education in 1925 and of its enclosures is laid on the table. It will be seen that Government announced that they would be happy to receive well-considered proposals for the creation of district and divisional organizations for the encouragement of rural sports and, when the necessary organizations had been constituted, to give such financial assistance as might be deemed suitable. Various proposals were submitted in response to this letter, and in March 1926 Commissioners were requested to report to what extent funds could be raised locally for the purposes of these organizations

[Hon. Malik Firoz Khan, Noon.]

so that Government might be in a position to determine what financial aid would be required from provincial revenues. Correspondence has been proceeding since then, but no actual decision has as yet been arrived at and no grants have as yet been made.

No. 16471 (L. S.-G.—Bds.), dated Lahore, the 11th July 1925.

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

To—All Commissioners of Divisions in the Punjab.

I AM directed by the Punjab Government (Ministry of Education) to refer to the Ministry of Education's Resolution No. 8879-S.—L. S.-G., dated 18th September 1924, on the subject of the promotion of physical culture in the Punjab, and to say that in pursuance of that Resolution a meeting was held in Simla on 22nd June last with a view to advising Government as to the form of organization required in order to secure that revival of interest in the old rural games of the province which the Ministry of Education considers so desirable. A copy of the proceedings of that meeting is enclosed, and I am to say that Government accept the recommendations made in respect of items (1), (3), (4) and (5) of the Agenda, and, as regards item (2), will be happy to receive well-considered proposals, when the necessary organizations have been constituted, and to give such financial assistance as may be deemed suitable. With regard to item (4) of the Agenda, I am, however, to invite special attention to paragraph 4 of the report of the proceedings of the committee, and to say that while tournaments may serve a useful purpose in stimulating interest in games, it is not the wish of Government that too much attention should be concentrated on them. The primary object of Government is that in every part of every district village games should come to form an essential part of the life of the people.

2. I am accordingly now to request that you will at once invite the district boards of your division to form sports sub-committees as recommended in item (1) of the Agenda of the conference. It is suggested that these sub-committees should consist of six members of the board with power to co-opt non-members. To this sub-committee should be entrusted the task of devising means to encourage the organizing of village games in all parts of the district. When such success has been achieved in this as to justify the institution of district tournaments in which ordinary village teams, as distinguished from teams of experts or professionals, can compete, the sub-committee will naturally be entrusted with the organization and management of such tournaments.

3. When these sub-committees have been constituted they should be invited to elect one representative each to serve on the Divisional Sports Board, of which you will yourself be *ex-officio* Chairman, the Divisional Inspector of Schools will be an *ex-officio* member, and in addition to the elected district representatives there will be two members nominated by yourself, of whom one should be a non-official and the other an official, preferably the Deputy Inspector-General of Police or the Assistant Director of Public Health. The functions of the Divisional Board will primarily

be advisory. It will serve as a medium through which the lessons learnt by experience in one district will become available to all, and should be in a position to direct the attention of the district sub-committees to methods which have proved successful, or to warn them against measures which have proved inefficient or harmful. To the Divisional Board will also be entrusted the management of any Divisional Tournament which the success achieved in the districts may justify, and it will probably also be called upon to provide referees and judges, free from the suspicion of local partiality, for district tournaments. Another direction in which the Divisional Board will probably be found useful will be in codifying the rules of different games with a view to ensuring that uniformity without which tournaments will be impossible.

4. When the Divisional Board has been constituted it should proceed as soon as may be to elect a representative to serve on the Punjab Sports Board. His Excellency the Governor has kindly consented to be Patron of the Provincial Board, of which the Honourable Minister for Education will be Chairman and the Honourable Minister for Agriculture, the Director of Public Instruction and the Secretary to Government, Transferred Departments, will be *ex-officio* members. In addition the Legislative Council will be invited to elect four representatives from among its non-official members, and the Ministry of Education will nominate two members. The functions of the Provincial Board in relation to the Divisional Boards will be similar to those of the Divisional Board in relation to the district sub-committees.

5. In conclusion, I am to request you to submit by the 15th September a report as to the progress made by you in starting the organizations outlined above.

Proceedings of a meeting held at Barnes Court, Simla, to consider the lines on which an organization could be established for the promotion of physical culture in the Punjab.

A MEETING was held at 10 A.M. on 22nd June 1925 at "Barnes Court," Simla, E., to consider the lines on which an organization could be established for the promotion of physical culture in the Punjab. The proceedings were opened by His Excellency the Governor in a short speech welcoming the proposals of the Ministry of Education, which were intended to add colour and give a fresh interest to rural life in the province, and to give to the inhabitants of towns an opportunity of obtaining some of the physical culture which is at the root of mental sanity.

2. On His Excellency leaving, the chair was taken by the Honourable Minister for Education. The following gentlemen were present :—

- (1) The Honourable Sardar Bahadur Sardar Sundar Singh Majithia, Revenue Member, Punjab.
- (2) The Honourable Rai Sahib Chaudhri Chhotu Ram, Minister for Agriculture, Punjab.
- (3) Sir George Anderson, Kt., C.I.E., Director of Public Instruction, Punjab.
- (4) Lala Atma Ram Sahib, M.A., I.E.S., Inspector of Schools, Ambala Division.

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- (5) Mr. J. G. Beazley, I.C.S., Secretary to Government, Punjab Transferred Departments.
- (6) The Honourable Sardar Charanjit Singh Sahib.
- (7) Mr. J. M. Dunnett, C.I.E., I.C.S., Home Secretary to Government, Punjab.
- (8) Malik Firoz Khan Sahib, Noon, M. L.C.
- (9) Mr. Ganpat Rai, Barrister-at-Law, Lahore.
- (10) Raja Ghulam Rasul Khan Sahib, Vice-Chairman, District Board, Lyallpur.
- (11) Lieutenant-Colonel C. A. Gill, I.M.S., Director of Public Health, Punjab.
- (12) Sardar Gurbakhsh Singh Sahib, M.L.C., Vice-Chairman, District Board, Ambala.
- (13) Captain Hira Singh, M.L.A.
- (14) Mr. Miles Irving, O.B.E., I.C.S., Financial Secretary to Government, Punjab.
- (15) Sardar Bahadur Sardar Jawahir Singh Sahib, C.I.E.
- (16) Nawab Muhammad Hayat Khan Sahib, Noon, Deputy Commissioner, Gujranwala.
- (17) Pandit Narain Chand Sahib, M.B.E.
- (18) Diwan Bahadur Raja Narendra Nath Sahib, M.L.C.
- (19) Mr. J. E. Parkinson, M.A., I.E.S.
- (20) Mr. K. C. Roy, C.I.E.
- (21) Sir Muhammad Shafi, K.C.S.I., C.I.E., Barrister-at-law, Lahore.
- (22) Khan Bahadur Chaudhri Shahab-ud-Din Sahib, M.L.C.
- (23) Diwan Tek Chand Sahib, O.B.E., I.C.S., Commissioner, Ambala Division.
- (24) Mr. H. P. Tollinton, C.I.E., I.C.S., Financial Commissioner (Development), Punjab.
- (25) The Honourable Colonel Nawab Malik Sir Umar Hayat Khan Tiwana, K.C.I.E., C.B.E., M.V.O. of Kalra.

8. The agenda of the meeting were then considered—

- (1) It was considered that the promotion of physical culture was a matter which district boards should take up, and that for this purpose they should be asked to appoint special sub-committees with power to co-opt members other than members of the board to such extent as they might deem fit.
- (2) It was considered that the annual cost of operations in a district should not be more than about Rs. 5,000, and that the money should be found partly by the district board, partly by public subscriptions and partly by grants from provincial revenues.

(3) It was considered that while no attempt should be made to dictate to district boards what forms of games and sport they should encourage, they should be invited to direct their attention to such games as *kabaddi*, *pitkandi*, *garka*, wrestling, *saunchi*, *khidokhundi*, running, jumping, *mugdars* and *munglis* and tug-of-war.

(4) It was considered that district and divisional tournaments and possibly eventually provincial tournaments should be instituted, and that private generosity should be looked to for the provision of cups, trophies, etc.

(5) It was considered that there should be both divisional boards and a provincial board to supplement and co-ordinate the efforts of district boards: the divisional board should consist of one non-official representative of each district elected by the district board, together with a number of nominated members with the Commissioner as Chairman: similarly, on the provincial board there should be one non-official representative of each divisional board, together with a number of members nominated by the Ministry of Education.

4. The object of the physical culture movement was to revive and stimulate interest in healthy games in the countryside for all, and not simply to institute tournaments for those who excel in them.

FINANCIAL POSITION OF DISTRICT BOARDS.

***844. Sardar Sahib Sardar Fateh Singh:** Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that during the summer of 1927 a conference of certain officers of Government was held in Simla to consider the financial position of district boards;

(b) whether any final decision was arrived at;

(c) when a pronouncement may be expected?

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

(b) The Conference recommended that an officer should be put on special duty to enquire into the resources and requirements of district boards within the next five years.

(c) No suitable officers could be spared for special duty, and the enquiry is therefore being conducted by correspondence in the Local Self-Government Department. It is hoped that the enquiry will be completed, and that Government will be in a position to review the whole matter of district board finances by the end of January.

OUTLETS FOR CANAL WATER TO DISTRICT BOARD, FERROZPORE.

***845. Sardar Sahib Sardar Fateh Singh:** Will the Honourable the Revenue Member be pleased to state—

(a) the circumstances in which the outlets which gave canal water to the District Board, Ferozepore, for purposes of repairs to

[Sardar Sahib Sardar Fateh Singh.]

the metalled road from Giddarbaha to Lambi have been stopped ; and

- (b) whether the Government intends restoring these outlets till such time as the district board makes other satisfactory arrangements for water-supply ?

The Honourable Mian Sir Fazl-i-Husain : The information is not available at headquarters and has been called for from local officers. The result is awaited and the information, when received, will be communicated to the honourable member.

ELECTION OF SARDAR AUTAR SINGH TO SMALL TOWN COMMITTEE,
TANDLIANWALA.

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

- (a) whether the Government is aware that the age of S. Autar Singh, son of Sardar Bahadur Mahtab Singh, who has been elected to the small town committee, Tandlianwala, as indicated by his form for admission to the Matriculation and School-Leaving Certificate Examination of the Punjab University was at the time of election $23\frac{1}{2}$ years, while the rules require that he should not have been less than 25 years of age ;
- (b) whether it is a fact that intimation of the above fact was given even before the election to the authorities and the authorities did not take any action in the matter ;
- (c) whether it is a fact that an application has been made to the Government for removing his name from the committee ; if so, what action has been taken thereon ?

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

(b) No objection was taken to the nomination of Sardar Autar Singh on the ground that he was less than 25 years of age, nor was any such intimation given to the Deputy Commissioner.

(c) Yes, and the local officers have been asked to submit a report.

HONORARY MAGISTRATES.

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

- (a) the number of honorary magistrates in the Karnal district ;
- (b) the number of Hindu statutory zamindars of the Karnal district among them ;

- (c) the proportion of Hindu zamindars in the population of the district;
- (d) the proportion of Hindu non-zamindars in the population thereof;
- (e) the number of Hindu honorary magistrates not belonging to the tribes of statutory agriculturists?

The Honourable Sir Geoffrey deMontmorency: (a) Fifteen.

(b), (c), (d) & (e), I am uncertain what the honourable member means by the terms 'statutory zamindar', 'zamindar' and 'statutory agriculturist.' If the honourable member means members of an agricultural tribe under section 4 of Act XIII of 1900, I will have the information collected and supply it to him.

POLICE IN THE KARNAL DISTRICT.

***848. Chaudhri Dali Chand:** Will the Honourable Member for Finance kindly state—

- (a) the number of police sub-inspectors in the Karnal district;
- (b) the number of those sub-inspectors among them who are in charge of police stations;
- (c) the number of head constables in charge of thanas;
- (d) the total number of head constables;
- (e) the number of statutory Hindu zamindars among them; and
- (f) whether the Government intends to make up the deficiency of statutory Hindu zamindars in the rank of head constables?

The Honourable Sir Geoffrey deMontmorency: The information asked for by the honourable member is not available in the office. Enquiries are being made and a reply to the question will be sent as early as possible.

QANUNGOS IN THE KARNAL DISTRICT.

***849. Chaudhri Dali Chand:** Will the Honourable Member for Revenue kindly state—

- (a) the number of Qanungos in the Karnal district,
- (b) the number of Hindus among them; and
- (c) the number of statutory zamindars among Hindu Qanungos?

The Honourable Mian Sir Fazl-i-Husain: (a) 25.

(b) 13.

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

(c) The term "Statutory zamindar" is not understood. If the honourable member means thereby, men belonging to the notified agricultural tribes in the Karnal district or in the district of their origin, information will be collected and supplied to the honourable member.

DAMAGE TO LANDS AND WELLS BY FLOODS IN THE JUMNA.

***850. Chaudhri Duli Chand :** Will the Honourable Member for Revenue kindly state (a) the area of land and the number of wells that have been washed away by the river Jumna in the Panipat and Thanesar tahsils during the years following the settlement of 1904—10; and (b) whether the Government intends to adopt measures to compensate this loss?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member when it is ready.

GRANT OF LAND IN NILI BAR TO ZAMINDARS OF CERTAIN WATER-LOGGED VILLAGES.

***851. Chaudhri Duli Chand :** Will the Honourable Member for Revenue kindly state—

- (a) the names of the villages between Rador in the Thanesar tahsil and Indri in the Karnal tahsil whose lands on either bank of the Western Jumna Canal suffers from water-logging;
- (b) whether the land of any other villages on either bank of this canal in the Karnal district suffers from water-logging; and
- (c) whether Government proposes to grant land in the Nili Bar to the zamindars of these water-logged villages?

The Honourable Mian Sir Fazl-i-Husain : The reply to this question is not ready as a report has been called for from the local officers. It will be communicated to the honourable member as soon as possible.

MORTALITY FROM FEVER IN FLOOD AFFECTED AREAS.

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

- (a) the number of deaths from fever in tracts which are annually flooded by hill streams in the Karnal district; and
- (b) the remedial steps which the Government propose to take to prevent this heavy toll?

The Honourable Malik Firoz Khan, Noon : (a) If the honourable member will kindly define the area to which he refers, steps will be taken to supply him with the figures.

(b) The Rural Sanitary Board is already taking steps to prevent flooding in the Karnal district by training and grading the Sarusti Nallah.

ODS.

***853. Chaudhri Duli Chand :** (a) Has it been brought to the notice of the Honourable Member for Finance that Ods, a nomadic tribe in the Karnal district, do great damage to the crops of the zamindars of the district and consequently riots take place between the zamindars and the Ods ?

(b) How many murders have taken place on account of such riots during the year ?

(c) What steps does Government propose to take to handle this situation in the Karnal district ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Government have no information on this point, but will make enquiries and communicate the result to the honourable member in due course.

(c) As the remedies available to complainants under the law as it exists are sufficient, Government sees no necessity for any special action. Magistrates have been instructed to deal severely with habitual offenders under section 110, Criminal Procedure Code or the appropriate sections of the Indian Penal Code and the Cattle Trespass Act.

TUBERCULOSIS.

***854. Lala Kesho Ram, Sekhri :** Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) the usual death-rate in the Punjab every year on account of tuberculosis ;

(b) what preventive measures the Government proposes to take to stamp out the disease ;

(c) whether the Government proposes to start a sanatorium in the Punjab ?

The Honourable Malik Firoz Khan, Noon : (a) The death-rate from pulmonary tuberculosis cannot be accurately stated as deaths from this disease are not usually recorded as such.

(b) and (c) The whole question is under consideration and this Government have intimated to the Government of India their willingness to participate in a Conference recommended in a Resolution passed by the Council of State to consider the measures that can be adopted to launch an anti-tuberculosis campaign.

MARTIAL LAW PRISONERS.

***855. Lala Kesho Ram, Sekhri :** Will the Honourable the Finance Member be pleased to give the particulars of Martial Law prisoners now

[Lala Kesho Ram, Sekhri.]

undergoing sentences in Andamans asked by me in my Council Question No. 187 starred on 21st March 1927 ?

The Honourable Sir Geoffrey deMontmorency : A statement is laid on the table.

List of Marital Law prisoners now undergoing sentences in the Andaman Islands.

No.	Name of the prisoner with father's name.	Term of imprisonment.	Probable date of release.	Whether the prisoner has suffered from serious illness.
1	Jahel Din, son of Sawan ..	Transportation for life.	1st January 1938	Dysentery .. Twice
2	Karam Chand, son of Futeh Chand	Ditto	13th January 1938	Ch. Malaria .. Once.
3	Raktan Chand, alias Ratto Mahasha, son of Sita Ram.	Ditto	2nd February 1938	Dysentery .. Thrice.
4	Manohar Singh, son of Lekha Singh ..	Ditto	5th January 1938	Asthma .. Twice.
5	Raja Ram, son of Ganga Ram ..	Ditto	14th January 1938	Also suffering from Hernia (Left side).
6	Jai Ram Singh, son of Abna Singh ..	Ditto	4th February 1938	Asthma .. Once.
7	Allah Din, son of Dusandi	Ditto	17th December 1937	M. T. Malaria .. Once.
8	Muhammadi, son of Aziz	Ditto	11th December 1937	Malaria .. Thrice.
9	Sadqi, son of Ibrahim ..	Ditto	13th December 1937	Typhoid fever (a) .. Once.
10	Nadir Ali Shah, son of Qaim Ali	Ditto	8th December 1937	T. B. Lungs .. Once.
11	Dina, son of Wazira ..	Ditto	15th December 1937	Ch. Malaria .. Once.
12	Sandhi, son of Husain Bakht	Ditto	18th December 1937	Malaria .. Six times.
13	Harnam Singh, son of Jiwan Singh ..	Ditto, and seven years (to run concurrently).	16th August 1934	Stricture urethra .. Thrice.
14	Sarwar, son of Muhammad Bakht ..	Transportation for life.	17th October 1937	Ch. Malaria and B.T. Six times.
				Fracture wrist .. Once.
				Ch. Malaria .. Twice.
				Dysentery .. Twice.
				Jaundice .. Once.
				Dysentery .. Twice.
				Ch. Malaria .. Four times.
				Dysentery .. Once.
				Stricture urethra .. Thrice.
				Ch. Malaria and B.T. Six times.
				Fracture wrist .. Once.
				Ch. Malaria .. Twice.
				Dysentery .. Twice.
				Malaria .. Once.

PREVENTIVE MEASURES FOR COMMUNAL RIOTS.

***856. Lala Kesho Ram, Sekhri :** Will the Honourable the Finance Member be pleased to state what preventive measures the Government intends to take to make the recurrence of communal riots impossible in the Punjab ?

The Honourable Sir Geoffrey deMontmorency : Government is taking and will continue to take all possible measures to prevent the occurrence of communal riots ; complete cessation can only be hoped for if Government action is accompanied and reinforced by widespread, active and sincere efforts of persons of influence in both communities to establish neighbourly relations and mutual good will.

FEMALE HOSPITAL, AMRITSAR.

***857. Lala Kesho Ram, Sekhri :** Will the Honourable the Minister for Local Self-Government, Punjab, be pleased to state—

(a) whether it is a fact that some 10 years ago the foundation stone was laid for the building of a Female Hospital at Amritsar by Her Excellency Lady Chelmsford, and that the building has not yet been erected ;

(b) whether it is a fact that for the last two years the scheme for building that Hospital is awaiting Government's sanction ?

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

(b) Administrative approval was not accorded in 1925 as the committee then had liabilities amounting to about rupees one lakh and it was considered that it should clear them off before it should be allowed to undertake the scheme. The question of granting administrative approval is now being re-examined.

GRAND TRUNK ROAD FROM KHALSA COLLEGE TO CANAL BRIDGE,
AMRITSAR.

***858. Lala Kesho Ram, Sekhri :** Will the Honourable the Minister for Agriculture be pleased to state—

(1) whether any tarred roads within Lahore municipal area are maintained by the Government ;

(2) whether there is any proposal to take over certain roads within the Amritsar municipal area for maintenance by Government ;

(3) whether the Public Works Department is going to tar a portion of the Grand Trunk Road from Khalsa College, Amritsar, to the Canal Bridge ; if so, when ?

The Honourable Sardar Jogendra Singh : (1) Yes.

(2) No proposal of the kind is under consideration by Government.

(3) Owing to the excessive wear on the Grand Trunk Road between Lahore and Amritsar certain miles have been tarred at the time when they were resurfaced and it is probable that the length mentioned will also be tarred when it comes to be resurfaced.

CIVIL HOSPITAL, AMRITSAR.

***859. Lala Kesho Ram, Sekhri :** Will the Honourable the Minister for Local Self-Government, Punjab, be pleased to state—

- (a) if it is a fact that the Amritsar Civil Hospital is situated in a depression ;
- (b) whether there is any drainage for the hospital ;
- (c) the action the Government proposes to take for draining the hospital water ;
- (d) whether it is proposed to remove the hospital from its existing site near the railway line, where more than 20 trains pass every day ;
- (e) the total number of beds provided in the Amritsar hospital ;
- (f) whether these are sufficient to meet the present demand and if not, the action the Government proposes to take to meet the demand ;
- (g) whether it is a fact that the Amritsar Civil Hospital never had a regular nursing staff? If so, whether Government proposes to provide the necessary staff?

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

(b) and (c) A drainage scheme was administratively approved in 1925, but it had to be revised and a decision in regard to it has been held up pending decision of the question of provincializing the hospital and possibly of moving it to some better site.

(d) The matter is under consideration.

(e) 176.

(f) No : now that the hospital has been provincialized it is hoped to extend it as soon as possible.

(g) Yes.

WATCHING THE MOVEMENTS OF CERTAIN GENTLEMEN BY THE
CRIMINAL INVESTIGATION DEPARTMENT.

***860. Sardar Partap Singh :** (a) Will the Honourable Member for Finance be pleased to state if it is a fact that Criminal Investigation Department constables have been specially posted to keep an eye on the movements of the following gentlemen :—

- (1) Bhagwan Singh, Jathedar, Canadian Shahidi Jatha, resident, Dosangh Kalan, district Jullundur.
- (2) Karam Singh, Canadian, resident Chema Khurd, district Jullundur.
- (3) Bhag Singh, Canadian, resident Uppal Bhupa, district Jullundur.
- (4) Rachpal Singh and Gulzara Singh, Canadians, resident Bandala, district Jullundur.

- (5) Jujhar Singh, resident Nussi, district Jullundur.
- (6) Chanchal Singh, Canadian, resident Jandiala, district Jullundur.
- (7) Partap Singh, Canadian, resident Mauza Kot Fatuhi, district Hoshiarpur.
- (8) Ram Singh, Judge, resident Mauza Manian, district Hoshiarpur.
- (9) Ram Singh, Johar, resident Hoshiarpur ?

(b) Has it been brought to the notice of Government that the public in general and the gentlemen mentioned above in particular are in the know that such and such a constable is keeping an eye on the movements of such and such a person, and that these constables are a source of discomfort to the gentlemen concerned ?

(c) If the answer to (b) above be in the affirmative, will the honourable member be pleased to lay on the table a list of such persons, as are being watched by Criminal Investigation Department constables giving the following details in regard to each :—

- (i) the date from which he has been under police surveillance ;
- (ii) the date upto which he will remain under police surveillance ;
- (iii) the reasons for keeping him under police surveillance ;
- (iv) if there are not sufficient reasons for keeping these people under surveillance, whether the Honourable Member for Finance will be pleased to consider the question of the withdrawal of these Criminal Investigation Department constables and if for certain reasons the Government has to watch the movements of these people, whether he proposes to adopt some better means of keeping a watch upon such persons ?

The Honourable Sir Geoffrey deMontmorency : It is not in the public interest that a reply should be given to this question.

OUTLETS ON THE MAKHDOOM RASHID DISTRIBUTARY OF THE SIDHNAI CANAL.

***861. Lala Gopal Das :** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that the size of almost all the outlets on the Makhdoom Rashid distributary of the Sidhnaï Canal have been reduced ;
- (b) whether the original size of these outlets was constructed according to the sanctioned design and *haq* of water of the people ;
- (c) whether reduction in the size of the aforesaid outlets has been carried out in order to supply water to the tail ;
- (d) whether during the 3 years, figures of which period have been considered as data of tail irrigation, the distributary in question was allowed to flow full supply ;

[Lala Gopal Das.]

- (e) whether the reduction in the size of the said outlets has been carried out on the reported figures of *abpashi* of the said lands for the preceding 3 years;
- (f) whether the irrigation department took into consideration (i) the *kharaba* allowed for failure of crops during the said period; (ii) the manner in which the zamindars used the canal water for sowing larger area and maturing it with well water: and (iii) the *abpashi* of the preceding years?

The Honourable Mian Sir Fazl-i-Husain : The information is not available at head-quarters and has been called for from the local officers. The result is awaited, and the information when received will be communicated to honourable member.

WALI MUHAMMAD, MOTI LAL AND SECUNDERABAD NULLAHS.

***862. Lala Gopal Das:** (i) Will the Honourable Member for Revenue be pleased to state the period during which the Wali Muhammad, Moti Lal and Secunderabad nullahs in the Multan district flowed—

- (a) prior to the opening of the triple canal project;
- (b) this year?

(ii) If the period of flow of these nullahs this year has been shorter than before, does Government propose to take steps to improve the heads of these nullahs?

The Honourable Mian Sir Fazl-i-Husain : The information called for is not available at headquarters and has been called for from the local officers. The information when received will be communicated to the honourable member.

LETTING ACCUSED ON BAIL.

***863. Lala Gopal Das :** (a) Will the Honourable the Finance Member please state whether it is a fact that the Superintendent of Police, Hissar, has issued a circular to all first class magistrates informing them that the magistrates, including a very senior Magistrate, are in the habit of letting accused on bail and acquitting them on flimsy grounds, and that they should refrain from doing so in future?

(b) If the answer to (a) be in the affirmative, will the Honourable the Finance Member please lay a copy of it on the table for the information of the House?

(c) Is a Superintendent of Police competent to address such a communication to Magistrates?

(d) Is it a fact that since the circular has been issued, the percentage of convictions in challan cases has gone very high and the Magistrates seldom release the accused on bail?

The Honourable Sir Geoffrey deMontmorency : Enquiries are being made and result will be communicated to the honourable member in due course.

COMPLAINTS OF CULTIVATORS ON 11-L MONTGOMERY CANAL DIVISION
AGAINST A CANAL OFFICER.

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

- (a) if it is a fact that a large number of cultivators on 11-L Montgomery Canal division recently waited on the Deputy Commissioner complaining against a certain canal officer? If so, the nature of their complaint?
- (b) if it is a fact that the Deputy Commissioner fixed some time for the inspection of their outlets, fields and crops, and inspected them along with those of Major Courtney, a Government lessee;
- (c) the result of the Deputy Commissioner's inspection;
- (d) whether the Deputy Commissioner has recommended the transfer of any canal officer;
- (e) whether it is a fact that the pipes of the said zamindars were changed during the currency, instead of at the beginning, of their crops which is opposed to Irrigation rules;
- (f) whether it is a fact that the zamindars have been complaining of this matter to the canal authorities and if so, with what effect?

The Honourable Mian Sir Fazl-i-Husain : Information regarding the subject raised in this question is being collected, and will be communicated to the honourable member when complete.

MR. SMYTHE, SUB-DIVISIONAL OFFICER.

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

- (a) if it is a fact that Mr. Smythe, Sub-Divisional Officer, Montgomery Division, has been all along a gazetted officer or promoted from the subordinate service;
- (b) if the said officer has been receiving increments in his pay regularly; if not, why;
- (c) if it is a fact that he was recently given a chance for officiating as Executive Engineer, Montgomery Division, superseding the claims of some of his seniors, for instance, Messrs. Pahva and Majid;
- (d) how long he has been in the district and when he is expected to be transferred?

The Honourable Mian Sir Fazl-i-Husain : (a) Mr. Smythe is a gazetted officer of the Punjab Engineering Service who was promoted from the old Upper Subordinate Establishment.

(b) He has received increments regularly up to the time he arrived at an efficiency bar; the passing of this efficiency bar depends on his next report.

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

(c) He recently did officiate as Executive Engineer, Montgomery Division, in a short leave vacancy. Both Messrs. Smythe and Pahwa being members of the Punjab Engineering Service have no claims to Divisional charge and Mr. Majid Ullah, having just over three years service at the time was too junior for Divisional charge—Mr. Smythe was the senior Sub-Divisional Officer of the Montgomery Division.

(d) Mr. Smythe has been in the Montgomery District since December 1924. His transfer from the Lower Bari Doab Canal Circle will depend entirely on the exigencies of the public service.

KITCHEN CANAL.

***866. Lala Bodh Raj :** (i) Will the Honourable Member for Revenue please state—

(a) whether it is a fact that at the time of the digging of the Kitchen Canal it was promised by the Government that every person digging 16,000 c. feet of earth would be granted one square of land ;

(b) if it is a fact that those Rai Sikhs who dug the canal were given some chaks on the Kitchen Canal which they gave up because those chaks could not be irrigated by canal water ;

(c) if it is a fact that such Rai Sikhs approached the authorities pressing their claims at the time of allotment of land on the Kitchen Canal and on the Lower Bari Doab Canal and their request was not acceded to ?

(ii) If so, will the Honourable Member please state why their claims have been overlooked in view of the promises held out to them ?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to this question is not yet ready. A reference has been made to the Deputy Commissioner, Montgomery, whose reply is still awaited.

ALLEGED MURDER OF MUSLIMS AT JALALPUR PIRWALA.

***867. Lala Bodh Raj :** Will the Honourable Member for Finance be pleased to state—

(a) whether it is a fact that a report was made to the police recently that the Hindus had murdered two Muslims and thrown them into a well at Jalalpur Pirwala, tahsil Shujabad, Multan district ;

(b) the result of the enquiry by the police ; and

(c) whether any action is proposed to be taken against those who made the false report to the police ?

The Honourable Sir Geoffrey deMontmorency : (a) and (b) The honourable member is referred to the press *communiqué* which was published in the Press on 26th August 1927 and of which a copy is laid on the table.

(c) Yes. A report has been called for as to particular action taken and information will be supplied to the honourable member in due course.

BODIES IN A WELL.

MISREPORTED FACTS.

A press *communiqué* says that statements have appeared in certain newspapers to the effect that two Musalmans were murdered in Jalalpur Pirwala, District Multan, on August 11, by Hindus, and that their corpses were thrown into a well. The actual facts, as ascertained by an inquiry made on the spot by the Superintendent of Police and a European Magistrate on August 19 were that certain Muhammadan labourers were engaged in cleaning a well in Mohalla Wadhawanwala; when one of them, named Nabla, who was apparently subject to epileptic fits became unconscious while actually in the water. A companion named Kala went down the well to assist Nabla, but both of them were unfortunately drowned. The accident was at once reported to the police and medical examination of the bodies made it clear that death was in both cases due to drowning. The report that the two men had been murdered and thrown into the well appears to have been spread by certain ill-disposed persons which caused considerable excitement. The report was, however, so far as has been ascertained, entirely false.

HONORARY LIEUTENANT HAJI SHER BAHADUR KHAN.

*868. **Lala Bodh Raj:** Will the Honourable the Finance Member be pleased to state—

- (a) if it is a fact that Honorary Lieutenant Haji Sher Bahadur Khan who was an Honorary Magistrate at Pind Dadan Khan has now been removed from the post of Honorary Magistrate;
- (b) if it is a fact that Government has also recommended to the Military authorities to remove his name from the rank of Lieutenantship;
- (c) the charge against him?

The Honourable Sir Geoffrey deMontmorency: Will the honourable member kindly refer to the reply given to Council Question No. 781 starred put by Chaudhri Afzal Haq on the 23rd instant?

RELEASE OF DEVI SHARAN AND GIAN CHAND.

*869. **Chaudhri Ram Singh:** Will the Honourable Member for Finance please state whether the Government intends releasing Messrs. Devi Sharan and Gian Chand who were convicted under section 153-A?

The Honourable Sir Geoffrey deMontmorency: The convicts mentioned in the question will not be released until the expiry of their sentence.

ACTION AGAINST ANJUMAN KHUDDAM-UD-DIN.

***870. Chaudhri Ram Singh :** With reference to the answer given to the starred ¹question No. 455 put on 22nd July 1927, will the Honourable Member for Finance please state if any action has been taken against the Anjuman Khuddam-ud-Din, which body passed resolutions inciting people to acts of violence and murder? If not, why not?

The Honourable Sir Geoffrey deMontmorency : No action against the Anjuman was taken, because it was not clear that the resolution as passed was actionable. The resolution was not correctly reported in some newspapers.

REGRANTING THE RIGHT OF TIRNI TO JAGIRDARS.

***871. Chaudhri Ram Singh :** (i) Will the Honourable Member for Revenue please state if it is a fact—

(a) that the *Tirni* charged on goats and sheep in the Kangra district is given to Jagirdars and "Ala Maliks" in whole and that in some places it is given to them only in part;

(b) that a number of Jagirdar residents of tahsil Nurpur enjoyed this right till recently but they have now been deprived of it?

(ii) if the answer to the above be in the affirmative will the Honourable Member state the reasons for stopping this privilege and also whether it is proposed to regrant the right to the Jagirdars?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member when it is ready.

HOUSE SURGEON, VETERINARY COLLEGE, LAHORE.

***872. Mian Ahmad Yar Khan Daultana :** (i) With reference to the answer to ²question No. 217 (starred) put on 22nd March 1927, will the Honourable the Minister for Agriculture kindly state—

(a) against which vacancy Lala Durga Dass was promoted to the Provincial Veterinary Service;

(b) whether it is a fact that in the Veterinary College, Lahore, there is a post of House Surgeon, which is in the Provincial Veterinary Service;

(c) whether it is a fact that Khan Sahib Ghulam Rasul was the House Surgeon in the Punjab Veterinary College, Lahore, at the time of his retirement in the summer of 1926;

¹Page 987 ante.

²Vol. X-A, page 637.

- (d) whether it is a fact that on the retirement of Khan Sahib Ghulam Rasul, the duties of the House Surgeon were entrusted to Chaudhri Mushtaq Ahmad, and he was carrying on those duties even on the 22nd March 1927 ;
- (e) whether it is a fact that the pay of the House Surgeon has been drawn by Lala Durga Dass ? If so, for how many months ?
- (f) whether it is also a fact that for the appointment of the House Surgeon in the Veterinary College, Lahore, Chaudhri Mushtaq Ahmad was recommended more than once, and unanimously by the Professor of Surgery, the Principal, Punjab Veterinary College, the Director of Agriculture, and the Financial Commissioner, Development, and yet Lala Durga Dass was appointed ?

(ii) If the answers to (d), (e), and (f) are in the affirmative, will the Honourable the Minister for Agriculture kindly give reasons for his actions in each case ? Will he particularly give reasons for allowing Lala Durga Dass to draw the pay of the post of the House Surgeon while Chaudhri Mushtaq Ahmad did the work of the post ?

The Honourable Sardar Jogendra Singh : (a) On the retirement of Khan Sahib Ghulam Rasul a vacancy occurred in the Provincial Service to which Lala Durga Das was promoted.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Yes. Since his promotion.

(f) Recommendations of this nature are confidential. Lala Durga Das was promoted to the Provincial Service as the most senior qualified officer, when a vacancy in the Provincial Service occurred on the retirement of Khan Sahib Ghulam Rasul.

(ii) The fact that Lala Durga Das was promoted to the Provincial Service to fill a particular post that was vacant was not considered to justify disturbing the existing arrangements for carrying on the work of the College.

AGRICULTURAL COLLEGE, LYALLPUR.

***873. Mian Ahmad Yar Khan, Daultana :** (i) (a) Will the Honourable the Minister for Agriculture be pleased to state the proportion of the statutory agriculturists among Muslims, Hindus and Sikhs in the Punjab ?

(b) With reference to question No. 451 (i) (b) (starred) put on 22nd July 1927, will he be pleased to state the number of Hindus, Sikhs and Muslims admitted to the Agricultural College, Lyallpur ?

[Mian Ahmad Yar Khan Daultana.]

(ii) Will the Honourable Minister be pleased to state with reference to his answer to question No. 451 (ii) and (iii) put on 22nd July 1927—

- (a) whether a Muslim agriculturist with over 550 marks, who applied for admission was not admitted;
- (b) the number of Hindu and Sikh candidates with lower marks than this candidate, who were admitted;
- (c) the number of non-agriculturists who have been admitted and whose marks and educational qualifications were inferior to those of some of the agriculturists who were rejected?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture whose reply has not yet been received.

S. LABH SINGH, ASSOCIATE PROFESSOR IN THE AGRICULTURAL COLLEGE, LYALLPUR.

***874. Mian Ahmad Yar Khan Daultana :** (a) With reference to the answer to question No. 222 and the supplementary question thereto put on 22nd March 1927, by Captain Sardar Sikandar Hayat Khan, will the Honourable Minister for Agriculture be pleased to state whether the appointment of Sardar Labh Singh as Associate Professor in the Punjab Agricultural College, as stated by the Honourable the Minister for Agriculture was a mere transfer from one place to another, and no promotion was involved?

(b) If so, will he please state whether Sardar Labh Singh is still in the grade of Rs. 200—250—25/550—25—750?

(c) If not, what is his present grade?

(d) What was his pay as Assistant Professor, what is his present pay, the annual increment that he receives?

(e) From which place was Sardar Labh Singh transferred and to what place was he posted?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture whose reply has not yet been received.

COMMUNAL REPRESENTATION IN AGRICULTURAL DEPARTMENT.

***875. Mian Ahmad Yar Khan, Daultana :** With reference to the answer to question No. 220 (starred) and the supplementary question thereto put on the 22nd March 1927, by Shaikh Faiz Muhammad, will the Honourable the Minister for Agriculture kindly give—

- (a) the names of the six Muhammadans appointed to the Agricultural Service in 1926;
- (b) the names of the Sikhs and Hindus appointed to the Agricultural Service in the same year;
- (c) the starting pay and scale of pay offered in each case?

¹Pages 984-85 *cont.*

²Vol. X-A, pages 640-41.

³Vol. X-A, pages 639-40.

The Honourable Sardar Jogendra Singh : The information asked for is given below :—

No.	Name with designation.	Scale of pay.	Starting pay offered.
<i>Muhammadans.</i>			
		Rs.	Rs.
(a) and (c)—			
1	Chaudhri Abdul Wahid, Extra Assistant Director of Agriculture.	200—250—25—550/25—750	200
2	Khan Bahadur Maulvi Fateh-ud-Din, Assistant Director of Agriculture.	350—1,250	His time-scale pay plus a special pay of Rs. 150.
3	Malik Amanat Khan, Extra Assistant Director of Agriculture.	200—250—25—550/25—750	200
4	M. Muhammad Hassan Khan, Assistant to Cerealists attached to Cotton Research Botanist.	200—250—25—550/25—750	425
5	Mr. Ghias-ud-din, officiating Assistant Professor of Botany.	200—250—25—550/25—750	200
6	Mr. K. A. Rahman, Assistant Professor of Entomology.	200—250—25—550/25—750	200
<i>Sikhs.</i>			
(b) and (c).			
1	Sardar Lal Singh, Fruit Specialist to Government, Punjab.	300—40	300
2	Sardar Ram Singh, Bacteriologist	300—40	300
3	Dr. Dalip Singh, 2nd Agricultural Chemist.	300—40	300
4	Sardar Harnam Singh, Assistant to Cerealists.	200—250—25—550/25—750 (temporary).	375 plus Rs. 50.
<i>Hindus.</i>			
1	Lala Hans Raj, Sani, Fodder Specialist.	200—250—25—550/25—750	200
2	Lala Lal Chand, Suri, Workshop Superintendent.	250—20—750	250

L. ARJAN DAS, PERSONAL ASSISTANT TO MINISTER FOR AGRICULTURE.

***876. Mian Ahmad Yar Khan, Daultana :** (i) With reference to the answer to ¹question No. 450 (starred) put on 22nd July 1927, will the Honourable Minister for Agriculture kindly state—

(a) if Lala Arjan Das, his personal assistant (Stenographer) was not acting as Joint Secretary of the Joint Development Board, Punjab, in July last, and whether his designation as such has not been changed to Assistant Secretary, Joint Development Board, Punjab;

(b) whether he belongs to the clerical establishment?

(ii) If the answer to the above is in the affirmative how does it reconcile with the answer to Council ¹question No. 450?

The Honourable Sardar Jogendra Singh : (a) The answer to the first part of the question is in the negative. Lala Arjan Das' designation was changed to that of Assistant Secretary in the end of June last.

(b) Yes.

(ii) If the honourable member will read the answer now given with the answer given to his ¹question No. 450 in July last he will find that there is nothing inconsistent.

AGRICULTURAL COLLEGE, LYALLPUR.

***877. Mian Ahmad Yar Khan, Daultana :** With reference to the answer to ²question No. 451 (starred) and the supplementary questions thereto put on 22nd July 1927, will ²the Honourable the Minister for Agriculture be pleased to state—

(a) on how many of the admission committees appointed to select candidates for admission to the Punjab Agricultural College, Lyallpur, from various revenue divisions, Muhammadans were represented;

(b) the number of Muslims, Hindus and Sikhs admitted by each committee respectively?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture whose reply has not yet been received.

AGRICULTURAL ENGINEER.

***878. Mian Ahmad Yar Khan, Daultana :** (a) Will the Honourable the Minister for Agriculture be pleased to state when the Agricultural Engineer was appointed?

(b) How many implements has he invented since his appointment?

(c) How many of these implements have been purchased by cultivators in the province?

¹Page 984 ante.

²Page 984 ante.

(d) Where and by whom these implements are manufactured? If by private firms, who gets the royalty for the patents?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture whose reply has not yet been received.

PROVINCIAL EDUCATIONAL SERVICE.

***879. Mian Ahmad Yar Khan, Daultana :** (a) Will the Honourable the Minister for Education be pleased to state the number of gentlemen who have been taken in the Provincial Educational Service from outside and from the department with their names and religions, since his appointment as Minister?

(b) How many of them belong to the agriculturist tribes and how many to the non-agriculturist tribes?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer given to Council questions Nos. 1961-1975.

INSPECTOR AND DEPUTY INSPECTOR OF SCHOOLS, LAHORE DIVISION.

***880. Mian Ahmad Yar Khan, Daultana :** Will the Honourable the Minister for Education be pleased to state whether the Inspector and Deputy Inspector of Schools in the Lahore Division are both non-Muslims?

The Honourable Mr. Manohar Lal : Yes.

SUPERSESSION OF MUSLIMS BY MR. DAULAT RAM, BHATIA.

***881. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that Mr. Daulat Ram, Bhatia, who has been promoted to the Provincial Educational Service has superseded many Muslims;

(b) if the answer to (a) is in the affirmative, the reasons why those Muslims were superseded?

The Honourable Mr. Manohar Lal : Dr. Daulat Ram, Bhatia, has been appointed to a vacancy in the Provincial Educational Service at the College at Ludhiana. To such college vacancies, and each college has attached to it a certain number of posts in the Provincial Educational Service, only such persons as are actually doing lecturing work in colleges or recommended as competent to do so can be appointed. It is not a matter of promotion of any person whatsoever from the Subordinate Service. The particular vacancy at Ludhiana was that of a lectureship in Zoology, for which Dr. Daulat Ram, Bhatia, possessed exceptional qualifications. Even if he had not been already in Government service these would have justified, and would in all probability have led to his appointment to the post direct in preference to any member of the Subordinate Educational Service. It cannot be said, therefore, that the appointment in question has involved the supersession of any member of the Subordinate Educational Service.

(b) Does not arise.

OVER COLLECTION OF TIRNI IN SHORKOT TAHSIL.

***882. Lala Bodh Raj :** Will the Honourable Member for Revenue please state whether it is a fact—

- (a) that in Shorkot Tahsil of Jhang District there exists a system of realizing Tirni dues through the lessees ;
- (b) that the zamindars of Kachhi complained to the authorities that the lessees have been going as a hunting party to realize the dues ;
- (c) that on behalf of the lessees the men of Talib Hussain, zaildar, went to realize the dues and they realized more than the actual dues and receipts were passed by those men for the realized dues ;
- (d) that in some cases the people from whom the dues were to be realized left their *ilaga* leaving their ladies and children who were wrongfully confined and disgraced, and in other cases cattle was seized and taken to another *ilaga* and released after the ransom money was taken by men of the hunting party ;
- (e) that it was recorded by the authorities that leases should not be given in future to Talib Hussain, zaildar, or his party ;
- (f) what action have the authorities taken against the persons at fault ?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. An answer will be sent to the honourable member when it is ready.

INSPECTION OF ILAQA KACHHI BY DISTRICT OFFICERS.

***883. Lala Bodh Raj :** Will the Chief Secretary please state when the *ilaga* of Kachhi in Jhang district was last visited (1) by the Deputy Commissioner and (2) by the Superintendent of Police ?

Mr. H. W. Emerson : The Kachhi *ilaga* was last visited by the Deputy Commissioner and Superintendent of Police in January 1927.

RECONCILIATION OF NAZIR HUSSAIN WITH TALIB HUSSAIN THROUGH SUB-INSPECTOR OF POLICE.

***884. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that the Sub-Inspector of Police brought about reconciliation between one Nazir Hussain who brought complaints against Talib Hussain, zaildar, Jhang district and Talib Hussain ; if so, at whose instance ?
- (b) whether there is a record of such reconciliation in the police diary ?

The Honourable Sir Geoffrey deMontmorency : Enquiries are being made and result will be communicated to the honourable member in due course.

COMPLAINT AGAINST TALIB HUSSAIN, ZAILDAR, GARH MAHARAJA.

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

- (a) whether it is a fact that a deputation of the Hindu Sabha, Jhang-Maghiana, made a representation to the Deputy Commissioner, Jhang, against Talib Hussain, zaildar, Garh Maharaja ;
- (b) whether it is a fact that the Deputy Commissioner asked the members of the deputation to file an affidavit and that the affidavit was filed by two Muhammadans and one Hindu ;
- (c) the names of those who were called upon by the Revenue Assistant to support the allegations ;
- (d) whether it is a fact that a list of witnesses and documents to be called was filed ;
- (e) whether the authorities have taken any further proceedings in the matter ?

The Honourable Mian Sir Fazl-i-Husain : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

LIBERTY TO OFFER PRAYERS IN BOARDING HOUSE, GOVERNMENT COLLEGE, MULTAN.

***886. Lala Bodh Raj :** Will the Honourable the Minister for Education please state whether in the Boarding House of the Government College, Multan, the Hindu and Muhammadan students have got the liberty to say their respective prayers ? If not, why ?

The Honourable Mr. Manohar Lal : Yes.

ROAD TAX IN KOT ADU.

***887. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state if it is a fact that some 812 voters of the Small Town Committee of Kot Adu in Muzaffargarh district have protested in writing against the assessment of the Road Tax ? If so, what action has been taken in the matter ?

The Honourable Malik Firoz Khan, Noon : Yes. The protest is under the consideration of the Town Committee.

DIRECT RECRUITMENT OF HEAD CONSTABLES.

***888. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

- (a) the number of persons recruited direct as head constables in the Police Department in the districts of Multan Division for the last 5 years according to districts ;
- (b) the number of Hindus and Muhammadans among them ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is not available in the office. Enquiries are being made and a reply to the question will be sent as early as possible.

GENERAL ELECTIONS, MULTAN MUNICIPAL COMMITTEE.

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

- (a) whether it is a fact that applications for general elections to Multan Municipal Committee were entertained by the Deputy Commissioner himself ;
- (b) whether it is a fact that during the time allowed by the rules for filing applications, the Deputy Commissioner, Multan, was throughout in camp outside the limits of the Municipality ;
- (c) whether such a procedure has ever been adopted before ?

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

(b) Yes.

(c) Government have no information.

JHANG DRAINAGE SYSTEM.

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

- (a) the amount sanctioned for the drainage system at Jhang-Maghiana, and the time when the estimates were prepared ;
- (b) when the work was executed and under whose supervision ;
- (c) the amount that has been spent on Maghiana works alone ;
- (d) the amount spent on the Nalla drainage and whether the Nalla drainage is serviceable ;
- (e) whether the loss on the Nalla drainage will be met by the Municipality or by the Government ;
- (f) whether the local authorities have applied to the Government for the sanction of a further grant for drainage work for Jhang City ?

The Honourable Malik Firoz Khan, Noon : (a) Rs. 2,97,688 in 1920.

(b) The work was begun in 1923 and is still in progress.

(c), (d), and (e). A report has been called for and the result will be communicated to the honourable member in due course.

(f) No.

ADMISSION TO THE NORMAL CLASSES, JHANG, COMMUNITYWISE.

***891. Lala Bodh Raj :** Will the Honourable the Minister for Education please state if any circular has been issued by the authorities fixing any percentage for the members of various communities for admission to the normal classes at Jhang ? If so, will he please lay it on the table ?

The Honourable Mr. Manohar Lal : No such circular has been issued by Government.

ADMISSION OF STUDENTS TO NORMAL CLASSES, JHANG.

***892. Lala Bodh Raj :** (a) Will the Honourable the Minister for Education please state if it is a fact that some of the candidates who were declared medically unfit were admitted to the normal classes at Jhang, and, if so, to which community did they belong?

(b) Will he also state whether any candidates who were fit all round were rejected, and, if so, to which community did they belong?

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

(b) Yes. Eleven Muslims and fifteen non-Muslims were refused admission. Limitations of accommodation prevent the admission of every applicant who is physically fit.

DISTRICT INSPECTORS OF SCHOOL, JHANG.

***893. Lala Bodh Raj :** Will the Honourable the Minister for Education please state—

(a) whether it is a fact that the District Inspector of Schools, Jhang, and all his assistants are Muhammadans;

(b) for how long the District Inspector of Schools has been at the station?

The Honourable Mr. Manohar Lal : (a) No. The District Inspector and three Assistant District Inspectors are Muslims, and one Assistant District Inspector is a Hindu.

(b) Since October 1926.

DESECRATION OF GRANTH SAHIB, JHANG.

***894. Lala Bodh Raj :** (a) Will the Honourable Member for Finance please state—

(a) whether it has come to his notice that some mischievous persons threw the Granth Sahib into a Rajwah in Jhang district and that the alleged culprits were acquitted by the law courts;

(b) whether the Government is aware that the Sikhs recently held a Diwan at Jhang and passed resolutions requesting the Government to make use of other resources to find out the real culprits in the affair?

(ii) If so, what further action the Government intend to take in the matter?

The Honourable Sir Geoffrey de Montmorency : (a) A copy of the Granth Sahib was missing from a Dharmshala in village Sheikh Chuhar on June 10th. Some leaves were found in neighbouring fields and (the binding) in a canal distributary. Three Muslims of the village were sent for trial under Section 295, Indian Penal Code, but were acquitted.

(b) Government is aware that a Diwan was held at Jhang on October 30th, 1927, at which a resolution was passed condemning the desecration of the Granth Sahib. Government had previously carefully examined the possibility of a successful appeal against the acquittal of the accused, but were advised that an appeal would be unsuccessful.

MR. GYAN SAGAR, EX-JAILOR.

*895. **Lala Bodh Raj :** (a) Will the Honourable Member for Revenue please state whether the people of Jhang can keep a sword without a licence?

(b) If the reply to (a) be in the affirmative will the honourable member please state the reasons why warrants were issued against Mr. Gian Sagar, son of Lala Jinda Ram, ex-Jailor, for keeping a sword without a licence in Jhang?

The Honourable Mian Sir Fazl-i-Husain : (a) The attention of the honourable member is invited to entry 3-A., in Schedule II of the Indian Arms Rules, 1924.

(b) A warrant was not issued against Mr. Gian Sagar on the ground that he was in possession of a sword without a licence.

UNSTARRED QUESTIONS AND ANSWERS.

NUMBER OF SUSPENSIONS, &C., BY THE CIRCLE REGISTRAR, SHAHPUR.

478. **Chaudhri Afzal Haq :** Will the Honourable the Minister for Agriculture please state the number of co-operative officers community-wise who have been suspended, degraded and deprived of promotion since the present Circle Registrar has been posted in Shahpur, Gujrat Circle?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Registrar, Co-operative Societies, Punjab.

EXPENDITURE ON NIGHT SCHOOLS.

479. **Rao Bahadur Lieutenant Rao Balbir Singh :** Will the Honourable the Minister for Education please state—

(a) the amount of money spent on the education of adults by means of night schools in Gurgaon, Rohtak and Hissar districts during the last 2 years, and the number of adults that have been given certificates of literacy;

(b) has this amount been spent through local bodies and if so, how much has been given to private institutions of this type in the form of aid?

The Honourable Mr. Manohar Lal : Enquiries are being made and a reply will be sent to the honourable member when ready.

LIQUOR SHOPS.

480. **Rana Firoz-ud-Din Khan :** Will the Honourable the Minister for Agriculture please lay on the table a statement showing—

(a) the number of licensed liquor shops of both country and foreign liquor, in the province in the years 1920 and 1927 respectively;

(b) the quantity of country and foreign liquor consumed in these years respectively and its approximate price;

(c) the income derived by Government through this source in these years ?

The Honourable Sardar Jogendra Singh :

<i>Country liquor shops.</i>		
	1919-20.	1926-27.
	666	661
<i>Foreign liquor shops.</i>		
Foreign spirit ..	95	104
Beer ..	28	24
<i>Consumption of country liquor in gallons (L. P. gallons).</i>		
	545,271	297,757 (excluding exports).
<i>Consumption of foreign liquor (excluding beer) in gallons.</i>		
	140,515	100,837
<i>Approximate price of.</i>		

Average retail price of spirit per gallon is given in columns 5 and 6 of statement D. of the Excise Reports for the years in question.

Income derived by Government (including income from beer).

Rs.	Rs.	
68,02,861	57,81,060	Country liquor.
18,27,541	13,97,804	Foreign liquor.
<u>86,29,902</u>	<u>71,28,864</u>	

TAXATION ON THE SUFFERERS OF RAWALPINDI FIRE.

481. Dr. Gokul Chand, Narang : Will the Honourable the Finance Member be pleased to state—

- whether Government contemplates giving any relief to those citizens of Rawalpindi who suffered in the conflagration of 1926 ;
- by what time the relief can be expected to reach the sufferers ;
- the means adopted or about to be adopted to secure funds for the relief ;
- whether in the proposed scheme of taxation it is intended to impose burden on the actual sufferers ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Assessments are being made ; but realizations and payments will be spread out over 4 years.

Hon. Sir Geoffrey deMontmorency.]

(c) A levy under section 15 (A) of the Police Act, V of 1861.

(d) Not if they are free from blame in respect of the occurrence which led to the injury.

CHANGE OF DESIGNATION OF DEPUTY COMMISSIONERS AND
FINANCIAL COMMISSIONERS.

482. Lala Mohan Lal : (a) Will the Chief Secretary be pleased to state whether there are any of the distinctions between a Regulation and a non-Regulation province still being maintained in the Punjab ?

(b) If not, does the Government intend to alter the designation of Deputy Commissioners to Collectors and that of Financial Commissioners to "Board of Revenue" as is the case in the Regulation Provinces ?

Mr. H. W. Emerson : (a) Yes. If the honourable member will refer to sections 30 and 34 of the Criminal Procedure Code, he will see that one important distinction between Regulation and non-Regulation provinces is that only in the latter, may Magistrates be granted enhanced powers of punishment.

(b) Does not arise.

ABOLITION OF DIVISIONAL COMMISSIONERSHIPS.

483. Lala Mohan Lal : Will the Honourable Member for Finance be pleased to state—

(a) whether it is a fact that some years ago there was a proposal to abolish the Divisional Commissionerships in the Punjab ;

(b) the outcome of that proposal ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) The Retrenchment Committee of the Legislative Council, which sat in 1922 and which included majority of non-official members, unanimously arrived at the conclusion that it was undesirable to abolish Divisional Commissionerships. It, however, recommended the reduction of the number of Commissioners from five to three. Government, on examination of this alternative proposal, came to the conclusion that the small saving which would thus be made, amounting to about Rs. 1½ lakhs *per annum*, would not compensate for the loss of efficiency and inconvenience to the public involved. The proposal was, therefore, not proceeded with.

APPOINTMENT OF PROVINCIAL CIVIL SERVICE OFFICERS TO
LISTED POSTS.

484. Lala Mohan Lal : (1) Will the Chief Secretary be pleased to lay on the table a copy of the rules governing the appointment of members of the Provincial Civil Service to listed posts ?

(2) How many listed posts are at present sanctioned on the Executive and Judicial sides respectively ?

(3) Is it a fact that the permanent incumbents of the listed posts on the Executive side, with the exception of an Indian Christian, are all Muhammadans ?

(4) If the reply to (3) is in the affirmative, does Government propose to fill the future vacancies by the appointment of qualified Hindus until the proportion of the two communities is more or less equalised ?

(5) What effect, if any, has been given to the recommendations contained (i) in the resolution passed in the Legislative Assembly on 17th February 1921, and (ii) in the resolution passed in the Punjab Legislative Council on 28th July 1921, that the number of listed posts be raised at once to 25 per cent of the Superior Civil Service posts ?

(6) If no effect has yet been given, will the Chief Secretary please state the cause of delay and also the approximate date by which a decision is likely to be arrived at ?

(7) What was the total number of Superior Civil Service posts on 1st April 1927 ?

Mr. H. W. Emerson : (1) A copy of Government of India, Home Department, Notification No. F-438-Ests., dated 30th March 1922, containing the rules on the subject is placed on the table.

(2) *Judicial.*

Executive.

7

6

(3) Three posts are held substantively by Muhammadans and one by an Indian Christian. Two posts remain vacant, promotions to which will be made shortly.

(4) No. Promotions are made by selection, due regard being paid to seniority of service ; communal representation does not enter into consideration in this matter.

(5) The matter subsequently came under the consideration of the Royal Commission on the Superior Civil Services during 1923 and the orders of the Secretary of State on the recommendation contained in paragraph 36 of their report are that within a period of 15 years from the 1st April 1924, 20 per cent. of the superior posts on the Indian Civil Service cadre in each province are to be filled by the promotion of officers of the Provincial Civil Services, or by the appointment of members from the Bar.

(6) The principles to be followed in giving effect to the orders of the Secretary of State are under the consideration of the Government of India.

(7) Eighty-one.

THE GAZETTE OF INDIA, APRIL 1, 1922.

ESTABLISHMENTS.

The 30th March 1922.

No. F-438.—In exercise of the power conferred by sub-section (2) of section 99 of the Government of India Act, and in supersession of the rules published in the Home Department, Notification No. 598-Establishments, dated the 21st June 1918, the Governor-General in Council is pleased to

[Mr. H. W. Emerson.]

prescribe the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council of India :—

1. With the previous sanction of the Governor-General in Council and of the Secretary of State in Council the Local Government may, by notification in the official Gazette, declare the number of superior executive and judicial offices, being offices ordinarily filled from amongst the members of the Indian Civil Service, to which, subject to the provisions of sub-section (1) of section 99 of the Government of India Act, persons not being members of the Indian Civil Service may be appointed.

2. Within the limit of number declared under rule 1 the Local Government may appoint—

- (i) to a superior executive office a member of the Punjab Civil Service subordinate to the Local Government,
- (ii) to a superior judicial office a member of the Punjab Civil Service subordinate to the Local Government, or a persons who at the time of the appointment is—
 - (a) a Barrister of England or Ireland or a member of the Faculty of Advocates in Scotland ; or
 - (b) a Vakil, Pleader, Advocate or Attorney of a High Court in India ; or
 - (c) a Pleader, or Advocate of a Chief Court of a Judicial Commissioner's Court ; or
 - (d) a Pleader of a District Court ; and in respect of such qualification is of not less than five years' standing.

3. Notwithstanding anything contained in rule 2, the Local Government may, within the limit of number declared under rule 1, appoint to a superior executive or judicial office any person not having the qualifications prescribed for such office by rule 2 :

Provided that the number of persons so appointed shall not amount to more than 15 per cent. of the total number of superior offices declared under rule 1.

4. The Local Government may, by notification in the local official gazette, declare the number of inferior offices, being offices required under the provisions of section 98 of the Government of India Act to be filled from amongst the members of the Indian Civil Service, to which, subject to the provisions of sub-section (1) of section 99 of the said Act, persons not being members of the Indian Civil Service may be appointed.

5. Within the limit of number declared under rule 4, the Local Government may appoint to an inferior executive office any person having the qualifications prescribed by rule 2 or appointment to a superior judicial office.

6. In addition to appointments made under the foregoing rules, whenever the exigencies of the public service so require, the Local Government may, subject to the provisions of sub-section (1) of section 99 of the Government of India Act, appoint for a period not exceeding six months, any person not being a member of the Indian Civil Service to any office ordinarily filled from amongst the members of the Indian Civil Service.

7. The Local Government may declare any person appointed under these rules to be appointed on probation only, and may prescribe the terms and conditions of such probation.

8. The Local Government may at any time suspend and remove any person whom it has appointed to any office under these rules.

**BAR TO PROVINCIAL CIVIL SERVICE OFFICERS TO HOLD
CERTAIN POSTS.**

485. Lala Mohan Lal : (1) Will the Honourable Member for Finance be pleased to state whether there is any statutory bar to a member of the Provincial Civil Service holding a listed post being appointed a—

- (i) Member of the Executive Council ;
- (ii) Judge of the High Court ;
- (iii) Financial Commissioner ;
- (iv) Commissioner
- (v) Secretary to Government ;
- (vi) Head of Department ?

(2) Is it a fact that no holder of a listed post has, hitherto, with the exception of one judge of the High Court and one Head of Department, ever been permanently appointed to any of the above mentioned posts ?

The Honourable Sir Geoffrey deMontmorency : The answer to both parts of the question is in the negative.

INDIAN CIVIL SERVICE AND PROVINCIAL CIVIL SERVICE.

486. Lala Mohan Lal : Will the Chief Secretary please state the sanctioned strength of members of the Indian Civil Service and the Provincial Civil Service, respectively, on the 1st April 1914, 1st April 1921, and 1st April 1927 ?

Mr. H. W. Emerson : A statement giving the required information is laid on the table.

*Statement showing the sanctioned strength of the Indian Civil Service
and the Provincial Civil Service.*

	1st April 1914.	1st April 1921.	1st April 1927.
Indian Civil Service	150	154	(a) 142
Provincial Civil Service	(b) 190	(c) 339	(d) 403

(a) The variation is due to changes having been introduced by the Government of India in the system of calculating recruitment to the Indian Civil Service.

(b) Includes 9 temporary appointments of Extra Assistant Commissioners.

(c) Includes 46 temporary appointments of Extra Assistant Commissioners and 90 appointments of Munsiffs. From the 1st April 1921 Munsiffs became regular members of the Punjab Civil Service.

(d) On the 1st April 1927 the executive cadre was revised and the number of Extra Assistant Commissioners fixed at 230. This increase meant the absorption of 52 temporary appointments which experience had shown should continue on a permanent basis. With the separation of the Executive and Judicial Branches in 1923, the strength of the Judicial Branch was fixed at 164.

JOINT FINANCIAL SECRETARY.

487. Lala Mohan Lal : (1) Will the Honourable Member for Finance be pleased to say if the Devolution Rules contemplate the appointment of a Joint Financial Secretary to be appointed after consultation with Ministers and especially charged with the duty of examining and dealing with financial questions arising in relation to transferred subjects ?

(2) If the reply to the above is in the affirmative will the Honourable Member for Finance be pleased to say if the question of the appointment of a Joint Financial Secretary has ever been examined and if not, whether the Government proposes to appoint such an officer in the near future ?

The Honourable Sir Geoffrey deMontmorency : (1) By Government of India notification No. F.-290-29—25, dated the 15th July 1926, the Devolution Rules were amended, and among other amendments it was provided that if the Ministers in a Governor's Province so desire, the Governor shall, after consultation with the Ministers, appoint a Financial Adviser, whose duty it shall be to assist the Ministers in the preparation of proposals for expenditure and generally to advise the Ministers in matters relating to finance.

(2) The Honourable Ministers have not up to the present desired that such a Financial Adviser should be appointed.

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

488. Lala Mohan Lal : (i) Will the Honourable Member for Finance please state (a) what action has so far been taken in connection with the proposal to separate the Judicial from the Executive functions which it is understood has been engaging attention of the Government for the past many years ;

(b) the decision, if any, in the matter ?

(ii) If no decision has yet been arrived at, will the Honourable Member for Finance please state how long it will take Government to come to a decision ?

The Honourable Sir Geoffrey deMontmorency : The steps which have been taken by Government since 1921, when a committee was appointed to investigate and make recommendations in 1921, are as follows :—

- (i) The Punjab Civil Service Judicial Branch has been completely separated from the Punjab Civil Service Executive and is now separately recruited and trained,
- (ii) Magisterial powers have been taken away from departmental officers as recommended by the committee,
- (iii) Government has added to the strength of the Punjab Civil Service with a view to secure the more rapid and efficient disposal of criminal work by Magistrates. All districts now have Magistrates, who have been relieved of Executive duties and concentrate on magisterial work. Government do not propose to take any further steps at the present time.

(b) and (ii) Do not arise.

**APPOINTMENT OF INDIANS AS SECRETARIES, &C., IN THE
SECRETARIAT.**

489. Lala Mohan Lal : Will the Chief Secretary be pleased to state (i) the strength of Secretaries, Deputy, Under and Assistant Secretaries attached to the Secretariat;

(ii) whether there is any proposal to increase the number of such appointments, and if so, by how many;

(iii) which of the appointments comprised in (i) are reserved for members of the Indian Civil Service;

(iv) which of these are held by Europeans and Indians and which by members of the Indian Civil Service and the Provincial Civil Service respectively;

(v) whether Government will please consider the desirability of appointing qualified Indians both from the Indian and Provincial Civil Services in larger numbers to these posts?

Mr. H. W. Emerson : It is assumed that the honourable member desires information regarding the Public Works Department Secretariat as well as the Civil Secretariat and that he wishes to be included in the list of Secretaries, &c., those Heads of Departments such as the Chief Engineers, the Inspector-General of Police, the Director of Public Instruction, &c., who are also Secretaries or Under-Secretaries to Government. On this assumption the replies are as follows :—

(i) Secretaries	..	10
Joint Secretaries	..	2
Deputy Secretaries	..	3, of whom 2 are also Secretaries to the Financial Commissioners.
Under-Secretaries	..	9, including the Inspector-General of Police and the Director of Public Instruction.
Assistant Secretaries	..	5
Total	..	29

(ii) It is proposed to increase the number of Under-Secretaries in the Civil Secretariat from 2 to 3.

(iii) Nine only.

(iv) Twenty-five appointments are held by Europeans, of whom 5 are of Asiatic domicile, 4 are held by Indians, 9 by members of the Indian Civil Service, 3 by members of the Provincial Civil Service and 17 by others.

(v) Government does consider and will consider the claims of Indians of the Indian Civil Service and the Provincial Civil Service for appointment to Secretariat posts for which they are eligible and qualified.

PREVENTION OF MOTOR ACCIDENTS.

490. Lala Mohan Lal : (i) Will the Honourable Revenue Member be pleased to state (i) whether Government is aware that the number of motor car accidents in the Punjab during recent times has increased considerably.

(ii) the special steps, if any, that Government has taken or contemplates taking to obviate such accidents?

The Honourable Mian Sir Fazl-i-Hussain : (i) Government is not in possession of statistics, but it is a fact that a number of serious motor accidents have recently occurred.

(ii) Steps have been taken to strengthen the controlling staffs on the Dalhousie, Dharmasala and Simla Roads regarding which many complaints have been received, and a flying squad of police has been sanctioned for the main arteries in the plains upon which the volume of motor traffic is considerable. The whole question of controlling motor traffic more closely and efficiently, especially vehicles, which ply for hire and cater for the public will shortly be examined, and it is not possible to say at present what the results will be.

INDIANISATION OF SERVICES.

491. Lala Mohan Lal : Will Chief Secretary be pleased to state: (a) how far the policy of Indianisation of superior services has progressed in the Punjab during the past five years;

(b) the total number of superior posts to which members of the Indian Civil Service are usually appointed and how many of these posts are at present held by Indians;

(c) the corresponding figures five years ago?

Mr. H. W. Emerson : The information is being collected and will be communicated to the honourable member when ready.

RECRUITMENT OF PROVINCIAL SERVICE OFFICERS TO INDIAN CIVIL SERVICE CADRE.

492. Lala Mohan Lal : (i) Will the Chief Secretary be pleased to state whether there is any proposal to recruit members of the Indian Civil Service from among Provincial Civil Service officers?

(ii) If so, when the final decision is likely to be arrived at in the matter?

Mr. H. W. Emerson : No recommendation for the recruitment of members of the Indian Civil Service from among Provincial Civil Service officers was made by the Lee Commission and no such proposal is under consideration. The question of the exact number of the Provincial Civil Service to be appointed to 'listed posts' has not yet been decided.

APPOINTMENT OF INDIANS AS SECRETARIES, ETC.

493. Lala Mohan Lal : (1) Will the Chief Secretary please state if his attention has been drawn to Government of India, Home Department, No. F. 29-23-Estbt., dated Simla, the 7th May, 1928, regarding the appointment of Indians as Secretary, Joint-Secretary or Deputy Secretary in every department of the Government of India, a copy of which was laid on the table of the Legislative Assembly on 16th July, 1928 ?

(2) If so, will he, with reference to paragraph 2 thereof, please say how many persons classified as—

- (i) members of the Indian Civil Service,
- (ii) members of the Provincial Civil Service,
- (iii) members of the Bar, and
- (iv) others,

Government has recommended during the past four years for such appointments and how many of each class were eventually appointed ?

Mr. H. W. Emerson : (1) Yes.

(2) It is contrary to practice to publish any recommendations made to the Government of India.

COMMUTATION OF PENSIONS.

494. Lala Mohan Lal : Will the Honourable the Finance Member be pleased to state—

- (1) the number of applications for commutation of pensions which were received in each of the preceding three years ;
- (2) the number of those that were accepted and of those that were rejected ;
- (3) the total amount involved in each category ?

The Honourable Sir Geoffrey deMontmorency : The information is being collected. It will be communicated to the honourable member when ready.

PENSION RULES.

495. Lala Mohan Lal : Will the Honourable the Finance Member be pleased to state when the new pension rules both for provincial and subordinate services, which are at present under revision, are likely to be available to the public ?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the answer given to a similar question No. 968 (starred) put by Sardar Habib Ullah at the last session of the Council. It is not possible to say when the new rules will be ready and available to the public.

CIVIL PENSIONERS.

496. Lala Mohan Lal : Will the Honourable the Finance Member please lay on the table a statement showing the number of civil pensioners on 1st April, 1927 classified according to the following scale :—

	Number.	Amount involved.
1. Pensioners of one year's standing and under		
2. Pensioners of over one, but less than five years' standing		
3. Pensioners of over five, but less than ten years' standing		
4. Pensioners of over ten, but less than fifteen years' standing		
5. Pensioners of over fifteen, but less than twenty years' standing		
6. Pensioners of over twenty years' standing		
Total		

The Honourable Sir Geoffrey deMontmorency : The preparation of the statement would involve employing special staff and entail an amount of trouble out of proportion to the value of the information, and Government cannot undertake to prepare it.

APPOINTMENT OF EXTRA ASSISTANT COMMISSIONERS AND SUB-JUDGES.

497. Lala Mohan Lal : Will the Chief Secretary please lay on the table a copy of the latest rules regulating the appointment of Extra Assistant Commissioners and Sub-Judges, respectively ?

Mr. H. W. Emerson : The rules relating to the appointment of Sub-Judges are laid on the table. The rules relating to the appointment of Extra Assistant Commissioners are at present under revision. When the revision is complete, they will be laid on the table.

HOME DEPARTMENT.

GAZETTE.

APPOINTMENTS, POSTINGS AND TRANSFERS.

The 16th October 1923.

No. 24019.—In exercise of the powers conferred by section 22 (2) of the Punjab Courts Act, VI of 1918, as amended by Act, IX of 1922, the

Governor in Council, after consultation with the High Court, is pleased to make the following rules as to the qualifications of persons to be appointed Subordinate Judges in the Punjab. These rules will not apply to persons who have been selected as candidates for the post of Munsif or Subordinate Judge before the publication of these rules :—

RULES.

1. Only such persons shall be eligible for appointment to the post of Subordinate Judge as shall be—

(i) Natives of India as defined in Statute 33, Victoria Chapter 3, section 6, or subjects of Indian States in India—

(a) Domiciled in, or

(b) Having resided for at least 3 continuous years in the Punjab, or the Delhi Province or in an Indian State under the political control of the Government of the Punjab, or in an Indian State under the political control of the Government of India exercised through the Agent to Governor-General for the Punjab States, or

(ii) European British subjects who shall have resided for at least 3 continuous years in the Punjab or in Delhi Province, or in an Indian State under the political control of the Government of the Punjab, or in an Indian State under the political control of the Government of India exercised through the Agent to the Governor-General for the Punjab States.

2. No person shall be appointed to be a Subordinate Judge who is less than 23 or more than 27 years of age on the date of his appointment : provided that Barristers, Vakils and Pleaders who are actually practising in the High Court at Lahore or Courts subordinate thereto will be allowed to subtract from their age a period equal to the length of time during which they have actually been practising up to a maximum of 3 years.

3. No person shall be appointed to be a Subordinate Judge who has not obtained the degree of Bachelor of Laws at the Punjab University, or is not a Barrister of England or Ireland or a member of the Faculty of Advocate of Scotland.

Provided that this rule may, with the concurrence of the High Court, be relaxed in the case of candidates of European or Anglo-Indian descent when the Local Government is satisfied that adequate reasons exist for such relaxation.

4. No person shall be appointed to be a Subordinate Judge who has not a thorough knowledge of the Vernacular. If Urdu is not his vernacular, he must have passed the examination by the Lower Standard in that language as laid down in the Army Regulations, India. If it is his vernacular, he must give satisfactory evidence that he can read Urdu fluently and write the Persian character with facility.

5. No person shall be appointed to be a Subordinate Judge who cannot give satisfactory evidence of—

- (i) good moral character,
- (ii) good physique,
- (iii) habits of personal activity, and
- (iv) gentlemanly bearing.

[Mr. H. W. Emerson.]

6. No recruitment shall be made from other services or from ministerial establishments, but a person eligible under these rules will not become ineligible merely because he belongs to another department or to a ministerial service.

7. Nothing in these rules shall be held to debar the Local Government from appointing after consultation with the High Court any Assistant Commissioner, Extra Assistant Commissioner, Cantonment Magistrate, Assistant Cantonment Magistrate, Tahsildar to be a Subordinate Judge by virtue of his office, notwithstanding that he shall not possess any of the qualifications laid down therein.

C. A. H. TOWNSEND,

Offg. Chief Secretary to Government, Punjab.

RETIREMENT OF MEMBERS OF INDIAN CIVIL SERVICE ON PROPORTIONATE PENSIONS.

498. **Lala Mohan Lal :** Will the Chief Secretary be pleased to state—

- (1) how many members of the Indian Civil Service have applied for retirement on proportionate pensions since 1921 ;
- (2) how many of these eventually retired and how many withdrew their applications
- (3) whether any such applications are still pending ? If so, how many ?

Mr. H. W. Emerson : The honourable member presumably refers to members of the Indian Civil Service who have served or are serving in the Punjab. On this assumption the answers to his question are—

- (1) 15.
- (2) Thirteen have retired and two are on leave preparatory to retirement.
- (3) No applications are at present pending.

APPOINTMENT OF OFFICERS OF THE PUNJAB TO GOVERNMENT OF INDIA, POLITICAL DEPARTMENT.

499. **Lala Mohan Lal :** Will the Chief Secretary be pleased to state—

- (1) how many persons from the Punjab have been appointed to the Political Department of the Government of India during the past five years ;
- (2) how many of these were Europeans and how many Indians ;
- (3) how many of them, respectively, belong to the Indian Civil Service, Military, Provincial Civil Service and other services ;
- (4) whether the Local Government makes recommendations at fixed intervals or at any fixed time of the year or whenever such recommendations are called for by the Government of India ;
- (5) when the Local Government's recommendations were last invited ?

Mr. H. W. Emerson : (1) Four.

(2) Two Europeans, 2 Indians.

(3) Two belonged to the Indian Civil Service and two belonged to the Punjab Provincial Service.

(4) The Local Government makes recommendations when invited to do so by the Government of India.

(5) June 1927.

CALCULATION OF SERVICE OF TEMPORARY ADDITIONAL AND SUB.
pro tem. EXTRA ASSISTANT COMMISSIONERS.

500. Lala Mohan Lal : (1) Will the Chief Secretary be pleased to state whether it is a fact that the period of service rendered by temporary additional and sub. *pro tem.* Extra Assistant Commissioners since 1st January 1922, the date on which the Fundamental Rules came into force, has been allowed to count for increment in the time-scale, but not the period of such service rendered prior to that date?

(2) If this is so, on what principle is the above decision based?

(3) Does the Government intend to allow all such period of service, irrespective of any particular date, to count for increment in the time-scale?

Mr. H. W. Emerson : (1) The honourable member is referred to resolution No. 149, dated the 4th January 1926, which was published in *Punjab Government Gazette*, dated the 15th January, 1926, from which he will see that the period of service rendered as a Temporary Additional Extra Assistant Commissioner from the 1st April 1923 was allowed to count for increments in the time-scale, and that arrears of pay were allowed with effect from the 1st April 1925.

(2) The introduction of a time-scale for Temporary Additional Extra Assistant Commissioners was in the nature of a concession. Ordinarily, retrospective effect is not given to concessions of this nature, but Government, in recognition of the fact that owing to an increase in the recruitment of Temporary Additional Extra Assistant Commissioners, appointments to the permanent cadre had been delayed beyond normal expectations, made an exception to the general principle and allowed retrospective effect from the 1st April 1923. The full facts of the case were placed before the Standing Finance Committee in December 1925 in order to obtain the necessary funds by a reappropriation. It was then explained that the officers concerned had asked that their temporary service in the new incremental scale should be allowed to count with retrospective effect from the 1st of April, 1920, but that Government was not prepared to go so far back as this.

(3) The policy of Government was endorsed by the Standing Finance Committee and Government sees no reason to revise the existing orders.

TEMPORARY ADDITIONAL EXTRA ASSISTANT COMMISSIONERS.

501. Lala Mohan Lal : Will the Chief Secretary be pleased to state the present number of temporary Additional Extra Assistant Commissioners in the Punjab and the time by which they are likely to be absorbed in the permanent cadre of the Provincial Civil Service?

Mr. H. W. Emerson : A notification is under issue, the effect of which will be to bring all the temporary additional Extra Assistant Commissioners existing on 1st March, 1927 on to the regular cadre with retrospective effect from that date. During the current year only 12 temporary appointments have been created, and if suitable, the temporary Extra Assistant Commissioners will be absorbed in the regular cadre as vacancies occur. It is anticipated that it will not take more than a year for a temporary additional to come on to the regular cadre in future.

APPOINTMENT OF AN INDIAN AS REGISTRAR, LAHORE HIGH COURT.

502. Lala Mohan Lal : Will the Chief Secretary be pleased to state—

- (a) whether it is a fact that no Indian has hitherto been appointed as Registrar of the Lahore High Court, and that no Indian was ever appointed as Registrar of the Chief Court, Punjab ;
- (b) whether it is a fact that the said post is not reserved to a member of the Indian Civil Service ?

Mr. H. W. Emerson : (a) Yes.

(b) The post is reserved for a member of the Indian Civil Service.

EXCLUSION OF THE POST OF UNDER SECRETARY FROM LISTED POSTS.

503. Lala Mohan Lal : (a) Will the Chief Secretary be pleased to state whether it is a fact that until a few years ago one appointment of Under-Secretary to Government used to be included in the cadre of listed posts, but is no longer so included ?

(b) If this is so, will the Chief Secretary please state why it has been excluded from the category of listed posts ?

Mr. H. W. Emerson : The post in question is still " Listed " as an inferior Indian Civil Service appointment to which members of the Provincial Civil Service may be appointed.

RESERVATION OF APPOINTMENTS UNDER THE GOVERNMENT OF INDIA ACT.

504. Lala Mohan Lal : Will the Chief Secretary be pleased to state what specific appointments in the Punjab are reserved under the third schedule to section 98 or under any other section of the Government of India Act to members of the Indian Civil Service and how many appointments were actually held by them on 1st April 1927 ?

Mr. H. W. Emerson : The following appointments in the Punjab are reserved for members of the Indian Civil Service :—

Superior posts.

- 1 Member of Council.
- 3 High Court Judges.
- 2 Financial Commissioners.
- 1 Chief Secretary.
- 5 Commissioners.
- 2 District and Sessions Judges, selection grade.
- 4 Secretaries to Government.
- 1 Legal Remembrancer and Secretary, Legislative Department.
- 1 Registrar, Co-operative Societies.
- 1 Deputy Registrar, Co-operative Societies.
- 1 Director of Land Records.
- 1 Registrar, High Court.
- 2 Secretaries to Financial Commissioners.
- 1 Judge, Small Cause Court, Simla.
- 135 Deputy Commissioners.
- 20 District and Sessions Judges, time-scale.

81

Inferior appointments.

- 25 Assistant Commissioners.
- 2 Under Secretaries to Government.

27

108

On the 1st April, 1927, 89 of these appointments were held substantively by members of the Indian Civil Service and 18 by members of the Punjab Civil Service holding ' Listed ' posts. But, owing to leave, deputation and other vacancies, the 108 appointments on that date were actually filled as follows :—

Indian Civil Service	..	..	..	73
Punjab Civil Service	..	..	..	35
			Total	108

MEMBERS OF EXECUTIVE COUNCIL.

505. **Lala Mohan Lal :** Will the Chief Secretary be pleased to lay on the table a statement giving the following information :—

	Sanctioned strength.	Number reserved to members of Indian Civil Service.	NUMBER HELD BY EUROPEANS.				NUMBER HELD BY INDIANS.			
			Members of I. C. S.	Military officers.	Members of Bar.	Others.	Members of I. C. S.	Members of Bar.	Members of P. C. S.	Others.
1. Members of Executive Council ..										
2. Judges of High Court ..										
3. Financial Commissioners ..										
4. Commissioners ..										
5. Secretaries and Deputy and Under-Secretaries to Government ..										
6. Heads of Departments ..										
7. District and Sessions Judges ..										
8. Deputy Commissioners ..										
9. Settlement and Colonisation Officers..										
10. Assistant Commissioners ..										
Total ..										

Mr. H. W. Emerson : The information is being collected and will be communicated to the honourable member when ready.

SCURRILOUS ATTACKS ON GURU GOBIND SINGH Ji IN "LIGHT."

506. **Sardar Ujjal Singh :** Will the Honourable Member for Finance be pleased to state : (a) whether his attention has been drawn to the issue of the *Light*, dated 16th August, 1927 in which scurrilous attacks are made on Guru Gobind Singh Ji ;

(b) whether the Honourable Member is also aware that great indignation prevails in the Sikh community over this matter ;

(c) the action the Government has taken against the Editor, Printer and Publisher of the said paper for publishing such filthy writing against the founder of the Sikh religion ?

The Honourable Sir Geoffrey deMontmorency : (a) The attention of Government was drawn to a letter appearing in the *Light* of 16th August, 1927.

(b) Government understands that exception has been taken to this letter.

(c) In view of the fact that an apology was published later, and that the Editor, Printer and Publisher are being prosecuted for other articles in the same issue of the paper, Government does not propose to take any action.

REMOVAL OF GURU GRANTH SAHIB FROM DHARAMSALA SHEIKH CHUHAR.

507. Sardar Ujjal Singh : Will the Honourable the Finance Member be pleased to state—

- (a) whether Government is aware that Guru Granth Sahib, the Sikh scripture was sacrilegiously removed from inside the Dharamsala Sheikh Chuhar, District Jhang, on the night between 9th and 10th June, 1927 and was torn to pieces by one Khudayar, son of Jiwana ;
- (b) whether Government is aware that the accused admitted his guilt before Sardar Gulab Singh and others in a large Muhammadan gathering, and that he was acquitted by the Magistrate ;
- (c) whether it is a fact that Deputy Commissioner, Jhang, suspended the Lambardar of Village Sheikh Chuhar for not reporting the matter to the District authorities in time ;
- (d) whether it is a fact that the District Magistrate reinstated the Lambardar about a fortnight after on the recommendation of the Tahsildar ;
- (e) whether it is a fact that the District Magistrate refused to supply copy of a suspension order to Sardar Kirpal Singh on administrative grounds, while a copy of the reinstatement order was supplied to one Muhammad Shah interested in the case ;
- (f) what action, if any, does the Government propose to take in the matter ?

The Honourable Sir Geoffrey deMontmorency : (a) Government is aware that a copy of the Granth Sahib was missing from a Dharamsala in village Sheikh Chuhar on June 10th. Some leaves were found in neighbouring fields and the binding in a canal distributary. Three Muslims of the village were sent for trial under section 295, Indian Penal Code, but were acquitted.

(b) One of the prosecution witnesses stated in court that Sardar Gulab Singh, President of the Singh Sabha, Maghiana, at a meeting of the villagers of Sheikh Chuhar offered to compromise the offence provided the culprits asked for pardon in the meeting, and that the accused accordingly stood up. This assurance was subsequently withdrawn.

[Hon. Sir Geoffrey deMonmorency.]

(c) Yes.

(d) Government have no information on this point.

(e) Government have no information on this point.

(f) It is not proposed to take any further action. Government considered the possibility of an appeal against the order of acquittal, but were advised that an appeal was not likely to be successful.

EXAMINATION OF SUB-INSPECTOR CLASS (CO-OPERATIVE DEPARTMENT).

508. Sardar Ujjal Singh : Will the Honourable Minister for Agriculture please state—

(a) the number of Muslims and non-Muslims, respectively, who appeared in the examination of Sub-Inspector's Class (Co-operative Department) held at Sialkot in June, 1927 ;

(b) the number of Muslims and non-Muslims, respectively, who were declared to have passed ;

(c) the community to which the examiner belonged ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Registrar, Co-operative Societies, Punjab.

DEPARTMENTAL PUNISHMENTS AWARDED BY CHAUDHRY ABDUL HAMID KHAN, CIRCLE REGISTRAR.

509. Sardar Ujjal Singh : Will the Honourable Minister for Agriculture please state—

(a) the number of Sikh and Hindu Inspectors, Sub-Inspectors and other officials working in different positions under Chaudhri Abdul Hamid Khan, Circle Registrar of Gujranwala and Sialkot Circle, who received departmental punishments in one way or the other on his report during April 1927 to September 1927 ;

(b) the number of Muslim officials against whom the said Circle Registrar made a report during the same period ;

(c) the number of Sikh Sub-Inspectors of consolidation who reverted to their original appointment during the *régime* of Chaudhri Abdul Hamid ;

(d) whether any Sikh Inspector was reverted to the post of a Sub-Inspector (Consolidation) by or on the report of this officer ;

(e) the number of Sikh Canip Clerks who were removed from the service of the Department during this officer's time ;

(f) the number of Sikh Sub-Inspectors of Co-operative Credit Societies who were dismissed during this officer's period ;

(g) the number of Sikh Sub-Inspectors and Inspectors whose promotions were stopped or who were fined ?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Registrar, Co-operative Societies, Punjab.

MOTOR VEHICLES FLYING BETWEEN DALHOUSIE AND PATHANKOT.

510. Raizada Hans Raj : Will the Honourable Member for Revenue be pleased to state—

- (a) the names of the firms which applied to the Deputy Commissioner, Gurdaspur, for road certificates to ply motor vehicles on the Dalhousie-Pathankot Road upto the 15th August last and the rates at which the various firms offered to carry passengers and goods ;
- (b) the basis on which the rates will be fixed ;
- (c) the number of road certificates issued up to this time ;
- (d) the cause of the delay, in case no certificates have been issued ; and
- (e) when the certificates will be issued ?

The Honourable Mian Sir Fazl-i-Husain : (a) Tenders were received from twenty-one firms and individuals. Government is not, however, prepared to state the names of these firms and individuals or to give details regarding their tenders.

(b) The maximum rate is being fixed at what appears to Government, after an examination of the whole question in the light of the tenders received, to be a fair figure.

(c), (d) & (e) Government has selected two firms in addition to the Olive Company which will on application be granted road certificates valid for the Dalhousie Road. These firms are about to be informed of their selection, and thereafter they will be granted road certificates in respect of serviceable motor vehicles as soon as they apply for them.

POWER OF DEPUTY COMMISSIONER, KANGRA, TO ISSUE ROAD CERTIFICATES.

511. Raizada Hans Raj : Will the Honourable Member for Revenue be pleased to state—

- (a) whether the power of issuing road certificates was possessed by every Deputy Commissioner who has held charge of Kangra district ;
- (b) whether the predecessors of the present Deputy Commissioner had that power ;
- (c) the reason for withholding this power from the present Deputy Commissioner up to this time ;
- (d) whether it is intended to restore this power to the present Deputy Commissioner ?

The Honourable Mian Sir Fazl-i-Husain : It appears from enquiries made that the power of granting licenses was withdrawn in 1924. It was understood by Government that this had been restored to the Deputy Commissioner, but this has been found not to be the case and instructions will now issue that this should be done.

**RESTRICTION ON MOTOR VEHICLES PLYING IN KANGRA VALLEY AND
ON DALHOUSIE-PATHANKOT ROAD.**

512. Raizada Hans Raj : (a) Will the Honourable Member for Revenue be pleased to state whether road certificates are necessary for motor vehicles plying on Kalka-Simla and Rawalpindi-Murree roads ?

(b) If the answer to (a) be in the negative, will he state the reasons for imposing this restriction on vehicles plying in the Kangra Valley ?

(c) Will the Honourable Member also state the reasons for imposing the above-mentioned restriction on motor vehicles plying on the Dalhousie-Pathankot road, although there is one-way traffic rule in force ?

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

(b) Does not arise.

(c) The attention of the honourable member is invited to the rules issued with Punjab Government notification No. 11379, dated the 1st of April, 1922. No motor vehicles can ply for hire in any part of the Punjab without a road certificate. These certificates provide for the maximum rate of hire which may be charged, the maximum number of passengers or quantity of goods which may be carried, and other matters. They are necessary in the interests of the public safety and convenience on the Dalhousie road no less than on any other road.

GRANT-IN-AID.

513. Rao Bahadur Lieutenant Rao Balbir Singh : Will the Honourable Minister for Education be pleased to state whether there are any rules governing the grant-in-aid for adult education to private bodies and whether these rules have been published ? Will the Honourable Minister for Education be pleased to lay these on the table ?

The Honourable Mr. Manohar Lal : The honourable member's attention is invited to paragraphs 15, 16 and 17 of Punjab Government (Ministry of Education) Resolution No. 1199-G. S., dated the 28th September, 1923, a copy of which is laid on the table.

**Proceedings of the Punjab Government (Ministry of Education)
in the Education Department, No. 1199-G. S., dated 28th Sep-
tember, 1923.**

RESOLUTION.

THE REMOVAL OF ILLITERACY.

The Punjab Government (Ministry of Education) has on more than one occasion in the past few years given expression to a definite opinion that the most pressing educational need of the province at this stage is the

removal of illiteracy from among the masses. This need has influenced its policy in the matter of the expansion and improvement of primary education; and the determination of means and methods by which this great end may be more rapidly achieved has been engaging its constant and most earnest attention. The matter is of urgent and vital importance from many aspects; and especially at the present juncture when the decision has been made to reach self-government by successive stages. A persistent continuance of illiteracy among the masses is obviously antagonistic to political as well as to other advancement. It is clear that a solution of the problem is not to be found merely in the extension of educational facilities for boys. Experience has proved that, by this method operating alone, the removal of illiteracy is but a slow and tedious process. It is necessary also to recognise both the obligation of educating the illiterate adult and also the need for awakening among the illiterate population a living and intelligent interest in their environment and in the matters which pertain to their welfare and advancement.

I.—IMPROVEMENTS IN THE PRIMARY SYSTEM OF EDUCATION.

2. So far as the education of boys is concerned, very marked progress

Increased enrolment and its problems. has been made during the last few years by an increased enrolment in schools. About 70,000 additional pupils were added in 1921-22; and about 150,000 in 1922-23. Past experience, however, has indicated many distressing facts. Very many pupils do not proceed beyond the first class, the figures for 1921-22 recording as many as 225,510 pupils in the first class, but only 91,245 in the second, 69,280 in the third and 50,496 in the fourth class. It is obvious that a considerable proportion of these boys gain, but little benefit by their schooling. If the real test of educational progress is the reduction of illiteracy, then the largely increased enrolment can only be regarded as contributing towards that progress when the number of pupils in the fourth class approximates more closely to that in the first. Again, there are other pupils who, though they remain longer and progress further at school, yet never attain literacy. And, what is even more disheartening, there are even others who, on completion of the primary course, may be termed literate, but soon relapse into illiteracy after leaving school.

3. The Minister is most gratified by the remarkable increase in the

Improvements in the primary system. enrolment and by the effective co-operation of local bodies, parents and the general public, but he is most keenly anxious to check the persistence of the unfortunate defects to which reference has just been made. He is convinced that the pivot of progress in the primary system is an improvement of the teacher, both in quality and in suitability, and he desires therefore that the policy which has already been framed to effect this improvement should be both maintained and developed.

4. In the matter of the training of vernacular teachers, the Punjab

(a) Increased and improved facilities for the training of teachers. has done much to maintain its already high position among the provinces of India. It is estimated that more than 70 per cent. of the teachers in vernacular schools maintained by Government and by local bodies are trained. The number of students under training has

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been increased from 1,076 in 1916-17 to 2,280 in 1922-23, while little difficulty is experienced at present in securing the necessary supply of suitable recruits. The percentage of students under training who are drawn from the agricultural classes has risen from 42 per cent of the total number in 1921-22 to 55 per cent. in the current year; and the training courses have been revised with the object of bringing them into closer touch with conditions under which the students will teach in village schools. Considerable improvements have also been made in the conditions of service for vernacular teachers. In the matter of training, the following observations are offered :—

- (a) The percentage of trained teachers varies very considerably between the several districts. This may be due to the location of the normal schools, the students finding it inconvenient to go far afield for their training. To meet this difficulty a departure has recently been made. Junior vernacular training classes are now attached temporarily to the Government high schools at Mianwali, Montgomery, Dharmasala and Hissar, these being districts which have had difficulty in the past in maintaining an adequate proportion of trained teachers. It may be found desirable to extend this practice by the temporary attachment of training classes to the Government high schools in those districts which find it difficult to keep pace with the increased requirements for trained teachers. By this means the needs of backward districts will not be overlooked.
- (b) The successful efforts which have been made to attract a larger proportion of students from the agriculturist classes to the normal schools should be continued. Efficiency depends much upon the adaptability of a teacher to his environment and upon his sympathy with the pupils.
- (c) It has often been urged that many of the present teachers are of insufficient age to command the confidence of parents and pupils. Attention is therefore drawn to the necessity of a strict observance of the age limit regulating admission to normal schools.
- (d) Particular attention should be paid to the urgency of sending untrained teachers for training. Moreover, it is generally regarded as desirable that candidates for training should have had some preliminary teaching experience. Provided, therefore, that the untrained teacher is not retained for too long a period before he is sent to his training course, there is considerable benefit to be derived by the students in having had this experience. Untrained teachers should not ordinarily be given independent charge of a school.

5. Closely allied with the expansion and improvement of the training system is the urgency of improved conditions of service. Local bodies, during the last few years, have been revising their rates of salary for teachers,

(b) Improved conditions of service for teachers.

with the result that a junior vernacular teacher starts his career in many districts on an initial salary of Rs. 25 per mensem and in the remaining districts on Rs. 20 per mensem ; in all cases, with the prospect of small annual increments. A senior vernacular teacher may hope to receive employment on a salary of about Rs. 85 per mensem, with the customary annual increments, up to Rs. 70 or even more. There is, however, a grave danger lest these enhanced salaries may fail to compensate for the frequency of transfer. It is therefore advisable that inspectors should obtain quarterly returns of transfers so that they may be in a position (if necessary) to correct this abuse.

6. Another fruitful measure of improvement lies in the substitution of two-teacher for one-teacher schools. Attention

(c) The substitution of two-teacher for one-teacher schools.

has often been directed to the weakness of the one-teacher school and to the burden imposed on the teacher of being responsible unaided for the teaching of four classes. In accordance with the conditions laid down in the Education Department Circular No. 2507-A., dated 19th February 1923, more than 1,300 additional teachers have been employed by district boards ; and thus the number of one-teacher schools has been materially reduced. Provided that steps are taken, from time to time, to recruit the additional teachers required to cope with the increased enrolment, the expansion in the number of pupils should be a means of increased efficiency through the rapid elimination of the one-teacher school. The Minister is of opinion, therefore, that the provision of adequate staffs, in existing schools, is of even greater urgency than the creation of new schools unless, in the latter, a reasonable number of pupils is assured.

7. Steps should also be taken, both by exhortation and by improved teaching, to ensure that as far as possible, all the

(d) Completion of the primary course by all pupils essential.

pupils shall complete at least the primary course. It is satisfactory to note from several district reports that much is already being done to effect an improvement in this matter. Perhaps one of the most interesting steps in this direction is the scheme initiated by the Co-operative Department in organising societies of parents who bind themselves to send their children to school for the full primary course and to pay a penalty for default. The main benefit of all forms of compulsion is probably the assurance that those who come to school shall remain there a sufficiently long time to gain a lasting benefit by their schooling. Progress in this direction is indicated by the recent returns which show that as many as eight municipalities and 127 school areas in rural districts have already introduced compulsion under the Act. In future, credit should be due to the measure of success achieved in the promotion of literacy rather than to a mere increase in enrolment.

8. The Minister has also observed with some anxiety the fact that, in certain districts, the number of lower middle

(e) A satisfactory proportion of middle schools is needed.

schools has actually been reduced. He desires to emphasize yet again that a school of six classes is immeasurably better, both in efficiency and economy, than the four class primary school ; for it is in the fifth and sixth classes that the pupil usually acquires a firm and a permanent grasp of literacy.

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9. It is hoped, therefore, that the increased enrolment, together with the other measures to which allusion has been made, will result in a material reduction of illiteracy among the rural classes of the province. Unless, however, other steps are taken, progress towards the ultimate end in view must inevitably be slow. It is necessary, therefore, also to make provision whereby the pupil shall retain literacy once gained and thus be in a position to use that instrument for beneficial purposes; and, further, it has to be recognised that the large and illiterate adult population of the province has an unanswerable claim on the assistance of Government.

II.—SCHOOLS FOR ADULTS.

10. The urgency of the problem relating to the education of the illiterate adult can hardly be overstated. The decision to achieve constitutional progress by successive stages imposes a very definite obligation to take all possible steps towards its solution. The general spread of literacy amongst parents should also lead to the universal education of the children; and, moreover, should serve to remove the suspicion among the cultivating classes that literacy is incompatible with the vocation of agriculture. There is, therefore, reason to believe that if schools for adults can be successfully instituted and made generally popular, the intellectual development of the province will be assured.

11. A very satisfactory beginning has been made, during the past year, in the provision of schools for adults. It is estimated that, on March 31st last, as many as 18,000 adults were enrolled in these schools. For this happy achievement the inspecting and teaching staffs, local bodies and the Co-operative Department are mainly responsible. It is pleasing to learn that, inspite of waning enthusiasm in a limited number of instances, this movement has been attended by an encouraging measure of success, many teachers having rendered devoted service in an honorary capacity and much support having been forthcoming from the public. What is perhaps even more pleasing is the enthusiasm and, in many cases, the remarkable capacity shown by the pupils. It is reported that these pupils who show competence and enthusiasm attain literacy after six months' tuition.

12. The Punjab Government (Ministry of Education) is now anxious that these schools should be placed on a more permanent basis; and, for this purpose, the following general suggestions are offered:—

- (a) *School terms and sessions.*—The aim should be to give recruits a clear six months' work in order that, at the end of that period, they should be either literate or on the high road towards it. There should be two terms, one for the winter and the other for the summer. The winter term might suitably begin in the month of October or November as the autumn crops should by then have been reaped. As this season gives the best opportunity for concentrated work, the pupils would be expected to attend school during this term for two hours daily on six days in the week. During the

summer term (excluding vacation) the school might be open on (say) two days in the week when the pupils who have attained literacy or nearly so should read and work under the general guidance of the teachers. The actual time of instruction should be fixed with reference to the convenience of the pupils. These terms and sessions will probably be found suitable to both urban and rural conditions. What has been suggested in this sub-paragraph, however, should not be read as imposing rigid lines of procedure, for both experiment and variety of treatment are desirable in the early stages. It is probable that the final form will be evolved from results attained in the several types of school rather than through departmental regulations.

- (b) *Methods of teaching.*—It is clear that adult pupils will progress at different rates; far more so than in the case for boys. When once the rudimentary ground work has been covered the teaching should be largely individual. Nothing, for example, would be more deadening and uninspiring than for a class of adults to be taught the first reader when half the class is ready for the second. In arithmetic, again, after the pupils have grasped the elementary rules, the same principle should be observed. Lessons inviting the application of principles should form an important feature of this teaching. Though the recognised syllabus should be confined to the three R's, the pupils should be encouraged to present their difficulties to the teacher who should suggest further means of study. Thus, each pupil should be allowed to progress at his own rate and bent, the teacher's main duty being that of supervision and of encouragement.
- (c) *Literacy certificates.*—In the Multan Division, an attempt has been made during the past year through the agency of the inspecting staff to award literacy certificates to adults who have reached an approved standard. About 200 such certificates were awarded last year. This practice has been found to make a serious inroad on the time of the inspecting staff; and, moreover, it presents other difficulties, it being by no means easy to establish a uniform standard of literacy. Still, the practice is undoubtedly sound in principle and is commended for general consideration, and for adoption wherever possible.
- (d) *Readers.*—Readers which are intended for boys are not suitable for adults. Special readers will therefore be prepared which will include, from the earliest possible stage, material which should be both interesting and useful to adult readers.
- (e) *Admission of boy pupils.*—Boys under the age of sixteen should only be admitted in very exceptional cases. A school for adults is not intended to be a cramming place for boys attending a day school; nor as the ordinary means of education for boys who should be at a day school.

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(f) *The use of school buildings.*—Subject to the requirements of the school for its work in the day time, school buildings should be made available to a school for adults; and the building of a school receiving Government grant should be regarded as a public building for this purpose. The library, under the rules framed for the purpose, should also be available to selected adult pupils. Particular care should be exercised to ensure that the adult pupils are cleanly in their habits. Those who are not so should be removed from the roll.

(g) *Fees.*—It would be unwise, in the first instance, to impose any hard-and-fast rules in regard to fees but, on the principle that what is paid for is the better appreciated, some monetary or other contribution towards the cost of maintaining the school should be expected from the pupils. The method of levying this contribution should be determined by the authorities concerned. It is also hoped that the financial assistance which has already been received from private benefactors will be continued in the future.

13. A school for adults should be an integral part of every training institution, including the Central Training College. By this means the students under training will have additional facilities in the practice of teaching; the cost will be negligible; and, especially at the Central Training College, the training authorities will have direct opportunities of studying the important problem of adult education. In view of the fact that success in adult education will be in proportion to the capacity of the teacher to attract pupils to school and to secure and maintain their interest when they have joined the school, the means and methods of teaching adults should form a special feature of the course of instruction to all teachers under training. It cannot be too strongly emphasized from the outset that the teaching of adults can only end in failure if it lapses into a feeble, uninspiring and rigid imitation of the methods employed in the teaching of children.

14. In Government institutions in which a school for adults is started, an addition will be made to the allotment for contingencies in order to cover the expenditure incurred. The general supervision of the arrangements for an adult school would appropriately form part of the duties of the Superintendent of the boarding house. In certain schools the practice already obtains whereby the boys in the boarding house prepare their home lessons in the class rooms of the school under the guidance of the superintendent. This practice should be followed in all cases, but there would still be ample accommodation in another part of the building and remote from the boys' classes, which would be more than sufficient for the classes for adults. As, however, these two activities would be in progress at the same time and in the same building, the general supervision of both by the superintendent of the boarding house should not present difficulties. Suitable precautions should be taken to keep these two activities entirely separate.

15. In training institutions the teaching will be done by the students under training under the supervision of suitably qualified members of the

staff. In other Government institutions the teaching will be conducted by a member or members of the staff. With suitable organisation the teaching work of the school for adults should not impose any serious addition to the work of each teacher. With the concurrence of the inspector, the work in the classes for adults might be taken into calculation in determining the number of teaching periods demanded of these teachers during the day; and this will probably prove to be the usual practice. In exceptional cases, an allowance might be permitted, but such allowance should not exceed Rs. 60 *per annum*. Similar arrangements will probably be appropriate to schools for adults maintained by aided secondary schools. The work of the staffs in such schools would be reviewed by the inspector in accordance with the principle laid down above. A small charge for contingencies would be admissible in such schools as approved expenditure for the purpose of assessing the maximum grant.

16. It is expected, therefore, that the schools for adults which will form part of Government high schools and training institutions, added to those conducted in connexion with secondary schools maintained by private bodies, in accordance with the suggestions offered in the preceding paragraph, will meet, in a considerable measure, the immediate needs of urban areas and of rural areas in which such schools are situated. Anglo-vernacular middle schools maintained by municipalities, being now aided institutions under the terms of paragraph 11 of the Education Department C. M. No. 6374-G., dated 18th April 1922, will receive the same encouragement as has been suggested for privately managed schools in the preceding paragraph. There may be certain towns however (especially those in which compulsion is enforced) where it may be necessary to supplement the provision made in secondary schools. With the approval of the Inspector, special schools or classes for adults may be maintained by a municipality; but Government grants on the expenditure of such schools or classes will be limited to Rs. 1,000 for each division. Expenditure on this account will therefore be admissible as approved expenditure for Government grants (up to the limit named above) in the statement submitted annually for the expansion and improvement of vernacular education in municipal areas.

17. A more difficult and more urgent problem to decide, however, is the means whereby schools for adults can best be encouraged by district boards in rural areas. Practice varies at present. Some district boards employ their own day teachers to maintain these schools which, for purposes of grant, are regarded as aided schools; and co-operative societies often employ as teachers persons who are not engaged in teaching during the day. The Minister is of opinion, provided that no payment is made or grant awarded in respect to a school whose average attendance is below fifteen, that the best means of assisting district boards in the enterprise will be to permit expenditure on schools for adults to be regarded as legitimate expenditure for the assessment of Government grants for the expansion and improvement of vernacular education; up to the total maximum named for that purpose for each year. The Minister, moreover, regards this form of education as of such urgent importance that he has decided, for the present, to ear-mark a portion of the additional grant allotted each year for this purpose. Among the objects enumerated in paragraph 22 of the Education Department's C. M. No. 396-A.S., dated 29th June 1922, therefore

[Hon. Mr. Manohar Lal.]

will now be added the approved expenditure on schools for adults, subject to the following limits :—

- (a) In respect to schools for adults maintained by district boards, the allowance should not exceed Rs. 60 *per annum* for each teacher. This allowance should be graded in accordance with the qualifications and duties of each teacher. This sum of Rs. 60 should be regarded as a maximum and not as the fixed remuneration for a teacher. A small expenditure on contingencies will also be regarded as approved expenditure.
- (b) In respect to schools for adults which are aided by district boards, the rule above will also apply in regard to the remuneration of the teacher. An additional grant may be paid either towards contingencies or in the form of a block grant. Such a block grant might be based *either* on the award of literacy certificates or on the average attendance. The maximum permissible shall not in any case exceed the amount of a block grant calculated at the rate of Rs. 2 *per annum* for each adult receiving a literacy certificate, or Re. 1 *per annum* for each adult in average attendance.
- (c) The conditions in (a) and (b) above will be applicable to schools for adults in villages where primary schools already exist. In villages where such schools do not exist, the Co-operative Department will be encouraged to institute adult schools by grants awarded under special rules of a more elastic nature in order to meet the special circumstances of these villages. In this matter, the Minister is of opinion that it is undesirable to impose restrictions which would in any way hamper the success of the experiment. For these schools, therefore, block grants will be payable on the scale prescribed in (b) above, but the grant on account of the salary of the teacher will be admissible on a sliding scale, based upon the average attendance (provided that it is not less than fifteen) and that the total grant does not exceed Rs. 200 *per annum* on account of the school or schools taught by a single teacher. An allotment will be placed at the disposal of the Registrar, Co-operative Societies, for this purpose. A report should be submitted each year on the distribution of the allotment and on the results of the experiment; the general question of adult education should also be discussed in this report in the light of the experience gained.

III.—THE DISSEMINATION OF KNOWLEDGE AMONG THE ILLITERATE.

18. In addition to the creation of adult schools, steps should also be taken to supplement by indirect means the teaching given in those schools. There is an urgent necessity for the institution of small village libraries which might be housed in the schools. It is probable that useful pamphlets will be presented by certain departments of Government and by philanthropic societies such as the Red Cross Society. The latter society has already provided

a ready means for the expansion of this movement by a donation of Rs. 80,000. The bulk of this money will be spent on the purchase of magic lanterns which are now being ordered. A small sum will also be set apart from this donation to meet the necessary contingencies. It is suggested that the lantern might most conveniently be kept in the local Government high school where the science teacher would be held responsible for its safe custody; and where the hall of the school would be suitable for the display of the slides. The lectures, both at headquarters and in the district, would be connected with matters of public interest and would be graduated in accordance with the competence of the audience. It is intended to prepare slides on suitable topics, and also lecture notes for the guidance of the lecturers.

19. It is also essential that those who remain illiterate should not be forgotten. Various methods of widening their horizon and stimulating their intelligence readily suggest themselves. Illustrations and pictures dealing with matters of interest and importance should be made readily available to them. Some of the lectures and discussions, especially if they are capable of illustration by means of a magic lantern, would also appeal to that section of the community. In rural areas, much could be done by this means to bring to the knowledge of the uninformed the most important developments in agricultural and hygienic science; in the breeding and care of cattle; in the methods of combating and preventing common ailments and diseases; in the value of co-operation; and in the elementary principles of civics and administration. The main object in this, as in all measures for the education of adults, should be to afford to those who have not been favoured with opportunities to benefit by the advantages of education in their younger days the means whereby they may learn through the eye and ear that which will enable them to become better and more useful citizens. It is hoped that the services of Government pensioners and other public-spirited persons may be utilised in carrying out many of the proposals discussed in this Resolution.

20. It is probable that a district committee will be essential to the proper organisation and success of this work. Formation of district committees. Such committees would naturally include the officials most nearly concerned and also a number of non-official men and women who are interested in the movement.

AGRICULTURAL COLLEGE, LYALLPUR AND ENGINEERING COLLEGE,
RASUL.

514. Rao Bahadur Lieutenant Rao Balbir Singh : Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of boys who applied for admission to the Agricultural College at Lyallpur and the Engineering College at Rasul respectively from each Division separately during the past 5 years;

(b) whether Government has enquired into the disparity in numbers from each division and whether Government is prepared to take steps to give facilities to the South-East Punjab to ensure their proper share of representation?

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Punjab Agricultural College.

(a) (i) The number of applications received for admission to the Punjab Agricultural College from each civil division during the past 5 years is as follows :—

Division.	1923.	1924.	1925.	1926.	1927.
Ambala	16	17	22	47	34
Jullundur	46	31	46	101	108
Lahore	48	24	24	69	92
Multan	32	10	17	84	139
Rawalpindi	26	17	16	43	92

Government School of Engineering at Rasul.

(a) (ii) The number of applications from civil divisions of the Punjab for admission to the Government School of Engineering, Punjab, Rasul, during the past five years is as follows :—

Civil Division.	1923.	1924.	1925.	1926.	1927.	Total.
Ambala	29	25	18	29	41	142
Jullundur	58	77	97	107	152	491
Lahore	88	92	123	110	169	582
Rawalpindi	49	36	55	47	83	270
Multan	45	50	59	79	108	341
Grand Total ..	269	280	352	372	553	1,826

Punjab Agricultural College.

(b) (i) The number of candidates selected from each civil division depends upon the number of suitable candidates who offer themselves for qualifying examination for admission and interview. The case of backward districts is taken into consideration in making the final selection as far as possible without lowering the standard of admission. It is hoped that with the advance of education in these districts the disparity will be automatically removed.

Government School of Engineering at Rasul.

(b) (ii) Entrance to the School is by competitive examination and there is no restriction in regard to the submission of applications from any civil division of the Punjab. The explanation for the comparative paucity of students from the south-east of the Province is probably to be found in the distance from Rasul. With the raising of the standard for admission in 1929 to the B. A. and F. Sc., steps are being taken to bring the advantages of Rasul to the notice of the Principals of all Intermediate Colleges, while

a limited number of vacancies are being to be reserved for agriculturists from backward classes.

RESEARCH WORK IN PULSES, ETC.

515. Rao Bahadur Lieutenant Rao Balbir Singh: Will the Honourable the Minister for Agriculture be pleased to state whether any research work has been done on pulses, vegetables, jawar and bajra crops in the province by the Agriculture Department, and if so, with what results?

The Honourable Sardar Jogendra Singh: No systematic research work has yet been done on pulses and vegetables for want of expert staff.

Work on pulses will be taken in hand as soon as the Leguminist, whose appointment has been sanctioned, is appointed.

The appointment of a Vegetable Specialist is contemplated in the Five Years' Programme during the year 1929-30 when the work on vegetables will be started.

Some work has already been done on jowar and bajra crops, but systematic investigations have been taken in hand only recently on the appointment of a Millet Specialist who entered upon his duties last month.

IMPROVEMENT OF VILLAGE ROADS.

516. Rao Bahadur Lieutenant Rao Balbir Singh: Will the Honourable the Minister for Agriculture be pleased to state—

- (a) whether any steps have been taken by the Government to improve the village roads, and
- (b) the proportion of the amount so spent to the total outlay on roads in one average year?

The Honourable Sardar Jogendra Singh: (a) The improvement of village roads is primarily the concern of the district boards. To assist district boards in this matter the Punjab Communications Board has been ready to furnish a grant-in-aid of two-thirds of the cost of approved schemes.

The response of the district boards has been very poor. Only two have submitted schemes; for one of these a grant of Rs. 15,000 has been given; and the other is under investigation.

(b) For the reason given in the first part of the reply to (a) no useful comparison can be made.

SCARCITY OF WATER IN WELLS IN REWARI.

517. Rao Bahadur Lieutenant Rao Balbir Singh: (i) Will the Honourable Member for Revenue be pleased to state—

- (a) whether Government is aware that the Alwar and Jaipur States have put up dams to prevent the free flow of the waters of the Sahibi Nadi and as a consequence of that a large number of wells on or near the banks of this Nadi in Rewari tahsil have now become unfit for use;
- (b) whether Government has received any complaints from the cultivators in Rewari Tahsil in this connection?

[Rao Bahadur Lt. Rao Balbir Singh.]

(ii) What steps does Government propose to take in order to safeguard the interests of land-owners and cultivators round about the Sahibi Nadi residing in the British Punjab?

The Honourable Mian Sir Fazl-i-Husain : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

CONSOLIDATION OF HOLDINGS.

518. Rao Bahadur Lieutenant Rao Balbir Singh : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether the voluntary system of consolidation of holdings has proved successful;
- (b) the steps Government proposes to take in order to accelerate the speed of the voluntary system of consolidation of holdings;
- (c) whether the Government intends to introduce legislation for consolidation of holdings?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Registrar, Co-operative Societies, Punjab.

PRESERVATION OF HARIANA BREED OF COWS.

519. Rao Bahadur Lieutenant Rao Balbir Singh : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether he is aware that a large number of milk cows and buffaloes are being exported to Bombay and Calcutta from the South-East Punjab, and the old Haryana breed is dying out on account of this drain;
- (b) whether Government proposes to take any steps to preserve the Haryana breed of cows in the Punjab?

The Honourable Sardar Jogendra Singh : I regret that the answer to this question is not yet ready. A reference has been made to the Director of Agriculture, Punjab, whose reply is still awaited.

PARTITION OF PASTURE LANDS.

520. Rao Bahadur Lieutenant Rao Balbir Singh : (a) Will the Honourable Minister for Agriculture be pleased to state whether the partitioning of shamilat pasture lands has had any effect on the number of cattle in villages in the Punjab?

(b) Does the Honourable Minister intend to take steps to ensure that the pasture lands are not allowed to be partitioned in future?

The Honourable Sardar Jogendra Singh : (a) Government has no information on this point.

(b) No. Revenue Officers always exercise the discretion allowed by Section 112 (2) (b) of the Land Revenue Act.

POLICE SERVICE.

521. Rao Bahadur Lieutenant Rao Balbir Singh: Will the Honourable Member for Finance be pleased to state—

- (a) the proportion of Hindu Zamindars in police service above the rank of a constable to the total strength of those ranks;
- (b) whether Government intends to take steps to encourage better recruitment from among Hindu Zamindars in these ranks of the police service?

The Honourable Sir Geoffrey deMontmorency: The information asked for by the honourable member is being collected and a reply will be sent to him in due course.

MAINTENANCE OF A LIST OF DEMOBILIZED SOLDIERS.

522. Rao Bahadur Lieutenant Rao Balbir Singh: (a) Will the Honourable the Finance Member be pleased to state whether Government maintains a list of trained demobilised soldiers in each district?

- (b) If not, whether Government intends to maintain this list?

The Honourable Sir Geoffrey deMontmorency: Government is uncertain as regards the meaning to be attached to the word "trained"; but orders have been issued by Government to Heads of Departments and Deputy Commissioners to maintain lists of ex-soldiers desirous of civil employment with details of their qualifications.

INCREASE OF THE SALARY OF TAHSILDARS.

523. Doctor Gopi Chand Bhargava: Will the Honourable the Finance Member be pleased to state whether the question of increment in the pay of the Tahsildars is under consideration of the Government, and, if so, when will it be settled;

The Honourable Sir Geoffrey deMontmorency: The honourable member is referred to the answer to Council question No. 395.

PERMISSION TO TAHSILDARS TO UTILIZE CANAL AND PUBLIC WORKS DEPARTMENT REST-HOUSES.

524. Doctor Gopi Chand Bhargava: Will the Honourable the Revenue Member be pleased to state—

- (a) whether the Tahsildars have been declared as gazetted officers or not;
- (b) whether they have been allowed the use of Canal and Public Works Department Rest-houses or Bungalows, when they are on tour on the same terms as other gazetted officers are; if not, why not?

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

(b) No, because these Irrigation Department bungalows are extensively used by the officers of the Department who have to live in them for a great part of the year. It is inadvisable therefore to extend the privilege of occupation to officers other than those who already hold that privilege.

SUB-JUDGES.

525. Dr. Gopi Chand Bhargava : Will the Honourable the Finance Member be pleased to state whether the Sub-Judges now belong to the cadre of Provincial Civil Service or not ?

The Honourable Sir Geoffrey deMontmorency : Yes.

POSTING OF MUSLIM DISTRICT INSPECTORS OF SCHOOLS TO GUJRANWALA.

526. Chaudhri Ali Ahmad : Will the Honourable the Minister for Education be pleased to state—

- (a) the period for which Muslim District Inspector of Schools remained posted at Gujranwala during the last 45 years ;
- (b) the considerations which prevail in the matter of posting these officers to the various districts ; and
- (c) whether it is intended to post a Muslim District Inspector of Schools to Gujranwala in the near future ?

The Honourable Mr. Manohar Lal : (a) A statement is laid on the table giving the periods during which a Muslim District Inspector of Schools remained posted at Gujranwala during the last twenty years. Information for the last forty-five years is not readily available, and Government does not consider that any useful public purpose will be served by collecting it.

(b) The candidates considered most suitable among those available at the time are appointed.

(c) The same principle will be observed.

Name of Muhammadan District Inspector of Schools, Gujranwala.	Period.	REMARKS.
1. M. Inayatullah ..	16th June 1907 to 15th July 1907 (one month).	Officiating.
2. Mufti Muhammad Hussain ..	Two months in 1911 ..	Do.
3. M. Ashraf Ali ..	6th September 1914 to 20th October 1914 (one month and 15 days).	Do.
4. Chaudhri Fateh-ud-din ..	1st April 1920 to 30th April 1922 (2 years and one month).	Permanent.
5. M. Abdur Rasul ..	29th June 1927 to 23rd July 1927 (25 days).	Officiating.
Total period ..	2 years—6 months—10 days.	

RESOLUTIONS.

RESOLUTION RE UTILISATION OF THE GOVERNMENT OF INDIA'S
REMISSION FOR LEVELLING DOWN LAND REVENUE.

Mr. President : The Council will now resume discussion of Captain Sardar Sikandar Hayat Khan's resolution.¹

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders, General] (Urdu): Sir, before the Honourable Revenue Member expresses his opinion on the resolution under discussion, I should like to say a few words in regard to it. I may say at the very outset that I am in full sympathy with the subject matter of the resolution. I am aware that the zamindars of certain parts of this province are very poor and are in urgent need of relief, but the way of affording them relief, as proposed by the honourable mover of this resolution, is in my opinion not the right way. There is a proverb in the English language that God helps those who help themselves, and the best way of helping the zamindars is to enable them to help themselves. This can be achieved by providing them with education and by development of co-operation. I feel that the zamindars would like to receive immediate relief in the form in which it has been proposed by my honourable friend, the mover of this resolution, but as I have already said this is not the best way of helping them.

My honourable friend in moving his resolution simply said that relief should be given to the *barani* tracts and districts in which the prospects of providing irrigation and other facilities for development are remote. He further said that the burden of land revenue imposed upon the zamindars of the *barani* and *chahi* tracts should be reduced and means should be adopted for reducing agricultural indebtedness. Beyond that he did not go into details. If he had given this matter his fuller consideration, he would have found for himself that his proposal is not so sound as he imagines, and that there are many difficulties in the way of carrying it into effect.

There are two ways in which relief may be given to the zamindars of the *barani* tracts. The first is that relief may be given to all zamindars irrespective of the fact whether they are the owners of large areas or of small holdings. Secondly, relief may be given to the proprietors of small holdings only. If the first proposal is adopted, it would become incumbent upon the Government to reduce the *barani* rate in general, settlement operations will have to be started every year; and you can very well imagine, Sir, how very inconvenient this process will be for Government, as also for the zamindar. Again it would become very difficult to decide how far and to what extent relief should be given to well-to-do zamindars.

If the second proposal were adopted and relief be given only to the proprietors of small holdings, then the poor zamindars of *nahri* tracts are sure to raise a hue and cry. The only difference between the *nahri* and *barani* tracts is that an owner of 20 acres of land in a *barani* tract is in the same position as the owner of three acres of land in a *nahri* tract. From the point of view of ownership of small holdings the economic position of both is the same.

[Diwan Bahadur Raja Narendra Nath.]

I do not wish to raise here the question of urban and rural interests. I only wish to differentiate between the deserving poor and the well-to-do zamindars. If it is intended to remove poverty prevailing in rural areas, then there is a class of people in rural areas which is more acutely in need of relief than land-owners; and this class consists of what are called the *kamins*, i.e., the blacksmiths, the carpenters and sweepers. After every crop these *kamins* get their share of the produce in the form of *kamiana*. If by a mischance a crop fails, this class is reduced to starvation, and it is a fact that these people become unable to earn their daily bread and have to go to bed with hunger gnawing at their vitals. If you consider the zamindars to be deserving of relief, those who have their lands to fall back upon, can you overlook the claims of village *kamins*? Certainly not. In my opinion the measures proposed by Mr. Anderson for the relief of the zamindars of the Muzaffargarh district will go a long way towards ameliorating the condition of this poor class also.

My honourable friend, the member for the Montgomery district, yesterday read out certain passages from the report of Mr. Anderson and called him a benefactor of the zamindars. I am at one with him in this respect and on the authority of this very gentleman, I beg to submit that the measures proposed by Mr. Anderson don't cover the proposals of the honourable mover for the amelioration of the condition of the zamindars. Mr. Anderson does not say in his report that the land revenue of the *barani* tracts should be reduced inasmuch as the people of the *barani* tracts are already in the enjoyment of certain concessions in the matter of land revenue.

Now I will pass on to another class of people who are in urgent need of relief and sympathy. I am referring here to those unfortunate people whose lands have become uncultivable on account of water-logging. The Government cannot afford to overlook the demands of these people for relief. As long as the Government has in its possession lands which can be granted to these people, relief is possible by exchange of area. But Government has not got an unlimited area of land at its disposal, and when the area of crown lands is exhausted, how is the Government to help these people?

There is still another class of people who have suffered and are suffering. I allude to those who suffer by diluvion. The lands of these people have been swept away by the rivers and the Government has not got enough lands to grant them. How is the Government going to help them? Now the only ways in which Government can give relief to the zamindars in general are those mentioned by Mr. Anderson in his report, viz., (i) by providing educational facilities for them so as to make them more adaptive and self-reliant; (ii) by extending the co-operation movement so as to provide a less onerous method of financing the land, and (iii) by improving the water-supply thus introducing a higher standard of living amongst them.

The Honourable the Finance Member has given us a brief summary of the state of the provincial finances and if, as has already been remarked, 50 lakhs of rupees are set apart for the creation of the proposed fund the development of the province will receive a set back.

The honourable mover of the resolution has treated with some contempt the question of the improvement of roads in the province. I should like to tell him that if the zamindars get facilities for carrying their produce to the markets they can get good prices for it. I know that each and every zamindar does not possess a surplus stock of grain, but in case the zamindars do possess surplus stocks they can get better prices for the same if means of communication are improved. Those days are gone when the zamindars could satisfy their wants by barter. Now they want money for the payment of land revenue and water-rate, and the more money they are able to obtain the easier it is for them to pay their land revenue.

Again the standard of living amongst the zamindars is not the same as it used to be twenty or twenty-five years ago. Even the use of *khaddar* is becoming less fashionable, and I have seen a number of zamindars purchasing English made goods and other luxuries, and I have seen many of them dressed in the best of modern fashions. Some time ago a zamindar friend of mine wanted to purchase my motor car, but I refused to sell it to him in spite of the fact that he was offering me considerably more than the person to whom I ultimately sold it; when he met me again he complained to me about it. But I told him that I had done it in his own interests because I did not want to ruin him. It is a fact that the standard of simplicity which formerly prevailed amongst the zamindars has completely disappeared. They want more money to satisfy their needs. They not only want a reduction in land revenue, but they also want good roads, well-equipped hospitals and up-to-date schools. Money is needed for all these things, and if money is set apart for the creation of the proposed fund, all these things will have to be postponed, and if the Government makes up its mind to accept this resolution and create this fund for the benefit of the *barani* tracts, the day will not be far off when the zamindars of the *nahri* tracts will also come forward with a similar demand.

Mr. E. Maya Das (Nominated, Non-official) (Urdu): Sir, I should like to point out at the very outset that I have a very high opinion of the ability of the mover of this resolution. He has very wide experience of these matters, and has served as member on several select committees and as such his opinion must be given the weight it deserves. I have no doubt that he has spent much thought in studying the *pros* and *cons* of this matter and he appears to be very anxious to ameliorate the condition of the zamindars inhabiting the *barani* tracts. It would be sheer injustice, therefore, if I did not mention the good points of his resolution.

In the first place, it seeks to relieve all such zamindars as are burdened with debt under a heavy rate of interest by giving them a chance to borrow at a lower rate, and thus help them to save money for the purpose of redeeming their mortgaged lands. In the second place, it contemplates to afford relief to the cultivators of the *barani* tracts who as we know are in some cases very poor. In the third place, this resolution aims at creating a fund which will remain intact and out of whose interest alone the above-mentioned relief will be afforded to the poor cultivators of the province. This is a great thing. These are the only three good features of the scheme and had there been a fourth I would have made mention of that as well. But, Sir, the question is whether this is the best way of ameliorating the condition of the zamindars who really stand in need of it. From the

[Mr. E. Maya Das.]

words of the resolution, viz., "and where other facilities for irrigation and development are remote" it follows that some measures for ameliorating the condition of the zamindars are possible.

Many new canals are still to be opened and since full details regarding the same are not yet available, we are not in a position to say which of the *barani* tracts of the province cannot have the benefit of canal irrigation. My second point, Sir, is this. *Barani* tracts are scattered all over the province. In some districts where there is no, or insufficient, rainfall the plight of the cultivators calls for our sympathy, but in other districts where there is a favourable rainfall, the condition of people is not bad and as a matter of fact, they are better off than the people of the areas whose lands are irrigated by canals. They have neither to pay the water-rate nor have they to suffer at the hands of the *patwari*. I therefore request the honourable member not to have any anxiety on account of these areas.

Again, we have yet to explore the many different methods of irrigation. It is only during recent times that the system of irrigating lands by means of water-lifting machines and oil-engines have been tried. Many countries are working a system of raising water by means of Air Power, but no such experiment has been made in this country. Again in California, sun-motors are employed for raising water, and these motors do not need any fuel for working them. Again now that we are going to have cheap electric power at our very doors, as a result of the completion of the Mandi Hydro-Electric scheme, it would be possible to draw water from water-logged areas and supply it to the adjoining *barani* lands. Thus we would be helping the *barani* tracts and the water-logged areas at the same time.

It is evident, therefore, Sir, that the creation of a fund is not the best way of bettering the condition of the poor zamindars. The true solution of the difficulty lies in making the villagers strong enough to face hardships. They should be enabled to increase their productive power and sell the surplus in the markets. Our greatest need lies in research work, and I am sorry to say that not much has been done in this country so far. The countries which spend more on research work are the countries which are advancing to-day. For example, take the case of Germany. During the Great War, food supplies ran short, and the German authorities appointed some men exclusively for the purpose of finding out some suitable substitute for food. They tried to extract nourishing elements, even from the refuse of the thrashed wheat, and though they did not succeed in this line, they did succeed in some other lines, for instance, they succeeded in manufacturing synthetic rubber. Again we have to teach the zamindars the method of dry farming. A friend of mine who has made extensive travels in the western countries has informed me that practically nothing has been done in this connection in this country. Sir, we have still to solve the problem of manufacturing agricultural implements and the supply of seed suited to the needs of dry tracts. Though several experiments have been made in Lyallpur, further research is necessary before it will be possible to say which kind is the best suited for *barani* tracts. The opening of experimental farms will also do the *barani* tracts much good and the

employment of entomologists will be necessary to find out means for killing the insects that infest these *barani* tracts.

(At this stage Mr. President indicated that the time of the honourable member was over and the latter accordingly resumed his seat.)

Risaldar Bahadur Nur Khan [Rawalpindi (Muhammadan), Rural] (Urdu): Sir, I have risen to say a few words in support of the resolution moved by my honourable friend Captain Sardar Sikandar Hayat Khan. He has vividly depicted in his speech the deplorable plight of the zamindars of the *barani* tracts of the province in general, and I propose to make some observations in regard to the zamindars of the Rawalpindi district in particular.

Sir, the people of the Rawalpindi district rendered yeoman's service to the Government, during the Great War; they helped it both with men and money; and the Government and the "History of War" bear eloquent testimony to the glorious services rendered by these men. But I am sorry to say that their plight is simply deplorable. Throughout the year they live on the verge of starvation. The whole district is a *barani* tract and is conspicuous by the absence of canals. People irrigate their lands by means of wells. Their holdings are very small and the average area of each holding is about six acres. Again, dense forests are scattered all over the district and they tend to worsen their sad plight all the more by obstructing agriculture. Moreover, the annual land revenue of each village is not less than Rs. 400 to Rs. 600, which considering the nature of the tract, absence of canals and the smallness of holdings is an unbearable burden for the zamindar.

In view of the meritorious services rendered to Government by the gallant soldiers of the Rawalpindi district, and in view of their poverty and backwardness, no district in the province merits so much sympathy and help as the Rawalpindi district, especially its two tahsils, Kahuta and Murree, and if, therefore the proposed fund is created, the lion's share of it must go to the zamindars of the Rawalpindi district. With these remarks I close my speech and hope that the House will pass this useful resolution without a dissenting voice.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] (Urdu): Sir, when the honourable member Captain Sardar Sikandar Hayat Khan moved this resolution, I was not present in the Council Chamber, owing to indisposition. I can, however, by drawing upon my imagination and in the light of the illuminating speeches delivered to-day, form some idea of the many good things that might have been said by him in his speech.

Sir, the resolution in question is of a simple nature. It does not affect adversely the interests of any party or individual. I, therefore, fail to understand why my honourable friends Raja Narendra Nath and Mr. Maya Das have taken the trouble of opposing it.

My learned friend the Raja Sahib has retorted to the zamindars in his speech that God helps those who help themselves. But I beg to point out Sir, that acting on this very maxim we, the zamindar members of the House, have put forth this resolution in order to help ourselves and better our lot and it now remains to be seen whether our efforts are crowned with success or not.

[Sardar Harbakhsh Singh.]

Sir, one of the arguments advanced by Raja Sahib against the resolution was that if we give the proposed concession to the zamindars to-day, what will we do if the artisan or menial classes, clamour for similar rights and concessions to-morrow. Sir, I assure the Raja Sahib that we will support the just claims of these menial and artisan classes with as much vigour and force, as we are doing our own, and let him understand it once for all, that we cannot be so mean and abject as not to support any just and proper measure calculated to benefit the menials, &c., provided somebody took up and represented their cause in this House. But this can be no argument to deprive us of a useful measure just at present.

Again Raja Sahib in a bantering tone remarked that the zamindars are well off and have cast off *khaddar* and have taken to the use of foreign clothes, &c., implying thereby that the impecuniosity of the zamindars, whose cause we are championing here, is not genuine; that they have grown rich, one of them wanted to buy his motor, and that they do not want any fund for the betterment of their condition. But this argument is also as flimsy as the former one. The zamindars, it may be true, have cast off *khaddar*, but not because they have grown rich, nor that they hate it, but because the townsmen have taken *khaddar* from them for their own use owing to a movement, and they have naturally to fall back on foreign cloth. Sir, of course I am saying this in the same spirit of retort in which Raja Sahib made his remarks, otherwise I am not casting any reflection on *khaddar*. I love it, because it is a good thing and I am sure that fine dresses can be made out of it. But why should any one expect the zamindars always to remain poor and niggardly as if they were no better than hewers of wood and drawers of water? Why should they not, like others, put on fine clothes, drive motor cars and enjoy life. They must receive education, though not merely for the sake of entering the services, but for their own aim of effecting improvements in their ancestral profession of agriculture. They must go to the Councils only to protest and fight for their own rights and claims. Here another and a very important question arises. Who is a zamindar? Does it mean anybody and everybody who has got land? According to this literal meaning even a small sparrow may also be termed "a zamindar," since it also possesses a bit of land under its feet. But this is not the correct interpretation of the word "zamindar." A zamindar is really one who tills the land, and thus draws his sustenance from the soil, or one whose ancestors tilled the land, but who has now taken to some other vocation and may have to return to his ancestral occupation at any moment. It is for the zamindars of this type, and not for those big landlords who have never touched the plough and have looked down upon their poorer brethren, that we are demanding this concession.

No better and more instructive instance of the miserable plight of the zamindars of the *barani* tracts is possible than that of the people of Hoshiarpur district and the Jullundur Doab. Raja Sahib must be well aware of this, as he was for so many years the Deputy Commissioner of the Hoshiarpur district. The Doaba comprises of the districts of Jullundur and Hoshiarpur, and a part of the Kapurthala State. Practically the whole of the Doaba is *barani*, there are no canals in it worth the name. The zamindars

are greatly inconvenienced by the want of water. By manual labour they try to irrigate their fields by means of wells which they construct and sink with their own hands and with their own money and on their own lands.

The Government does not help them in any way in so doing. It does not give them any help in the form of loans, but strange to say it charges a tax on these wells which is called *chahi*. Unfortunately for the last 10 or 12 years, the water supply of these wells has diminished considerably, and many wells have become almost dry. Opinions differ as to the cause of this deficiency of water supply. The expert appointed by the Government for going into this question, has come to the conclusion that the shortage of water is due to the excessive number of wells dug in the Doab, and is reported to have recommended that a law should be made penalising the construction of new wells. In other words, the only source of water supply is being proposed to be stopped or restricted. I am sanguine, however, that the House will never pass such a law, which is calculated to inflict untold misery and hardship on the zamindars. The root cause of this deficiency lies in the earthquake of 1905, when through some motion of the earth, incomprehensible to us, the water level began to go down and is still going down. The people of these districts are very poor, and are holders of small estates. If the proposed fund is created, they will be able to construct new wells, repair the dried ones, and will thus be enabled to eke out a precarious existence. Why does not the Government who has spent such large sums on the construction of canals in Bikaner and the Nili Bar look to these helpless people? The District of Hoshiarpur is devastated by a large number of "chos" "soans," and "beins" which carry the rain water into the rivers of Sutlej and Beas. That water has been utilised in Bikaner and Nili Bar and will bring crores of rupees in revenue in due course. Every one has got a right to retain in his own field the supply of water that pours from above. Now if there were a big fund for the purpose something could be done to retain the water of rains, &c., for purposes of irrigation when the rainy season is no more.

My honourable friend Mr. Maya Das has, in opposing the resolution, made a very funny remark. He said that the tracts of land where the rain falls should be considered to be out of question from the point of view of "barani lands." He forgot perhaps that the very word *barani* denotes the connection of land with rain water, i.e., it means the land which is dependent on rains only. That being so how can those very areas be distracted from the application of the definition and the consequent benefits that are intended to accrue from the fund which we propose to provide. The question at present before the House, however, relates to the creation of the proposed fund. Its distribution can be discussed later on. The zamindars who are in a fairly good majority in the House, should heartily support this resolution but others should not uncharitably oppose it but try to get it passed unanimously. With these words, Sir, I support the resolution.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, the resolution moved by my learned friend Captain Sardar Sikandar Hayat Khan, and the lively debate on the same have given me great satisfaction, firstly because they establish quite clearly that certain admi-

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nistrative problems have been occupying the minds of our councillors, and they have been earnestly addressing their efforts towards the solution of these problems and of applying them for the good of the province. This is indeed a happy augury for the future of the province.

The other point which gives me even greater satisfaction is this, that though the matter under discussion is extremely difficult and intricate, some honourable members have tried to realise its importance, and those who have not been able to comprehend it fully, do not lack good intentions to come to a correct decision. This also is an auspicious omen for our province, for it indicates that our councillors have begun to take interest in the welfare of the province, and have realised their duty and are trying to discharge it conscientiously.

Sir, at this stage, I had no mind to make a speech, but the far-reaching effects of the matter under consideration upon which depends the progress and welfare of the province have constrained me to say a few words on the subject. The last but not the least thing that has given me so much pleasure is that, from the beginning to end an atmosphere of peace, amity and good will has prevailed in the Council Chamber. Speeches have been delivered with due regard to the susceptibilities of other members of the House, no unpleasantness has been created thereby; and no attempts have been made by the opposition benches which may give an impression that they wish to wrest money from the hands of the Government. I am particularly glad that the Government have not been indiscreetly blamed for not using the money in promoting the best interests of the province.

With these few introductory remarks, I direct my attention to the resolution itself. It is apparently divisible into two parts. In the first part of the resolution, the honourable mover asks for the creation of a fund, by taking Rs. 50 lakhs annually for ten years out of the revenue proceeds of the province, and with this money the honourable mover intends to promote the welfare of the province. In the second place, the honourable member desires to use this money for relieving the deserving zamindars from the heavy burden of the *barani* rates (land revenue of unirrigated areas).

Sir, it is evident from the wording and import of the resolution, that it does not advocate any reduction in the '*barani* rates' at the time of the next settlement of the *barani* tracts. Nor does it take a single farthing out of the $8\frac{1}{2}$ crores of the provincial revenue derived from the land revenue. In other words what the honourable member desires is this: that any increase in the land revenue may be paid to the Government out of this accumulated fund. This arrangement will not cause any embarrassment so far as the Finance Department of the Punjab Government is concerned. Now, Sir, the question before us is whether the creation of the proposed fund will be beneficial to us or not? Sir, it has been pointed out, times out of number, that the income derived from land revenue, stamps, court fees and *abiana*, which go to enrich the coffers of the Government, are really the property of the people. Out of this property of the people which is chiefly made up of taxes a fund is sought to be created to ameliorate the condition of the poor zamindars inhabiting the *barani* tracts. Does it not, Sir, amount to the levying of a tax on the whole of the province for the sake

of some zamindars of a particular part of the country? Why not say plainly and frankly that the assessment of land revenue in *baryat* tracts should be reduced. This crooked and round about method is not of much use. Again, the creation of a fund will hardly be of any use as this will contribute only a negligible part towards the liabilities of the zamindars so far as land revenue is concerned. I wonder, why it is proposed that the Revenue Department of Government should continue to collect land revenue from the zamindars as heretofore, and later when the fund is created, pay a portion of the land revenue out of this fund. If the Government retains this money, it is for the benefit of the province, and as a matter of fact the land revenue and this fund, both are the property of the people.

So far as the policy advocated by the honourable members who have spoken on this resolution is concerned, there is no difference of opinion. Ways and means should be found to help the needy and to enable the people of the Punjab to live a comparatively comfortable life that is to say each person should have sufficient to feed, and clothe himself, after meeting the revenue demands of the province. Sir, this is a principle with which all of my colleagues and myself are in entire agreement with the honourable mover; and yet, is it not a pity that we cannot view the problem from the same standpoint? The fund which the honourable mover and his party propose to establish can only be created if money is forthcoming. For instance, in the budget for 1928-29, after providing for the necessary items, if only 20 lakhs are left over as surplus, how are we to get hold of the remaining 80 lakhs? Should we make up this deficiency by imposing new taxes? If so, should we increase the *abiana* or the court fee or the stamp duty?

An Honourable Member: No, the fund should be constituted out of the surplus money. No new taxes should be levied, but expenditure should be curtailed.

The Honourable Mian Sir Fazl-i-Husain: Well, Sir, an honourable member says, that we should utilise only the surplus towards this fund. Now as an old non-official member of the House, in whom the majority of the House reposed implicit confidence, I should like to tell the honourable members that the wording of their resolutions should be such as not to leave any doubt about its meaning. The words should clearly and exactly convey what is in the mind of the mover. The resolution in question, however, does not fulfil this condition. It does not say what the honourable mover and his supporters wish, i.e., that the surplus alone should be contributed to this fund. They have fixed the contribution at 50 lakhs. Moreover, if the contribution to the fund is limited to surplus only, how long will it take to become 5 crores? Is it not possible that a deficit year may either swallow the fund or necessitate fresh taxation? It has again been urged that we should cut down our expenditure. Now, Sir, if I were to cut down the expenditure on my clothes, I should have to go without some of them. I cannot have all my clothes and yet cut down my expenditure. I ask the honourable member as to which item of the expenditure he proposes to cut down. The honourable members, who have been in this Council, since its inauguration know very well how official and non-official members of this Council laboured hard to find ways and means for retrenching the provincial expenditure and in spite of their efforts, they failed to effect retrench-

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ment to any appreciable degree. Sir, I would like the honourable members to consider the condition of those areas where there are neither hospitals nor schools nor roads and of those backward classes who deserve every sympathy on our part. The duty of a friend is to counsel wisely and not to lose all ideas of prudence and foresight in the zeal for showing his friendly inclinations. Here is a chance of rendering help to these backward areas and classes, with this money. Instead of this you want to reserve this money for a particular class of people which even if spent in this manner will not relieve them to any appreciable extent of their burden. The gift of an anna per head per year would not benefit anybody, but if this accumulated money is spent on the work of the general development of this province, in bringing poorer areas and poorer classes into line with more fortunate areas and classes, much material good is sure to accrue. Now, if Government were to adopt the principle involved in this resolution all advancement will come to a standstill. I may go a step further, Sir, and say that even the little progress that we have already made will receive a set back. Now, Sir, the expenditure can be reduced in two ways only. Firstly by dismissing several useful officials of Government and secondly by stopping the work that the Transferred Departments have taken in hand. The first alternative is impracticable. It will do no good to the poor zamindars if *patwaris* or their supervising officers or the staff of the Secretariat is reduced. Moreover the effects of this retrenchment cannot be immediate. Three or four and perhaps more years must elapse before any money is saved by retrenchment. Is it not obvious that in several cases officers whose services are being dispensed with, will have to be compensated?

Now, comes the second alternative. It means that some of the work of the Transferred Departments should be abandoned. In other words, less money should be spent on the education of backward classes of the province, or on the building of hospitals for the sick or on the improvement of sanitation and on other useful things. But in doing this, Sir, will the honourable mover and his supporters be doing any service to the zamindars whose cause they are so warmly advocating here? In my judgment, they are not playing the role of a wise friend but of an unwise friend. To secure a minor advantage, they are ready to deprive them of a bigger one. Is it friendship or hostility under the cloak of friendship? I hope the honourable members will desist from pressing this resolution which is calculated to do immense harm to the interests of the zamindars.

Sir, I claim to have some acquaintance with the problem of primary education in this province. The Punjab has been given much credit in other provinces for its laudable efforts in disseminating primary education and doubling the number of students in schools within five or six years, but, Sir, I will not conceal the real position from you or for the matter of that from anyone even outside this province, that the present system of imparting primary education in schools is not such as to encourage us to make it compulsory. Compulsory education should be such, that those who receive it should become literate in the true sense of the word in a period of four or five years. But the standard of the ability of our teachers is so low and the control of the Inspectors is so loose that under the present circumstances and with the present arrangements we cannot achieve that object. Sir,

if you desire that your province should have the benefits of education and there should be real advancement in rural areas you should double the grant that you have allowed for the primary education in order to enable the department to better the condition and standard of the teaching staff whom you pay even less than what you pay to your *khansamas* and bearers and whose highest academical qualifications do not go beyond the vernacular middle standard.

Sir, keeping in view all these requirements of the province, and possessing a love and regard for the betterment of the condition of the people of the Punjab, how could I agree to such a monstrous proposal? If you want to ameliorate the condition of the poor inhabitants of the *barani* tracts, give them first rate schools, well-equipped hospitals, good seed, strong cattle, good roads and assist them in finding and possessing means of improving the condition of their lands. They should get the help which they deserve and not that which would hardly do them any good. May I for the information of this House say that during the last few years valuable help has been given to the districts of Kangra, Rawalpindi, Jhelum, Rohtak and Hissar? The Government has been able to do for those districts with the help of this Council what it was impossible for it to do in pre-reforms days. Sir, I am sure the scheme as propounded in the resolution will not achieve the good of the poorer and the weaker fellow Punjabis that we all have in view, and for this reason alone I do not find myself able to support this resolution, and am constrained to oppose it.

Sardar Ujjal Singh (Sikh, Urban): Sir, the Honourable the Revenue Member has put one interpretation on this resolution as regards the pitch of assessment and the burden of land revenue. He says that what is proposed is that the burden of land revenue is to remain the same, that only a portion of the land revenue is to be paid out of the reserve fund thus created. But my interpretation and I believe the honourable mover agrees with me is that the underlying object of the resolution is to make this burden light by gradually reducing the pitch of assessment. It is a strange irony of fate that in spite of being rich in raw materials this country still remains one of the poorest countries in the world. It is all the more regrettable that the portion of population which is dependent upon agriculture happens to be the worst stricken in poverty and deeply involved in debt, and yet it is the one portion which, I think, is rightly called the backbone of the country. It would be needless for me to waste the time of the House in quoting figures about indebtedness and poverty of the agricultural population. As my honourable friend the mover and my honourable friend the member from Montgomery have both painted lurid pictures, it is impossible for me to improve upon them. Even if I were to make an attempt, I confess I have not got the power nor the enthusiasm nor the voice that my honourable friend from Montgomery possesses. Besides, many of the honourable members have carefully studied and have many a time quoted those two well known books by Mr. Darling and by Mr. Calvert in which the authors have established that only 17 per cent. of the proprietors of land are free from debt and that tenants and cultivators are alike under debt and that agricultural debts amount to as much as 90 correes of rupees. With all these facts and figures staring us in the face, it becomes the bounden duty of the Government to take some steps to lighten the burden of the agricul-

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teral population. Sir, there may be several causes that may have contributed to bring about this deplorable state of affairs. It may be due to heavy expenses on litigation, on marriages, heavy mortality of cattle and it may also be due to that much maligned system of credit that prevails in villages. But, Sir, I say, go to a zamindar and put one question. Ask him as to what time, at what period of the season and for what purpose has he to borrow money at a higher rate of interest. His one answer straightway would be that he has to borrow money when he feels the pinch for money at the time and for the purpose of paying land revenue. It is a matter of common knowledge that the holding power of the cultivator is very poor and he has to sell all his produce at a very unfavourable rate simply for the purpose of revenue payments. I need not go into the detailed history of the land revenue system but the fact remains that whereas the total burden on land elsewhere is about 10 per cent., in this country it varies from 15 to 20 per cent. of the gross produce. The cultivator has no capital, no credit, nor resources to effect improvement in his land and coupled with this burden of land revenue, he is sinking daily in poverty. Government, no doubt is doing its best to cope with this serious situation by way of encouragement of co-operative movement, cattle breeding and other allied activities of the agricultural department. But it amounts to giving with one hand and taking away with the other, and probably with the right hand, if no relief comes forth in the shape of lightening the burden of land revenue. The Indian Taxation Committee reported some three years ago and made some very important recommendations. Out of the various recommendations that were made by that committee, one was that the basis of assessment should be the annual value and by annual value they mean gross produce of the land less cost of production, including the labour of the farmer and his whole family. Another recommendation was that the rate of assessment should be fixed at the maximum of 25 per cent. of annual value. Even those moderate recommendations were not given effect to. While, I am at one with the honourable mover in the underlying object of the resolution, I cannot see eye to eye with him with regard to the specific proposals involved therein. I do not think the honourable mover wants other departments, and especially beneficent departments to starve. In fact we require more money for education, if we want to dispel ignorance from the masses, more money for public health, if we want to drive out disease from the country, more money for agriculture, if we want to see our raw produce increased and also more money for industries if we want to solve the problem of unemployment. I may also say that we will have to provide more money for police, if we continue to fight among ourselves as we are doing to-day (hear, hear). But, Sir, the honourable mover was on firmer ground when he suggested that the surplus of every year ought to be funded with a view to levelling down the land revenue. This is a very modest proposal. If the Honourable the Revenue Member sees his way to give an assurance to the House to that effect, I would strongly advise the honourable mover of the resolution to withdraw his resolution. I repeat so that the Honourable Revenue Member may hear that. If the Honourable the Revenue Member sees his way to assure the House to the effect that the surplus of every year will be funded for the purpose of levelling down land revenue, then the resolution may be withdrawn. I would suggest that instead of 50 lakhs

of rupees, the surplus of every year, if any, after meeting the expenses which the Council wants, should be funded in the manner suggested in the resolution.

The Honourable Sir Geoffrey deMontmorency : May I ask the honourable member what he means by surplus of every year? Does he mean the general surplus on the whole accounts as the Government account consists of many heads, or does he mean any surplus there may be in ordinary revenue? Does he bring capital loan and reserve and insurance funds and everything else in?

The Honourable Mian Sir Fazl-i-Husain : He means the surplus, if any, of the general account of every year should be funded for this purpose.

Sardar Ujjal Singh : Of the ordinary revenue.

The Honourable Mian Sir Fazl-i-Husain : Generally for capital expenditure funds are borrowed.

Sardar Ujjal Singh : I mean the surplus, after meeting all the demands which the Council agrees to.

The Honourable Mian Sir Fazl-i-Husain : Nothing can be spent unless the Council agrees to it.

Sardar Ujjal Singh : After meeting all these demands, I mean all reasonable demands, whatever surplus there may be will have to be funded with that view.

The Honourable Mian Sir Fazl-i-Husain : May, I, Sir, put only one question to the honourable member? Does he mean that all items of expenditure whether chargeable to ordinary revenue or to capital account should be first met? Or, does he want us to keep this revenue account separate, and go on borrowing at a high rate of interest to meet the needs of capital expenditure?

Sardar Ujjal Singh : I mean the surplus of the ordinary revenue account should be funded for the purpose of lightening the burden of land revenue. Capital expenditure has to be met from capital account. It is true that only slight relief might be afforded to the cultivators by this proposal, but it is no argument for not giving any relief at all. If we can afford a morsel to the starving man, it is all the better, even though we are not able to provide a full meal. The effect of this relief should not be counted and calculated in pies, annas and rupees. It will have a very great moral effect. It will lead to contentment and a contented peasantry, I submit, is a far better source of strength to the establishment and promotion of peace, order and good government than all the armed forces that the British Government holds under its command.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhamadan), Rural] (Urdu) : Sir, I am afraid I have only 15 minutes at my disposal. The points raised by the various speakers are so many and so important that it requires a lot of time to deal with them all. I will, however, content myself with discussing only the more important points.

The Financial Commissioner was pleased to make a particular mention of the Hissar district in his speech and he said that the average income

[Rai Sahib Chaudhri Chhotu Ram.]

accruing to the Government in the shape of land revenue from the vast area extending over lakhs of acres in the district was only 6 annas. This, he said, was quite a moderate charge and if it were reduced by one or one and-a-half anna, the zamindars will not gain much. May I ask here a very pertinent question and that is whether the Government has ever tried to analyse why the zamindars of the Hissar district are so poor and under the burden of huge debts in spite of the fact that they possess large tracts of lands and, in the words of the Financial Commissioner, have to pay a very moderate rate of land revenue. If Government had cared, it would have known that the unsympathetic way of realising the land revenue is mainly responsible for their poverty. After every six months, these poor zamindars are required to pay a definite sum of money by way of land revenue and no regard is paid to the fact that they have got nothing to feed and clothe themselves and their

children. If I do not mistake, no consideration has ever been paid to the fact that Hissar district gets sufficient rain only once during the period of 5 or 6 years and even then only one crop is raised. Government demand for land revenue remains the same for all times and, therefore, the zamindars are driven to borrow money from the money-lenders. This adds another difficulty to their already precarious condition. By the slow but steady process of compound interest, the ordinary sums borrowed grow into huge amounts and thus become a permanent source of embarrassment to these debtors. In the face of these handicaps, the zamindars cannot be expected to rise from the abyss of poverty and, therefore, it will be in the fitness of things if the Government were to accept the remedy proposed by the mover of the resolution. I think if once the proposed fund is established, the Government will be able to give relief out of its interest alone to the areas which deserve it. While talking of the South-Eastern districts of the Punjab, the Financial Commissioner safely omitted to make any mention of the Gurgaon district. I may add here for the information of the House that the land revenue charged from the zamindars of Rewari in the Gurgaon district is very exorbitant so much so that even the settlement officers of the Government do not countenance its continuance. It will, perhaps, interest the Government to know that the Rewari zamindars are under the impression that they are being punished for the sins of their fathers who had risen against the Government at the time of Mutiny.

In opposing the resolution this plea has been put forward that because the resolution as worded does not point out the way in which and the circumstances under which the proposed relief is to be given, it is unacceptable *in toto*. It is only a clever way of refusing our most moderate and reasonable request. Otherwise these are matters of details and can best be fixed by the Government officials who are expert in such things and who are handsomely paid for such jobs. Government should look to the spirit and the object of the resolution and then find fault with it if there are any in it. The resolution does not make any extravagant demands. It only asks for the creation of a fund of ten crores of rupees to be raised by subscribing every year 50 lakhs of rupees out of 60 lakhs of rupees remitted by the Government of India. When the Honourable Revenue Member remarked, in the course of his speech, that so far as the principle underlying

the resolution was concerned, he had nothing to say against it, I began to cherish hopes that the resolution would be accepted in one form or the other. But I was disappointed when, in the same breath, he said that the acceptance of the resolution will land the Government in many and serious difficulties. He further said that our demand for the establishment of the proposed fund was incompatible without admission of the right of the Government to charge land revenue and suggested that we had better ask for reduction in the existing rates of land revenue. But may I ask whether he is prepared to grant that request if we resolve to make it some day. I know that even when we make that request, the question of principle will be raised. Then perhaps it will be said that it is a very wide question and affects not only the province but the whole of India and then we will be silenced by the argument that it is a matter which the Punjab Government is not in a position to decide without consulting the Government of India. I am here reminded of an appropriate Punjabi proverb which is as follows :—

پنجاب دا کہناں سر متیرے

اے پر نالا اوتیر دا اوتیر

We see that by putting forward one plea or the other, justice is being denied to us and we are constrained to conclude that the question of the relief to the poor zamindars does not find favour with the Government. Except offering destructive criticism on the resolution, the Honourable Revenue Member has not told us in what way and to what extent he is prepared to concede to our request. If he is not prepared to give us 50 lakhs, let us have 25 lakhs or even less. One of the honourable members on my left suggested that the best way to remove poverty from the zamindars was to educate them. It is well said, but when it comes to asking for their support for an educational programme for the backward classes, he and others of his way of thinking not only refuse their help, but go to the length of vehemently opposing it. We are fed up with such suggestions. We want real sympathy and support for this resolution.

A question has been asked as to how we are going to meet the expenses to be incurred on the nation building programme if 50 lakhs must be set apart as proposed? The answer to this question is not far to seek. There are only two ways of meeting fresh expenditure—one by imposing new taxation and the other by effecting retrenchment in various items of expenditure. In my opinion both these possibilities are available. New taxes can be justly imposed on the classes of people which are at present contributing nothing to the provincial revenues. And if Government is afraid of touching their pockets, it should at least bring down the limit, for the purposes of income-tax, to Rs. 1,500 or Rs. 1,000 or Rs. 500 instead of Rs. 2,000 as obtains at present and it should also insist on getting more share out of it for the province.

(At this stage Dr. Gokul Chand Narang said something.)

My able friend says that it is why that our share has been withheld. It appears that my friend's peace of mind is disturbed even at my proposing this step. I wonder how it will go with him when Government has actually

[Rai Sahib Chaudhri Chhotu Ram.]

given effect to my proposal. Besides other avenues can be successfully explored if it is really intended to make light the burden of the poor zamindars. There is also much scope for retrenchment in expenditure. I understand that on the construction of one mile of road in the Nili Bar, 40 or 50 thousand rupees are being spent. This is too much for the limited sources of the province. I think an ordinary road of brick bats can serve the purpose. Then we find that large amounts of money are spent on the construction of high class residential quarters for the officers. The residential quarters for the Provincial Service men cost the Government 15 thousand rupees and for the Imperial Service men something about 80 thousand rupees. That is not all. The rates allowed to the contractors by the Public Works Department are very high. Had it not been so, no contractor would have come forward to undertake the construction of Government buildings at apparently low rates of profit shown in the tenders. With the connivance of the officers these contractors use inferior material which necessitates repairs and reconstruction every now and then and consequently so much public money is wasted. I am sure that if only these rates are revised, there will be a saving of about 50 lakhs of rupees every year on this account only.

We have also been advised not to press this resolution lest we should spoil our chances of improvement for which we have been crying hoarse for the last so many years. It has been said that by our insistence on the acceptance of the resolution, we will be interfering with the programme set up for the advancement of the province. In reply to it I will say that we are as anxious for the progress of the province as any one else here or outside. But what we urge is that for every rupee spent, we must get in return work worth 16 annas and not a pie less. Unluckily much of public money is being wasted now-a-days. For example, the money that is being spent on the education of adults, brings no return because I know that out of many thousand adults that we were told, were being educated in the Rohtak district, only one of them has been given a certificate of literacy (interruption).

Sir, my source of information is an officer of the Education Department and I rely upon him.

Dr. Gokul Chand, Narang : Perhaps they are all dullards.

Rai Sahib Chaudhri Chhotu Ram : Of course they are not as intelligent as the honourable member for Rawalpindi is. It has just now been remarked that the said programme for five years will be upset in case the proposed sum of 50 lakhs is set apart for giving relief to the poor zamindars. I may submit, Sir, that this fear is totally unfounded. Most of the schemes included in that programme have already been completed or have approached completion. I think the note of the Financial Secretary, which says that dispensaries will continue to be opened at the rate of 70 per year till the end of 1931, is misleading. According to my calculation this part of the programme will be completed before the end of the year 1929. Likewise is the case of the Agriculture Department. It will not take long to provide an agricultural farm to every tahsil and then there will be no further need for extending relief of the nature that the programme contemplates. As for the buildings for primary schools I should say that we do not

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require them. Our children can very well receive education under the trees as our forefathers used to do. To effect reduction in expenditure some of the officers of the Government can be reduced. The long list of supervising staff in the Veterinary Department is, in my opinion, superfluous. There is no need of an inspector's work being supervised by an Assistant Superintendent, and a Superintendent and Chief Superintendent and finally by the Director of Agriculture. Some of the intervening posts can safely be abolished. Similarly the posts of the 5 Commissioners can be done away with. They do not do any useful work and they only interfere with the work of the Deputy Commissioners. But Government does not seem to pay its attention to the reduction in expenditure. There is yet another way of effecting saving in the huge amounts of expenditure that is incurred by the Government every year. I remember to have pointed out once before that it is always the anxious care of the Finance Department to over-estimate expenditure and to under-estimate income. This bad habit of the department results in much waste of public money. The Demands for grants that are placed before the Council and which are passed by it without material cuts, consist of more money than is actually required or can be spent by the various Government departments and I know that at the end of every financial year, the balance left at their disposal is hurriedly and uselessly spent to avoid criticism by the Council and the Finance department. The schedule showing the anticipated saving of 74 lakhs during the next four years that has been prepared by the Finance department cannot, therefore, be relied upon as correct. I can see that it must have been underestimated. I hope I have, by this rather lengthy explanation, set at rest the fear of some of the honourable members on the score of the programme for progress being interfered with. I think that the Government will try to see its way to comply with our request. But if it remains still unmoved it will give another cause of discontentment prevailing amongst the zamindars. Looking at this problem from political point of view I take this opportunity to warn the Government that this impression is already gaining ground that Government is riding rough shod over the interests of the zamindars. Even their most legitimate grievances are not removed. This time I asked the Government by means of questions for the abolition of *chohi* rates and of *chaukidara* tax, but my request has been unsympathetically treated as usual. It is not in the interest of the Government as well as of the subject that this discontentment amongst the ignorant classes be allowed to grow because it is likely to prove dangerous to us all. I, therefore, request the Government to accept this resolution.

Mr. W. R. Wilson (Revenue Secretary): Sir, it should be impertinent on my part to give even a brief resume of the system of suspension and remission of fixed land revenue in the insecure tracts of the Punjab. I should have thought that many or rather all the honourable members of the House were fully conversant with the system of working suspensions and remissions, but after hearing the remarks of the honourable member for Rohtak who just sat down, I feel that perhaps it might not be impertinent if I am allowed to give a brief resume of the way the system of remission and suspension works in the Punjab in insecure tracts. Especially should I mention the way in which it works in the two districts where the incidence of land revenue according to the honourable member for Rohtak is heavy. The honourable member

[Mr. W. R. Wilson.]

for Rohtak has given expression to the resentment felt at the pitch of assessment in those two districts by their inhabitants. I do not want to be elaborate, and I will endeavour to be brief. The first rule is that in the matter of granting remissions in *barani* tracts no suspension is given for any crop which is an eight anna crop. The reason is that in precarious tracts an eight anna failure of crops, is no unusual occurrence. Another reason is that in tracts where crops fluctuate violently, settlement officers in the past, and the Government, have been particularly careful and cautious to see that the pitch of the assessment does not cause real cases of hardship. The other point is that in precarious tracts, although there may be very little to keep things going in one harvest, the character of the preceding harvest and the succeeding harvest is often such as was once described to me by a zamindar as "*lakh murad*." Settlement officers vary the scale in districts according to the needs of particular districts, but the general rule is that if a crop is 6 annas and less than 8 annas, then the degree of relief that is ordinarily granted as a general guide is 25 per cent. If the crop is 4 annas and less than six annas, the degree of relief is 50 per cent. and if it is less than 4 annas, it is 100 per cent. All honourable members are aware of this rule and therefore it may be impertinent on my part to mention it. But I wanted to mention this before coming to my point which is this. When the question arises of suspension of land revenue in a bad year, the collector in every district is bound to refer to a carefully drawn up scheme prepared by the settlement officer, and elaborate statements are prepared from which the collector gets very great assistance in deciding whether he should recommend suspension or not. Danger rates have been prescribed, which are intended to give a rough guide to decide as to the necessity of giving relief in insecure areas; the danger rate is a hint to the Collector that where it shows that an enquiry has to be made, the enquiry is necessarily made. The object of suspension is to secure elasticity in working and to combine as far as may be the advantages of a fixed and fluctuating system. In the Hissar district I happened to notice that at the last settlement the scheme to work out suspension or remission was drawn up in very considerable detail by the Settlement Officer. The Settlement Officer drew up a scheme which contained some features which are not to be found in any other scheme of any other district in the Punjab. For one thing every village which is exposed to violent fluctuation in crops, has three different estimates showing what the village can pay in a very bad year, in an ordinary year and in the year which is above the ordinary. At the same time the settlement officer in Hissar took great pains to prepare a special statement with different normal and danger rates for both kharif and rabi crops with the intention of seeing that all claims of the villages were enquired into when it was felt that there was some question of suspension or remission to be settled. The honourable member for Rohtak said that the Hissar district was penalized in its assessment—*tawan*. I think that was the word used by him. As the Financial Commissioner pointed out yesterday, the incidence of land revenue on the total area and the cultivated area is less in the Hissar district than any other district in the Punjab. The settlement officer prepared his suspension scheme very cautiously and carefully. The danger rate is as low as 12 annas per acre of cropped area in some tracts. In spite of that the average remissions during the last quinquennium has been extremely low, the reason being that the Hissar district has been lightly

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assessed ; at the same time the suspension scheme has been so carefully prepared that in the Hissar district where on account of the failure of rainfall relief becomes necessary to any degree, that relief is always given in the way of prompt suspensions. It is also curious enough that in Gurgaon where it is said that land revenue bears very heavily on the people, it was emphasized at the last settlement that the feature of the scheme of suspension or remission sanctioned for the district depends on the working out for each village at each harvest of a demand based on rates which are generally uniform on all crops on a particular soil but which in six circles are differentiated for crops. That means that there is elasticity in suspensions and that this system practically means that the assessment approximates to fluctuation. As a matter of fact, the suspensions in Gurgaon district in recent year have been very heavy. From statement (IV) appended to the Land Revenue Administration Report it does not appear that the assessments are heavy in either of the two districts—certainly not in the Hissar district. The settlement officers have so carefully drawn up their schemes that relief in the way of suspensions is given almost automatically, and these suspensions, if harvests continue poor are apt to convert themselves partially into remissions.

Khan Bahadur Malik Muhammad Amin Khan [Attock (Muhammadan), Rural] (Urdu) : Sir, I do not like to repeat what my honourable friend the mover of the resolution and some other honourable members of the Council have said in favour of the resolution under discussion. I am of opinion that if the Government accepts it, they would not stand to suffer any loss, but on the other hand it will go a long way to improve the lot of the poor cultivators of *barani* tracts. The district of Attock from which I come, like the Muzaffargarh district, is one of the most backward districts of the province. There, the poor cultivator is hardly able to keep his soul and body together because of the periodical assessments and the absence of irrigation facilities which have now been provided to most of the districts of the Punjab. After three previous settlements, settlement operations were made for the fourth time in 1928. I do not say whether or not these settlement operations were called for at the time. I leave this question aside. But with what I am concerned now is that Land Revenue was assessed at 40 per cent. in the first instance. It was however, finally, decided to assess land revenue at 38 per cent. in tahsil Attock, 20 per cent. in Talagang, 15 per cent. in Fatehjang and 7 or 8 per cent. in Pindigheb. Sir, I am at a loss to understand on what principles this assessment was based, for the conditions of the lands has not improved in the least. It is injustice, pure and simple. In order to remove this injustice, if a fund as proposed by my honourable friend the mover, be created, where is the harm ? Owing to the periodical assessments the indebtedness of the poor cultivator of my district has considerably increased. Of course the co-operative societies have proved useful for him but not to such an extent as to sufficiently improve the means of his living. He is still an easy prey to the money-lenders. Why is it so ? Only because the co-operative societies have not sufficient funds. Therefore the fund proposed by my friend the mover of the resolution would also help the co-operative movement. I have most attentively listened to all the arguments advanced for or against the resolution and my conclusion is that the resolution, if given effect to, would prove useful to the zamindars of the province as a whole. I therefore strongly support it.

Mr. H. W. Emerson (Chief Secretary): Sir, I think the great interest that this debate has aroused is due mainly to the fact that among members of all quarters of the House there is a feeling of sympathy with the motive underlying the resolution which the honourable member has moved. There is a general feeling that landowners and cultivators in the irrigated tracts of the province have been getting more than their due share of the good things of life, and that the people of the unirrigated tracts, mainly the South-East and the North-West of the province, have been getting less than is their due. And it is because of this feeling that members in all parts of the House are anxious to find, if they can, some remedy, some means by which the lot of the people of the poorer parts of the province may be improved. When the honourable member for Rohtak says that officers of Government have no sympathy at all with the lot of the zamindars, I, and all other officers of Government in this House, resent and repudiate the statement; and when he goes further and says that Government does not care to trouble about finding a remedy, a way by which the means of existence of these people can be improved, then again I say he is making an inaccurate statement. To my knowledge, during the past two years—I can only speak of the last two years—Government has anxiously considered and examined many schemes for the improvement of the material condition of the people of the *barani* and poorer parts of the province. Sir, I think amongst members of Government and amongst all members of this House there is a general agreement that whatever means can be adopted should be taken in order to improve their lot and if possible, to bring them to the level of the rest of the Punjab (*hear, hear*), not at the cost of the people of the canal-irrigated areas if that can be avoided, but at any rate to bring up the backward districts to a higher level than they are at present. It is only when we come to consider the means by which this can be done that there is difference of opinion. The honourable member who is responsible for this resolution thinks it can be done by remitting taxation. I am not concerned with the particular methods he recommends. It would be easy enough to challenge them, to point out, as other speakers have pointed out, that they are impracticable. I would just point out one wrong assumption. He assumes that it would be possible for Government to lend to co-operative societies in the space of ten years the large sum of 5 crores of rupees at 6 per cent., and that that would be a safe investment for Government. The needs of mortgage banks have been quite recently examined and the conclusion that was reached was that the maximum amount which mortgage banks could safely absorb during the next 5 years was 50 lakhs, this was the very maximum—and even then it would be necessary to go very carefully and to examine each step before an advance is made. Well, if mortgage banks cannot absorb this sum at 6 per cent., I do not know what investment Government is going to find for the money. If we lend it to the Government of India, we will not get more than the present rate of interest which is $3\frac{1}{2}$ per cent. We should thus be borrowing at 5 per cent. for our Capital needs, and lending at $3\frac{1}{2}$ per cent. which does not seem to be sound finance. So, even if we had funded this 5 crores, at the end of 10 years the annual return on that would not be 50 lakhs; it would be nearer 20 than 30, probably less than 20. Now 20 lakhs a year spread over the whole population of the

Punjab works out at something like an anna and six pies per head of the population per annum. And, in order to provide each man, woman and child with one anna and six pies per annum, just enough perhaps to provide them with one more *chapati* in the year, are you going to stop or at least are you going to retard, the development of the province? Are you going to make the people of these tracts much richer by giving each one of them one or two or even three more *chapatis* each year? I cannot believe that that is the way to raise the people of the backward tracts to the level of the people of the canal-irrigated districts. It cannot be done in this manner. The only hope of the people in these districts is for Government to spend money on their development (*hear, hear*), and if I belonged to a district like Hissar or Gurgaon or Rohtak or Attock, any of these districts which have been mentioned; and if I represented the people of those districts on this Council, I would insist that Government spent liberally from the funds at its disposal on their development. Indeed, I think everybody who knows what the programmes of the different departments of Government are, will admit that Government is spending money on those districts. Take the case of Gurgaon, the district next to Rohtak. The honourable member for Rohtak will not, I am sure, hesitate to give well deserved praise to the work that has been going on in Gurgaon for the last two years and to the work that is still going on. The Deputy Commissioner of that district was talking to me this morning. He complained that he could not get enough money. And it is probably true that he cannot get enough for the programmes of developments which he wants to see pushed on. But he is going to get less and not more if you reduce the income of the province, as you propose to do, by 50 lakhs a year. If you are going to lay this sum aside, you cannot have it for the programmes of development which you want. Are we to lend our money at $3\frac{1}{2}$ per cent. while we are borrowing at the rate of 5 per cent. in order that ten years hence — not now — some of the people can have one or two *chapatis* more a year? That is not the way in which you are going to raise the backward districts. You are going to raise them by better roads, by better farms and by better agricultural methods. In the South-East of the province an agricultural experimental farm was opened, this year or at the end of the last year; in each of those districts there is going to be a district farm and one hopes that as a consequence improved methods of agriculture, suitable to the barani tracts, will be discovered; in Hissar, Gurgaon and Rohtak, money is being spent and spent liberally on the development of cattle breeding, one very important source of income to the people which is capable of great improvement; in Gurgaon, the Rural Sanitary Board has been devoting a great deal of attention to bunds, and other drainage schemes, and in the neighbouring districts similar works are under consideration. It is by schemes of this sort and by expenditure of this kind that you are going to do something for these districts. I think that most of the speakers have recognised this fact. Even the honourable member for Rohtak has recognized it. He is not willing to give up one item of our programmes on development, but his argument is that we can have both; that we can spend money on development and we can also give it back to the people. Well, I say that we cannot do both. It is not possible. One way he suggested was to cut down expenditure and he mentioned one or two directions in which perhaps it would be possible to curtail expenses down,

Mr. H. W. Emerson.]

Well, even if we assume that here and there Government is perhaps spending a little more money than it might spend if more rigorous economies were practised, it is still true that we have to think not in tens or thousands of rupees but in lakhs and in crores of rupees, and even if petty economies could be effected, they would do little to solve this problem.

His next argument was that Government was fooling this House. Do not believe Government, he says, when it declares that it has not got the money. It has got the money

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and you can have both development and remissions of taxation. In support of this statement he cited the fact, and I admit he is quite justified to cite it, that for several years the expenditure has been below estimates and occasionally the revenue has been above the estimates. Last year, however, the revenue instead of being above was very considerably below the estimates. He cited the figures that are given in the memorandum for which I was responsible and argues that they exaggerate expenditure and underestimate income.

Now the honourable member who moved this resolution has mentioned the sum of sixty lakhs of rupees—the remission given by the Government of India. He mentioned that sum because he was obviously very much impressed by the hugeness of the sum of sixty lakhs. But if honourable members will study my estimates of the increase in receipts during the next four years, they will see that I have put the figures not at sixty lakhs but at 171 lakhs. The large increase estimated in the memorandum must have surprised many members and I think if the honourable mover had known of that sum, he would have mentioned 171 lakhs in his resolution instead of 60 lakhs. Personally, I am inclined to think that the estimates are on a rather liberal scale; and certainly if the Sutlej Valley is not the success which is anticipated or if the cotton crop is not good on that canal, that estimate of 171 lakhs will prove far too high. But we have not concealed how large the future receipts may be, and the suggestion that Government is fooling this House is disproved by the size of the estimates. Had we desired to fool the House we would have kept quiet about these receipts. As far the estimates of expenditure are concerned, it is quite possible that the full amount may not be reached in four years. But there is a point which I want the members of the Council clearly to understand and realise, because it is of the utmost importance. In the method of examination employed I have taken only recurring receipts and only recurring expenditure, and I have done so intentionally so that members may clearly realise what the estimates mean. If you have a scheme, say for compulsory education, you may not be able to start it as quickly as you think; you may be a year behind your programme or you may be two years behind your programme. But if you decide to go on with that scheme and if it includes the cost of establishment and maintenance and other recurring charges, the full cost is bound to be reached, if not in four years, in six years, or in seven years. Unless you reduce the scope of the programme, it is no use merely to retard progress for sooner or later the full recurring cost will have to be met.

If you go on with the programmes of development and I may observe that they are not the programmes of the Finance Department, they are largely the programmes of the Ministers, they are programmes that have been approved in principle at any rate, time after time by the members of this

House whose chief criticism has been not that they are too ambitious, but that they do not include many essential needs for which provision ought to have been made,—if you want these programmes to be carried out, then you cannot give the money you require for them back to the people in the form of remission of taxation. If you think that you are giving better value to the people by these schemes, than by remitting taxes, then the proper decision is to carry these programmes out. You have got to harden your hearts against trying to obtain cheap popularity by giving to the people something which will be of practically no value to them (*hear, hear*).

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, the subject on which a very interesting discussion has been going on for the last two days is really an important one and I would ask the honourable members of the House to think twice before they vote for or against the resolution under discussion. I have been for the last three years, inviting the attention of the House to the miserable plight of the zamindars of the Hoshiarpur district whose lands have been rendered unfit for cultivation by the action of *khoods* or *chaks*. If there is a district which is in urgent need of relief it is the district of Hoshiarpur. Sir, the resolution under discussion says that a sum of rupees 50 lakhs, out of the remission made by the Government of India, in the annual contribution from this province be set apart annually for ten years, and that for ten years at least no relief in any shape or form be given to the zamindars of barani tracts. After ten years when the fund reaches the figure of Rs. 5 crores, then the income derived by way of interest thereon, be utilised for the purpose of levelling down the land revenue of the province and giving relief to the cultivators of the barani tracts and districts. This proposal cannot in any way help any of the barani districts especially the district of Hoshiarpur where the relief is immediately needed. The people cannot wait for ten long years. The Government have recently decided to remit the land revenue of those zamindars who would reclaim the lands which have been rendered unfit for cultivation by the action of *chaks*. I have been for the last three years fighting for this concession. The Financial Commissioner Mr. King, on behalf of the Government, agreed to help the zamindars and promised to remit the land revenue entirely if they reclaimed the *chaks*. This remission will amount to 3 or 4 lakhs of rupees. Now, if the resolution under discussion were to be accepted the zamindars of my district would be deprived of the amount which otherwise they are going to receive by way of remission. A grant of a lakh and a half of rupees has been granted to tahsil Dasuha for the purpose of combating the malaria and for the reclamation of *chakams* in that tahsil, and it will certainly be withheld if the resolution under consideration is accepted. Mr. Jenkins, the Deputy Commissioner of Hoshiarpur, is anxious to sink new wells and a proposal to that effect has been accepted, by the District Board. Money is needed for carrying out this proposal immediately. You say, wait for ten years. Now if this resolution is accepted it would have the effect of even stopping water-supply to the poor people of the Hoshiarpur district (*cries of no, no*) (*counter cries of yes, yes*). Sir, I will show later on that my point of view coincides with that of Lieutenant Sardar Sikandar Hayat Khan (*cries of Captain Captain*). Yes, Captain. I beg his pardon. Only a few months ago a resolution asking the Government to introduce compulsory primary education in the Punjab was accepted by this Council, but to-day we are asking for quite the reverse.

[Pandit Nanak Ch'nd.]

You say, keep quiet for ten years. You are prepared to grant money for the education of the poor people, for the extension of primary education. You want us to sit down with folded hands for ten years. You are against affording this small assistance to the poor cultivators of the barani tracts and districts. It has been often repeated in this Council that rural areas have not the facilities which have been provided to the towns. There are no *pucca* roads, hospitals, courts of law and light arrangements in the villages. Now when the Government has made up its mind to take steps for providing such facilities to rural areas you come forward and say that the sum remitted by the Government of India should not be spent for these benevolent purposes. You want them to wait for ten years and then give them a relief of a few annas. This is exactly the case of a beggar who goes to a wealthy person and gets three annas for his meals. The help given by the wealthy person in this case is not a material one, but if, instead of giving him three annas, the wealthy person makes arrangements for his physical welfare or for his education so that he may be able to earn his livelihood, that of course would be a substantial assistance. Sir, you know that in England and in other countries the standard of literacy has been considerably raised and to follow their example we should also spend the amount remitted by the Government of India on beneficent departments. There is still much to be done for the expansion of education, for affording adequate medical relief to the poor and introducing the modern methods of agricultural improvement among the zamindars. I wonder why my honourable friend Captain Sardar Sikandar Hayat Khan has not withdrawn his resolution after listening to the able and well-reasoned speech of the Honourable Mian Sir Fazl-i-Husain. Sir, it is really an absurd proposition to set apart the remitted amount for ten years when we know that by doing so we would not do any material good even to those for whose benefit it is proposed to create a special fund. On the other hand, it is better for you to have a clause inserted in the Land Revenue Bill which may fulfil the object of this resolution. The Financial Commissioner said in his speech that the land revenue of the barani tracts is being lowered. You say, no, wait for ten years. Is that sympathy for the poor cultivator of the barani areas? Again, Sir, let us suppose that the Honourable Sir Geoffrey deMontmorency and the Honourable Mian Sir Fazl-i-Husain accept this resolution, but where is the guarantee that even after the next ten years they would be filling the same office and the amount proposed by you to be set apart would be spent in the manner approved of by them or by you? There will be other persons filling their places and other people in our seats. What guarantee is there that they will act according to our wishes? I do not think that the person who misses his chance is wise. We have got the power to benefit the people now; you want us to stay our hand for ten years and let other persons to spend the money as they would like. By pressing this resolution, you are not representing the zamindars in the real sense. I, for one, do not stand for such representation of the zamindars. I am not prepared to support the resolution which suggests that all programme of the general development of the province should be left aside. Sir, one point more and I have done. My honourable friend Raj Sahib Chaudhri Chhotu Ram has put forward this proposition with all the force he commands that our expenditure should be considerably curtailed and savings should be made. Sir, may I

**RESOLUTION RE UTILISATION OF THE GOVERNMENT OF INDIA'S 1458
REMISSION FOR LEVELLING DOWN LAND REVENUE.**

ask him what he had been doing during the three years in which he filled the office of Education Minister ? Why did he not curtail the expenditure ? With what justification he can expect from his successor the performance of that which he himself was not able to do ? He ought to have given a lead to the public and his successors. But when once he has lost his opportunity there is no use saying that this or that should be done. Sir, I may inform my friend Chaudhri Sahib and his colleagues that if they want to reduce the posts of Commissioners and Inspectors of Schools, I am one with them, let them put forward their proposals. I will support them. But they should realise that if their voice is going to prove a cry in the wilderness, there is no use of making impracticable suggestions before the House. Let us calmly consider how to improve the lot of the zamindars, how to make them literate, how to save them from epidemics, from physical misery and troubles. Sir, my party is ever prepared to welcome any scheme of taxation on the rich, on those who can bear the burden, which may go a long way to ameliorate the condition of the poor cultivators. But there must be some practical suggestions before the House. We cannot tolerate to stop the general progress of the province for ten years. Immediate relief and help is needed by them. Sir, you are perfectly aware that during the last three years Rohtak, Hissar, Gujrat and some other districts of the province have lost hundreds of people on account of plague and other epidemics. What ! will you not give relief to the people when their very lives are in danger ! When my honourable friend Malik Firoz Khan, Noon, is preparing a general scheme for affording adequate medical relief to the people of this province, would not this resolution stand in his way ? Most certainly it would....

Shaikh Faiz Muhammad : Sir, is a speaker expected to repeat the arguments which other honourable members have used ?

Mr. President : The honourable member should not repeat the arguments used by others.

Pandit Nanak Chand : Sir, as an illustration I am taking this point ; I am not at all repeating the arguments.

Mr. President : The honourable member has already taken 18 minutes.

Pandit Nanak Chand (continued in Urdu) : Sir, I would only take one minute more. I was saying that the resolution, if accepted, would stop all progress of the province and as such we should reject it. I know, Sir, that the so-called representatives of the zamindars are apt to shed crocodile tears on the sufferings of their poor brethren. They are for all help to the zamindars for the *nahri* tracts. They have got all that they wanted. They ask us to wait for ten years. No, Sir, no, we cannot agree to a proposal of this kind. But after what I have said if they still press the resolution I would not take them as our friends but foes. With these words I oppose the resolution.

Shaikh Faiz Muhammad : I move—

“ That the question be now put.”

Mr. President : I see that many more members wish to speak on this important resolution. But as the business of the day will terminate after forty-five minutes, I propose to put the question.

The question is—

"That the question be now put."

The motion was carried.

Captain Sardar Sikandar Hayat Khan : I am afraid that if I give a reply, the Government will also give a reply with the result that within five minutes the resolution may not be voted upon.

The Honourable Mian Sir Fazl-i-Husain : If he does not wish to exercise his right of reply, the Government too will not exercise the right.

Mr. President : Then the Government member will have no right of reply.

Captain Sardar Sikandar Hayat Khan : That is why I am not going to exercise my right of reply. But I wish to give one explanation with regard to the statement made the other day by the Financial Commissioner.

Mr. President : The honourable member should not do that, if he does not wish to give the Government member a right of reply.

Captain Sardar Sikandar Hayat Khan : Not even by way of personal explanation ?

Mr. President : If the honourable member utters a single word by way of reply, the Honourable Member in charge of Revenue will have a right of reply and I do not think the Honourable the Revenue Member will not exercise the right.

Captain Sardar Sikandar Hayat Khan : Then, I do not want to exercise my right of reply.

Mr. President : The resolution proposed runs—

"This Council recommends to His Excellency the Governor in Council—

(a) that a sum of Rs. 50 lakhs, out of the remission made by the Government of India, in the annual contribution from this province, be set apart annually for the next ten years for the purpose of creating a special fund with a view to levelling down the land revenue in the province, and in particular to give relief to such barren tracts and districts in which the prospects of providing irrigation and other facilities for development are remote ;

(b) that the amount of this fund be invested in the mortgage and co-operative banks, by way of loans to those institutions at six per cent. per annum and the income alone from these investments be utilised in the manner indicated in the preceding clause."

The question is that that resolution be adopted.

RESOLUTION RE UTILISATION OF THE GOVERNMENT OF INDIA'S REMIS- 1455
SION FOR LEVELLING DOWN LAND REVENUE.

The Council then divided : Ayes 81, Noes 82.

AYES 81.

Captain Sardar Sikandar Hayat Khan.
Mian Ahmad Yar Khan, Daultana.
Sardar Buta Singh.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi Khan.
Khan Bahadur Nawab Muhammad Jamal Khan.
Shaikh Faiz Muhammad.
Chaudhri Duli Chand.
Rai Shahadat Khan.
Chaudhri Ali Muhammad.
Sayad Muhammad Husein.
Khan Bahadur Malik Muhammad Amin Khan.

Risaldar Bahadur Nur Khan.
Mian Saadullah Khan.
Chaudhri Umar Hayat.
Khan Muhammad Abdullah Khan.
Rana Firoz-ud-Din Khan.
Sardar Narain Singh.
Chaudhri Muhammad Abdul Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hira Singh.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Habib Ullah.
Lt. Sardar Raghubir Singh.
Sardar Bishan Singh.
Sardar Mohindar Singh.

NOES 82.

Colonel C. A. Gill.
Mr. H. D. Craik.
Mr. C. M. King.
The Honourable Malik Firoz Khan, Noon.
Khan Bahadur Nawab Muzaffar Khan.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. A. R. Astbury.
Mr. M. A. Ghani.
Mr. H. F. Ashton.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Jogendra Singh.
The Honourable Sir Geoffrey de Montmorency.
The Honourable Mian Sir Fazl-i-Husain.
Mr. J. G. Beazley.
Mr. J. D. Penny.

Mr. H. M. Cowan.
Mr. H. W. Emerson.
Mr. F. Keays Byrne.
Mr. M. M. L. Currie.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Pandit Nanak Chand.
Chaudhri Baldeo Singh.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Lala Joti Parshad.
Lala Kesho Ram Sekhri.
Rai Bahadur Lala Dhanpat Rai.
Sardar Bahadur Captain Dalpat Singh.
Sardar Bahadur Sardar Sheo Narain Singh.
Mr. E. Maya Das.

The motion was lost.

**RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT
OF INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.**

The following resolution standing in the name of Dr. Sir Muhammad Iqbal was not moved :—

"This Council recommends to the Government that the policy of applying the principles governing the assessment of income-tax to the assessment of land revenue should be adopted as a goal to be reached within the next forty years, a beginning being made as soon as possible, preferably in the present Land Revenue Bill to afford relief to the class of smallest holders."

**RESOLUTION RE ACTION TAKEN BY GOVERNMENT ON RESOLUTIONS
PASSED AND CUTS CARRIED BY THE LEGISLATIVE COUNCIL.**

Mian Ahmad Yar Khan, Daultana [Multan East (Muhammadan), Rural]: Sir, I beg to move :—

"This Council recommends to the Government that a statement showing the nature of the action taken on every resolution passed and every cut carried by this Council should be placed on the table of the House and a copy of the statement supplied to every member of this Council at the commencement of the autumn session each year, reasons being given for delay, if any, in taking action or for refusal to take action when it is intended to take no action."

This resolution is so non-controversial, so harmless and so useful that it hardly requires any speech from me in support of it. This resolution is too simple to be explained. It is for the good of the Government as well as for the good of the members of the Council. It is for the good of the Government because criticism, in many cases unjustly, is levelled against the Government that no action whatsoever is taken on the resolutions passed by this House, while some action or the other whether very effective or otherwise is taken on every resolution adopted and every cut carried by the House and a statement of the kind I suggest will mitigate such criticism. It is for the good of the members of the Council because it will furnish the members with the facts that stood in the way of Government to accept the recommendations of the Council and the members concerned or the members interested in the motion which was carried in the Council, but which could not be accepted by the Government for some reason or other, will try to bring the motion in a subsequent session in a modified form in the light of the reasons that are given by the Government. So in this way this motion is twice blessed ; it blesses those who support it and it blesses those who accept it.

Mr. President : The resolution moved runs :—

"This Council recommends to the Government that a statement showing the nature of the action taken on every resolution passed and every cut carried by this Council should be placed on the table of the House and a copy of the statement supplied to every member of this Council at the commencement of the autumn session each year, reasons being given for delay, if any, in taking action or for refusal to take action when it is intended to take no action."

The question is that that resolution be adopted.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, honourable members will perhaps have observed that during the course of the present session, in answer to a question put by an honourable member, the Chief Secretary laid on the table a statement showing the action taken by Government or the reasons for not taking action, where action was not taken, in the case of all the resolutions passed by the Punjab Legislative Council, which was in existence before the present Council. That shows that the principle which the honourable mover in his

RESOLUTION RE ACTION TAKEN BY GOVERNMENT ON RESOLUTIONS 1457
PASSED AND CUTS CARRIED BY THE LEGISLATIVE COUNCIL.

resolution has put forward has already been accepted by Government ; and as far as his concrete resolution goes, I am quite prepared, on behalf of Government, to accept the first portion of this resolution : that is, I am prepared, on behalf of Government, to agree that a statement will be placed on the table of the House at the beginning of the autumn session each year showing the resolutions which were passed by this House and showing in the case of each resolution where Government has taken action on the resolution, what action it has taken and in the case where Government has not taken action on the resolution, the reasons why it has not taken action. Therefore, I accept in its entirety the first suggestion which the honourable mover has made.

As regards the second suggestion, I feel some difficulty. I do not want to promise, on behalf of Government, to do something which Government could not perform. In the case of a resolution the House makes a definite recommendation. If that resolution is passed, then there stands on the records of this House a definite recommendation to Government on a definite subject either that it should take certain action or it should refrain from doing something which it is doing or it should legislate on some concrete recommendation made to Government. It is, therefore, an easy question to answer whether Government has taken action on that clear recommendation or whether it has not taken action. In the case of a cut, supposing some one moves that a demand under a certain head be reduced by Re. 1 and supposing that is carried, it is not always easy to see the exact ground on which the House carries it. In fact, the views of the honourable mover who moves the cut may not be the views, which after a certain amount of debate, eventually induce other honourable members of the House to support him and pass the cut. A good deal of criticism of various details may come up and various members may put forward various suggestions and criticisms in the course of such a debate. It is not easy, therefore, for Government, at the close of the debate, to discover what is the actual recommendation, if there is a recommendation, which the honourable members make to Government. Practically all it can get out of the motion for cut is that as regards certain details connected with a certain department certain members are dissatisfied, some for one reason and some for another. If a motion for cut does contain any simple and clear-cut recommendation to Government, I am quite prepared in that case also to lay a statement on the table as to what action has been taken ; but where the debate has been of a general character and there have been many kinds of criticisms, where nothing clear emerges like in a resolution passed in this House, there it will not be possible for Government to take the same action as we cheerfully agree to take in the case of a resolution. I hope what I have said will meet the point of view of the honourable mover of this resolution and that he will accept the offer I have made as going as far as we possibly can go in the direction of his own suggestion.

Mian Ahmad Yar Khan, Daultana : Sir, in view of the acceptance of the first part of my resolution by the Honourable the Finance Member, I do not want to press my resolution. I accordingly beg leave to withdraw it.

The resolution was by leave withdrawn.

RESOLUTION RE UNANI AND AYURVEDIC SYSTEMS OF MEDICINE.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]:

Sir, I beg to move—

"This Council recommends to the Government to announce that it is their policy to encourage and promote in this province the study of the Unani and Ayurvedic systems of medicine."

Sir, it is my misfortune that I have only about seven minutes before the Council will adjourn. I have here before me the statement issued by the Secretary of the Transferred Departments, on the 15th July, 1927, which gives the attitude of the Government with regard to the Unani and Ayurvedic systems of medicine in the Punjab. In this *communiqué* I find that the dark side of the Unani and Ayurvedic systems has been depicted, while the white spot that exists in those systems has not been put from the reports to which reference has been made in the *communiqué*. I will take paragraph 3 in which it is said—

"Even the most enthusiastic supporters of the indigenous systems feel that they are defective in respect of many sides of medical knowledge and require to be supplemented by a very large amount of western medicine and surgery."

That is true. But from the report of the committee over which the Honourable Gokarnath Misra presided it will be found that surgery existed in India even before it was known to the western countries. It has gone simply because there has been no patronage for it by the Government which has been governing India. In the Punjab as well as in India our difficulty with regard to these systems of Unani and Ayurveda is this that every government wants to patronise that system that is in vogue in their country. The western medical system is being pushed through in India and in the Punjab simply because those who are in power know the value of it. The original systems, the Unani and the Ayurvedic are being ignored or are not being supported in the same way. They are not being supported in the same way simply because the Government in power does not think it necessary to give it so much encouragement.

The second point is, the *communiqué* says—

"In some aspects the Unani system of to-day is in fact at a stage where the western system of medicine stood some centuries ago."

This is also true because no steps are being taken to encourage and develop it. It is my submission, Sir, that the primary duty of every Government is to develop the system which exists in the country and which has suited for a long time to the need of the people for whose benefit it was meant. But what we find in India is that Government does not give the same amount of encouragement either to the Unani or the Ayurvedic systems. I, therefore, would like to have a statement from the Honourable Minister for Local Self-Government in regard to my resolution and I will therefore hurry up my speech. I will not deal with the whole subject, but what I would submit is this: Government should establish a college in the Punjab for imparting instruction in Unani and Ayurvedic medicine. If the Government is unable for the time being to do this, then I would request that Government should give encouragement to the D. A. V. and the Islamia Colleges which impart instruction in these subjects. The method by which these institutions should receive encouragement is firstly that a course should be prescribed for giving instruction in these colleges in the said subjects; and secondly,

Government should give facilities to the students of these institutions for learning pathology, anatomy and such other subjects for which there is no facility in these colleges; thirdly, Government should give increased grant to these institutions; fourthly, there should be a standard of examination and the examination should be conducted by the University; fifthly, Government should take steps to standardise these medicines.

Sir, in the last part of the note to which I referred in the beginning it is stated that the Government will help this system consistently with the resources that are found available. On the propaganda for the western medicines about 70 lakhs of rupees every year are being spent. May I not request Government to spend, say, about a lakh of rupees every year for the propaganda and for the help of the Ayurvedic and Unani medicines? As I should like to hear what the Honourable Minister has got to say I will not dilate on this subject and I will accordingly resume my seat.

Mr. President : The resolution moved runs—

"This Council recommends to the Government to announce that it is their policy to encourage and promote in this province the study of the Unani and Ayurvedic systems of medicine."

The question is that that resolution be adopted.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, the Unani and the Ayurvedic systems of medicine have as much sympathy from me as they have from the honourable member who has moved the resolution. But I, being responsible for the expenditure of public money and also for the public safety, have to look to a lot of things before I can give practical effect to my sympathy. The present system of medicine that is prevailing in our hospitals is called by my friend 'the western system of medicine.' But that system of medicine is nothing but a system which is based on the old Greek system from which both Unani and Ayurvedic systems derived their origin. So, most of the things that are in the Unani and Ayurvedic systems do exist in the western system of medicine. Moreover, there are many things in the western system which do not exist in the Unani and the Ayurvedic systems; because the western science has advanced so far as to be miles ahead of the Unani and the Ayurvedic systems which have been more or less stationary for so many years in the past. If the statement of policy that Government wish to encourage the Unani and the Ayurvedic systems means that Government wish to replace the present system of our hospitals and medicine by the Unani and the Ayurvedic systems, I think that will certainly be a retrograde step. But if my honourable friend says that we should try to create *hakims* and *vaid*s who can go and work in the villages for small ailments such as headaches and colds, for that purpose I think the *hakims* and *vaid*s will certainly come in very useful. I have recently been trying to study the teaching of the Ayurvedic and Unani systems of medicine. For that very purpose I went to Delhi in order to have a look at the Unani and Tibbia College established there some years back in order to acquaint myself of these two valuable systems. The first thing that struck me was that I found the Principal of the College to be an M.B., B.S. of the Lahore Medical College. That shows that in order to run the college a man trained in the western system is required. Then, I went to one class room and I asked the teacher

[The Hon. Malik Firoz Khan, Noon.]

in charge of the class what he was teaching. He told me that he was teaching pharmacy. When asked what text book he followed he replied that there was no text-book, and that the teaching was oral. In other classes, I found that the students were really taught good text-books. There were text-books on hygiene, pathology, anatomy and so on, translated from English text-books into Urdu. They have also translated into Urdu the first book of Gray's Surgery. The second book is under translation. When the book is translated we will probably have a complete set of books for teaching surgery. My object in explaining these things is this, that even in the Ayurvedic and Unani systems we feel a necessity for adopting the western science as it has been improved in the west. What is happening in the Tibbia College is that the ground work is on the Unani and the Ayurvedic systems and on the top of that they adopt books that are being taught in the Medical College here ?

My honourable friend has suggested that we ought to establish a college here to teach these two systems of medicine. I am afraid that that will be a wrong step at the beginning. We have at present a college at Delhi. In that college for Ayurvedic class there are about 87 boys and for the Unani class there are something like 304. Of these, a large number are from this province. So there is already an institution existing at Delhi where our boys can go and receive their education. That institution is not still firm on its legs and any competition with that by establishing another will kill that institution, while it will not attract sufficient students for your own college.

Secondly, it is quite easy to suggest the establishment of a college. But it is not easy to give effect to the suggestion. For, the establishment of a college will cost some money ; and whether you are prepared to spend money on that college or whether you wish to spend that in expanding rural dispensaries is a question which I leave to be decided by the House. I do not wish to detain the House very much longer on the subject, but I will just give you what the views of the Government on the subject are.....

At this stage the Council adjourned till 2 p. m. on Friday, the 25th November 1927.

1461

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 25th November 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 :—

Crump, Mr. R. H. (Official nominated).

Stewart, Mr. H. R. (Official nominated).

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President : The Council will now resume discussion on the amendment¹ of Chaudhri Afzal Haq.

Chaudhri Afzal Haq (Hoshiarpur-cum-Ludhiana, Rural) (Urdu): Before the House adjourned on the last official day, I was submitting that the principle underlying the Bill now before the House fails to meet the requirements of the zamindars. This Council has been for the last six years continuously pressing upon the Government that the zamindars will be satisfied with nothing but permanent settlement. As long as this is not done and the principle is not embodied in the Bill, we can never be satisfied. India pays so much land revenue that the like of it cannot be seen anywhere else in the world. The Government itself has admitted it.

The Honourable Mian Sir Fazl-i-Husain : Where does it admit that?

Chaudhri Afzal Haq : Will you please quote some other instance where you find so heavy land revenue? In England itself absolutely no land revenue is charged.

The Honourable Mian Sir Fazl-i-Husain : They do not cultivate land there.

Chaudhri Afzal Haq : Now, Sir, this revenue does not account for a crore or two; it is 33 per cent. of the whole of the income of the Government and has been providing the means wherewith the Government has been run for centuries and non-agriculturists have profited by it. I do not say that they should not profit. I only state facts. Either adopt some other principle of taxation whereby the burden may be more evenly distributed or make a permanent settlement. We are fed up with settlements. They haunt us like a curse every thirty years, twenty years and even ten years. But in spite of that the Government has never so far thought what a burden these recurring settlements are to the people. For a settlement made in the year 1923-24 we spent 18 lakhs, for another in 1925 we gave 7½ lakhs and there is not a year that passes without our sanctioning some thing for one settle-

¹ That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928."

[Chaudhri Afzal Haq.]

ment or another. These are all unnecessary burdens and a waste. This money can be made to serve much more useful purpose. Sir, mine is not the first voice to ask for a permanent settlement. People and their representatives and even very responsible government officials have tried for it on various occasions. Lord Canning recommended that in 1861, Sir John Lawrence, later Lord Lawrence, made a similar proposal on the 5th July 1862. Then again, Sir Charles Wood, later Lord Halifax, made that proposal on the 9th July 1862. The First Secretary of State for India also made a similar proposal to the Government that a scheme of permanent settlement should be evolved and that the people of the country should be saved from recurring settlements. Ultimately on 8th June 1864 the Governor-General in Council on the advice of all these officers wrote to the Home Government that permanent settlement should be sanctioned. The Secretary of State agreed to the suggestion on 24th March 1865 and obtained the sanction of His Majesty's Government in 1867 to the principle of permanent settlement though the details were left to be decided by the Government of India and the Secretary of State between themselves. But, Sir, suddenly this happy trend of events came to a stop.

: **Diwan Bahadur Raja Narendra Nath** : I rise to a point of order. The motion before the House is that the Bill be circulated for the purpose of eliciting public opinion, but my friend is dilating upon the principles of assessment and the advisability of having permanent assessment or temporary assessment. I do not see the relevancy of this point to the debate before the House.

Mr. President : Will the honourable member please explain how his speech is relevant to the debate?

Chaudhri Afzal Haq : Sir, my object in moving the motion to circulate the Bill is to delay the passing of the Bill in the near future (A voice : Or to avoid its being passed at all). Yes Sir, my personal opinion is that if the Bill cannot be improved, it must be opposed and if it is presented in its present form, I shall certainly oppose it.

Mr. President : The amendment moved by the honourable member is that the Punjab Land Revenue (Amendment) Bill, which the Honourable the Revenue Member has proposed to refer to Select Committee be circulated for the purpose of eliciting public opinion thereon, but now he is directing his speech to a different end, that is, he is against the Bill in its entirety as it stands. I do not think he is relevant now to his own amendment.

Chaudhri Afzal Haq : That was only a side talk. The Honourable Revenue Member raised a side issue. Sir, I submit that we want the principle of permanent settlement to be incorporated in the Bill. I am giving my reasons to show that people also will object to the introduction of the Bill in its present form and will press for permanent settlement.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : In the first instance, Sir, I must acknowledge that in the debates in this House the honourable member from Hoshiarpur and Jullundur takes very great pains indeed to discuss various matters.

Captain Sardar Sikandar Hayat Khan : I rise to a point of order. Is the amendment before the House?

Mr. President : Not yet. The original motion was —

"That the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee consisting of—

The Honourable Member for Finance,

The Revenue Secretary,

The Legal Remembrancer (*ex-officio*),

The Member in charge of the Bill,

Sayad Muhammad Husain,

Diwan Bahadur Raja Narendra Nath,

Rana Firoz-ud-Din Khan,

Sardar Ujjal Singh, and

The President's nominee."

since which an amendment has been moved."

"That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928."

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain : Sir, I was trying to pay a compliment to the honourable member for Hoshiarpur on the fact that he takes very great pains in his work connected with the Legislative Council and he has been taking a prominent part almost in every subject that has come up for discussion. That of course does a great deal of credit to him and I have no doubt it involves a great deal of time and labour, and any one who in public interest devotes his time and energy to public work deserves the congratulations of all who are interested in making these Councils a success. Yet, Sir, I believe I would be doing him and the Council a friendly act if I were to point out that the affairs of the administration are so multifarious and so complex that it is impossible for any one individual to become an expert in all of them. There are some matters which are easier to understand than others, and if I am not mistaken probably the revenue work is more complex and complicated than any other work connected with the administration of this province. Therefore when one tries to tackle a matter connected with revenue administration, it is necessary not to be content with just skimming over a few pages of some report and getting some hazy ideas about the subject, because then one is liable to entertain certain impressions and ideas which really are not the ones to be derived from the data given in those pages. Now, the honourable member, I have no doubt, has heard about the permanent settlement of Bengal and has derived his inspiration from the Congress resolutions that the only remedy for all the ills of India is permanent settlement. But we, Sir, who have to grapple with the hard realities of the administration and know the actual havoc water-logging is causing in some districts realize what would be the position under permanent settlements of those districts, wherein this evil of water-logging is spreading : And keeping in mind the warning that our experts give us, is it wise for the Punjab to stabilise its land revenue which is fairly high? I wish simply to point out in passing that it is not possible to rely upon a casual study of difficult and complicated problems, and that general observations may well be left to general subjects like corruption in the police, for instance, or the separation of judicial and executive functions and things of that kind that really cannot do very material harm to a very large number of people of the province in case they are accepted in Council.

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

Sir, I had every intention when the subject was taken up in Council to accept the amendment that the honourable mover had tabled because I thought that here is a measure which started in 1921, but that is its recent history; if I were to go back to its past history, it started in 1910. It has taken six years to proceed with it; two months more will make no difference. It will give me time to crystallise my ideas and it will satisfy the House. But when the honourable mover proceeded to say that his object in proposing his amendment was not that this measure should come back after two months but that he objected to the Bill root and branch, I have no option but to say that I cannot possibly accept the amendment. The honourable mover although he has spoken at considerable length—he started the discussion on the last official day—has not said a word in support of his amendment to the effect that for the following reasons it is necessary not to proceed with the proposal to refer the Bill to the Select Committee, and that there are certain advantages to be gained by circulating it for the purpose of eliciting public opinion. Still I feel I may as well place the Council in possession of all the facts connected with this case so that they may determine whether the amendment has the slightest foundation to stand upon or whether there is a single word that one can say in support of the amendment.

Sir, as far back as 1907 or 1908 I believe there was a Royal Commission on Decentralisation. This Royal Commission in paragraph 252 recommended that the general principle of assessment, such for instance as the proportion of the net profits on the lands which the Government shall be entitled to take and the period of settlement should be embodied in provincial legislation instead of being left to executive order. This recommendation naturally had to be disposed of. The Government of India of those days reported to the Secretary of State that this Royal Commission had made a very great mistake in making this recommendation, that it had no justification for doing it, that it had no material on which it based this recommendation and that the Government of India could do nothing whatsoever with it. The Secretary of State said, "Your arguments are cogent and I have no wish to force your hands to do it." So in 1910 this memorable recommendation of the Decentralisation Commission remained at that very stage and was not proceeded with. Another Commission, the Reforms Commission, came seven years later and as is well known, in the Joint Committee Report there was a second recommendation to the effect that the revenue assessment which at present is based on executive orders should be raised to the status of legislation. The Government of India in 1920 felt that the recommendation could not be as lightly brushed aside as the recommendation of the Decentralisation Commission. But at the same time they were not prepared to forego the control they had hitherto exercised for legislation concerning revenue matters including revenue assessment and the periods of settlement. Well may some of the members ask, Sir, "What does that control consist in?" Let me simply state this much that even the Governor of a province is not free to agree to any changes proposed by the legislature in the period for which a settlement is made or the way in which a settlement is made. It is under the law, a constitutional law laid down as late as 1920, that he must reserve every point concerning a period of settle-

ment longer than 35 years for the decision of a Governor-General in Council. It should therefore be understood that the legislation which I am trying to introduce, rather which I have introduced and which I am trying to refer to a select committee, is a matter of extreme difficulty and complexity and more than everything else a matter of extreme delicacy. It can be smashed to pieces by the slightest touch at one of the numerous stages that it passes through. As I am trying to proceed with this legislation, it is open to members feeling that they will if they adopt a particular attitude gain more than they are likely to gain if they deal with the Bill in the way I suggest, to smash it. If the honourable members with a large majority, nay, I say unanimously, carry certain amendments in this legislation which are not acceptable to Government, the Bill need not be proceeded with or if it is proceeded with, the Governor can refuse assent or may have to reserve the Bill for the Governor-General's assent. Again supposing we are able to make the Governor see eye to eye with us. Even then he must reserve certain points for the Governor-General in Council to decide. Even the Government of India cannot help us. To illustrate my point, Sir, what does the history of this legislation since 1920 show? In 1921 in the Legislative Assembly a question was put on the subject of the revenue legislation which the Joint Committee desired to be introduced in the Legislative Council. The Honourable Member in charge of the Revenue Department in the Government of India said that local Governments have been informed that they can do so. Questions were put here by Sir Syad Mehdi Shah and by Sayad Mohammad Hussain asking Government whether the Punjab Government would introduce revenue legislation. They were answered that the Financial Commissioners had been requested to consider the matter. They did not let grass grow under their feet. They rushed with their resolutions, one was put in by Mian Muhammad Shah Nawaz, another by Malik Firoz Khan Noon, and a third by Sayad Muhammad Husain, desiring Government to proceed with legislation and a resolution was passed. This was in 1921. Punjab Government did not delay matters, appointed a committee, a large number of officials and non-officials sat on it day after day, week after week and month after month and towards the end of 1922 some sort of Bill was prepared. The Council was so pressing at reasonable times and even at unreasonable times in demanding the introduction of this Bill that they had recourse to constitutional and if I may venture to say sometimes unconstitutional ways and forced the Government to bring in this legislation. This Government had done all it could to seek the previous sanction of the Government of India in 1923. Correspondence passed between the central Government and the provincial Government and it took actually three years or rather between two and three years for this Government to secure the previous assent to the introduction of this Bill as it stands and which is, I regret to notice, not acceptable to the honourable member. Having obtained the previous assent of the Government of India towards the end of 1925, in the beginning of 1926 I introduced it as it stands. As the Bill had been in the hands of honourable members only for a short time, I did not wish in that very session to move that it be referred to a select committee, but two months later in the budget session I made that motion and the Bill was accordingly referred to a select committee of the previous Council. I at once requested honourable members not only to study the Bill, but also to send in all the suggestions they could think of for the improvement of the Bill. The response to that

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appeal was very great. That appeal was printed in the Punjab papers and not only the members of the Council but others also were requested if they took interest in the subject to send in their suggestions.

A pile of amendments was the result. The select committee met more than once in Simla. We had all these amendments tabulated and they really constitute a little paper-book by themselves. The discussion showed that the points in issue were so numerous and were so difficult that there was no hope of the select committee being in a position to make the report in time for the legislature to consider it carefully and pass the measure before the Council was due to be dissolved for fresh elections. Therefore it was decided upon by the select committee that they need not proceed any further as the legislature had not enough time to thrash out the Bill, but that as soon as the new Council was elected, I was to re-introduce it. In pursuance of that wish of the expiring Council, I introduced the Bill again in the March Session of the present Council. It has been printed in the *Gazette* and in the public press and honourable members have had more than one copy of it since then and here we are to-day with this motion for reference to the select committee. No, as a matter of fact I was bound to make this motion of reference to the select committee at the Simla session, but as I had to go away, I consulted several honourable members, and the members and myself mutually agreed that it would probably be best if I were to make this motion on my return from Europe. In pursuance of that agreement, when I made that motion, I naturally expected that members would agree because what I was doing was in pursuance of their wish and it was to me a matter of surprise that any honourable member should be in favour of the motion that the Bill be not referred to a select committee but that it be circulated for opinion. I had come back after a long journey and probably there was a tendency at the time in my own mind to shirk hard work. I said to myself, after all if it is putting off all this hard work for another ten weeks, I should gladly agree to it. But, I never realised for a moment that the object of the honourable member was to challenge the very basis of the Bill and to say not that he wanted time to study it because he had been too busy with other matters, but his object was to relegate the bill to waste paper basket because it is not worth looking at.

In the speech which I made at the time when I made the motion to refer the Bill to a select committee, that is in 1926, I had stated what this Bill professed to be. It does not profess to be a measure which had been evolved by some wonderful brain to meet all the aspirations of the Punjab land holding class. It does not profess that to be at all. It simply professes to incorporate in a legislative measure the practice actually in force as to settlements in the Punjab and the way the settlements are made, the period after which settlements have to be made, and the form in which they have to be made. That is what the Joint Select Committee asked us to do. They said: "do not keep this power in the hands of the executive, give it a legislative garb." That is to say, the direction simply consists in this; "put in legislative form the actual practice in existence". In doing so, I claim that certain improvements have been made. Some people may consider those improvements to be considerable, others may consider them only middling and some others may consider them as absolutely worthless.

futile and insufficient. That depends on the mentality of the individual person. Some men may just look a gift horse in the mouth in order to count its teeth; others may say: "Well, after all, it is a gift horse, I should not be ungracious". The Bill contains three things. One is as to the period of settlement. It used to be between twenty and thirty years. Now, in the Bill it is definitely stated to be 40. There is a difference between the actual practice and the period specified in the Bill, a considerable difference indeed. Again it is perfectly well understood that the proportion of net assets taken was up to 50 per cent. It is true that it was never, or very seldom that actually 50 per cent. was taken. Now, in the Bill it is definitely put down as 33½ per cent. There again that great discretion which the Settlement Officer had—he may not have exercised that discretion, but there was nothing to prevent him from exercising it except his good sense—is now curtailed and it is definitely laid down that he cannot take more than 33½ per cent. The third improvement that the Bill contains is that the increase over the past settlement should not exceed 33½ per cent. Formerly there was no such thing whatever. A study of the various settlements of different districts would show that in the past more than 33½ per cent. has been taken, while since 1921, I claim that nowhere has the increase been more than 33½ per cent. In more than one report that came to me, I have noticed that where there has been an increase of more than 33½ per cent., either the Financial Commissioner or the local Government have already reduced it to less than 33½ per cent., showing thereby their desire to do what they can to meet the wishes of the landholding classes even before legislation is actually passed. I consider, Sir, that these are the improvements made, whether you assess them at a low value or at a middling value or at a high value. When the Bill is referred to the select committee, it is open to the members of the Legislative Council, subject to the question of principle so far as percentage is concerned, to arrive at a different decision, though whether they should arrive at a different decision or not is quite a different matter; or whether having arrived at a different decision, they will carry that decision through in this Council or not; or having carried it in this Council as well, whether they will actually have that Bill enacted into an Act later on by the assent of the Governor and of the Governor-General or not are extremely important matters which they will have to consider very carefully in order to formulate a definite policy. This measure calls for the highest form of self-control and self-restraint on the part of members, both official and non-official. As I have already said, any sort of *subardusti* on one side or the other is enough to smash the Bill. It is to the interest of both sides to see that this province is the first in India to hammer out a legislation which in due course will secure the assent of the Government of India and satisfy the legitimate demands of the landholding classes. Whether I will succeed in achieving that object does not entirely rest with me. It rests with me only to a very limited extent, but to a much larger extent it rests with the honourable members of this House. I have tried to do my best. I have tried to give the Council my reasons for referring the Bill to a select committee. It is up to the honourable members to decide that they do not want to proceed with the Bill, in which case they are to support the amendment. I will treat that vote as one that the basic principles of this Bill are not acceptable to the Council, inasmuch as I am not in a position to bring forward another Bill with different basic

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principles, not having secured the assent of the Government of India or the Governor-General. This Government will have done its duty that was imposed upon it by the Joint Select Committee and the Government of India. If, on the other hand you think that there is some good in the Bill, that it is possible to improve it and that improvement will be such as will not be seriously objected to by the authorities in whose hands the decision rests, I am at your service with all the labour and the power that I can command, to meet your wishes, to mould the bill in a way that it may satisfy your aspirations, provided always that those aspirations do not outstep the limit of the particular line which the higher authorities have marked for us. With these words, I am content to leave the Bill in the hands of the Council (*Hear, hear.*)

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, I am going to speak in vernacular in order to reply to the arguments of the Honourable the Revenue Member, while at the same time interpreting his speech which was delivered in English for the benefit of those who are not conversant with the English language.

Mr. President: Order, order. The translation of English speeches into vernacular can be ordered only by me and can be made only by the official Translator. If the honourable member makes an attempt to translate the Honourable the Revenue Member's speech, I think he will be infringing the rule which prohibits repetition of arguments used by the Revenue Member.

Sayad Muhammad Husain: I said so in the hope that you will excuse the repetition. (*A voice: Translation.*) Somebody wants a translation of the Honourable the Revenue Member's speech. Will you allow me to deliver my own speech or order the translation of the speech of the Honourable the Revenue Member?

Mr. President: I do not think the honourable member can take his decision from the other members of the House. I see that one honourable member has asked for a translation of the speech of the Honourable the Revenue Member. In this connection, I wish to draw the attention of the House to Standing Order 33 (4) which expressly lays down that at the President's discretion any speech may *immediately* after its delivery be translated in abstract from English into Urdu or *vice versa* by the official Translator. Had that request come in time, I might have considered it favourably, but after the speech of the Honourable the Revenue Member, another member was called by the Chair and is now in possession of the House. The request for translation has come too late and, therefore, cannot be acceded to.

Captain Sardar Sikandar Hayat Khan: The request came simultaneously with the honourable member's opening sentence. But the honourable member Sayad Muhammad Husain speaks in such a very loud voice that the request for translation was drowned in his voice and the request could not be heard in time.

Mr. President: I waited to see if any member other than the honourable member who is in possession of the House, would rise, but none rose.

and, therefore, the suggestion of the honourable member does not appear to be quite well-founded.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): I would like to trace the history of the Land Revenue Bill. When we first came to the Council, we thought, on the report of the Joint Select Committee of both Houses of Parliament, that we have now the full control of the land revenue policy of the province and that all our troubles were now at an end. We thought we were the masters of our affairs and in that hope we gave notices of resolutions pressing for the introduction of the Land Revenue Bill. Unluckily, in one session we could not find any place in the ballot, though in the second one it was my good luck to move a resolution to that effect. This the Government accepted and as a result thereof appointed a committee. And it was as a result of the efforts of that committee on whom veterans like my friend Raja Narendra Nath and others sat that we drafted the Bill after long consideration and quoting and searching the pages of long volumes

Mr. President: Order, order. I would request the honourable member to speak to the amendment now before the House, i.e., the circulation of the Bill for eliciting public opinion.

Sayad Muhammad Husain: It was after a long discussion that the Bill was drafted.. . . .

Mr. President: Order, order. I may have to ask the honourable member to resume his seat if he does not speak to the question before the House. The only question now before the Council is whether the Bill should be circulated for eliciting public opinion thereon. The history of what the honourable speaker and his colleagues did is not relevant and I hope he will not narrate it.

Sayad Muhammad Husain: I oppose the amendment. My reasons are that we have already waited very long, so much so that the more the introduction of the Bill was delayed the more impatient we grew and more drastic were the steps taken by us to obtain its introduction till we began rejecting all demands under the Head, Land Revenue. Now, there is no further scope left for the public to discuss this Bill. We have already had enough of public opinion,. The representatives of zamindars of all parts of the province are here and they can represent their view points. The delay may be dangerous and may cause the utter withdrawal of the Bill. The select committee can discuss all such matters as may be debatable. Every view point is represented in the select committee and the group to which the honourable mover belongs is represented by a very able gentleman, Rana Firoz-ud-Din Khan, and we should be sure that he will represent the views of the Khilafat group. There is our friend Raja Narendra Nath who is a gentleman of great erudition and who has been a Commissioner and a Deputy Commissioner. He is sure to give us.

Mr. President: The merits or demerits of the members of the committee ought not to be discussed.

Sayad Muhammad Husain: We shall try to remove the defects of the measure in the select committee and after that the House will get full opportunity of discussing, approving or rejecting the Bill. It will be up-

[**Sayad Muhammad Husain.**]

to them to amend it or improve it or even to drop it. The Government will also have the option of accepting or rejecting it, if they find that the Bill has assumed a shape which is not acceptable to them. This will save time and this long delayed measure will take some shape after years of continuous efforts. There are in the House gentlemen who have been members of the Council since the Reforms and even before that. They know all about its history and they can certainly do a lot to improve it. In the House there are zamindars and non-zamindars, there are those who belong to the left wing and those who belong to the advanced wing. All of them will have a say. No useful purpose would be served by its circulation. The honourable member has said one thing in his amendment and has said quite another in his speech in which he opposes the Bill in its entirety. Its circulation for eliciting public opinion will prove the death of this Bill which may never be presented again in the Council. I, therefore, oppose the amendment.

Chaudhri Afzal Haq : Have I got a right of reply, Sir ?

Mr. President : The honourable member has no right of reply.

The Honourable Mian Sir Fazl-i-Husain : May I, with your permission, Sir, add two more members to the select committee ? I wish to add Chaudhri Chhotu Ram who has been associated with me in dealing with the Bill and also the Financial Commissioner who deals with revenue settlements.

Mr. President : The Honourable Member cannot, I am afraid, amend his own motion. Any other honourable member in the House may move that amendment.

The Honourable Malik Firoz Khan, Noon : I move —

“That the following members be added to the select committee :—

Rai Sahib Chaudhri Chhotu Ram, and

Mr. H. D. Craik.”

Mr. President : The original motion was—

“That the Punjab Land Revenue (Amendment) Bill be referred to a select committee consisting of the following :—

The Honourable Member for Finance,

The Revenue Secretary,

The Legal Remembrancer (*ex-officio*),

The Member in Charge of the Bill,

Sayad Muhammad Husain,

Diwan Bahadur Raja Narendra Nath,

Rana Firoz-ud-Din Khan,

Sardar Ujjal Singh, and

The President's nominee,”

since which an amendment has been moved—

“That the Bill be circulated for the purpose of eliciting opinion thereon by 21st January 1928.”

The question is that that amendment be made.

The motion was lost.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President : The original motion was—

“That the Punjab Land Revenue (Amendment) Bill be referred to a select committee consisting of the following:—

The Honourable Member for Finance,

The Revenue Secretary,

The Legal Remembrancer (*ex-officio*),

The Member in Charge of the Bill.

Sayad Muhammad Husain,

Diwan Bahadur Raja Narendra Nath,

Rana Firoz-ud-Din Khan,

Sardar Ujjal Singh, and

The President's nominee,”

since which an amendment has been moved—

“That the following members be added to the select committee:—

Rai Sahib Chaudhri Chhotu Ram, and

Mr. H. D. Craik.”

The question is that that amendment be made.

The motion was carried.

Mr. President : The question is—

“That the Punjab Land Revenue (Amendment) Bill be referred to a select committee consisting of the following:—

The Honourable Member for Finance,

The Revenue Secretary,

The Legal Remembrancer (*ex-officio*),

The Member in Charge of the Bill,

Sayad Muhammad Husain,

Diwan Bahadur Raja Narendra Nath,

Rana Firoz-ud-Din Khan,

Sardar Ujjal Singh,

The President's nominee,

Rai Sahib Chaudhri Chhotu Ram, and

Mr. H. D. Craik.”

The motion was carried.

THE PUNJAB DISTRICT BOARDS (TAX-VALIDATING) BILL.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I beg to introduce the Punjab District Boards (Tax-Validating) Bill.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I want to raise a preliminary objection that this Council cannot take cognisance of the Bill.

Mr. President : The Bill has been introduced and there is no motion before the House.

Pandit Nanak Chand : The Bill has been introduced when the Honourable Minister said ‘I introduce the Bill’; and I think I can take the objection now, but if it is your ruling that I should take this objection at a later stage, I am ready to do so.

Mr. President : I invite the honourable member's attention to Article 73 of the Constitutional Manual, which says that when a Bill has been published in the *Government Gazette* by order of His Excellency the Governor, then no motion for leave to introduce the Bill need be made and that is the reason why no motion for leave to introduce the Bill has been made. The Honourable Minister for Local Self-Government has simply introduced the Bill. There is the next motion on the agenda that the Bill be taken into consideration. When that motion is made, the honourable member may put forward his objection.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I beg to move—

“That the Punjab District Boards (Tax-Validating) Bill be taken into consideration.”

(Urdu): Sir, the Lahore High Court has recently held the *Hasiyat Tax* imposed by the District Board of Sialkot to be illegal and *ultra vires*, on the ground that it is a form of income-tax, the imposition of which requires the sanction of the Governor-General in Council. The *Hasiyat Tax* was levied by 23 District Boards under section 80 of the District Boards Act, with the previous sanction of the Local Government, upon such persons living in rural areas, who do not pay the local rates. And since the *Hasiyat Tax* was in the form of income tax, the Local Government was not entitled to, permit its imposition, without the previous sanction of the Governor-General in Council and it was on this ground that the High Court gave a decree against the Sialkot District Board. This defect has now been removed, inasmuch as we have received the sanction of the Governor-General in Council. The decision of the High Court may seem unimportant on the face of it, but, Sir it will have far reaching consequences on the finances of the district boards and on the programme of work that we have in hand. Twenty-three district boards of the province have been collecting this tax, the earliest imposition being in the year 1918 and the receipts so far under this head have reached the colossal amount of Rs. 15½ lakhs of rupees. Sir, if this Bill is not passed which seeks to validate this imposition, it means that these district boards will have to refund this money as decided by the High Court.

Raizada Hans Raj : Or you pay it from your own pockets.

The Honourable Malik Firoz Khan, Noon : I have not so much money. What we must consider will be the consequences in case this Bill is not passed. It will naturally give rise to endless litigation, and the finances of the district boards will receive an unprecedented shock, which may even make some of them bankrupt. Again, Sir, our programme of work will be adversely affected by it. We are building hospitals, starting schools and repairing the roads in the rural areas. The district boards contribute a considerable share of the expenditure out of their revenues for the work of development which we have undertaken. If they were made to refund the amount of money collected by them in the form of *hasiyat tax*, naturally they will not have sufficient funds for helping the Government in their beneficent activities and the building of schools and hospitals and roads will have to be abandoned. As the result of the ruling of the Lahore High Court, the Hoshiarpur District Board has already curtailed its expenditure to the extent of Rs. 70,000 and many other district boards may

follow its example. Again, Sir, some honourable members may be labouring under the misconception that if they give their assent to the Bill now, it may prove a source of perpetual trouble and hardship to the people. But I assure them that the Bill under discussion does not contemplate any such thing. It only seeks to validate the *hasiyat* tax levied and realised by the district boards of the province only up to the 15th November 1927 and does not intend to perpetuate it.

Diwan Bahadur Raja Narendra Nath : What will be the maximum amount of money that any one of these district boards will be called upon to refund if this Bill is not passed into law ?

The Honourable Malik Firoz Khan, Noon : I will give you the figures regarding the district boards of Karnal and Jullundur. They will have to refund Rs. 1,19,000 and Rs. 1,88,000, respectively. With these words I beg to move that the Bill be taken into consideration.

Mr. President : The question is—

“ That the Punjab District Boards (Tax-Validating) Bill be taken into consideration.”

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural] : Sir, I heartily sympathise with the Honourable Minister who has just moved this motion. Undoubtedly it is true that those people who are connected with the administration of district boards have placed themselves in an awkward hole, but the question which I wish to raise before this Council is whether this Council has any power to deal with this Bill. My submission before the House is that it is illegal and unconstitutional for this Council to consider this validating Bill. Now, Sir, the powers that are derived by the local Councils for the consideration of such matters are derived under section 80-A of the Government of India Act. It says—

“(1) The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province.”

and this is the section to which I invite your attention—

“(2) The local legislature of any province may, subject to the provisions of the subsection next following, repeal or alter as to that province any law made either before or after the commencement of this Act by any authority in British India other than that local legislature.

(3) The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(a) imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under this Act.”

So far as the two schedules go, this Bill is not covered by them, and so far as the authority confined in this section imposing or authorising the imposition of any new tax is concerned, we are not authorising or imposing any new tax at this stage; we are trying to validate an act of aggression by the district boards on the liberty of the subjects which they enjoy under the Crown. As regards clause (2) it is definite and clear and a finding to this effect has been given by the High Court that the tax levied by the district boards is income-tax. The Income-Tax Act is an Act which was passed by the Indian Legislature. The Income-Tax Act “ extends to the whole of British India, including British Baluchistan and the Santhal Parganas, and applies also, within the dominions of Princes and Chiefs in

[Pandit Nanak Chand.]

India in alliance with His Majesty." That was an Act passed by the Indian Legislature, by the Imperial Legislature as it was at that time called, and I ask the Honourable Minister who wanted the House to take this Bill into consideration whether the validating Bill which he is bringing forward is an Act which repeals or alters the Income-Tax Act. There is no Income-Tax Act before us, there is no section of it before us, and we are not asked either to repeal or alter that Act. We could, with the sanction of the Governor-General, alter or repeal that Act, but that Act is not before the House. It is, therefore, clear that no sanction of the Governor-General has been obtained for repealing or altering that Act. It is entirely a different Bill which has got nothing to do with income-tax, and we have got judicial pronouncement of the highest authority which is binding upon us that it is an income-tax and nothing but an income-tax. Unless Government can show that they are authorised to repeal or alter the Income-Tax Act, the Bill cannot be taken into consideration. You can only impose this tax by repealing or altering the Income-Tax Act. Many times before this House have Acts been placed for alteration. They have been dealt with section by section, and some sections of those Acts have been altered or repealed. This has been the procedure followed and this is the correct procedure which has been followed so far. So far as the Income-Tax Act is concerned, that is not touched at all by the present validating Bill. You cannot touch the income-tax unless you alter the Act, and you cannot derive any benefit from clause (8) of section 80-A of the Government of India Act, and even then my second argument stands which is, as I said at the beginning, that it is not imposing or authorising the imposition of any new tax.

Now, Sir, with these two remarks I submit that this Council has not got any jurisdiction to take this Bill into consideration. We are living under well-defined and well-regulated laws. Let the Government first of all point out or the Member in charge of the Bill point out under which section of the Government of India Act or under which rules framed under the Government of India Act he is bringing forward this Bill. This is a point of jurisdiction, a legal and constitutional point, which I have raised, and I submit that the House is entitled to a decision on this point. It is another point that district boards will be put to trouble. We are not at this time concerned with the merits of the robbery which has been committed in various parts of the Punjab by various district boards. We are not concerned with that at all. First of all let us be convinced that we have got jurisdiction to consider this Bill, and not waste our time.

Mr. President : As the question : whether it is *intra vires* or *ultra vires* of the Council to take this Bill into consideration : is of great importance, I would like to have it discussed.

Mr. J. G. Beazley (Secretary, Transferred Departments) : Sir, my reply to the point raised by the honourable member for Hoshiarpur is this....

Lala Kesha Ram, Sekhri : Sir, there are other objections also to this Bill. Will it not be better to raise them even now ?

Mr. President : If there are more points than one to be raised they may be raised *serialim* one after the other and not simultaneously.

Mr. J. G. Beazley : As the sanction of the Governor-General was obtained for the introduction of this Bill, the question of whether the Council had jurisdiction to consider the Bill must presumably have been considered by the Government of India before it gave the sanction. It is therefore not open to anybody in this House to go into that question now.

Mr. President : I shall be glad if the honourable member will quote his authority for the position that the sanction of the Governor-General, whether it is legal or illegal, is final and that the Council has no power to go into the matter.

The Honourable Mian Sir Fazl-i-Husain : So far as that point is concerned the production of the previous sanction of the

Mr. President : Is that sufficient ?

The Honourable Mian Sir Fazl-i-Husain : I have not studied this matter, but there are two provisions to which I feel I may invite the attention of the chair. One is sub-section (a) of section 80-A given at page 52 of the Business Manual. It is the general empowering clause empowering the local legislature to legislate unless that power is taken away by subsequent clauses. As many of the members may not have the copy of the Manual I will read it :

"The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province."

That is the general empowering clause and the onus of proving that a particular legislation is outside the scope or power of the provincial legislature naturally falls on the objector. Then there is the proviso at the next page at the end of the section :

"Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor-General in pursuance of this Act, shall not be deemed invalid by reasons only of its requiring the previous sanction of the Governor-General under this Act."

This again has indirectly a bearing on the point. I think I may invite the attention of the chair to this.

Mr. President : May I invite the attention of the Honourable Member to the preamble of the Bill ? Government has come to the Council with a particular sanction ; can it fall back upon something else at this stage ? The preamble says :—

"Whereas it is necessary to remove doubts as to the legality of certain taxes imposed by certain district boards in the Punjab and whereas the previous sanction of the Governor-General has been obtained under clause (a) of sub-section (3) of section 80-A of the Government of India Act, it is hereby enacted as follows :—

Sanction under clause (3) (a) of Section 80-A is the only sanction upon the strength of which the Government Member has come to the Council with this Bill. There is no other sanction, so far as I can see,

Lala Mohan Lal : May I know the nature of the sanction given by the Government of India ?

Mr. J. G. Beazley : The sanction given by the Governor-General is as follows :—

"Governor-General grants sanction to Punjab District Boards Validating Bill received with your letter 4192, November fifth."

The Honourable Mian Sir Fazl-i-Husain : As to the point mentioned by you, Sir, that in the preamble mention is made of sub-clause (a) of sub-section (3) of section 80-A, that would not preclude you from considering other portions of section 80-A inasmuch as for the purpose of previous sanction, this was the only section that was necessary.

Mr. J. G. Beazley : Sir, the point I was about to make is this. When this Government sends up a Bill for the sanction of the Government of India, the Government of India is the party interested to see that the provincial legislature does not overstep the bounds set upon it by the Government of India Act. The Government of India agrees to the introduction of the Bill. It has not considered that it is *ultra vires* of the Punjab Legislative Council. Otherwise it would not have given such sanction. Therefore it seems to me that the point raised now is entirely out of place and that it serves no purpose for members of this house, whom one would expect to be jealous of its privileges, to question whether the Bill is *intra vires*. That is the first point I wish to mention. However if this is not to be granted, then I would turn again to sub-section (1) of section 80-A which gives us power to make any law without contravening the provisions of the following sub-sections. If it is to be held that this is not a Bill imposing or authorising the imposition of any new tax because the tax is an old one and has been in force for several years, then sub-section (3) would not apply at all and we can make a law under sub-section (1). If the Bill does come under sub-section (3) clause (a) then we have met the requirements of that sub-section and obtained the previous sanction of the Governor-General.

Mr. President : I wish to be enlightened on this very important question and trust that the honourable members will help me. If I understand the honourable member aright he maintains that the tax which was originally imposed under the District Boards Act could be so imposed under that Act and that, therefore, this validating Bill also can be taken into consideration by this House. But if that tax could not be legally imposed, then *ex-hypothesi* the question is whether any legislation with regard to it can be undertaken by this Council without the express sanction of the Governor-General. The taxes which are exempted from such sanction are specified in Schedules I and II of the Scheduled Taxes Rules. May I ask the honourable member to refer to those schedules and say whether the tax in question is covered by them. If it is not, then the question is whether it can be imposed in any form by the local Council without the previous sanction of the Governor-General. That is the question under discussion and I am afraid sub-section (1) of section 80-A does not help Government.

The Honourable Malik Firoz Khan, Noon : Sir, the law on the subject is quite clear that the tax that we are now imposing or rather authorising the imposition does not come within the Scheduled Taxes. If it had been one of the Scheduled Taxes then the imposition of that tax under the District Boards Act would have been legal. (*Voices : No.*). But as it is not one of the Scheduled Taxes therefore the High Court has decided against us. Now the law is quite clear on the point. If it is one of those taxes which are not scheduled then we can impose it with the legal sanction of the Governor-General. In this case we have taken the previous sanction of the

Governor General to introduce this Bill and on that we take our stand that our action is entirely within the law.

Mr. President : The Honourable Minister for Local Self-Government would have been right if the words 'imposing or authorising the imposition of any new tax' could cover the validating Bill relating to taxes which were imposed, according to the judgment of the High Court, illegally and the recovery of which the proposed law is meant to prevent. The question is whether to prevent the recovery of such taxes by persons who had paid them is the "imposition of a new tax." If it is, then, the Bill is quite in order.

The Honourable Mian Sir Fazl-i-Husain : Sir, as the illuminating discussion has proceeded, the issue is now being crystallised. The point I understand now is this : That at a particular time a tax was imposed which ought to have been imposed under section 80-A (3) (a), that is to say after obtaining the previous assent of the Governor-General. Had the previous assent of the Governor-General been obtained, then the tax would have been perfectly legitimate. (A voice: Not even then.) That is not what the decision says. The decision says that such assent of the Governor-General has not been obtained to the tax, therefore it is bad and therefore its recovery is not permissible. We must be clear about the facts because it is impossible to apply the law unless the facts are there. Is my statement of the fact correct? The statement of the fact is.....

Mr. President : A detailed statement was made by the mover of the Bill. Was it not sufficient?

The Honourable Mian Sir Fazl-i-Husain : Yes, it is also stated in the objects and reasons. Now the point is this. Can the Governor-General give his assent three years after the occurrence and validate an Act? That is what it comes to. My submission is that under sub-section (3) (a) the Governor-General's assent given subsequent to the event does effect validation. Therefore what was illegal when that assent was not given, is legalised subsequently after the assent of the Governor-General. As a matter of fact, as you, Sir, know much more than most of us, a validating legislation has its origin in the mistakes of Governments.

If the Governments do not make mistakes, validation legislation would not come into being. With your permission, I will read now section 80-A (3) :—

"The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(a) imposing or authorising the imposition of any new tax. . . ."

That was not now being imposed. In the present case it was imposed in 1924. We are now asking that the tax which was imposed in 1924 without the assent of the Governor-General was bad, and that disqualification having been removed from the way, we want to proceed with the Bill. It will have retrospective effect when it is passed. Of course, as you are aware a fair amount of the time of the Parliament is occupied, by no means a small portion of it, in validating a great many irregularities that the Cabinet or other authorities have committed in the matter of divorce law, for instance, the Empire divorce law, validating divorce decrees, was passed. It is hardly necessary to quote to you other instances in parliamentary legislation.

The Honourable Malik Firoz Khan, Noon : Just one point, I wish to submit about the word 'new' on which you emphasise so much. The words of the sub-section are :

"imposing or authorising the imposition of any new tax unless the tax is a tax scheduled. . . ."

We are trying to impose this tax by means of this Bill from the date when it was originally imposed. If this Bill is passed, then the tax will be new so far as the date of its imposition is concerned. On the date when it was imposed, it was new, but if you validate the imposition from that date to-day we are thereby validating the imposition of a new tax.

Mr. President : The proviso at the end of clause (3), section 80-A, has been twice referred to and relied upon by some of the occupants of the Treasury Benches. I wish to make it clear once for all that that proviso has absolutely no bearing upon the case now before the House. If any Act requiring the Governor-General's sanction were passed by this Council without such sanction, then under the proviso the absence of that sanction would not invalidate the Act. But that is not the case here, and the proviso has no application.

As regards the contention that this Council can take into consideration the Validating Bill because the Governor-General has given sanction under clause (3) (a), I think the words "imposing or authorising the imposition of any new tax" do not and cannot include and cover the validation of a tax illegally imposed and collected several years ago. It was, open, no doubt, to the Governor-General to authorise this Council to consider and pass a new Act for the imposition of such tax in future, but validation for the past, is not, I think, covered by the language of clause (3) (a). English is not my mother tongue. There are many Englishmen in this House. I hope they will help me in interpreting the law. I for one do not think that "imposition or authority for the imposition of a new tax" covers the validation of a tax which was illegally imposed and recovered some years ago and for validating which a measure is introduced to-day. Before I make up my mind finally, I shall welcome light from any quarter, especially from the quarter where there is so much light (Laughter).

The Honourable Malik Firoz Khan, Noon : Probably you have not considered the point that I have just now submitted.

Mr. President : I have carefully considered it. I am anxious to learn. I wish I could persuade myself to agree with the Honourable Member's view. However, I have an open mind and shall patiently hear arguments of both sides. I have placed my doubts before the House. I wish to have them cleared, so that I may be able to make up my mind for or against the validity of the objection.

The Honourable Sir Geoffrey de Montmorency : I beg to suggest for your consideration that the point of view which you, Sir, put from the chair just now would apply to any validating Bill. It is not only a tax, but any illegal act would require validation. That is, it would amount to this, that even with the sanction of the Governor-General in Council really no local legislature can pass any Bill validating any illegal act that has been done in the past. I am not sure that it is the intention of the Government of India Act to exclude that power from the local legislature.

Mr. H. W. Emerson (Chief Secretary) : Sir, I understand that you are inclined to hold that clause (a) of sub-section 3 of section 80-A of the Government of India Act cannot be applied. If this sub-clause cannot be applied and if no other sub-clauses of sub-section 3 apply, then it would appear that as already argued by my honourable friend Mr. Beazley, under sub-section (1) of section 80-A of the Act, the local legislature has full power to introduce this Bill. The only restrictions on the power of this Council are those imposed under sub-section (3). If you hold, Sir, that there is nothing in sub-section (3) which applies to the present circumstances, then there will be no restriction on the power of this Council to consider the Bill.

Mr. President : Does the honourable member mean to say that if sub-clause (3) does not cover the case, then sub-clause (1) must cover it?

Mr. H. W. Emerson : If there is no restriction.

Mr. President : The tax in question could not be imposed without the previous sanction of the Governor-General.

Mr. H. W. Emerson : You hold that clause (a) does not apply. If the restriction in that clause does not apply, what restrictions would apply?

Mr. President : The words 'subject to the provisions of this Act' in clause (1) are very important. I think, we should read the clause subject to the other provisions of the Government of India Act and not independently of them.

Mr. H. W. Emerson : What other provisions?

Mr. President : Please refer among others to clause (3) and the Scheduled Taxes Rules made under sub-clause (a).

Mr. H. W. Emerson : I may again urge that the restrictions on legislation by this Council are imposed by sub-section (3) of section 80-A. If this Bill is subject to none of the restrictions under that sub-section, how can the Council not have power to take it into consideration?

Mr. President : As sub-Sec. (3) of section 80-A is a provision of the Government of India Act, it cannot be taken to be as expunged from it when we are reading and interpreting clause (1) of the section?

Mr. H. W. Emerson : Does clause (3) (a) apply or not?

Mr. President : If clause (3) (a) applies, then clause (1) does not help.

Mr. H. W. Emerson : If (3) (a) does not apply, what restriction is there?

Mr. J. G. Beazley : If it does apply, then we have the sanction of the Governor-General. If it does not apply, then we rely on sub-section (1).

Mr. President : That is to say, the case is not covered by any other clause. Is that what you mean?

Mr. H. W. Emerson : Yes.

Pandit Nanak Chand : Sir, I never thought that words which are so clear, so unambiguous and so definite can bear any two meanings and that they can be interpreted in the manner in which different members of the Government want them to be interpreted. For their benefit and for the benefit of the House, I once more wish to read the section. The section runs :

"The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province."

With regard to that, I submit that it is wholly irrelevant to apply this section. (*A voice : Why ?*) Let me state my case. Please listen to my reasons. The exact words used are 'for the peace and good Government of the territories for the time being constituting that province.' What is the danger to the peace and good government of the province by refunding the amount which the district Boards have got ? Peace and good Government means the maintenance of law and order. The Acts covered by these words are acts like the Indian Penal Code and the Criminal Procedure Code. It is only Acts of like nature that are contemplated in this section, not the imposition of taxes. That is what is meant and what an ordinary man who has studied English up to the eighth standard will understand to be the meaning of the words 'peace and good government.' You cannot possibly raise new taxes under this clause. This clause, as I have submitted, relates to Acts, such as the Indian Penal Code, the Criminal Procedure Code, and other Acts relating to the Administration of law and justice and Acts of the same kind. Let us accept the meaning which the Government members want to give to this clause. Let us accept this. But with what reasoning will they take away these few words 'subject to the provisions of this Act'? They do not want to take away these words either. Then there are two other provisions which follow ; and to which the first clause is subject :—

"The local legislature of any province may, subject to the provisions of the sub-section next following, repeal or alter as to that province any law. . . ."

They do not come under that. They do not rely upon that clause at all. Then, on what clause do they rely ? They rely on clause (3) which says :—

"The local legislature of any province may not, without the previous sanction of the Governor-General make or take into consideration any law imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under this Act."

I pointed out in the very first instance that it is only an imposition of a new tax upon the province. If it does not come under this sub-section, then under what law do you come ? (*A voice : section (1)*). You cannot come under that section for the reason, it is not a law for the peace and good government of the province. When there are specific clauses relating to taxes, can you say that we come under clause (1) which relates to peace and good government. So far as taxes are concerned, they are all covered by sub-clauses (2) and (3). Now, there are two kinds of taxes, firstly those which are within the province of the provincial legislature to levy and those are the taxes which are scheduled.

Mr. J. G. Beazley : Where is that argument ?

Pandit Nanak Chand : You have not carefully studied the Act it seems while I have (*Laughter*). The Government of India Act empowers

the Government of India to make certain rules. Those rules are made under section 45. The taxes which are covered by the two schedules are within the province of the local legislature. The local legislature need not ask the Government of India for sanctions, if it wants to impose any taxes which are covered by these two schedules. Even if this tax had found place in those two schedules, the levying of this tax by the district board, *ipso facto*, would not have been legal. This was the impression of my honourable friend the Minister for Local Self-Government. There also he is wrong. Because district boards derive certain powers from the Government: Certain powers are delegated to the district boards for levying certain tax. Even if the provincial legislature were to impose a tax, the district board by that very fact will not be able to impose that tax.

Chaudhri Zafrullah Khan : Is the honourable member raising a new point, or is he arguing on the old point ?

Pandit Nanak Chand : So far as the power of levying taxes is concerned, clauses 2 and 3 are exhaustive. They define what are those taxes which could be levied by provincial Governments, and provincial Governments delegate certain powers to municipalities or district boards. They have to pass certain Acts for the levying of those taxes.

The fact that they are scheduled by the local Government will not be sufficient to impose that tax on the Punjab; not at all. The Council shall have to pass an Act imposing one of those taxes in order to make that tax legal. Now that has not been done at all. No Act has been passed by the Punjab Legislative Council imposing the new tax on the province of the Punjab, and therefore, the Government could not possibly delegate its powers to the district boards. No amendment of the District Boards Act has been sought for by the Government for the imposition of a tax of this kind. Therefore, so far as the argument that it is one of the taxes which are named in the schedule and the district boards would have constitutional and legal right of imposing that tax is concerned, that argument falls to the ground entirely. Leaving aside that point, there are certain other taxes which can be imposed but with the sanction of the Governor-General in Council and those are new taxes and I have already submitted that it is not an imposition of a new tax by means of another enactment. There was another reason which I had advanced and that was that it is an income-tax covered by the Income-Tax Act. No reply has been given to that argument. I seek a reply to that. It is in the nature of an income tax and there ought to be an amendment of that Act. Nothing of the kind has been done. These are the various grounds that I put forward. Clauses (2) and (3) of Section 80-A are exhaustive. You cannot rely on the first clause and say that the validating Bill is for the maintenance of peace and good government.

Mr. President : There is one more point lurking in my mind on which the lawyer members of the House may throw some light. Suppose this tax was never imposed in the Punjab; suppose its legality or illegality were unknown to us; suppose the Punjab Legislative Council were to introduce to-day a Bill to impose that tax; will it be competent to do so without the previous sanction of the Governor-General? I think sub-section (1) of section 80-A will not help the Government in that case and it will have to fall back on sub-section (3), which, I am inclined to hold, does not cover the case of a validating Act.

The Honourable Mr. Manohar Lal (Minister for Education) : Before you entirely hold that section 80-A (3) (a) does not apply, may I be permitted to make a few submissions ? A certain tax was sought to be imposed and as a matter of fact did get imposed by a particular section under the District Boards Act. The High Court has now declared that that tax was illegal and *ultra vires* and it stands virtually blotted out. What then is the present position ? The present position created by the judgment of the High Court is that the money taken from the people under that admitted exercise of illegal act has not been really taken ; it must go back and if it is to go back, no tax does stand, as a matter of fact, imposed. There is no tax and what the present Bill seeks—leaving aside the words ‘ validating ’ and so on because they are merely words for the sake of convenience—what the Punjab Government now seeks for the first time is that from a particular year a given tax be imposed. I personally fail to see and I have been trying to think hard, in what sense we would be doing violence to language by this interpretation. A new tax is not necessarily one which starts its burden on the people from to-day. That is not the meaning of a new tax as I understand it. It is open to the Government to say, “ look here, people who have been enjoying the protection of the Government shall be subject to a particular burden and that burden shall start from a day 15 or 20 or 30 years anterior to the time when the Government is seeking to enter on the projected piece of legislation.” That is the position of the Government. We are to-day coming forward to impose a tax which is to have its effect from a particular date 3 or 4 years back, a tax which has not hitherto existed. An attempt was made to impose that tax before, but the High Court has clean blotted it out and the Government says ‘ we are now anxious to have that tax and now for the first time.’

Mr. President : May I ask the last speaker whether the prohibition to recover from or non-liability to refund by local bodies is exactly the same thing as “ imposition or authorising the imposition of a new tax ” ?

The Honourable Mr. Manohar Lal : I do. I go the whole of that length. Now it is represented that Government have robbed the people of its money and the money is the people’s money under that order of the High Court ; it is not the Government’s money. It would become Government’s money if this Bill is passed by this Council and it becomes an Act. It is when it becomes an Act, if it becomes an Act, that it would enable the Government to impose that burden for the first time, quite a real burden on the people. The money is to-day the people’s money and they can have it and the High Court has decreed so.

Mr. President : Does not the word ‘ imposition ’ imply assessment and collection ? The question we are considering is whether the district boards should be protected from being legally sued to refund certain taxes which were imposed and collected by them illegally. This, in a nutshell, is the proposition under consideration.

The Honourable Mr. Manohar Lal : As I said I can only approach the word ‘ imposition ’ as I understand it and I see no difficulty in applying that word to the situation as it stands created at the present time because it will be by virtue of this Bill when it is passed into law that it will be possible for the first time for the Government to place that burden on the people

which it unduly tried to place in the past as the High Court has declared. I see no difficulty myself. Others may view it differently. But I see no difficulty in calling this the imposition of a new tax. I go the whole of that length and if that is so, as undoubtedly it is so, I see no objection to the legislation proceeding, because the Government of India has given us the necessary sanction.

Mr. President : May I ask one more question ? Supposing some district boards have yet some arrears of the *hasiyat*-tax to recover. Can they recover those arrears under the validating Act if it becomes law ?

The Honourable Mr. Manohar Lal : If any tax has not yet been imposed, it will be for you and for those who may interpret the sections to say whether under this Act it will be possible for the district boards to realise those arrears. Those are matters of merely interpreting the Act. They have nothing to do with the question whether the present Bill is *intra vires* or *ultra vires*. The question at the present stage is purely one of formality, whether we have satisfied certain formalities or not in placing this Bill before the House. Personally I say I am perfectly satisfied that this Bill satisfies every single particular required according to section 80-A (3) (a) as I understand it. But if it does not, then as Messrs. Beazley and Emerson have forcibly argued, you are to look at the rest of the section. It is no use saying that when one reads section 80-A (1) one has to read it subject to sub-section (3) (a) because the latter according to the reasoning of the other side is entirely non-existent. We have argued that it does apply. If it applies then the Government stands on firm ground ; if it does not apply then you cannot say that other sub-section does not apply ; you cannot say that this sub-section which does not apply is going to control, in some manner unknown to logic what is given in sub-section 80-A (1). That is a thing which passes my comprehension. That is a thing which is absolutely unintelligible to me. If (3) (a) does not apply then the Government comes in under its plenary powers to pass such legislation as the section authorises it to do that is to make laws for the peace and good Government of the province. Now, my learned friend, Mr. Nanak Chand, might think that the phrase 'good government' should be construed in a restricted sense. But, Sir, 'good government' is a very comprehensive term and it certainly requires great courage to curtail the meaning of that large term which has been very advisedly used there for giving the necessary plenary powers to any local Government to enforce its sanctions and whatever it considers proper for the good of the people.

Mr. President : Will the Honourable Dr. Gokul Chand Narang throw some light on the point ?

Dr. Gokul Chand Narang : As my honourable friend, Chaudhri Zafrullah Khan wishes to speak, I should like to speak after him.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan) Rural : Sir, as you have been kind enough to call on members of this House to throw some light on the interpretation of the section, I have been encouraged to offer my humble opinion on it. Supposing we first concentrate our atten-

[Chaudhri Zairullah Khan.]

tion on the first clause of the section and supposing for a moment that the section stood at that only and had enacted nothing further, what would be the position? It says:

"The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good government of the territories for the time being constituting that province."

If there were no further sub-sections, no further restrictions on the powers of a local legislature to impose a tax, my submission is that it could impose taxes under this clause and because it could impose a tax under its general powers, the legislature has gone on further to restrict that power of imposition of taxes under the subsequent sub-sections and has permitted it to impose certain taxes with the previous consent of the Governor-General. So far as the present question is concerned, whether it is imposing a tax or validating, the imposition of a tax the section confers power on the local legislature both to impose taxes and to validate the imposition of taxes. The legislature has gone further and has put certain restrictions on the power of the legislature with regard to taxes and in my humble opinion, there will be no escape from the position that either the action now proposed to be taken is an action of the sort which is sought to be prevented by those sub-sections unless the previous sanction of the Governor-General has been obtained or it is an action of the sort which does not fall within those provisions.

If those subsequent provisions do not cover this action, then it falls within the general powers conferred upon this legislature under sub-clause (1) and no previous sanction is necessary at all. Whether you call it the imposition of a tax or the validation of a tax or anything else you like, this legislature has power to do whatever it likes in the way of legislation for the peace and good government of the province. Certain things it is not empowered to do. Does my honourable friend contend that what is proposed to be done now is one of those things which the local legislature is expressly prohibited from doing unless it obtains sanction? If it is one of those things, then the answer is that the sanction has been obtained. If it is not one of those things, then no sanction is necessary.

There is another point of view which I wish to submit to you for your consideration in this connection. You have put it to the House that members might help you to decide whether this is an imposition of a tax or not. You seem to incline to the view that if this is an imposition of a tax, then previous sanction having been obtained the matter is clear. If it is not an imposition of a tax, then what is it? A tax was levied or sought to be levied, it was levied upon the public, it has been collected, its proceeds have been utilised and now we discover that the action of the district boards was illegal. An illegal recovery has been made. Government finds that that will place certain district boards in a very awkward position. I will put the matter very plainly. Government discovers that as a result of the judgment of the High Court numberless persons may bring actions against district boards to recover moneys from those district boards illegally recovered by them from such persons. Government therefore proposes to give a kind of

protection to these district boards by an executive Act. By this Act what it purports to do is this : it says that certain persons who under the ordinary law would have a cause of action against certain district boards to recover certain sums of money shall not have that cause of action. This is more or less an Act in the form of an Indemnity Act. As has been put by the Honourable Minister for Education this is not a legal tax. Certain money was recovered by certain district boards in the form of a tax. Now it is held that it was no tax and that the money is liable to be refunded. Certain persons are entitled to bring suits to claim that money. This Act says that they shall not have any legal cause of action to maintain such suits. Call that tyranny, call that robbery, call it whatever you like, but in that case it will not be an imposition of a tax but merely an Act declaring that certain causes of action would not come into existence or would no longer exist. For instance, supposing there were disturbances and in suppressing those disturbances Government had employed its military force, and in the employment of that force certain kind of property had been requisitioned, confiscated, or taken away from the subjects and utilised for the purposes of the army under no kind of legal sanction. In that instance also those persons from whom that property was taken away under no legal sanction would have the right to institute suits in the civil courts for the recovery of that property. That would be a similar case. Government then proposes to pass a Bill saying that no person shall have any cause of action in respect of any losses that he might have incurred or any property taken away from him under those circumstances. Would you call that an imposition of a tax ? This money has been recovered under something which had no legal sanction at all. It was not a tax, it was robbery as has been described by my friend Pandit Nanak Chand. A robbery has already been committed by the local bodies. The local Government says, we propose to pass a Bill to the effect that persons who have been robbed in this manner shall have no cause of action in the civil courts. That would not be the imposition of a tax and therefore no previous sanction would be necessary. But there is no escape from the position that if it is the imposition of a tax, there is the previous sanction. If it is not, then it falls within clause (1) which has been quoted, and there would be no objection to the entertainment of this Bill by this House.

Mr. President : May I invite the attention of the honourable members to the Government of India Devolution Rules ? They may refer to rule 8 and also to item (16) in the schedule I to rule 3. "Civil law, including laws regarding suits, property, civil rights and liabilities, and civil procedure" is excluded from the jurisdiction of the local legislatures. I have already invited the attention of the honourable members to rules under clause (8) (a) of S. 80-A and to the two schedules at the end of those rules. They are reproduced on pages 61—62 of our Business Manual. In those schedules are specified the taxes about which the provincial legislatures can legislate. How can we get over these difficulties ?

Lala Kesho Ram, Sekhri : Sir, while discussing this point, the honourable members might also refer to Schedule II (1) (A) and (B) and also to the Government of India Local Legislature (Previous Sanction) Rules. They will find it clearly laid down that it is not within the sanction of the Governor-General.

Mr. President : Rules framed under Section 80A (3) (b) have no bearing on the question now before the House.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] : Sir, I am not a lawyer and therefore not well versed in the interpretation of statutes, but I think that you and the Council will be prepared to give a hearing to the commonsense view of a layman. I want to draw your attention to the phraseology of section 80-A which defines the legislative powers of Local Government and to compare it with section 65 (1) (a) which defines the powers of Indian legislature so far as the power of making laws is concerned. The power of local Government in making laws is restricted. It can make laws for "the peace and good government" of the territories for the time being constituting the province. Section 65 says:— "The Indian legislature has power to make laws for all persons, for all courts, and for all places and things, within British India." It seems to me, Sir, that a validating Act does not come within the province of a local legislature. We have an example in the past history of the province itself or for the matter of that in the past history of the Indian legislature. I am replying to the last point raised by the honourable the last speaker. The validating Act with respect to Martial Law which was introduced in the Punjab and only within specified territorial limits of this province was passed by the Government of India and not by the local Government.

Mr. President : Order, Order. I may inform the honourable members of the House that while we are dealing with a Bill which has been introduced under the Government of India Act of 1919, the measure to which the honourable member has referred was dealt with under a previous Government of India Act.

Diwan Bahadur Raja Narendra Nath : The phraseology defining the powers of the two legislatures in the two Acts bears great analogy and is similar. The phrase under which this Bill has been brought does not include financial expediency. 'Good government' may be interpreted in just the opposite way and the requirements of a good government may be that illegal recoveries made by Government should be refunded. Good Government does not necessarily mean that financial expediency should be taken into consideration, and that money which has been unlawfully recovered from persons who are not liable to the tax should not be refunded to them. I do not think that the powers of the local legislature even under the present Act are so wide as to justify the passing of a validating Act. Ignoring the past history and ignoring the powers of legislation which were invested by the old Act in the Imperial legislature, ignoring that altogether I find that in the present Act the powers given to the Indian legislature are wider and more comprehensive than the powers given to the local legislature, and a validating Act does not clearly come within the powers of a local legislature. It can only be passed by the Imperial legislature. That is all that I wanted to say.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I think before we come to the absolutely legal point it is necessary to explain what the High Court has really decided which has led to all this trouble. It was within the last half an hour or so that I had the opportunity of going through the judgment of the High Court on this point and though unfortunately I could not take away the judgment from the High

Court file, I remember sufficient details of it to throw some light upon what the High Court has decided in connection with this matter. The question which had arisen between the District Board of Sialkot and certain professional people in that district was whether a graded tax called the *katsiyat* tax could be levied upon them. What had been done was that the tax which was imposed upon certain pleaders and other professional people was regulated by their incomes. It was not a flat rate tax, and the learned and Honourable Judges of the High Court, a division bench consisting of Mr. Justice Addison and Mr. Justice Coldstream decided that it was perfectly within the rights of the district board to impose a flat rate tax without making any distinction between one person and another on the ground of income.

They need choose a certain class of persons and impose some flat rate tax upon them. For instance if a district board empowered to levy a tax upon animals proceeds to levy the tax according to income of the owner of those animals, that would be transgressing the law. But if it levied flat rate taxes simply on the ground that such and such a person possessed such and such an animal there would be no illegality. Therefore the learned Judges decided that as this tax imposed by the District Board of Sialkot on certain professional people was a graded one it fell within the definition of income-tax, and a second income-tax could not be imposed by the district board or even by the legislature of this province. That is what the learned Judges of the High Court have decided. I thought it necessary to lay before this House what the High Court had decided so that honourable members may be clear as to what actually led to the present Bill which is now being urged before this House. Now, the question is whether this validating Bill can be entertained by this House. The facts which have been brought out in the course of the debate and by the High Court judgment are that a certain amount of money has been already collected from certain number of persons by the District Board of Sialkot and might have similarly been collected by some other district boards in the province. It cannot therefore be said, as I read the law, that this Bill attempts to impose any new tax upon the people. It is really guarding against certain claims which the people who have already paid those taxes might bring against the Government. What this Bill aims at doing is to prevent the institution of certain claims for the refund of the tax which certain people have already paid to certain district boards. In that sense it cannot be said that the Bill is imposing or seeks to impose a new tax, and therefore, I find it very difficult, I regret, to agree with the Honourable Minister for Education when he says that it is in fact the imposition of a new tax, because he says that the money which the district boards have already collected illegally is not their money unless this Bill is passed into an Act and is enforced in this province. It will be then and then only that this money will become Government money and in that sense, if I understand him rightly, this Bill seeks to impose a new tax. But my submission is that it is really straining the point too much to say that the money which you have already collected you are seeking to impose. We are familiar with certain fictions in law, but I do not know of any fiction of law which would cover this proposition which the Honourable Minister for Education urges. It is certainly not an imposition of a new tax. I do not know whether Mr. Nanak

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Chand pointed it out and in what form he put it. It is really legalising an illegal Act and in that sense, and this is very important for the House to consider, it interferes with the civil rights and liabilities of His Majesty's subjects. The case is just like the case of a debt which is being wrongly realised by a creditor, or a debt which has been realised in excess of what was actually due. That the money has been actually realised by Government does not make any difference. If in place of Government it was I, you or anybody else, certainly the rights of persons who claim refund of money which has been wrongly taken by you, me or any other person could not be taken away by any legislation that this legislature might adopt. The mere fact that the Government has realised this money would make no difference. My honourable friend Mr. Zafrullah Khan made a very sane remark, as I thought then, when he said that it was really trying to take away certain causes of action. It is really trying to take away certain causes of action which those people who had already paid those taxes possess under the late ruling of the High Court. Whether it is in the power of this legislature to destroy those causes of action is the real question and my submission is that no provision of the Government of India Act, as I have been able to see, empowers either the Government of this province or the legislature of this province to take away the people's causes of action and rights of suit against the Government or any private individual. Money, it is admitted, has been realised illegally. It means that the people are entitled to a refund of that money and what is being sought now is to prevent the people from claiming refund. In other words causes of action are being sought to be destroyed. Rights of people are being taken away to institute suits to get back the money which has been taken from them by mistake, I won't say by fraud or any such thing. That is, I submit, is beyond the jurisdiction of this Council and the powers of the local Government. I would therefore submit that this proposed enactment is *ultra vires* of the Government and of this Council.

Now, let us see whether it comes within the definition of imposition of a new tax. I have already submitted that it does not. But let us assume for the sake of argument that it does. If it is an imposition of a new tax, the question is what is the nature of that tax. The Honourable Minister for Education was—I do not know, he might have had good reasons for being so—shy to describe this tax by its proper name. It is not an ordinary assessment. It is, as has been held by the High Court, a tax in the nature of an income-tax. These are the very words used in the judgment of the division bench delivered on the 31st October this year. It is on that account that they say that this tax imposed by the District Board of Sialkot cannot be recovered and so is illegal. If it is an income-tax certainly all the members of this House combined with all the Ministers and the Members of the Executive Council cannot impose any income-tax as such upon any of His Majesty's subjects in this province. Income-tax is not a provincial subject. It is a central subject and it is only the central legislature that can impose an income-tax. My submission therefore is that even the sanction of the Governor General will not empower this Council to pass a law to impose such a tax.

Mr. President : Does the Honourable Member mean that there are certain subjects regarding which a local legislature cannot pass a law even with the sanction of the Governor-General ?

Dr. Gokul Chand, Narang : That is exactly what I mean. Even the sanction of the Governor General in Council cannot empower this House to impose a tax which is taken away from the jurisdiction of this legislature by a superior authority, namely the Parliament. The Government of India Act is superior to the Government of India and the Government of India is bound by its provisions. Therefore even if any sanction is given by the Governor General to impose this tax, that sanction is *ultra vires* of the Governor General himself. *A fortiori* I would submit this Council and the local Government of this province have absolutely no power to enact any law such as is being proposed in this Bill. Therefore, even assuming that the Honourable Minister for Education was perfectly right in describing it as an imposition of a tax, although that is really making too big an assumption, even then, this Bill cannot be entertained by this House, barring as it does the door to certain suits which this Council has no power to do.

Then, the question is whether section 80-A, sub-clause (1) which has been referred to applies to the present case. Here again the whole question hinges upon the interpretation of the words 'peace and good government.' I am really surprised that the words 'good government' are being interpreted to include everything possible. These words are not supposed to be omnibus words to give every power to local legislatures. They are to be read in the first instance to mean something analogous with the word 'peace.' 'Peace and good government,' that must be taken as something alike with what is signified by the word 'peace' and not everything which might have to be faced by the administration of a province. Otherwise more than 99 per cent. of the whole law will become redundant. It will be a *carte blanche* to the local legislature. You can do everything, you can impose any tax, you can make any law for the 'peace and good government' of the country. While the Government of India has imposed salt tax, you think it is necessary for the good government of the province that you should impose pepper tax or some sort of other tax and you do it. That certainly is not within the powers of this legislature or of this government. Therefore the words 'peace and good government' are to be interpreted in the first instance to mean what they would obviously and naturally mean and not include the imposition of taxes or the validating of invalid impositions nor anything else of the kind, and consequently the words 'good government' must be taken to mean something which is akin to the word 'peace.' Surely that won't mean the imposition of a tax of whatsoever kind Government may take into its head to impose upon the people of this country. Otherwise there would be no end to imposition of taxes and enactment of laws. They have only to say, 'this is for the good government of the province, this is for the peace of the province. If we don't pass this validating Bill the members of the District Board of Sialkot may fight with the traders there or something else may happen. So, it is necessary for the peace and good government of the province.' That is certainly not the object of the provision in the Government of India Act. Then again, these words must be

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read subject to the restrictions which are imposed under the Act itself. Only within those restrictions can taxes be imposed for the peace and good government of the province. So laws may be enacted for the peace and good government of the province and not beyond that.

Mr. H. W. Emerson : Will the honourable member be good enough to say under what section of the Government of India Act, scheduled taxes are imposed ?

Dr. Gokul Chand Narang : Under separate rules. I want in the first place to submit that it is the Government that wants to impose, according to themselves, a new tax. It is for them to show that they have got the power to do it. They are throwing on us the burden of proving that they have not got the power which they should not do. It is looking at the thing from an entirely wrong point of view. If *prima facie* a thing seems to be wrong and inequitable, and interferes with civil rights and liabilities of His Majesty's subjects, it is for those who want to suggest a law to be enacted to point out that they have any authority under the Government of India Act to do it and not to ask us 'by what are we prohibited.' No, the question should rather be 'by what are you authorised to impose this tax upon us.' I say, if it is not an imposition, by what authority are they entitled to prevent people from realising money which has been taken by mistake.

Mr. President : May I refer the Honourable Chief Secretary to section 45-A under sub-section (1) (a) of which "provision may be made by rules under this Act (a) for the classification of subjects, in relation to the functions of Government, as central and provincial subjects, for the purpose of distinguishing the functions of local governments and local legislatures from the functions of the Governor-General in Council and the Indian legislature." Rules are made under this sub-section.

Dr. Gokul Chand Narang : My honourable friend Pandit Nanak Chand was pointing out to me to read out section 45. But I was just telling my honourable friend Mr. Emerson that it was not our duty here to stand the cross-examination as to under what law this was done. It was in the first place their duty to point out under what authority, they wanted to keep this money which they have taken illegally. It is for the Government to point out the specific provision in the Government of India Act under which provision is made for the imposition of scheduled taxes and for taxes which this Government is authorised to impose. I would therefore submit that so far as reliance has been placed upon section 80-A of the Government of India Act, it does not help the Government in the matter. We would have been very glad, if it were open to us to prevent the embarrassment to the district boards. We certainly cannot be a party to rob Peter to pay Paul. We cannot be a party to anything which is illegal and unauthorised because it would be setting up an extremely dangerous precedent. They want to validate an illegal Act. To-morrow one Deputy Commissioner may take it into his head to ask a district board to impose another tax which may be absolutely illegal.

The Honourable Sir Geoffrey de Montmorency : Is it a point of order or a point of policy that the honourable member is discussing ?

Dr. Gokul Chand Narang : Then, there is another point which has been expressly mentioned in the Bill itself, that is that sanction has been obtained under section 80-A. The Government cannot shift the ground now and say we come under another section. I say, let them wait, let them take legal advice and then come forward with a Bill if they want to bring one and if they are so advised. As circumstances stand at present this Bill cannot be proceeded with in the Council. That is my humble opinion and I hope your ruling would be in conformity with that.

Mr. President : May I ask the Legal Remembrancer to state what the High Court has decided? Has he got the judgment here?

The Honourable Mian Sir Fazl-i-Husain : I have got the judgment and I will proceed to reply.

Sir, we had started with a point of order, which point of order it was felt that the President of the Legislative Council was going to decide as a point of order. We tried to render such assistance to him as it was within our power, not having studied the point before hand. You were pleased to invite general help from all sides of the House.

Mr. President : I also have not studied the point. In fact, it was sprung upon me as a surprise.

The Honourable Mian Sir Fazl-i-Husain : You invited help from all sides of the House. Efforts were being made to render that help. Since then, volunteers have increased so much in number and so great has been their enthusiasm that I am afraid it is difficult to see the tree for the wood. I wish to get out of the wood that has sprung up all about this point of order. Therefore, I seek your permission to get out of this wood to see where we are, what are the points, whether those points are such that they have to be decided by you, Sir, as President of the legislature, or whether they are points which the Legislative Council has to decide, or whether they are points which both you and the legislature would prefer to be decided by the Judiciary, as the most suitable authority for deciding that point. The first point which I feel, as Leader of the House, it is my duty to mention is that this House has certain privileges and prerogatives, certain functions to discharge and the efforts of every legislature have invariably been directed towards extending the scope of its functions and not towards restricting it (*hear, hear*). I may therefore consider the attack that has been made on the jurisdiction of the House as an infringement of its privileges. I would naturally expect that you in whose custody the privileges of the House are safe will see that in deciding the point of order, it is the point of order that is decided and not that our President is being called upon to give a decision whereby the functions and the jurisdiction of the House are going to be restricted. It may be open to higher authorities, jealous of the increasing rights and privileges of this House to legislate, to decide that such and such a point is outside the scope of this legislature. It is perhaps open to the High Court also to decide that the particular legislature has gone beyond its scope. The legislature is subject to such restrictions. But unless you, Sir, feel confident that an attempt is being made by the Government to unlawfully extend the scope and the powers of this legislature, and you feel it your duty to prevent this being done, I trust that no point of order will be availed of to produce such a result. I trust, Sir, that I am voicing the wishes of the whole House in giving expression to that view.

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

Now, Sir, we come to the point of order—which is whether the Bill which the honourable member in charge of the Bill seeks that it be taken into consideration, is *outside*, I will *not* say, within, the jurisdiction of the House. The issue is whether it is outside the jurisdiction of the House. A Bill presented to this House by Government after obtaining sanction from the Government of India is presumably within the jurisdiction of the House, but it is open to any one to say that it is outside the jurisdiction of the House and then the issue is *not* whether it is within the scope but whether it is outside the scope of the activities of this House. Now, in order to determine whether it is outside the scope, you were earlier in the afternoon addressing yourself to this point. Would this Bill be outside the scope of this Council's jurisdiction if it were not a validating Bill, i.e., if it were a Bill imposing this tax for the future? Naturally this is the question which suggests itself to one's mind, and if I am not mistaken, at the time, you were, Sir, also inclined to think that if such a Bill were prepared and the Governor-General's sanction were obtained, it would fall under section 80-A, sub-section (3) (a). That seems to be obvious.

Now a doubt has arisen as to this Council not possessing jurisdiction to consider the Bill because it is a Bill which is not prospective in its effect, but retrospective. Therefore the issue comes to this. Because this Bill involves legislation as to the past four years and not as to the future four years or any undefined term of years, this doubt has arisen. That was the first point raised by the honourable member for Hoshiarpur. Subsequently other points have also crept in, one that was mentioned by the honourable member for Rawalpindi being that "this is an income-tax, do not go near it, this is an all-India subject. The High Court says, this levy is an income-tax." Am I now to understand whether we are dealing with the first point of order that is to say, it is a retrospective measure, a validating Bill and that section 80-A, sub-section 3 (a) relates to prospective measures and therefore this retrospective measure is open to suspicion, or both?

Mr. President: Both, I think.

The Honourable Mian Sir Fazl-i-Husain: First, I will take up the point of the honourable member for Hoshiarpur and then that of the member for Rawalpindi. As regards the first point, with due deference, I would venture to submit that if any validation is permissible at all to a legislature it can only be retrospectively, and the mere fact that the measure is retrospective in its technical aspect and in its formal aspect makes, I venture to submit, no difference whatever. Whether it validates for a day, a week, a month or a year or for the matter of that for hundred years makes no difference. It is open to the legislature to consider the Bill on its merits and to say: 'Oh, it is going to validate a measure extending over a number of years, so we will have nothing to do with it, our good sense revolts against it.' But as a technical point, as a point of law, certainly it makes no difference whether it is validating for a day, a week, a month or a year or hundred years. Therefore, I venture to submit that under section 80-A, sub-section (3) (a) the fact that it is retrospective is no argument whatsoever against the previous assent of the Governor-General being of any use.

Mr. President : I think I should state my point of view again. The question is not whether a provincial Council can or cannot impose a tax—retrospective or prospective—with the sanction of the Governor-General. So far the law is perfectly clear. But the question is whether non-liability to refund an illegally recovered tax and authority to impose a new tax are synonymous expressions and mean the same thing. That is the point for decision.

The Honourable Mian Sir Fazl-i-Husain : Non-liability to refund. So, the point to which I will address myself forthwith is whether these words used in clause (a) 'imposing or authorising the imposition' bar the right of the legislature to consider this Bill. Well, Sir, if you permit me to say so, I will say that love of technicalities is the bane of all legally trained minds, mine included. Here we are trying to see whether the legislature has power to do for the past one year what it can do for the next one year, whether the words 'imposing or authorising the imposition of any new tax' create a bar in the power of the legislature affecting its power. I submit that they do not for the following reasons. The word 'new,' it has already been explained, makes absolutely no difference because what has been imposed and collected was in the eyes of law not a tax but a levy, an unlawful collection. It is only when a legal measure is enacted that it will become a legal imposition or a new tax. The tax will certainly be new, having been newly authorised by the law; and that again is nothing more than simply giving retrospective effect in the technical language. Now, if you say that it is open to the legislature to do for the year 1926 what it can do for the year 1928, then I beg to submit that the words 'imposition of a new tax' are nothing more than paraphrasing in legal language retrospective effect for 1926. The words 'imposition' and 'non-liability,' so far as the point of order is concerned, I submit, have absolutely no bearing whatsoever. Therefore, so far as the point of order is concerned, I venture to submit that the correct ruling on that would be that if it is in order as an ordinary Bill, it is also in order as a validating Bill. If one is allowable, the other also is allowable.

Next, I come to the income-tax argument which may be described as a red herring across the trail. It has really got no merit other than that of a resourceful advocate urging an ingenious argument towards the lag end of the day, when he feels that the brain of the judge is getting more or less clouded, and he may snatch a favourable decision for that reason.

The Honourable Judges of the High Court have expressly stated that if it is an income-tax it cannot be imposed under section 30 of the Punjab District Boards Act without the consent of the Governor-General. It is not an income-tax under the Income-tax Act, and what is stated is that the imposition of certain taxes is permissible under the District Boards Act and this is one of them; but inasmuch as it is analogous to income-tax on small incomes, and income-tax being a central subject and a close preserve of the Government of India, the Provincial Government cannot impose it without the previous consent of the Governor-General. The imposition would be under the District Boards Act; but it could not be imposed unless the Governor-General permitted its being done. Therefore, when the Punjab legislature is dealing with it, it is dealing with it under that head and not as the measure of income-tax to which really the Government of India is entitled.

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

I trust I have made the point clear that this bogey of income-tax and a central subject and so on, is really nothing more than a red herring. Again I may be permitted to draw your attention to a Punjabi proverb which has been more than once used in this Council and that is :

مارن نالکرن هیچلی سر لہیہ کائن

Pandit Nanak Chand : Is that not also drawing a red herring in ?

The Honourable Mian Sir Fazl-i-Husain : Certainly not. There is the Government of India to whom the income-tax belongs and is most zealously guarding it against any intruders, and here is my friend trying to save the Government of India from being deprived of the tax by the Punjab Government.

Mr. President : It was said that neither the Chair nor this House has any right to discuss the point.

The Honourable Mian Sir Fazl-i-Husain : The statement I made was that there were a number of points argued, some of which were for the Council to decide, some for the Chair to decide and some more which it would be the duty of the Judiciary to decide. If supposing I say, for argument's sake, that it is open to any one to take the matter to a Civil Court and say that this law has been passed without jurisdiction.....

Mr. President : Suppose the Bill is passed into law but the tax-payers, ignoring it on the ground that this Council has no jurisdiction to pass it, institute suits for refund of their money on the allegation that the same was illegally recovered from them.

The Honourable Mian Sir Fazl-i-Husain : The reason why I drew attention to that point was this : let us take the other alternative. Supposing now this Bill is ruled out by the President. What is the remedy open to the Government ? They cannot go to a civil court and lodge a suit against the President of the Legislative Council.

Mr. President : But the Honourable Member will concede that it can be pleaded in a court of law that a certain legislation is *ultra vires* of the body which passed it.

The Honourable Mian Sir Fazl-i-Husain : Yes. I was trying to place the other alternative. In one case there is a remedy and the Court can say that this legislature has no jurisdiction to pass the Bill. But if this legislature is not allowed to proceed with the legislation at all, the courts can give no relief to those who think that the legislature has the power to proceed with it.

Mr. President : What has Dr. Gokul Chand Narang to say on this point ? Will the passing of the Bill into law estop or debar the persons, from whom the tax was illegally recovered, from ignoring the Act and instituting suits for recovery of their money from the district boards ? Has not the High Court jurisdiction to hold and declare that this Council had no jurisdiction to pass the Act ?

Dr. Gokul Chand, Narang : On this point I would frankly admit that legally speaking it would be premissible to a litigant to say that the Act passed by this Council is *ultra vires* and therefore invalid and has no force. But you know, Sir, what would generally happen. The courts would say, 'you ought to have objected in the Legislative Council itself and not allowed the Bill to pass.'

Mr. President : Will the Court say so to the litigants? Cannot the latter say 'we were not the members of the Council'?

Dr. Gokul Chand, Narang : Again that would mean that a whole crop of cases will go on until the matter reaches the High Court and we get a final pronouncement. My honourable friend is right from a purely technical point of view. In fact, I could refer to certain rulings in which certain Acts passed by legislatures have been set aside by courts. There is one in 45 Calcutta and another in 27 Bombay. But the question is whether, when we know that we are not doing the correct thing, it is proper to proceed with it.

Pandit Nanak Chand : I have to say something on this point.

Mr. President : I have already made a departure from the rules of business in discussing this important point of order. No member, strictly speaking, can speak twice. But in view of the great importance of the point, I have heard every lawyer member of the House. The honourable member has no right of reply.

Pandit Nanak Chand : I am not replying. You will remember that you pointedly named me and Dr. Gokul Chand Narang with regard to this particular point which you have raised. I differ from my honourable friend on this point.

Mr. President : I think Dr. Gokul Chand Narang was quite frank. I admire his candour.

Pandit Nanak Chand : There is a difference between the powers of the various High Courts. The Supreme Court of the United States is empowered to take into consideration all those questions; but our High Courts, I think, are not. I am not certain. They are to administer the law as it is made. They cannot possibly take all those objections which can be taken in the Supreme Court of the United States. I do submit that if you were to give me time, I could convince the House that the High Court of Lahore cannot go into this question.

Mr. President : If I understand rightly, the position as put forward by Pandit Nanak Chand is that in case this Council passes the Bill into law, it will become good and sound law, free from all objections from any quarter whatever.

The Honourable Mian Sir Fazl-i-Husain : It will first need the assent of His Excellency the Governor and then the assent of His Excellency the Governor-General. It is not right to say that it becomes final as soon as it is passed in this Council.

Mr. President : After hearing the able arguments which have been put forward by the learned members of the House, both for and against the position taken up by the honourable Pandit Nanak Chand, I think the tax

[Mr. President.]

which was originally imposed was not in its nature income-tax. The word 'if' in the sentence 'if it was income-tax' makes this point quite clear.

Dr. Gokul Chand, Narang : The High Court says 'it is an income tax.'

The Honourable Mian Sir Fazl-i-Hussain : They say 'even if it is an income-tax' and so on.

Dr. Gokul Chand, Narang : This is what is stated in the High Court Judgment:—

"Can it be said that such a tax is not an income-tax, that is a tax on incomes? In my judgment there is no escape from the conclusion that the tax imposed under Punjab Government notification No. 14672, dated the 23rd May 1924 within the area subject to the jurisdiction of the District Board of Sialkot is illegal and *ultra vires* in that it is a second income-tax on persons practising professions or carrying on trades or callings."

Mr. President : Cannot His Excellency the Governor-General accord sanction to a Provincial legislature to legislate on matters connected with income-tax in its province?

Dr. Gokul Chand, Narang : That point has not been decided by the High Court, and for that we have the Government of India Act and the rules made thereunder and we know that income tax is not a provincial subject.

The Honourable Malik Firoz Khan, Noon : Sir, may I make one point on this question of income-tax. In Section 80 of the District Boards Act there are two sub-sections. According to one of them we can impose certain taxes given in a particular schedule. Sub-section 2 of that schedule says that the District Board can impose any other tax with the previous sanction of the Governor-General. That includes every form of income-tax provided it is levied with the sanction of the Governor-General.

Dr. Gokul Chand, Narang : Section 80 says nothing on this point.

Mr. President : Whether the tax in question (i.e., the *hasaniyat-tax*) was in its form or nature income-tax or any other tax, which was illegally imposed and collected by certain District Boards, it appears clear from sub-clause (c) of sub-section (3) of Section 80-A¹ that the Governor-General was perfectly competent to give sanction to this Council "to make or take into consideration any law" regarding that tax. There can be no doubt that

¹80-A (1) The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good Government of the territories for the time being constituting that province.

(2)

(3) The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law—

(a) imposing or authorising the imposition of any new tax unless the tax is a tax scheduled as exempted from this provision by rules made under this Act; or

(b)

(c)

(d)

(e) regulating any central subject; or

(f)

with the previous sanction of the Governor-General, a Provincial legislature can make law with regard to "any central subject." Therefore, even if the tax in question is income-tax in its form or nature and thus a central subject, the Governor-General was fully competent to give sanction to this Council to legislate about it.

Those who maintain that the Council is competent, even without the previous sanction of the Governor-General, to deal with the Bill, rely upon clause (1) of Section 80A and contend that the local legislature of any province has power to make laws for the peace and good government of the territories for the time being constituting that province. This contention ignores the most important words—"subject to the provisions of this Act"—in the clause. There can be no manner of doubt that the clause is to be read and applied "subject to the provisions" of the Government of India Act and that a Provincial Council cannot pass any law for its Province independently of the provisions of that Act.

The Leader of the House has argued that the word 'new' in sub-clause (a) of clause (3) is useless. I am unable to agree with him. No word of a statute, especially of the Government of India Act, which is a Parliamentary enactment, can be taken to be useless, redundant or superfluous. I think the word 'new' clearly signifies that the tax imposed or authorised to be imposed should be such as was not imposed or in existence before.

As to whether the Governor-General's sanction for making or taking into consideration a law, the object of which is to absolve or exonerate the district boards from their civil liability to refund certain taxes, which were imposed and collected illegally, can fall under clause (3) (a) of section 80-A, I think by no stretch of language the words "imposing or authorising imposition" can be interpreted to mean 'non-liability to refund' or 'prohibition to recover' a tax illegally imposed and collected in the past.

On the above interpretation of clause (3) (a) of Section 80-A, I was going to uphold the objection against the validity of the sanction under that clause, but Dr. Gokul Chand Narang has conceded with admirable candour that if the Bill is passed into law, its legality can be challenged in civil courts. On the other hand, Pandit Nanik Chand has vigorously contended that if the Bill is passed by the Council it will become good law, and that the Civil Courts cannot question its legality.

Now, on Dr. Narang's view, if the Bill is taken into consideration, passed and placed on the Statute Book, it can in no way affect the legal liability of the district boards to refund the taxes, inasmuch as, on the Act being pleaded in bar to a suit, the High Court may declare it to be *ultra vires* of the Council. In other words, the presence or absence of the Act will have no effect whatsoever upon the rights of the tax-payers to recover the taxes collected from them illegally. On this view I am inclined to leave it to the judiciary of the province to decide this important question of law. Let the interested and aggrieved persons follow the learned Doctor's advice and proceed accordingly to law. On the other hand, if the Bill, when passed, is to become good law, the Honourable Pandit's objection against the jurisdiction of the Council does not go to the root of the evil and is, therefore, not entitled to much weight. Thus on either view I see no reason why the law-making power of the Council should be restricted or curtailed.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, after hearing the most interesting discussion that we have had I consider it my duty, on behalf of those who have paid this tax, to oppose the consideration of the Bill. Sir, by passing this Act we will be putting those people who have paid the tax to an unnecessary expense. It is no doubt true that they have already paid the tax, but it is also true that that tax was illegally charged. That money was taken from them by chaukidars through force, and they will now be asked to go to the civil court and seek their protection. This, I submit, is unfair from the point of those who have paid. Are we going to be a party to passing this legislation? I can assure you that in taking this course we are robbing 90 per cent. of the poor who have paid either Re. 1, or Rs. 2, or Rs. 2-8-0. These poor people will never go to court. They have paid and we know in our heart of hearts that the tax that has been realised from them is illegal, unjustifiable and one that cannot be defended by us, and having that knowledge and that feeling is it not our duty to see that their money is refunded to them? I do feel very strongly on the matter, and make a protest against our passing this Bill. In passing it we will be stultifying ourselves. Pray, do not rob the poor. Do not be a party to any such legislation. I strongly protest against the consideration of this Bill.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural]: (Urdu) Sir, in view of the recent High Court ruling there can be no two opinions as to the illegality of the haisiyat tax. I leave that point aside and say a few words as to how this tax was collected from the people of the Ludhiana district. As you know, Sir, the people have now become conscious of their legal rights. Naturally this invasion on their legal rights was received with great indignation everywhere but it was most bitterly resented by the people of the Ludhiana district. There, the petty officials had resorted to illegal force for the realisation of this tax. They committed a great many irregularities. The people were made to stand under the sun, were threatened with prosecutions and so on. Such were the ways in which this tax was collected from the people. Sir, in this connection I am reminded of a Brahman who took away by force a cow from the possession of its owner and later on asked him to give it away in charity to the former. Similarly, the Government have first robbed the people of their money and now when the tax has been declared illegal and *ultra vires*, they come forward with the request that they should not be compelled to make refunds. Sir, no self-respecting people can ever welcome such an arbitrary action on the part of the executive government. Therefore, in order to teach them a lesson we should reject the Bill.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural]: (Urdu) Sir, there was absolutely no occasion for the unnatural and unnecessary heat that has been imported in the discussion of the Bill. It is quite a simple measure. Its object is to validate the imposition of the haisiyat tax about the legality of which serious doubts have arisen since the High Court has held the haisiyat tax imposed by the district board of Sialkot to be illegal and *ultra vires* on the ground that it is a form of income-tax the imposition of which requires the sanction of the Governor-General. Sir, I support the Bill not because I am vice-chairman of a district

board but because I think that if you carefully study the whole situation, I am sure you will come to the conclusion that the Bill must be passed into law and that there is no other alternative left to us. Sir, the honourable members who have spoken against the Bill seem to have ignored the fact that the district boards are small institutions and are so designed as to impart to the people lessons in the art of local self-Government. Before the imposition of the hasiyat tax the district boards were looked down upon by the people and were called *Duster-Kut* boards or merely zamindars' concerns. They were not fully representative bodies. Only the local rate payers had the right of vote. The imposition of the hasiyat tax, however, has given franchise to a considerable number of people of all classes and professions. Therefore, since the imposition of this tax these local bodies have become more representative in their character. His Excellency the Governor-General and Viceroy of India on the occasion of his last visit to Lahore had announced that henceforward no individual or any body of persons shall rule the destinies of India and that a people's dynasty was going to be established so as to enable each and every individual to have his due share in the Government of his country. Therefore, it was in the fitness of things if it was thought necessary to make the local bodies representative in the real sense and if to achieve this end the hasiyat tax was imposed on those classes of people who were previous to this imposition deprived of representation on the local bodies. They paid the tax and were granted the right of vote which they have duly exercised in the last general elections. Sir, we should not grudge the franchise granted to lower classes of people by this imposition but on the other hand we should co-operate with them with a view to make the scheme of local self-Government a success. When the hasiyat tax was imposed in my district I was not a member of the district board, otherwise I would have persuaded it to impose the tax in the right manner. Sir, we should not suspect the *bona fides* of the district boards mentioned in the schedules annexed to the Bill. They have committed no wrong or robbery. The mistake that is responsible for the whole trouble has crept in in the method of assessment. Tax payers were not classified and the tax was collected on the basis of income. This gave it the form of income-tax and hence its illegality. These district boards thought it a hardship to realize the same amount of tax indiscriminately from rich and poor merely according to a classification of professions, etc. Sir, the scheme of taxation was perfectly right but the method of its assessment was wrong. Please do not give way to sentiments. Let us not raise the question of zamindars and non-zamindars. We should try to remove the misunderstandings under which the non-zamindars are hopelessly labouring. They perhaps think that by the imposition of the tax the burden of the zamindars has been shifted on to their shoulders. They do not realise and appreciate the true nature of the rights conferred on them. They perhaps think that by the imposition of this tax a great injustice is being done to them and that it is perhaps not a proper tax which also creates very valuable rights but is a mere ghost of a penal fine which must be shaken off. That is why instead of paying two rupees, they spend Rs. 25 and go over to the head-quarters of the district in order to appeal against the imposition. Sir, it is immaterial whether or not this Bill is passed into law because it gives

[Sardar Harbakhsh Singh.]

validity to the taxes only upto the 15th November 1927, and afterwards the district boards would prepare the schedules after the model of schedules prepared by the Multan and Ferozepore district boards according to a classification of professions only. Now, take the question of refunds. Much has already been said about this. With regard to this, I would simply say this much that if the Government is not willing to make refunds you cannot compel it; and if it is made to refund it would give the new schedules a retrospective affect from the date of imposition. Therefore, it would simply mean giving by one hand and taking away by the other. Moreover if refund of money realised by means of the tax is to be made to only those who would seek the help of the courts, there would be a considerable number of persons who would not like to go to the courts, and there seems little justification to refund money only to those who would go to the courts. Therefore, I request you not to entertain the idea of compelling the Government to make refunds because if it is made to refund, it would cause a great embarrassment of district board finances, but would do no good to the people as is mentioned above except creating a chaos.

Mr. President : May I ask the honourable member to curtail his speech if he can do so ?

Sardar Harbakhsh Singh : Yes, Sir, I am going to finish it. What I wanted to say is that we should do nothing which may stop the progress of local-self-government. In conclusion I ask you in the name of peace and good Government to pass this Bill into law.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to request that the question be now put.

Mr. President : There is the hand of the clock. According to our practice, we ought to disperse after another half hour, while this Bill, it appears, will take some time. So, either we shall have to sit after 6 P.M. or assemble to-morrow again. I do not think the honourable members like to sit late or attend to-morrow. I would ask them, therefore, to speak to the point so that we may finish in time the rest of the business.

The Honourable Malik Firoz Khan, Noon : I request that the question be now put.

Mr. President : I have the honourable member's request in mind.

Dr. Gopi Chand, Bhargava [Lahore City (Non-Muhammadan), Urban] (Urdu) : Sir, I have most attentively listened to the able and well-reasoned speeches made by honourable members of this House in connection with the legal point raised by my honourable friend, the Raja Sahib. The matter which is now before the House is only the concern of the Local Government and relates to the transferred subjects. Therefore if you are prepared to validate the imposition of a tax which is held to be illegal and *ultra vires* by the highest tribunal of the province, you are going to stigmatise for ever the fair name of the Punjab and its legislature. If this Bill is passed into law it would not do any good to the country and even the Local Self-Government would not stand to gain anything. Sir, those who know how the tax was collected, how the poor classes were tyrannised by the petty officials and what strong protests were made against this imposition, can never

be prepared to stand for the Bill. Is it good Government to tyrannise the people beyond their power of endurance? Were these illegalities, that are going to be legalised by this Bill, committed for the sake of promoting peace? If not, why it is appealed in the name of peace and good Government to legalise these illegalities of the district boards. Sir, one of the honourable members of the House has stated that the imposition of the tax has enfranchised a very large number of people who previous to the imposition were deprived of the representation on local bodies. In my opinion this argument carries no force, because this Bill, if passed into law, is going to validate taxes up to the 15th November 1927. I ask the honourable member how is he going to reconcile his argument to the period after the 15th November 1927?

Sir, I am in favour of the legal maxim "no representation and no taxation." If the interests of a class of people are not represented on a local body every individual belonging to that class would be perfectly within his rights to refuse payment of any tax imposed on him by the local body concerned. I say why do you not give franchise to every adult member of all communities residing in the Punjab? Or at least make rules similar to those applicable to municipal committees regarding the eligibility of a person to vote at district board elections. If you so desire, amend the District Board Act....

Mr. President : Order, order, there is no Bill before the Council in which it is proposed to impose a new tax for the future. Only the validating measure is before the House.

Dr. Gopi Chand, Bhargava : Sir, I wanted to say that we should adopt a right method of enfranchising the people. Now, I turn to the question of making refunds. It has been said that if you want to force the Government to refund to the people the amounts realised from them by means of this tax you should seek the help of the courts of law. But, Sir, have you cared to consider the fact that for obtaining relief from a court of law the litigant has to incur certain expenses? When you demand the return of a railway fare it is not returned to you unless certain deductions are made. Similarly when a litigant goes to a court of law, he has to pay court-fees according to the value of the suit. Therefore, I would request the Government in the name of peace and good Government to refund the amounts realised from them by means of this tax without asking them to go to the courts of law. Sir, as this Bill aims at the legalising of an illegal imposition of a tax, I would ask the honourable members to refuse even to consider this Bill.

Honorary Lieutenant Sardar Raghubir Singh [Amritsar (Sikh), Rural] (Urdu) : Sir, it has been alleged that the haisiyat tax is being most arbitrarily realised from the people. I, for one, do not support this assertion. Just as we are anxious for the achievement of responsible self-government the lower classes of *kamins* are also desirous of enjoying certain measure of local self-government. District boards are very useful institutions. They have constructed roads, built schools, and hospitals for the use of the public at large. This tax is only meant for those persons whose annual income is Rs. 600 or above. Therefore to say that it touches the poorest of the poor is incorrect. Really speaking the opposition to this

[Hony. Lt. Sardar Baghbir Singh.]

tax is due to the fact that the people like to have all comforts and facilities for nothing. Blacksmiths, carpenters and artisans have permanent and ready sources of income as compared with the poor zamindar whose case is quite uncertain. He is not even sure to reap what he has sown. Sometimes his crops fail for want of water. Sometimes his crops begin to rot owing to the abundance of water. But he has to pay local rates under all circumstances. Sir, whatever is realised from the people by means of taxes is spent for the comfort and welfare of the public. It is natural that the people should feel aggrieved by the imposition of every new tax. Therefore, we should not mind the general resentment of the public and pass the Bill into law.

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu): Sir, I oppose the Bill under discussion, because I believe that it would, if passed into law, adversely affect the interests of the zamindars. It has been stated that the local rate payers are exempt from the payment of the *haisiyat* tax. It is totally false. I take the case of my own district. In 1917, local rate was charged at the rate of 7 or 8 pies per rupee of the land revenue. Afterwards it was raised to 10 pies per rupee of the land revenue. With the imposition of the *haisiyat* tax it was raised to 12 pies per rupee of the land revenue. It means that two pies per rupee are charged by way of *haisiyat* tax. *Haisiyat* tax is charged from the non-zamindars according to the fixed rates but in the case of a zamindar it varies according to the amount of land revenue he pays to the Government, and he has to pay it even if he gets no income from the land in respect of which he pays the land revenue. Sir, as is mentioned in the schedule annexed to the Bill, *haisiyat* tax has been imposed by 28 district boards in the Punjab. I wonder when at the very outset the tax was illegal and *ultra vires* how it can afterwards be validated. Did not the Government consult its Legal Remembrancer before it actually gave sanction to its imposition? And if it has been illegally imposed why should the Government hesitate to make refunds? My honourable friend, Sardar Sahib on the opposite side, has remarked that it is not advisable to make refunds, because some people will go to courts of law for the purpose and some will not do so. Sir, I ask him, why you compel the people to go to courts of law? Why not refund their money by means of money order (*laughter*). This tax had also been imposed by the district board of Kangra. I was also a member of the district board at the time. The resolution according to which this had been imposed by that district board was carried by the casting vote of the president. (A voice: perhaps). Not perhaps, but certainly it was carried by the casting vote of the president. It has not surprised me in the least that a vice-president of a district board has tried to justify the illegal actions of the district boards. Sir, according to a Persian proverb,

هر که در گلی نمک رفت نمک شد

He has his own weakness. When in the Kangra district the tax on goats and sheep was levied everybody resented it. But the vice-president of the district board voted for it because he was afraid lest the reduction in income should prove a stumbling block in his way. The misery and

havoc caused by this tax in the Hoshiarpur district is awful. My village is situated on the boundary line of the Hoshiarpur district. The people of the Hoshiarpur district come to me every now and then and ask me to invite the attention of the Government to their poor plight. In my opinion the Hoshiarpur district is heavily groaning under the burden of this tax. (A voice : what about Shahpur ?) I do not know anything about Shahpur. On the strength of my personal knowledge I am constrained to observe that this sort of taxation cannot either politically or morally be justified. Therefore, we should reject the Bill under discussion.

Diwan Bahadur Raja Narendra Nath : I move—

"That the question be now put."

The motion was carried.

Mr. President : The question is—

"That the Punjab District Boards (Tax Validating) Bill be taken into consideration."

The motion was carried.

Mr. President : The Bill will be taken into consideration clause by clause.

CLAUSE 2.

Mr. J. G. Beazley (Secretary, Transferred Departments) : Sir, I beg to move—

"That in clause 2 of the Punjab District Boards (Tax-Validating) Bill after the word 'schedule' where it occurs for the second time the words 'and the taxes, if any, the imposition of which was notified in notifications cancelled by notifications so specified' and at the end of the same clause the words 'or until the dates with effect from which the notifications in which their imposition was notified were cancelled, as the case may be' be inserted."

Sir, the object of this amendment is to protect also district boards from claim for recovery of taxes the imposition of which was cancelled by mere recent notifications, in cases when such protection is not given by the Limitation Act.

Mr. President : The question is—

"That in clause 2 of the Punjab District Boards (Tax-Validating) Bill after the word 'schedule' where it occurs for the second time the words 'and the taxes, if any, the imposition of which was notified in notifications cancelled by notification so specified' and at the end of the same clause the words 'or until the dates with effect from which the notifications in which their imposition was notified were cancelled, as the case may be' be inserted."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I oppose the amendment. My reasons for opposing this amendment are these. I may tell you very frankly that this Bill should not be passed and the amendment helps in passing this Act. In some of the speeches that have been delivered in this House it had been shown that there is a great doubt with regard to the legality of the proceedings which are being taken to-day. On that ground alone, the Council should reject this amendment and should not proceed with any further consideration of any business in connection with this Bill. But leaving that apart, Sir, the tax has been weighing very heavily on the poorest population of the districts of the Punjab wherever the tax has been levied.

[Pandit Nanak Chand.]

We have been accustomed to see many crocodile tears shed in this Council Chamber when the question of the poor population of this province comes for discussion in this House. Times without number honourable members from various corners of this House have got up and said 'here we are, the advocates of the rights of the poor. We want this thing to be done for the poor and that thing to be done for the poor.' Only the other day one honourable member got up and read out certain passages with regard to one of the poorest districts of the Punjab, namely Muzaffargarh, wherein is painted the misery of the people and he described how the people were in debt and how they were under various other sufferings. Now this is a question which touches the poorest of the poor. (Cries of no, no.) Either you may go on or allow me to go on. I will not allow you to interrupt me. Even if you go on interrupting me, I will go on speaking.

Rai Sahib Chaudhri Chhotu Ram : On a point of order, Sir. Is the honourable member's speech relevant to the amendment?

Pandit Nanak Chand : I know the rules of relevancy. I was saying that this question of the imposition of this tax or the prohibition of recovering the money from the District Boards is one which touches the poorest of the poor in every district of the Punjab. I speak from personal experience in the Hoshiarpur district where I find that when this question was discussed in the district board a large number of members opposed the imposition of this tax not on the ground that it will touch what are called the non-agriculturist classes, but agriculturist classes also and I can say that in the Hoshiarpur district mainly the agriculturists who derive their income from other sources than agriculture had to pay this tax. These zamindars of the *barani* tracts were made to pay the tax in various ways; one was made to pay on the income got by selling *ghi*, another on the income got from something else and so on, on incomes which could not be properly brought under the definition of agricultural income. If any one had visited the large number of people who used to go to the towns of Hoshiarpur to lay their objections before the authorities appointed by the Deputy Commissioner to go into this question whether their income should be taxed or not, he would have seen the misery and have this tax has brought on the poor zamindar population of the Hoshiarpur district. Hoshiarpur zamindars complain about this tax—this illegal imposition. Simply because most of the members of the Council are connected with the district boards, should not be a reason for passing this Bill into law. It will be a grave injustice. And further this tax has been imposed on *lohars*, *tirkhans*, *chamars* and others. I may assure the honourable members who are very fond of making speeches from the other side of the House that banyas and sahucars are not at all touched by this tax of Rs. 3 or 4 or 5. It touches these *telis*, *lohars*, *tirkhans*, *chamars*, tonga-drivers and poor people of that sort, and the zamindars who are very poor. The people who assess this tax, who say that such and such a man should pay so much, know that this tax comes out of the pockets of the poorest population of the Punjab.

Sir, I oppose the passing of this Act on another ground. It has been said that the tax affords a right of vote for elections to the district boards to those people who pay it. I submit that when this tax was first levied most

of the people who paid it were not represented in the district boards. It was only afterwards and in only a limited number that they got this representation. I put a question in this Council in reply to which it was said that those who paid Rs. 2 were not allowed the right of vote. (Cries of no, no.) It is no good saying 'no, no.' The honourable member who says so has not read the answer to the question given by the Government. Interruptions of this kind are quite unjustified and undignified. I submit that most of the people who were taxed had no right of representation in the district boards and the majority of them who pay a tax of Rs. 2 per annum were not given any right of representation even afterwards. On that ground also I submit that this Bill should not be passed. It touches the poorest of the poor. People who had no representation have been made to pay the tax and there is also a great doubt as to the legality of the Bill. On these grounds I oppose the amendment.

Chaudhri Zafrullah Khan : Sir, to my mind the question before the House is what is the policy underlying this

6 P. M.

Bill, and in my humble opinion a great deal of unnecessary heat has been imported into the discussion. . . .

Mr. President : Order, order. At this moment the whole Bill is not under consideration. Only the amendment is under consideration, I hope the honourable member will not follow the example of his illustrious predecessor (*laughter*).

Chaudhri Zafrullah Khan : Sir, it was only because my predecessor was allowed to speak on the Bill that I ventured to stand up. I have nothing to say if the discussion is not to be on the policy of the Bill.

Mr. President : Only the amendment is under consideration.

Mr. E. Maya Das (Nominated, non-official) : Sir, I wish to contradict something which has been said by the honourable member who spoke before the one who has just sat down. One statement made by him was that the poorest of the poor were taxed. Now, I do not know who are the poorest of the poor. In case the rules provided that a man with an income of Rs. 12 a year was to be taxed, he would be richer than the man earning Rs. 6 a year. A man with an income of Rs. 12 could not be called the poorest of the poor, but according to the rules it is the man with the minimum income of Rs. 200 who is taxed, and therefore to say that a man with an income of Rs. 200 a year is the poorest of the poor is quite wrong. I wanted to bring it to the notice of the House.

Mr. President : The question is—

"That in clause 2 of the Punjab District Boards (Tax-Validating) Bill after the word 'schedule' where it occurs for the second time the words 'and the taxes, if any, the imposition of which was notified in notifications cancelled by notifications so specified' and at the end of the same clause the words 'or until the dates with effect from which the notifications in which their imposition was notified were cancelled, as the case may be' be inserted."

The motion was carried.

(Before Mr. President announced the decision, Pandit Nanak Chand asked for a division and immediately afterwards withdrew his claim for a division.)

Mr. President : I may inform the honourable members of the House that a division should not be claimed lightly or unnecessarily. Once the decision of the Chair is challenged and division claimed, the Chair is bound to follow a certain procedure. Withdrawal of challenge will not be allowed in future.

Pandit Nanak Chand : Sir, may I explain....

Mr. President No explanation is called for.

Mr. President : The question is—

“ That clause 2 as amended stand part of the Bill.”

The motion was carried.

Mr. J. G. Beazley : Sir, I beg to move—

“ That in the second column of the schedule to the Punjab District Boards (Tax-Validating) Bill against ‘ Gurgaon ’ in the first column the words and figures ‘ as corrected by No. 11160, dated 29th April 1925 ’ be added at the end.”

The motion was carried.

Mr. J. G. Beazley : Sir, I beg to move—

“ That in the second column of the schedule to the Punjab District Boards (Tax-Validating) Bill against ‘ Kangra ’ in the first column the words and figures ‘ and No. 12527, dated 21st April 1926 ’ be added at the end.”

The motion was carried.

Mr. President : The question is—

“ That the schedule as amended stand part of the Bill.”

The motion was carried.

Mr. President : The question is—

“ That these be the title and the preamble to the Bill.”

The motion was carried.

The Honourable Malik Firoz Khan, Noon : Sir I beg to move—

“ That the Punjab District Boards (Tax-Validating) Bill be passed.”

The motion was carried.

ELECTION TO THE STANDING FINANCE COMMITTEE.

Mr. President : The Council will now proceed to elect a member for the Standing Finance Committee. Two nomination papers have been received—

- (1) Of Rao Bahadur Captain Rao Balbir Singh : proposed by Rai Bahadur Lala Sewak Ram ; and seconded by Sardar Ujjal Singh ;
- (2) Of Captain Sardar Sikandar Hayat Khan : proposed by Sardar Habib Ullah ; and seconded by Rai Sahib Chaudhri Chhotu Ram.

Voting papers will now be distributed among non-official members. As only one candidate is to be elected the members will please affix a cross mark against the name of the member for whom they wish to record their votes. Members are warned that the writing of anything else on the voting

paper will render it invalid. After the members have affixed a cross mark against one name they will put the voting paper in the ballot-box kept for the purpose. After the votes are recorded, the Secretary will count the ballot-papers and inform me of the result which I will announce to the Council.

(At this stage Mr. President left the chair and the Deputy President took his place.)

(After the members had recorded the votes and the Secretary had counted them).

Deputy President : The results of the election are—

for Captain Sardar Sikandar Hayat Khan	∴	23 votes.
--	---	-----------

for Rao Bahadur Captain Rao Balbir Singh	∴	21 "
--	---	------

I declare Captain Sardar Sikandar Hayat Khan, as duly elected.

The Council then adjourned *sine die*.

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