

THE
Punjab Legislative Council
Debates.

From 20th February to 11th May 1928.

VOL. XI.

OFFICIAL REPORT.



Lahore :
Printed by the Superintendent, Government Printing, Punjab.
1928.

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

President :

The Honourable Khan Bahadur Chaudhri Shahat-ud-Din.

Deputy President :

Sardar Habib Ullah.

Secretary to the Council : **Sardar Abnasha 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 Fazl-i-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), Landholders.

The Honourable Mr. Manohar Lal, M.A., Minister for Education (Punjab University).

The Honourable Malik Firoz Khan, Noon, Minister for Local Self-Government, Shahpur East (Muhammadan), Rural.

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.

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

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

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

Townsend, Mr. C. A. H., C.I.E., I.C.S., Financial Commissioner, 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.

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.

Owen, Dr. C. A., Representative of the European and Anglo-Indian communities.

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 Sheikhpura (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, Kalja, 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-Muhammadan), Urban.
- Gopal Das, Lala, Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural.
- Gopi Chand, Bhargava, Dr., M.B., B.S., Lahore City (Non-Muhammadan), Urban.
- Gray, Mr. V. F., Punjab Chamber of Commerce and Trades Association, Commerce.
- Habib-Ullah, Sardar, Lahore (Muhammadan), Rural.
- Hans Raj, Raizada, Jullundur-cum-Ludhiana (Non-Muhammadan) Rural.
- 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.
- Labb Singh, Mr. M.A., LL.B. (Cantab.), Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural.
- Maqbool Mahmood, Mir, B.A., B. Lit., Amritsar (Muhammadan), Rural.
- Mohan Lal, Lala, B.A., LL.B., North-East Towns (Non-Muhammadan), Urban.
- 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 (Muhammadan), 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 Tumdars (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.
- Nanak 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.
- Partap Singh, Sardar, Jullundur (Sikh), Rural.
- Raghubir 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.
- Sewak Ram, Rai Bahadur Lala, Multan Division (Non-Muhammadan), Rural.
- Shahadat Khan, Rai, Lyallpur North (Muhammadan), Rural.
- Sikandar Hayat Khan, Khan Bahadur 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.
- Zafrullah Khan, Chaudhri, B.A., LL.B., Sialkot (Muhammadan), Rural.

TABLE OF CONTENTS.

SECOND SESSION OF THE THIRD PUNJAB LEGISLATIVE COUNCIL.

PAGES.

Monday, the 20th February 1928.

Oath of office	1
Starred Questions and Answers	1—19
Unstarred Questions and Answers	19—30
The Punjab Medical Registration (Amendment) Bill (Passed)	30—31
The Punjab Pre-Emption (Amendment) Bill (referred to Select Committee)	31—51

Wednesday, the 22nd February 1928.

Resolutions—	
Re Unani and Ayurvedic systems of medicine (carried) ..	58—64
Re Amritsar Medical School (withdrawn) ..	64—79
Re Rural sanitation (not moved) ..	79
Re application of the principles of assessment of income- tax to the assessment of land revenue (continued) ..	79—89

Thursday, the 23rd February 1928.

Resolution—	
Re application of the principles of assessment of income- tax to the assessment of land revenue (Lost) ..	91—180

Saturday, the 25th February 1928.

Starred Questions and Answers	131—146
Unstarred Questions and Answers	146—156
Presentation of the Budget	156—166
Amendment of Standing Orders	166—172

Wednesday, the 29th February 1928.

Oath of office	173
Starred Questions and Answers	173—186
General discussion of the Budget (continued)	187—227

Thursday, the 1st March 1928.

Starred Questions and Answers	229—240
General Discussion of the Budget (concluded)	240—288

PAGES.

Friday, the 2nd March 1928.

Oath of office	289
Starred Questions and Answers	289—808
Government's Demands for Grants— Land Revenue Grant (continued)	804—840

Saturday, the 3rd March 1928.

Starred Questions and Answers	841—851
Government's Demands for Grants— Land Revenue Grant (concluded)	852—875
Excise Grant	875—888
Apology by Member	889

Monday, the 5th March 1928.

Starred Questions and Answers	391—406
Government's Demands for Grants— Stamps Grant	406—07
Forests Grant	407—422
Forests (Capital) Grant	422
Registration Grant	422—428
Irrigation Grant	428—24
Irrigation (Capital) Grant	424—35
Debt Services Grant	431
General Administration (Reserved) Grant (continued)	435—445

Wednesday, the 7th March 1928.

Starred Questions and Answers	448—458
Government's Demands for Grants— General Administration (Reserved) Grant (continued)	458—490
Condolence on the death of Lord Sinha	490

Thursday, the 8th March 1928.

Starred Questions and Answers	491—509
Government's Demands for Grants— General Administration (Reserved) Grant (concluded)	509—537
General Administration (Transferred) Grant	537
Administration of Justice Grant	537—546

Friday, the 9th March 1928.

Unstarred Questions and Answers	547—561
Ruling re discussion of matters involving legislation during voting of demands for grant	561
Government's Demands for Grants— Administration of Justice Grant (concluded)	562—600

Monday, the 12th March 1928.

Starred Questions and Answers	601—618
Government's Demands for Grants—	
Jails and Convict Settlements Grant	618—644
Police Grant (continued)	644—647

Tuesday, the 13th March 1928.

Unstarred Questions and Answers	649—674
Government's Demands for Grants—	
Police Grant (concluded)	674—700
Scientific and Miscellaneous Departments (Transferred) Grant	700
Education (Reserved) Grant	700
Education (Transferred) Grant	700
Medical and Public Health Grant	700
Agriculture Grant	700
Industries Grant	700
Industries (Capital) Grant	701
Miscellaneous Departments (Reserved) Grant	701
Civil Works (Reserved) Grant	701
Civil Works (Transferred) Grant	701
Civil Works (Capital) Grant	701
Hydro-Electric scheme (Transferred) Capital Grant	701
Famine Relief and Insurance Grant	702
Superannuation allowances and pensions Grant	702
Commuted value of pensions (Capital) Grant	702
Stationery and Printing (Reserved) Grant	702
Stationery and Printing (Transferred) Grant	702
Loans by Provincial Government (Reserved) Grant	702
Loans by Provincial Government (Transferred) Grant	702
Refunds (Reserved) Grant	703
Refunds (Transferred) grant	703
Grant for expenditure in England (other than Stores) under the control of High Commissioner for India	703
Grant for expenditure in England under the control of the Secretary of State	703

Wednesday, the 14th March 1928.

Starred Questions and Answers	705—711
Unstarred Questions and Answers	711—715
Motion for Adjournment (Leave granted)	715-716
Motion re committee to co-operate with the Indian Statutory Commission (carried)	716—759

Thursday, the 15th March 1928.

Oath of office	761
Motion for adjournment (carried)	761—779
Starred Questions and Answers	779—800

	PAGES.
Unstarred Questions and Answers	800—808
Governments Demands for supplementary and additional grants, 1927-28	808—811
The Punjab Adulteration of Food (Amendment) Bill (referred to Select Committee)	811—818
The Punjab Land Revenue (Amendment) Bill	814
Amendment of Standing Orders	814
Election of members to serve on the committee to amend the Standing Orders and to serve on Standing Committees	814
Resolution— <i>Re</i> recommendations embodied in Mr. Anderson's report <i>re</i> Muzaffargarh	815—818
Announcement from the Chair— House committee	818

Friday, the 4th May 1928.

Oath of office	819
Starred Questions and Answers	819—833
Unstarred Questions and Answers	833—839
Resolutions— <i>Re</i> grant of loans to zamindars of Rohtak, etc., districts (Lost)	839—869
<i>Re</i> military training for college students (continued)	869—876

Saturday, the 5th May 1928.

Starred Questions and Answers	877—889
Unstarred Questions and Answers	889—898
Committee to co-operate with the Indian Statutory Commission	894
Election of a member to the Forest Board	894
The Punjab Pre-emption (Amendment) Bill (Passed)	894—895
The Punjab Land Revenue (Amendment) Bill (continued)	895—931

Monday, the 7th May 1928.

Starred Questions and Answers	933—943
Unstarred Questions and Answers	943—949
The Punjab Land Revenue (Amendment) Bill (continued)	949—981

Tuesday, the 8th May 1928.

Starred Questions and Answers	983—1001
Unstarred Questions and Answers	1002—1006

PAGES.

Statement of additions and reductions in the non-voted grants	1007
The Punjab Land Revenue (Amendment) Bill (continued) ..	1007—1044

Wednesday, the 9th May 1928.

Oath of office	1045
Starred Questions and Answers	1045—1056
Unstarred Questions and Answers ..	1057—1058
Answers to Unanswered Questions (laid on the table)	1058
Resolutions—	
<i>Re</i> military training for college students (carried) ..	1058—1072
<i>Re</i> opening of canal telegraph offices for public use (carried)	1072—1076
<i>Re</i> improvement of rural sanitation (not moved)	1076
<i>Re</i> Mr. Anderson's report regarding Muzaffargarh district (carried)	1076—1097

Thursday, the 10th May 1928.

Oath of office	1099
Starred Questions and Answers ..	1099—1105
Motion for Adjournment ..	1106, 1189—1169
The Punjab Land Revenue (Amendment) Bill (continued) ..	1106—1189

Friday, the 11th May 1928.

The Punjab Land Revenue (Amendment) Bill (Passed)	1161—1191
	1195—1197
Election of a committee to co-operate with the Indian Statutory Commission ..	1191—1195
Amendment of Standing Orders ..	1197—1200
Election of a member to the Forest Board ..	1201
Resolution <i>re</i> damage to wheat and gram crops (carried) ..	1201—1204
Appendix	1205—1266
Index	

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 20th February, 1928.

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 :—

TOWNSEND, MR. C. A. H. (Official, nominated).

CRAIK, MR. H. D. (Official, nominated).

OWEN, DR. C. A. (Non-official, nominated).

MILNE, MR. D. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

AGRICULTURAL TRIBES.

*896. **Diwan Bahadur Raja Narendra Nath** : Will the Honourable the Revenue Member be pleased to state the total population of agricultural tribes specified in groups A and B separately and the number of Hindus, Muhammadans and Sikhs in each group ?

The Honourable Mian Sir Fazl-i-Husain : The collection of complete and correct statistics of the nature asked for by the honourable member for all notified tribes will entail an elaborate, lengthy and expensive enquiry, and the gain likely to accrue from the statistics does not appear to justify it. The honourable member is referred to table XIII of the Census Report of 1921, Volume XV, which gives by districts the census figures for main tribes, though all the agricultural tribes included in A—district groups, and B—separate groups in Appendix to Financial Commissioner's Standing Order No. 1 are not contained in that table.

SPECIAL CATTLE THEFT POLICE.

*897. **Shaikh Muhammad Sadiq** : (a) Is it a fact that a branch has been created in the Criminal Investigation Department of the Punjab Police which is known as the special cattle theft police since February 1926 ? If so, will the Honourable the Finance Member please state the amount of work done by this special police in respect of the detection of cattle thefts during the preceding two years ?

(b) Will the Honourable the Finance Member also lay on the table a comparative statement of the crimes detected by the police and convicted by judicial trial in respect of the cattle thefts during the years 1924-25, 1925-26, 1926-27 and 1927-28 ?

(c) Is it a fact that the Punjab Government has given an extension for a further period of one year to this special police ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, since March 1926. The sub-joined statement shows the work done—

Number of raids made	142
Number of stolen cattle seized	350
Number of cases instituted	1,186
Number of cases sent up for trial under Security Section of Criminal Procedure Code	1,185
Number of persons bound or restricted	678
Number of cases prepared for action under the Criminal Tribes Act	115
Number of big Thangdars or Rasegins located	270

(b) A statement is laid on the table. The special cattle theft police are only at work in four districts, but figures so far as they can be obtained are given for the whole province.

(c) Yes.

Statement showing the number of cattle thefts detected by the police and sent up for trial, together with convictions secured

Year	Number of cases investigated	Number sent up for trial	Number convicted	REMARKS
1924	3,270	1,074	769	
1925	3,926	1,158	838	
1926	3,575	1,239	894	
1927	4,200	1,370	1,019	

DISTRICT BOARD, KARNAL.

***398. Chaudhri Dali Chand :** Will the Honourable Minister for Local Self-Government kindly state—

- the name of each circle for purposes of election of the district board, Karnal, with its voting strength; and
- the approximate number of voters for which one seat in the district board is given?

The Honourable Malik Firoz Khan Noon:—

(a)—

<i>Name of Circle.</i>	<i>Number of voters.</i>
1. Nisang	127
2. Jundla	241
3. Karnal	418
4. Gharaunda	748
5. Munk	523
6. Baragnon	482
7. Rumba	518
8. Indri	889
9. Amin	158
10. Panipat	874
11. Kabri	224
12. Patti Kalana	849
13. Jaurai Kalan	1,535
14. Naoltha	794
15. Kurana	680
16. Bahala Waser	452
17. Arnauli	426
18. Siwan	872
19. Poi	540
20. Chhatar	887
21. Kaithal	688
22. Keorak	405
23. Bajaundha	474
24. Ganthala Ganthu	984
25. Gubla	889
26. Pandri	698
27. Asandh	600
28. Ganthala Rao	566
29. Ghalaan	462
30. Bahali	468
31. Thanasar	870
32. Shahbad	486
33. Rawa	970
34. Kalana	870
35. Jhansa	486

(b) 588

Mr. FAIRIE, Sub-Divisional Magistrate, Rupar.

*399. Lala Bodd Raj: (i) Will the Chief Secretary please state—

(a) whether it is a fact that charges of corruption were made against Mr. Fairie, Sub-Divisional Magistrate, Rupar, district Ambala?

[Lala Bodh Raj.]

- (b) whether it is a fact that the Government ordered an enquiry to be held ;
- (c) whether it is a fact that the District Magistrate, Ambala, enquired from one of the leading members of the bar who has drafted the representation if he would serve as a Public Prosecutor and that he replied in the affirmative ;
- (d) whether the complainant was afforded facility to produce his whole evidence or to engage a counsel ;
- (e) the result of the enquiry ?

(ii) Will the honourable member please lay on the table the reports made by the District Magistrate and the Commissioner and state the action taken by the Government on the said reports ?

Mr. H. W. Emerson : (a) A complaint alleging that Mr. Fairlie, then Sub-Divisional Magistrate, Rupar, district Ambala, had been guilty of corruption, was received by Government in February 1927.

(b) The local Government directed the Deputy Commissioner of Ambala personally to enquire into these allegations and to report the results of his enquiry to Government.

(c) Government has no information on this point.

(d) The enquiry carried out by the Deputy Commissioner was thorough and Government has no reason to suppose that the complainants were not afforded complete facilities to produce the whole of their evidence. Government has no information as to whether they desired to employ counsel and were refused permission to do so.

(e) The Deputy Commissioner of Ambala found that the allegations of corruption were not substantiated and the Governor in Council saw no reason to differ from the finding of the Deputy Commissioner.

(ii) It is not the practice for Government to lay on the table reports of this kind.

MEMORIAL FROM THE CITIZENS AND TAX-PAYERS OF
SHEIKHUPURA.

***900. Dr. Gokul Chand, Narang :** (a) Will the Honourable Minister for Local Self-Government be pleased to say whether he received a memorial from the leading citizens and tax-payers of Sheikhpura which was published in the "Tribune" of 9th June 1927 and a copy of which is enclosed ?

(b) If so, will the Honourable Minister be pleased to say what action has been taken on that memorial ?

(c) If no action has been taken so far, will the Honourable Minister be pleased to state the reasons why no action has been taken on it ?

SHEIKHUPURA MUNICIPALITY.

Citizens demand.

The following memorial has been sent by leading citizens of Sheikhupura to the authorities for consideration :—

We the residents and tax-payers of the Sheikhupura town beg to bring the following to your kind notice :—

The Notified Area Committee of Sheikhupura was constituted in 1920 when the population of this place was a little above two thousand. Since 1922 the town has become the headquarters of the district and of two canal divisions. The changes and developments thereafter are numerous, leading to a very high increase in population which at present is about 10,000 (ten thousand souls). Massive government and private buildings, mandi shops and factories are some of the many additions. Under these circumstances it is desirable and necessary that the attention of the department of Local Self-Government should be invited to the principle that the affairs of such a large group of human beings should not be managed and controlled by those who do not represent them, especially in the case of a town which apart from having the requisite number of population, carries the importance of being the headquarters of the district. It will not be out of place to observe that almost all the smaller and much less important towns in the district have either municipalities or small town committees, namely, Sangla, Sharakpur, Shahkot, Khangah Dogran, Chuharkana and Shahdara.

Without going into any details may it suffice to state that the public of this place being unable to discern any tenable reason for the maintenance and continuance of the present arrangements any longer, feels greatly dissatisfied and expresses its keen desire to have at least a second class municipality at a very early date. We hope that the petition will receive your best attention and consideration.

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

(b) When the memorial was received it was decided that for the present Sheikhupura should remain a notified area.

(c) Since the decision referred to in (b) above was taken the question of converting all notified areas in colony districts except the newly constituted notified areas, into small towns or municipalities has been taken up and is now under examination.

Dr. Gokul Chand, Narang : When is the consideration of this question likely to be finished ?

The Honourable Malik Firoz Khan, Noon : You will have the decision before long.

EDUCATION OF THE DEPRESSED CLASSES.

***901. Diwan Bahadur Raja Narendra Nath :** (a) Has it come to the notice of the Honourable Minister for Education that in the presidencies of Bombay and Madras special steps have been taken to provide special facilities for the education of the depressed classes ?

[Diwan Bahadur Raja Narendra Nath.]

(b) Will the Honourable Minister for Education state what steps have been taken in this province to further the education of the depressed classes?

(c) Are the depressed classes classified as 'backward classes' for the purpose of special facilities for education?

The Honourable Mr. Manohar Lal: (a) Yes, but the problem of untouchability is far from being as serious in this province as in Madras and Bombay.

(b) A copy of C. M. No. 210-G. S., dated the 13th June, 1923, on the subject of the education of the depressed classes is laid on the table. In this province the depressed classes are generally treated as village lamina and thus enjoy all the concessions allowed to agriculturists. The Education Department contributes the grade percentage of each district board's expenditure on maintenance and grant-in-aid for all schools for the depressed classes and in the case of municipalities Rs. 200 per annum per boys' primary school, Rs. 150 per annum per girls' primary school and Rs. 1,800 per annum per vernacular middle school for the maintenance of schools for the depressed classes and $\frac{1}{3}$ ds of what the municipalities spent in aiding such schools. The cost of providing books, etc., free for the children of the depressed classes is also included in the approved expenditure for the purpose of these grants. Since the coming of Reforms in 1921 the number of pupils of the depressed classes in all kinds of educational institutions has increased from 3,752 to 19,502, or by 423 per cent.; and this large increase has mainly occurred in ordinary schools, as special schools for these classes carry a stigma which is repugnant to them. The Education Department has now in contemplation other measures of a special kind for the educational advancement of these classes, e.g., free education in all vernacular schools and half rate concessions in anglo-vernacular schools and special scholarships exclusively for these people.

(c) Yes, but no scholarships have yet been founded exclusively for these classes.

GOVERNMENT OF THE PUNJAB.

(Ministry of Education.)

FROM

G. ANDERSON, Esq., C.I.E., M.A.,

Under-Secretary to Government, Punjab,

TO

ALL COMMISSIONERS AND DEPUTY COMMISSIONERS
IN THE PUNJAB.

Dated Simla, the 18th June, 1923.

No. 210-G. S.

Sir,

I AM directed to address you on the subject of the education of the depressed classes in this province.

2. The Punjab Government (Ministry of Education) is anxious that earnest efforts be made by all concerned for the education of these classes. Not only do the claims of justice and humanity plead on behalf of these people, but it is also essential to the best interests of the province as a whole that no community, however low in the social scale, should be denied the benefits of education. The pages of history abound with the evils resulting to a whole country from the existence of a class demoralised by ignorance and poverty. Equality of opportunity for all should be the watchword of a properly devised educational system.

3. The results of the last few years have emboldened Government to be optimistic for the future. The old spirit of exclusion is showing signs of decay; there is far less reluctance than formerly to admit the children of these classes to the schools of the Punjab; and the parents themselves are becoming more alive to the benefits of education. The Legislative Council, moreover, has shown itself fully aware of the importance of this matter and gave a favourable hearing to the resolution moved by Mr. K. L. Rallia Ram on behalf of the depressed classes. The Honourable Sir John Maynard promised that the problem would be reviewed further, and that the ready sympathy of Government was assured.

4. I am, in the first place, to draw your attention to Chapter II of my Quinquennial Report for 1916-17—1921-22. The problem is also discussed at the end of Chapter XI of the same report.

5. The Minister is most gratified by the remarkable increase in the number of pupils attending schools and colleges in the Punjab. In 1921-22, the number of additional pupils reached a total of nearly 70,000; and the provisional estimates for 1922-23 indicate that the increase will exceed 100,000. What is particularly pleasing in these figures is the fact that many of these additional pupils belong to the depressed classes. This goes to prove the contention already expressed that not only is the reluctance to admit these pupils to the ordinary schools disappearing, but also that the depressed classes themselves are becoming more alive to the importance of education for their children.

6. Much can now be done to stimulate this demand by the depressed classes for education. In many districts lists of the names of all children of school-going age who live within walking distance of the school are prepared; and it is suggested that the names of those who belong to the depressed classes should be marked in such a way that an inspector can see at a glance the number of children belonging to the community and how far that community is represented at the school. Notice should be taken of the energy or apathy shown by the teachers in taking steps for the welfare of the depressed classes. It is for local bodies to decide whether the fees should be remitted, and also whether books, etc., should be provided. Towards such expenditure, Government will contribute in accordance with the grading of each board, subject to the total maximum laid down each year. Reference has already been made to the fact that the old spirit of exclusion is showing signs of decay. The recent report of the Inspector, Ambala division, is noteworthy in showing that, whereas the number of children of the depressed classes in schools established for those classes tends to decrease, the number of such children in the ordinary schools has con-

[Hon'ble Mr. Manohar Lal.]

siderably increased. It is true that objections are sometimes taken to the presence of such children in the class-rooms on the ground of their insanitary conditions and habits, but it should be the duty of the teachers to ensure that all the children, to whatever class they belong, are clean and tidy; and attention should be paid to this point by all inspecting officers. In large towns separate schools for these children may be necessary for the present.

7. The Minister also appreciates the admirable efforts of missionary and other bodies in maintaining primary schools for the depressed classes. As you are aware, steps have already been taken to encourage private effort in the establishment of vernacular schools to a greater extent than has been the case in the past. In my C. M. No. 336-A. S., dated June 29th, 1922 (paragraph 19) permission was given to district boards to enhance the rates of grant to these schools up to a certain maximum, and especially in respect to those schools which entertain trained teachers; and it was further ruled that these enhanced grants form a legitimate item of expenditure by district boards towards which Government makes its contribution in accordance with the grading of each board up to the total approved maximum. It is hoped that by this means the assistance of private effort will be enlisted in the cause of the education of the depressed classes.

8. Equally important as the provision of schools is the recruitment of suitable teachers. Inspectors should therefore be vigilant in selecting suitable recruits from these classes for admission to normal schools. In the matter of the training of teachers, excellent work is being done at the training class attached to the Vernacular Middle School at Moga, which is maintained by the American Presbyterian Mission under the able guidance of Mr. W. J. McKee. The object of this class is not only to train teachers from among members of the depressed community for work in the schools maintained by the Mission for the community, but also, by the inclusion of practical agriculture, village crafts and industries in the curriculum, to train the teachers to be the leaders of the community in its general uplift and progress in the villages. The class at Moga has recently been recognised by Government; and a grant-in-aid is awarded. It is hoped that the full grants in respect to the salaries of these trained teachers will be awarded in accordance with the terms of the circular cited in paragraph 7 above. The Minister commends the Moga experiment to the notice of other philanthropic bodies; and he will be willing to receive applications for recognition and the usual grant-in-aid on behalf of similar institutions elsewhere.

9. Another important development of recent times has been the institution of night schools all over the province, particularly in the Multan Division; a matter on which you will be addressed shortly. It is understood that many members of the depressed classes take advantage of these schools; and inspectors are being requested to take all possible steps within their power to secure their admission to these schools.

10. The Minister desires to take this opportunity of expressing his appreciation of the efforts made by local bodies and philanthropic societies on behalf of depressed classes and communities; and he is anxious, even in this time of acute financial stringency, to afford them all the encouragement

and assistance at his command. In this noble work, he relies much on the co-operation of private effort; and much also on the desire of the community to help itself, a desire which has already expressed itself in some parts of the province. He trusts, therefore, that the satisfactory results of the last few years are merely a prelude to a far greater improvement in the near future, and that the Punjab will rise to its opportunities and will, as a whole, take a lead in the removal of illiteracy and ignorance from its midst and in the breaking down of the barriers between the depressed classes and those more fortunately circumstanced in life.

I have the honour to be,

SIR,

Your most obedient servant,

G. ANDERSON,

Under-Secretary to Government, Punjab.

No. 212-G. S.

Copy, for information, forwarded to Divisional and District Inspectors of Schools, Punjab.

G. ANDERSON,

Under-Secretary to Government, Punjab.

DEPRESSED CLASSES IN THE POLICE SERVICE.

***902. Diwan Bahadur Raja Narendra Nath :** (i) Has the attention of the Punjab Government been drawn to the following question put in the Legislative Assembly by Mr. M. S. Aney on the 14th of September 1927 and the answer thereto :—

“Is it the policy of the Government not to employ the members of the depressed classes in the public service in general and in the police service in particular so long as the depressed classes are not treated as on an equal footing by all sections of the Hindu community.”

(ii) Will the Honourable the Finance Member please say whether the Punjab Government is still opposed to the recruitment of the members of the depressed classes in the police department.

The Honourable Sir Geoffrey deMontmorency : (i) Yes.

(ii) The honourable member is referred to the answer given to Council question No. 466 (starred).¹

LAW COURTS AT AMRITSAR.

***903. Lala Kesho Ram, Sekhri :** (i) Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that the law courts at Amritsar are located at a great distance from each other;

(b) whether it is a fact that some of the courts are temporarily located in private buildings?

[Lala Kesho Ram Sekhri.]

(ii) If the answer to questions (a) and (b) is in the affirmative, then what action does the Government propose to take to locate the courts at one place?

The Honourable Sir Geoffrey deMontmorency : (i) (a) Yes at some distance.

(b) Yes.

(ii) At the moment there is no project under the consideration of Government for their concentration in one place.

Jinsi Batri.

***904. Lala Bodh Raj :** With reference to starred question¹ No. 630 asked on 22nd November 1927, will the Honourable Member for Revenue please state how far the matter referred to in the question has received the consideration of the Government?

The Honourable Mian Sir Fazl-i-Husain : The matter has engaged the recent attention of Government a great deal, and it is hoped that the announcement will be made at an early date.

COMPLAINT AGAINST HEADMASTER, HIGH SCHOOL, KAHNOR.

***905. Lala Bodh Raj :** With reference to starred question² No. 640 asked on 22nd November, 1927, will the Honourable Minister for Education please state the result of the enquiry referred to in the reply to the said question?

The Honourable Mr. Manohar Lal : The matter is still under enquiry.

COMPLAINTS OF CULTIVATORS OF 11-L, MONTGOMERY CANAL
DIVISION AGAINST A CANAL OFFICER.

***906. Lala Bodh Raj :** With reference to starred question³ No. 864 asked on 24th November, 1927, will the Honourable Member for Revenue please state if the information regarding the subject referred to has been collected? Will the Honourable Member please lay it on the table?

The Honourable Mian Sir Fazl-i-Husain : A copy of the reply to Council question No. 864 (starred) issued to the honourable member direct is attached.

Answer to Question No. 864 (starred).

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. A large number of cultivators on 11-L Distributary, Montgomery Division, waited on the Deputy Commissioner and complained against the reduction of their water-supply, but not against any Canal Officer.

(b) Yes.

¹ Vol. X-B, pages 1165-66.

² Vol. X-D, page 1171.

³ Vol. X-B, page 1381.

(c) The conclusion arrived at by the Deputy Commissioner after inspection and consulting the Executive Engineer is that there was some reduction in the water-supply, but it was due to the remodelling of outlets and that the existing supply was according to the *haq* of each *chak*.

(d) No.

(e) There was a closure about 20th May in which the outlets were altered i.e., wooden shoots and C. I. Pipes were replaced by A. P. Ms.

(f) There were many complaints about reduction of the discharge. All cases were promptly investigated and in the one or two cases where there was a little shortage on permissible discharges, those outlets were adjusted.

KITCHEN CANAL.

***907. Lala Bodh Raj :** With reference to reply to starred question ¹No. 866 asked on 24th November 1927, will the Honourable Member for Revenue please state the result of enquiry?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to his Council question No. 866 (starred), a copy of which is laid on the table.

Answer to Question No. 866.

The Honourable Mian Sir Fazl-i-Husain : (i) (a) At the time of the digging of the Kitchen and Irving canals, the offer was made by the Deputy Commissioner that for every 16,000 cubic feet of earthwork done, he would, as far as lay with him, give a single harvest lease for the next seven years of a square of Government waste. There was no suggestion of any grant of land and it was thoroughly understood that the workers took the risk of the land being required by Government for other purposes, and of the supply of water failing or being insufficient, or not reaching the land.

(b) A small proportion of the land so leased turned out to be uncommanded. Exchanges of this land were given when asked for.

(c) No land was permanently allotted on the Kitchen Canal, but the claims of such Rai Sikhs as had earned leases on the above terms were fully met by the issue of the temporary leases promised; in fact the great majority of the leases continued for 14 or 15 years. No claim arose or was made in connection with the Lower Bari Doab colonization.

(ii) The undertakings given by the Deputy Commissioner have been already completely fulfilled; in addition 20,000 acres of perennial land in the Nili Bar Colony have been sanctioned for allotment to colonists selected out of these leases, the distribution of which is nearing completion.

ROAD TAX IN KOT ADU.

***908. Lala Bodh Raj :** With reference to reply to starred question ²No. 887, asked on 24th November, 1927, will the Honourable Minister for Local Self-Government please state what has been decided by the Town Committee, Kot Adu, regarding the protest of the people against the assessment of the road tax?

¹Vol. X-B, page 1382.

²Vol. X-B, page 1391.

The Honourable Malik Firoz Khan, Noon : The protest was considered by the town committee, but was held not to be based on substantial grounds.

DIRECT RECRUITMENT OF HEAD CONSTABLES.

***909. Lala Bodh Raj :** With reference to the reply to starred question ¹No. 888, asked on the 24th November, 1927, will the Honourable Finance Member please state the result of the enquiry?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the reply already communicated to him, a copy of which is laid on the table.

Answer to Question No. 888.

The Honourable Sir Geoffrey deMontmorency :—

Statement showing number of directly appointed Head Constables in each district of the Multan Division during the last five years.

District.	Hindus.	Muhammadans.	Total.
Jhang	1	5	6
Multan	7	6	13
Muzaffargarh	3	2	5
Dera Ghazi Khan	2	10	12
Lyallpur	1	4	5
Montgomery	1	4	5
Total	15	31	46

TERM OF MEMBERSHIP OF EX-OFFICIO MEMBERS OF SMALL TOWN COMMITTEES.

***910. Lala Bodh Raj :** With reference to reply to part (b) of starred question ²No. 793, asked on 23rd November, 1927, will the Honourable Minister for Local Self-Government please state how far the matter has received the consideration of the Government?

The Honourable Malik Firoz Khan, Noon : It has been decided that if any of these committees except that of Toba Tek Singh wishes to elect a non-official president, the official president shall be removed from membership. As regards Toba Tek Singh, further enquiries are being made.

¹Vol. X-B, page 1331.

²Vol. X-B, page 1286.

ELECTION OF S. AUTAR SINGH TO SMALL TOWN COMMITTEE,
TANDLIANWALA.

***911. Lala Bodh Raj :** With reference to reply to part (c) of starred question No. 846, asked on 24th November, 1927, will the Honourable Minister for Local Self-Government please state what report has been made by the local officers and what action has been taken by the Government thereon?

The Honourable Malik Firoz Khan, Noon : Enquiries made have elicited the fact that, according to the University records, Sardar Autar Singh is less than 25 years of age; the Deputy Commissioner has, however, been instructed to give him an opportunity of proving that the records are not correct.

PROSECUTION OF NEWSPAPERS FOR OBSCENE ADVERTISEMENTS.

***912. Lala Bodh Raj :** (a) Will the Honourable Finance Member please state the names of papers prosecuted under section 292, I. P. C., for publishing obscene advertisements in connection with the Sex Pearl Lottery, Solon (Simla) with their respective results of prosecution?

(b) Has the Government taken any steps to proceed against the organisers of the said lottery? If so, what steps have been taken so far?

The Honourable Sir Geoffrey deMontmorency : (a) The prosecutions relating to the Sex Pearl Lottery were under section 294-A, I. P. C., and not under section 292, I. P. C. The advertisements were not obscene, but they contained proposals relative to the drawing of a lottery and so came within the purview of section 294-A, I. P. C. The statement attached gives the information required.

(b) Government has taken no steps to proceed against the organisers of the lottery, since it was organised within the territory of a native state.

The following newspapers were prosecuted for publishing proposals for the Sex Pearl Lottery :—

- | | |
|-----------------------------|--|
| 1. <i>The Tribune</i> | .. Kali Nath Ray, Editor, and Shiv Das, printer and publisher, fined Rs. 100 each. |
| 2. <i>The Milap</i> | .. Kushhal Chand, Editor-printer-publisher, fined Rs. 50. |
| 3. <i>The Paras</i> | .. Karam Chand, Editor-printer-publisher, fined Rs. 50. |
| 4. <i>The Partap</i> | .. Ganpat Rai, Editor-printer-publisher, fined Rs. 50. |
| 5. <i>The Bande Mataram</i> | Parshotam Das, Sondhi, Editor, and Charanji Lal, printer and publisher, fined Rs. 50 each. |
| 6. <i>The Guru Ghantal</i> | Manmohan Lal, Editor-printer-publisher, fined Rs. 50. |
| 7. <i>The Bhonchal</i> | .. Manmohan Lal, Editor-printer-publisher, fined Rs. 50. |

[Hon'ble Sir Geoffrey deMontmorency.]

8. *The Rajput Gazette* Hari Singh, Editor, Diwan Singh, printer, fined Rs. 10 each and Sukh Ram Das publisher, Rs. 80.
9. *The Sher-i-Punjab* Sant Singh, Editor-printer-publisher, warned.
10. *The Vir Kesri* .. Pandit Shiv Dat, Editor-printer-publisher, fined Rs. 25.
11. *The Naresh* .. Makhan Singh, Editor-printer-publisher, fined Rs. 50.
12. *The Parkash* .. Krishan, Editor-printer-publisher, warned by District Magistrate.
13. *The Reformer* .. Case still pending in court.
14. *The Muslim Outlook.* M. D. Mirza, Editor-printer-publisher, warned by District Magistrate.

PROFESSION TAX IN SEVA SIDHU.

***913. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state whether it is a fact that profession tax has been levied on the people of Seva Sidhu by Multan district board at the rates of Rs. 6, Rs. 4 and Rs. 2 ?

(b) Will the Honourable Minister please state the various professions which are proposed to be taxed and the scale of tax proposed for each profession ?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the answer will be communicated to the honourable member when ready.

DRINKING WATER SUPPLY IN KOT KASRANA.

***914. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

(a) if it is a fact that there are about 200 houses in Kot Kasrana tahsil Sangar, in Dera Ghazi Khan district, and that there is only one well for the supply of drinking-water ;

(b) if it is a fact that the people of the locality have represented to the authorities of the district for the provision of other wells ?

If so, what action has been taken on their representation ?

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.

CHAKS ON THE GUGERA DISTRIBUTARY.

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

(a) whether it is true that some chaks, e.g., 59/G.D., formerly on the Gugera Distributary, had been recently put on 6-B as 96/6-B, Montgomery Sub-Division, for irrigation ;

- (b) whether the cultivators of these Chaks have repeatedly been applying for the supply of canal water, and if so, with what effect ;
- (c) whether it is true that the canal officer concerned has not attended to their request and has given them no water ;
- (d) whether it is true that they have been complaining to the higher authorities of this canal officer's treatment ; if so, whether any action has been taken on these complaints ?

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

(b) There was some delay between stopping irrigation from Gugera Branch and supplying water from 6-R Distributary and zemindars submitted petitions.

(c) No. Water was and is being given from 6-R Distributary.

(d) No.

COMPLAINT AGAINST AN ANGLO-INDIAN CANAL OFFICER OF THE MONTGOMERY DIVISION.

***916. Lala Bodh Raj :** Will the Honourable Revenue Member be pleased to state whether it is a fact that several respectable educated residents of the New Civil Station, Montgomery, have been recently complaining against the official conduct of an Anglo-Indian canal officer of the Montgomery Division to his superior officer ?

If so, whether any action has been taken against him ?

The Honourable Mian Sir Fazl-i-Husain : Certain residents of the New Civil Station, Montgomery, did complain of unsympathetic treatment by a certain canal officer. This was enquired into, and they were asked to meet the Executive Engineer ; at this meeting matters were explained to them and it was shown that the complaint had been made under a misapprehension.

There is no necessity for any action being taken against the officer in question.

COMPLAINT AGAINST AN ANGLO-INDIAN CANAL OFFICER OF THE MONTGOMERY DIVISION.

***917. Lala Bodh Raj :** (a) Will Honourable the Revenue Member be pleased to state whether it is a fact that Ram Ditta, Overseer, and Brij Lal, Kartar Singh, Daswanda Singh, mistris, employed in the canal department at Montgomery, have been complaining to the higher authorities against the official conduct of an Anglo-Indian canal officer of the Montgomery division ?

(b) Has any of the subordinates referred to in (a) resigned or been transferred ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Yes.

COMMUNAL PROPAGANDA IN ALIPUR.

***918. Lala Bodh Raj :** (i) Will the Honourable Finance Member please state—

- (a) if it has been brought to his notice that at Alipur in Muzaffargarh, a Maulvi has been carrying on communal propaganda in a manner which is calculated to lead to a breach of peace ;
- (b) whether it is a fact that some police official stopped him from doing so, but he is continuing it in spite of a warning by the said police official ?
- (ii) If replies to (a) and (b) above be in the affirmative, does the Honourable Member propose to take action in the matter ?

The Honourable Sir Geoffrey deMontmorency : (i) (a) The reference is presumably to a preacher of the Anjuman-i-Ahmadiya-i-Ishaat-i-Islam, Lahore. If so, his speeches and actions have not up to the present endangered the public peace. A watch is, however, being kept on his activities.

(b) Government have no information on this point.

(ii) Does not arise.

SMALL TOWN COMMITTEE, KOT ADU, AND ROAD TAX.

***919. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) if it is a fact that the small town committee of Kot Adu, district Muzaffargarh, has sanctioned the assessment of road tax without any previous proclamation or notice to the people from 1st September 1927 ;
- (b) if it is a fact that no opportunity was afforded to the people to file their objection against the assessment ;
- (c) if it is a fact that Dr. Tirath Ram and Lala Kewal Ram applied for the inspection of the Proceedings Book of the Committee as well as other public documents, but they were not allowed to inspect by the Committee in spite of the orders from the Deputy Commissioner ?

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

(c) Enquiries are being made and the result will be communicated to the honourable member in due course.

DISTRICT INSPECTOR OF SCHOOLS, SHAHPUR.

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

- (a) if it is a fact that representations were made by the Khalsa Committee and Arya Samaj, Sargodha, to the Educational Authorities making certain allegations against the official conduct of the District Inspector of Schools, Shahpur ;

- (b) whether any action has been taken on those representations ;
- (c) whether the Honourable Minister proposes to institute an enquiry into the allegations made against this officer ?

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

(b) Yes, but the Secretary of the Gurdwara Committee, Sargodha, over whose signature the former report claims to be written, denies all knowledge of the complaint. The other representation in the name of the Secretary, Arya Samaj, Sargodha, also turned out to be pseudonymous.

(c) Such enquiries as were necessary were made through district and other authorities and in view of the pseudonymous nature of these representations it is not proposed to make any further enquiries.

COMMUNAL RIOTS.

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

- (a) the number of Hindus, Muhammadans and Sikhs, respectively, who have been challaned for offences connected with communal riots in the Punjab since the year 1923 ;
- (b) the number of Hindus, Muhammadans and Sikhs, respectively, who have been convicted for crimes connected with communal riots during the same period ; and
- (c) the number of those convicts communitywise who were given capital sentences and also the number of those who got more than six years' rigorous imprisonment ?

The Honourable Sir Geoffrey deMontmorency : Government are not in possession of the statistics required and consider that their collection would serve no useful purpose.

PROSECUTION OF NEWSPAPERS.

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

- (a) the number of newspapers in the province against whom proceedings have been filed in courts of law for publishing obscene advertisements during the years 1927 and 1928 ;
- (b) the number of newspapers which have been either warned or fined for publishing obscene advertisements in the years 1927 and 1928 ?

The Honourable Sir Geoffrey deMontmorency : (a) In 1927 proceedings were taken in the case of eleven newspapers for publishing obscene advertisements. In 1928, up to the 1st of February when the reply to this question was drafted, no proceedings had been taken against any newspapers on this account.

[Hon'ble Sir Geoffrey deMontmorency.]

(b) In 1927 fines were inflicted in eight cases in which proceedings had been taken; three cases are still pending in court. In 1927 warnings were given in nine cases and in 1928 up to the 1st February one warning was given.

STAMP VENDORS IN RAWALPINDI.

***923. Dr. Gokul Chand, Narang :** (a) Will the Honourable the Finance Member be pleased to state why the licenses for deed writing have been taken away from stamp vendors in Rawalpindi?

(b) Does the Government propose to reconsider its decision on the point?

The Honourable Sir Geoffrey deMontmorency : (a) Permission to write deeds has been withdrawn from stamp vendors in Rawalpindi as the practice is considered pernicious and harmful to the public because it affords facilities for renewing time-barred deeds by ante-dating the sale of stamps and making fictitious entries regarding the dates of the completion of deeds.

(b) No.

Dr. Gokul Chand, Narang : Is this peculiar to Rawalpindi or do these remarks apply to other parts of the province also?

The Honourable Sir Geoffrey deMontmorency : These remarks would apply to all parts of the province.

Dr. Gokul Chand, Narang : Will this privilege be withdrawn from all vendors?

The Honourable Sir Geoffrey deMontmorency : I should require notice of that question.

DRAFTSMEN AND TRACERS.

***924. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state if it is a fact that representations were made to the Government regarding the revision of pay of the draftsmen and tracers in the year 1926 and after that date? If so, what action has been taken thereon?

The Honourable Sardar Jogendra Singh : Representations were received from draftsmen and tracers in 1926. The requests made referred to matters in which the draftsmen and tracers were not personally interested, and under the rules regarding the submission of petitions, the representations were not considered, and were returned to the petitioners.

DRAFTSMEN AND TRACERS.

***925. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

(a) whether any rules have been framed for the departmental examination of draftsmen and tracers;

- (b) whether it is a fact that the rules provide that those members of the draftsmen establishment who pass the said test shall be brought on to the permanent cadre of draftsmen and tracers? How many such members have been brought on to the permanent cadre?

The Honourable Sardar Jogendra Singh : (a) No definite rules have been framed for the departmental examination of draftsmen and tracers in the Buildings and Roads Branch of the Public Works Department.

- (b) This question does not arise.

In November 1927 a competitive examination was held to select men for four vacancies in the Rs. 60—2—100 grade of pay of permanent draftsmen. Men of good character from amongst the temporary draftsmen and tracers were examined in tracing, estimating, design, the plotting of surveys and the elements of mechanical drawings. As a result of the examination four men were appointed to the permanent cadre.

UNSTARRED QUESTIONS AND ANSWERS.

DEPRESSED CLASSES.

527. Dr. Gopi Chand Bhargava : (a) Will the Honourable Finance Member please state whether the attention of the Punjab Government has been drawn to the following question put in the Legislative Assembly Mr. M. S. Aney, on the 14th of September 1927, and the answer thereto :—

“Is it the policy of the Government not to employ the members of the depressed classes in the public service in general and in the police service in particular so long as the depressed classes are not treated as on an equal footing by all sections of the Hindu community”?

- (b) Will the Honourable Member please say whether the Punjab Government is still opposed to the recruitment of the members of the depressed classes in the police department? If so, on what grounds?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

- (b) The honourable member is referred to the answer given to Council question No. 466 (starred).¹

EDUCATION OF THE DEPRESSED CLASSES.

528. Dr. Gopi Chand Bhargava : (a) Has it come to the notice of the Honourable Minister for Education that in the Presidencies of Bombay and Madras special steps have been taken to provide facilities for the education of the depressed classes?

- (b) Will the Honourable the Minister for Education state what steps have been taken in this province to further the education of the depressed classes?

(c) Are the depressed classes classified as ‘backward classes’ for the purpose of special facilities for education?

The Honourable Mr. Manohar Lal : The attention of the honourable member is invited to the answer to the starred question No. 901,¹ asked by Diwan Bahadur Raja Narendra Nath.

BRIDGE OVER THE RIVER SUTLEJ.

529. Mr. E. Maya Das : Will the Government be pleased to state—

(a) if the bridge over the river Sutlej at Sulemanke (district Ferozepore) is completed ;

(b) the date on which it was opened to foot passengers ?

The Honourable Mian Sir Fazl-i-Husain : The bridge was opened for foot passengers on 8rd August, 1927.

GOVERNMENT SCHOLARSHIPS.

530. Mr. E. Maya Das : Will the Government be pleased to state—

(a) whether the students passing the Entrance and First Arts examination of the Punjab University who have won Government scholarships are eligible to draw the same scholarships at the Lady Hardinge Medical College, Delhi ;

(b) the date from which this rule existed ;

(c) whether the rule is yet in existence ;

(d) whether any change has been made in this rule and if so, what ?

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

(b) Ever since the opening of the college in 1916.

(c) Yes, the rule is still in existence.

(d) No, none.

INCREASE OF EMOLUMENTS OF ZAILDARS, ETC.

531. Malik Nawab Major Talib Mehdi Khan : Will the Honourable Revenue Member please state when the Government proposes to give effect to the Council resolution regarding the increase of emoluments of zaildars, inamkhawars and lambardars ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Council question No. 2670² on the 5th March, 1926.

NEWSPAPERS.

532. Malik Nawab Major Talib Mehdi Khan : Will the Chief Secretary to the Government, Punjab, please state the names of the newspapers which are supplied to Government officers at public expense ?

Mr. H. W. Emerson : Government supplies certain newspapers at the public expense to Government officers either (a) to keep them fully informed of various shades of public opinion, or (b) to keep them in

¹Pages 5-6 ante.

²Vol. IX-A, page 379.

touch with subjects closely connected with their work. In no case are newspapers supplied for the private convenience of officers. A list of newspapers to which the Civil Secretariat subscribes and which are circulated among officers at the headquarters of Government is attached. Government has not a list of newspapers supplied to Government officers outside the Secretariat, and it trusts that in view of the above statement of principle, the honourable member will regard the information now given as adequate.

LIST OF NEWSPAPERS FOR WHICH THE CIVIL SECRETARIAT SUBSCRIBES.

1. "The Civil and Military Gazette."
2. "The Tribune."
3. "The Pioneer."
4. "The Muslim Outlook."
5. "Capital."
6. "The Punjab."
7. "The Sunday Times."
8. "The Servant of India."
9. "The Daily Times, London."
10. "The Zamindar."
11. "The Zamindar Gazette, Ludhiana."
12. "The Economist."

ECONOMICS IN THE SECOND GRADE COLLEGES

533. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education state whether it is intended to introduce the subject of Economics in the second grade colleges in the Punjab? If so, when?

The Honourable Mr. Manohar Lal : The honourable member presumably refers to intermediate colleges. So far as these colleges are private institutions the subject of Economics is already taken up in those colleges who have secured affiliation in the subject according to University regulations. Government has as yet made no provision for the teaching of Economics in Government intermediate colleges as the need for it has not been felt, but the suggestion contained in the honourable member's question will be borne in mind.

GOVERNMENT HIGH SCHOOL FOR MAILSI.

534. Rai Bahadur Lala Sewak Ram : Has the Honourable Minister for Education received a representation from the residents of Mailsi, Multan district, requesting that a Government High School be established at Mailsi? If so, what action does the Honourable Minister, propose to take?

The Honourable Mr. Manohar Lal : (1) Yes.

(2) The matter will be considered in due course.

CIVIL ASSISTANT SURGEONS.

535. Rai Sahib Lala Ganga Ram : (a) With reference to the answer given to my Council question No. 298,¹ part (b), asked on 22nd July, 1927, will the Honourable Minister for Local Self-Government please state whether the matter is still under consideration?

(b) If a decision has been arrived at, will the Honourable Minister please state the same?

(c) If the matter is still under consideration, will the Honourable Minister please state the reasons for the delay?

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

(b) Does not arise.

(c) The matter is not one which can be disposed of without very thorough consideration.

CIVIL ASSISTANT SURGEONS.

536. Rai Sahib Lala Ganga Ram : (i) With reference to my Council question No. 299,² part (b) asked on 22nd July, 1927, will the Honourable Minister for Local Self-Government please state whether it is a fact—

(a) that civil surgeons have to go out in their districts on inspections for days not exceeding seven days at a time;

(b) that the assistant surgeons in charge at headquarters have to perform the duties of the civil surgeons during these days?

(ii) Is any conveyance allowance given to assistant surgeons for the short periods during which they perform the duties of the civil surgeons?

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

(ii) No.

GOVERNMENT HIGH SCHOOL, JAGADHRI.

537. Sardar Hari Singh : Will the Honourable Minister for Education please state the causes for the low pass percentage of students appearing last year in the Matriculation Examination from the Government High School, Jagadhri.

The Honourable Mr. Manohar Lal : The percentage of passes at the Government High School, Jagadhri, was 66·7, and was considerably higher than the general average for the province.

MASTER MOTA SINGH, AN AKALI PRISONER.

538. Sardar Partap Singh : (i) Will the Honourable Finance Member kindly state—

(a) the total term of imprisonment to which Master Mota Singh, Akali of Mauzai Patara, district Jullundur, was sentenced and the period of transportation out of it;

¹Vol. X-B, page 1030.

²Vol. X-B, page 1030.

- (b) whether it is a fact that while computing the period of transportation into that of rigorous or simple imprisonment, a certain portion of the sentence is remitted and accordingly a convict sentenced to transportation for 20 years has to undergo about 14 years' rigorous or simple imprisonment?

(ii) If the answer to (b) above be in the affirmative, will the Honourable Member kindly state the portion of sentence remitted in the case of Master Mota Singh, while computing his sentence of transportation into that of rigorous imprisonment? If no remission has been granted to him so far, do the Government propose to grant it now? If not, why not?

The Honourable Sir Geoffrey deMontmorency: (i) (a) Four sentences, one of 5 years' transportation and three of $1\frac{1}{2}$ years, six months and six months' rigorous imprisonment.

(b) Yes, in cases of transportation for life or for a long term only.

(ii) None; because his case does not fall under (i) (b).

LOWER PRIMARY SCHOOL AT CHANGNAULI.

539. Sardar Hari Singh: (i) Will the Honourable Minister for Education kindly state—

(a) whether the inhabitants of village Changnauli and of the neighbouring villages in tahsil Jagadhri, district Ambala, have been applying from time to time for the lower primary school at village Changnauli to be raised to the primary or middle School standard;

(b) whether it is a fact that the District Inspector of Schools promised in his letter No. 1154, dated the 1st April, 1927, that the standard of school would be raised when the number of students on the rolls goes up to 70;

(c) whether it is a fact that in May 1927 the number of students in that school was 70 and that since then the number has gone up to 80?

(ii) If the answers to parts (b) and (c) are in the affirmative, will the Honourable Minister for Education kindly state the reasons for not raising the status of the school?

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

ROADS IN THE AMBALA DISTRICT.

540. Sardar Hari Singh: Will the Honourable Minister for Agriculture kindly lay a statement on the table showing—

(a) the number of metalled roads in each tahsil of the Ambala district—

(i) under the direct charge of the Government,

(ii) under the direct charge of the district board,

(iii) the length of each one of these roads;

[Sardar Hari Singh.]

(b) the number of unmetalled roads in each tahsil of the district—

- (i) under the direct charge of the Government,
- (ii) under the direct charge of the district board,
- (iii) the length of each one of these roads.

The Honourable Sardar Jogendra Singh : A statement giving information regarding metalled and unmetalled roads in the direct charge of Government is laid on the table.

It is regretted that information regarding roads in charge of the district board is not yet ready. Information is being collected from the district board, Ambala, and will be supplied to the honourable member on receipt. The difficulty is that road statistics are maintained on a district and not on a tahsil basis and the honourable member has asked for figures in the latter form.

Statement showing the length of metalled and unmetalled roads under the direct charge of Government in Ambala district.

Name of road.	District.	Tahsil.	Length of road in British Territory.	Length of road in State Boundary.	Total length.
			Miles.		Miles.
<i>Metalled.</i>					
Grand Trunk Road Arterial No. 1.	Ambala ..	Ambala ..	14.65	33.10 miles in Patiala State.	47.75
Ambala-Tibet Arterial No. 20.	Do. ..	Do. ..	3.98	20.42 in Patiala and Kalsia States.	34.80
Ditto	Do. ..	Kharar ..	10.49		
Pipli-Seharsanpur Road Arterial No. 21.	Do. ..	Jagadhri ..	14.19	Nil ..	14.19
<i>Unmetalled.</i>					
Kalka-Kasauli Road ..	Ambala ..	Kharar ..	6.87	8.00 miles in Patiala State.	8.87

MUNICIPAL COMMITTEE, JAGADHRI.

541. Sardar Hari Singh : Will the Honourable Minister for Local Self-Government kindly supply a list of the spare material (with its approximate price) which the municipal committee of Jagadhri has got at its disposal?

The Honourable Malik Firoz Khan, Noon : Government have no information, and it is suggested that the honourable member should obtain the information he requires direct from the municipal committee.

GOVERNMENT NORMAL SCHOOL, GAKHAR.

542. Khan Muhammad Abdullah Khan : Will the Honourable Minister for Education kindly state the working hours of the Government Normal School, Gakhar ?

The Honourable Mr. Manohar Lal : The school hours are from 10 A.M. to 4 P.M.

The students work in the garden and the agricultural farm for about an hour from 8 in the morning. In the afternoon they have games from 5 to 5-45 and they study at night from 7-30 to 10.

SMALL TOWN COMMITTEE, ZAFARWAL.

543. Khan Muhammad Abdullah Khan : With reference to the answer to part (b) of starred question No. 597,¹ asked on the 21st November 1927 will the Honourable Minister for Local Self-Government be pleased to lay on the table a statement showing the population of (i) Muhammadans, (ii) Hindus, and (iii) others in the small town area of Zafarwal in the Sialkot district ?

The Honourable Malik Firoz Khan, Noon :

(i) Muhammadans	..	..	..	..	2,089
(ii) Hindus	..	..	..	..	1,094
(iii) Others	..	..	..	..	740

I may add, with reference to the reply which I gave to part (b) of the honourable member's question No. 597¹ that the number of seats obtained by Muslims was the number to which they were entitled according to the formula adopted for determining the distribution of seats between the various communities in places where there are communal electorates.

RAILWAY EXTENSION TO ZAFARWAL.

544. Khan Muhammad Abdullah Khan : With reference to the answer to starred question No. 600,² asked on the 21st November, 1927, will the Honourable Revenue Member kindly state the grounds on which the prospects of the proposed broad gauge railway extension from Qilla Sobha Singh to Zafarwal were found to be poor ?

The Honourable Mian Sir Fazl-i-Husain : The railway authorities report that the earnings of a broad gauge line would not pay for operating it, quite apart from meeting interest on capital, also that a narrow gauge tramway would be unsuitable, as the line would be only 14 miles long, the cost of transshipment would prohibit goods traffic, the maintenance of rolling stock would require considerable expenditure on building and maintaining a shed, the low speed possible could not compete with motors for passenger traffic and the necessity of keeping enough stock to deal with occasional peak loads would mean that a considerable amount of capital would be locked up in stock which would usually be idle.

¹Vol. X-B, page 1109.

²Vol. X-B, page 1110.

**SUPERINTENDENTS IN THE OFFICE OF PRIVATE SECRETARY TO HIS
EXCELLENCY THE GOVERNOR.**

545. Khan Muhammad Abdullah Khan : With reference to the answer to starred question No. 605,¹ asked on the 21st November, 1927, will the Chief Secretary be pleased to state why no chance is given to a Muhammadan to work as a Superintendent, in the Private Secretary's office?

Mr. H. W. Emerson : The post is filled by selection from the grade of assistants in the Civil Secretariat irrespective of communal interests.

JUDGMENT IN THE POLICE TORTURE CASE IN SIALKOT.

546. Khan Muhammad Abdullah Khan : Will the Honourable Finance Member be pleased to state :—

- (a) the date on which the Sessions Judge of Sialkot announced his decision on the appeal filed by a head constable and some policemen in a police torture case in the Sialkot district in November 1927;
- (b) the date on which the accused applied for a copy of the judgment;
- (c) the date on which the copy of the judgment was supplied;
- (d) if there was an interval of more than eight days between the date of application for a copy of the judgment and the date on which the copy was supplied, will the honourable member be pleased to state the reasons as to why the delivery of the copy of the judgment was delayed for so many days as a result of which the accused could not get themselves acquitted on bail?

The Honourable Sir Geoffrey deMontmorency : If the honourable member will furnish me with particulars of the case, I will institute enquiries.

USE OF TONGAS BY POLICE OFFICIALS.

547. Khan Muhammad Abdullah Khan : (a) Has it come to the notice of the Honourable Finance Member that the police officers and more especially the police constables engage local tongas on private or official business in the city of Lahore and do not pay any hire therefor?

(b) Is this practice allowed under any law or orders issued by the Government?

(c) If the answer to (b) be in the affirmative, will the Honourable Finance Member kindly lay a copy of such rules or orders on the table and if the answer is in the negative, does Government propose to issue necessary instructions to the police officers and constables to stop this practice at once?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) No.

(c) Does not raise.

SUPERINTENDENTS AND HEAD CLERKS IN DEPUTY COMMISSIONERS' OFFICES.

548. Khan Muhammad Abdullah Khan : Will the Honourable Revenue Member be pleased to lay on the table a statement showing the names of the superintendents and head clerks communitywise in the English offices of the Deputy Commissioners in the Lahore division, together with the length of their service and the dates on which they are due to retire with a remark in the case of those who have already been granted extensions of service?

The Honourable Mian Sir Fazl-i-Husain : A statement giving the information asked for is laid on the table.

Statement showing the names, length of service and dates of retirement of Superintendents and Head Clerks of Deputy Commissioners' Offices in the Lahore Division.

District.	Name.	Designation.	Length of service.	Date of retirement.
Lahore ..	Lala Moti Ram (Hindu).	Superintendent, Deputy Commissioner's Office.	27 years	15th October, 1936.
Do. ..	Chaudhri Allah Yez (Muhammadian).	Head Clerk, Assistant Superintendent.	20½ years	15th July, 1944.
Amritsar ..	Mr. S. E. Thakar Das (Christian).	Superintendent, Deputy Commissioner's Office.	23 years	21st February, 1935.
Do. ..	Pandit Shiv Das (Hindu).	Head Clerk ..	24 years	1937.
Gurdaspur ..	Bhai Ram Dayal, I.S.O. (Sikh).	Superintendent, Deputy Commissioner's Office.	34 years	16th June, 1929.
Do. ..	Lala Nathu Ram (Hindu).	Head Clerk ..	17 years	16th August, 1945.
Sialkot ..	Khwaja Fateh Baz Khan (Muhammadian).	Superintendent, Deputy Commissioner's Office.	27 years	May, 1936.
Do. ..	Shaikh Din Muhammad (Muhammadian).	Head Clerk ..	17 years	23rd February, 1946.
Gujranwala	Mr. E. Jacob (Christian).	Superintendent, Deputy Commissioner's Office.	28 years	15th November, 1929.
Do. ..	Lala Amar Nath (Hindu).	Head Clerk ..	23 years	16th October, 1939.
Sheikhpura	Shaikh Wali Muhammad (Muhammadian).	Superintendent, Deputy Commissioner's Office.	30 years	Attained the age of superannuation on 1st July, 1928, granted extension of service up to 30th June, 1928.
Do. ..	Pandit Sri Niwas (Hindu).	Head Clerk ..	14 years	February, 1945.

INSPECTION OF MUNICIPAL AND SMALL TOWN COMMITTEES.

549. Khan Muhammad Abdullah Khan : (a) Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that the committee clerks in the offices of the Deputy Commissioners in the Punjab are deputed by the officers in charge of the committee to go and inspect the accounts and records of the municipal and small towns committees in their respective jurisdiction? If there are any rules or orders issued to this effect, under the Municipal or Small Towns Act, will the Honourable Minister kindly lay a copy thereof on the table?

(b) If the answer be in the negative, is it intended to issue instructions to put a stop to this practice in future?

The Honourable Malik Firoz Khan, Noon : (a) & (b) Government are aware that in some districts clerks from the Deputy Commissioner's office are used to make a preliminary inspection of accounts and records in the offices of committees so as to prepare the material for the Deputy Commissioner's inspection. No rules relating to the matter have been made under any Act, but the procedure seems convenient in practice and Government do not propose to issue any instructions with a view to stopping it.

TRAMWAY SERVICE IN LAHORE.

550. Khan Muhammad Abdullah Khan : Will the Honourable Minister for Local Self-Government be pleased to state whether it is contemplated to start a tramway service in Lahore, and if so, when?

The Honourable Malik Firoz Khan, Noon : Government have no information of any such proposal.

MOTOR DRIVING EXAMINATION.

551. Khan Muhammad Abdullah Khan : (a) Will the Honourable Revenue Member be pleased to state the names of examiners who conduct the examinations of the motor driver students in various motor training colleges in Lahore and to state whether these examiners have been appointed by the Government?

(b) Will the Government be also pleased to state what fees are charged by these examiners for examining each student, and whether Government have their hand in fixing these examination fees?

The Honourable Mian Sir Fazl-i-Husain : (a) Government has no information regarding the examinations in motor driving conducted in private institutions as it has no concern with them. There is, however, an institution known as the Disabled Soldiers' School at Lahore which is maintained by the Government of India and where training is given to disabled soldiers only. Examination of men trained in this institution is conducted by the Mechanical Transport Department at Lahore Cantonment.

(b) Does not arise in respect of private institutions.

No fee is charged by the Military Mechanical Transport Department for the examination of students from the Disabled Soldiers' School at Lahore.

REVOLVERS.

552. Khan Muhammad Abdullah Khan : (a) With reference to the answer to starred question No. 312,¹ asked on the 18th July, 1927, will the Honourable Minister for Agriculture be pleased to state what steps the Government propose to take to give protection to the Excise Sub-Inspectors while they perform risky duties when raiding different localities to check illicit distillation?

(b) Has any representation been made to Government to train Excise Sub-Inspectors in the use of firearms?

(c) Do the Government propose to issue instructions for the training of Excise Sub-Inspectors in firearms?

The Honourable Sardar Jogendra Singh : (a) The position regarding providing arms to the Excise Sub-Inspectors is being examined.

(b) No.

(c) The question of training Excise Sub-Inspectors is receiving attention.

PERSONAL ASSISTANTS TO HONOURABLE MEMBERS AND MINISTERS.

553. Khan Muhammad Abdullah Khan : Will the Chief Secretary to Government, Punjab, be pleased to state whether the service rendered by the personal assistants to Honourable Ministers and Members and to the Secretaries to Government is such as to make it obligatory on Government to accept all of them as Extra Assistant Commissioners even without judging their eligibility or other necessary qualifications?

Mr. H. W. Emerson : There is no obligation on Government to accept any person as an Extra Assistant Commissioner.

PERSONAL ASSISTANTS TO HONOURABLE MEMBERS AND MINISTERS.

554. Khan Muhammad Abdullah Khan : Will the Chief Secretary be pleased to lay on the table a statement showing the names of personal assistants (short-handwriters) to Honourable Members and Ministers and Secretaries to Government whose rolls or applications for the post of Extra Assistant Commissioner on Register A-III have been received by Government since 1921 and the names of those amongst them who have been rejected so far and the reasons for their having been rejected.

Mr. H. W. Emerson : It is not the practice of Government to give details of recommendations.

JUDGMENT IN CIVIL AND CRIMINAL CASES.

555. Khan Muhammad Abdullah Khan : Is it a fact that in several cases the Judges of the civil and criminal courts in the Punjab after finishing the hearing in cases do not fix any date for announcing their decisions and parties have to attend the courts every day from morning till evening for several days until the decision is announced?

If so, what steps do Government propose to mitigate this trouble caused to the litigant public?

The Honourable Sir Geoffrey deMontmorency: Government have no reason to believe that the courts disregard the law in this matter, and this is borne out by the fact that it has not received any representations to this effect. If the honourable member will give instances of disregard, they will be looked into.

PUNISHMENT IN POLICE TORTURE CASES.

556. Khan Muhammad Abdullah Khan: Will the Honourable Member, Finance, be pleased to lay on the table a statement showing the names of officers and men of the Punjab police force who have been awarded punishments in police torture cases committed by them from January 1921 to December 1927 and the nature of the tortures committed and the nature of the punishments awarded in each case?

The Honourable Sir Geoffrey deMontmorency: It is regretted that the answer to this question is not yet available. Information is being collected and the result of enquiries will be communicated to the honourable member in due course.

THE PUNJAB MEDICAL REGISTRATION (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, the Punjab Medical Registration (Amendment) Bill was circulated to members and I beg to introduce the Punjab Medical Registration (Amendment) Bill.

The Honourable Mian Sir Fazl-i-Husain: Sir, I beg to move—

"That the Punjab Medical Registration (Amendment) Bill be taken into consideration at once."

The honourable members will have noticed that the Bill is of a non-controversial nature. The Act of which this Bill is an amendment was passed by the Punjab Legislative Council in 1916. It extended to the Punjab and under the Act certain medical practitioners were brought on to the medical register. As the Act concerned this province, in section 13 of that Act provision was made for that class of medical practitioners who live in the Punjab. Subsequently the Frontier province and the Delhi province both extended the provisions of our Act to their respective territories and in 1926 this Council passed an amending Bill by which those two provinces were allowed certain representation on the Medical Council constituted under the Act of 1916. The present Bill, therefore, Sir, is a corollary to the Bill that was enacted in 1926 by this Council. It enables those provinces to have that particular class of medical practitioners registered and so far as I know there is no objection to that being done.

Mr. President: The question is—

"That the Punjab Medical Registration (Amendment) Bill be taken into consideration at once."

The motion was carried.

Mr. President: The Council will proceed to consider the Bill clause by clause. The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That the preamble stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 1 stand part of the Bill."

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to move—

"That the Punjab Medical Registration (Amendment) Bill be passed."

The motion was carried.

THE PUNJAB PRE-EMPTION (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That leave be granted to introduce the Punjab Pre-emption (Amendment) Bill."

This Bill again is not so far as I can judge a controversial measure. It does not purport to enact any new law, but only makes provision that the provisions of the existing law are not defeated by recourse to a device.

Mr. President : The question is—

"That leave be granted to introduce the Punjab Pre-emption (Amendment) Bill."

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I wish to oppose this motion.

Mr. President : I permit the mover of the Bill to make a brief explanatory statement, if he cares to make one in support of his motion.

The Honourable Mian Sir Fazl-i-Husain : Sir, in the Statement of Objects and Reasons the honourable members will find what it is that this amending Bill purports to do. We have the Pre-emption Act of 1905 and under it certain classes of persons are allowed the right to pre-empt a sale...

Chaudhri Zafrullah Khan : On a point of order, Sir. The Act of 1905 was repealed by the Act of 1913.

The Honourable Mian Sir Fazl-i-Husain : I have no doubt, if the honourable member had waited for a few minutes, he would have heard that the provision this Bill seeks to amend, or rather this amending Bill seeks to add, is the provision which applies to all the preceding enactments on the subject of pre-emption that have existed from time to time. As a matter of fact, the position that the present Bill seeks to restore is of the decision of the High Court prior to 1913, if I am not mistaken of 1908. As I was stating, the law of Pre-emption in the Punjab has always permitted the pre-emptor to exercise his right of pre-emption against a vendee who is not under the law in a position to obtain property by sale even if he splits up his transaction. Clever people have had recourse to various devices to defeat the law on the subject and one favourite device was to purchase property, very small in extent and on the score of that property to make a further purchase a few days or a few weeks later, using the first purchase as enabling them to acquire a status like the status of the pre-emptor or an intending pre-emptor. Formerly the decision of the High Court ran as follows:—

"Such a device to defy the law would be held as not placing the vendee in a better position than he would have been, had he had no recourse to such a device."

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

And it was held that as soon as the pre-emptor pre-empted a particular transaction it put him in the position of a purchaser from the date of the original transaction. The Civil Procedure Code provision as interpreted in the decision of 1924 lays down that a pre-emptor decree-holder obtains that status only from the date on which he obtains his decree, or more strictly from the date on which he has that decree executed. Therefore the period which lapses between the actual sale and the date on which the vendee loses his transaction is the period when he is the proprietor. That period gives him a right to buy land. The object of this Bill is to prevent that happening. So far as I can see, this does not mean to alter the provisions of the Pre-emption Act as to take away a right where one already exists. I have no doubt if the particular amendment we have made, hoping that that will achieve the object in view, is considered inadequate, insufficient or going too far, the select committee to which it is proposed to refer the Bill will set right the defects so as to achieve the object in view. With these remarks I leave the Bill in the hands of the Council.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban]: Sir, the object of the proposed amending Bill is to prevent the breach of the spirit of the law of pre-emption. My submission is that in the first place it is not at all necessary that anything should be done to assist the would-be pre-emptor. The law of pre-emption as you would, I hope, concede is an extraordinary law as it places restriction on the freedom of contract. If A is willing to sell his property to B, C should have no power to step in and prevent the transaction being carried out as between A and B. There was a time, when probably *purdah* system was very strong in Muhammadan countries, the law of pre-emption, as you know, is of Muhammadan origin, and those people did not like that any person should come into their neighbourhood who may not be very desirable, and therefore this law was brought into existence giving a sort of preferential right to the person who was already a neighbour to the intending vendor. Therefore the vendee if he came in without the consent or approval of the pre-emptor was defeated and was deprived of the fruits of his transaction.

Then again when this was applied in India, there was some justification in the past for enforcing its principles and provisions in order to prevent intruders or outsiders from coming in or interloping into the village communities. There were such bodies as compact village communities and they did not like that any outsider who did not belong either to their caste or to their village should become a landholder in their village. Now those village communities are also breaking up and in spite of the Land Alienation Act various tribes are acquiring property in different villages, and that homogeneity has ceased to exist. It is therefore not necessary at all from the point of view of keeping up village communities either. My submission is that so far as I can see these were really fundamental grounds on which the law of pre-emption was brought into existence and adopted in this country. In non-Muhammadan countries there is no such thing as any custom of pre-emption or the law of pre-emption unless it is brought into existence by a civil contract to which the various persons concerned may be parties. It is, therefore, as I submitted, an extraordinary law and there is no reason why, with the ad-

vancing tide of civilisation, with the breaking up of the *purdah* even in Muhammadan countries and with the breaking up of village communities in this country, particularly in this province, why this law should at all remain on the Statute Book. But if it is to remain on the Statute Book, it is not at all necessary that it should be made still more stringent and any special provision should be introduced to afford particular help to the pre-emptor and not to the vendee who has entered in a *bond fide* manner into a transaction for purchasing land for cultivation or some other purpose. From the Statement of Objects and Reasons it really appears that it is to prevent a person who once becomes a landholder in a certain village from purchasing or acquiring otherwise a small piece of land and then on the basis of that new acquisition to defeat the right of the pre-emptor on the ground that they are both equal so far as the right of pre-emption is concerned. There is absolutely no necessity to prevent a vendee from resorting to this device. This law of pre-emption is not based on any moral or equitable grounds, so that if any one resorts to any device to defeat its provisions he will be guilty of either an immoral act or of an inequitable act. In various decisions of various high courts it has been definitely declared that it is permissible and not at all against any provisions of the law to resort to any device in order to defeat the provisions of the Pre-emption Act. If this device is resorted to by some people who want to acquire land in a certain village, there is no reason why they should be prevented from resorting to this device which is perfectly legitimate and there is nothing immoral in it. Then again, I would submit, Sir, that it is not this ruling in 5 Lahore, page 486, which has really given rise to this difficulty. So far as I have been able to study this point I find that this ruling has been preceded by a number of other rulings, not only single bench rulings but also division bench rulings. For instance, in 4 Lahore, page 497, we have a division bench judgment where the Honourable Judges were unanimous in holding that such a device was perfectly legitimate and the right of the pre-emptor was defeated by a vendee who had resorted to this device and acquired a small piece of land and thus acquired an equal right of pre-emption with the would-be pre-emptor. Before that, the late Mr. Justice Martineau had delivered a judgment to the same effect and considerably before this 5 Lahore, the Honourable Justice Campbell had also delivered a judgment which is reported in 78 Indian Cases, page 444, and also in the All-India Reporter of 23, page 529. Not only this. I may just submit that as long ago as 1916 a similar pronouncement was made by Their Lordships of the Privy Council. Those who are familiar with that well-known judgment of the Privy Council, 44 Calcutta, page 675, would know that exactly this proposition was laid down by Their Lordships of the Judicial Committee. This very principle was laid down there. This ruling in 5 Lahore, 486, therefore is not the first one of its kind. The Judge therein followed a systematic course of decisions of this court which had for its guide the Privy Council decision reported in 44 Calcutta. From that judgment we also learn that this principle was recognised very long ago in the Allahabad High Court as well. You may know, Sir, that judgment of the very learned Judge, Mahmood, J. reported in 12 Allahabad, page 284, in which this very view was taken. That is, it was held that the right of pre-emptor does not accrue from the time of the sale which has been pre-empted by him but from the time when he has carried out terms of the decree,

[Dr. Gokul Chand, Narang.]

whether he has taken possession of the land pre-empted or not. But if a decree of pre-emption has been passed in his favour, it does not confer any right upon him, it does not confer the right of substitution unless the amount declared in the decree, with costs or otherwise as the case may be, has been paid and the other provisions of the decree have been carried out. Exactly the same principle has been followed in 5 Lahore which as we learn from the Statement of Objects and Reasons has given rise to this amendment. I may further submit that this version of the law has only received a statutory form as long ago as 1908 when the new Civil Procedure Code, which is now in force, was enacted. In Order XX, rule 14 of the Civil Procedure Code, where the effect of pre-emption decrees is described, it is clearly laid down that no pre-emptor will have any right to the title of the vendee unless he has complied with the provisions of the decree. Therefore it is nothing new and if during the last twenty years and more the pre-emptors have not suffered, there is no reason to suppose that they would suffer any great harm in future.

Then again I would submit that even without this amendment the rights of pre-emptors can be safeguarded, because you will see, Sir, that if a person, for instance, the vendee acquires a certain amount of land, say in January 1928, and then acquires a larger piece of land in February 1928, the first plot having been acquired, in order to give him the right of pre-emption, it is open to the pre-emptor who claims superior right to bring two suits for pre-emption and both the suits may be brought together. Therefore there will be no danger to his claims being time-barred and when the two suits have been decided as they would be decided in his favour if his right of pre-emption is superior to the vendee, he will get decree in both cases. All that he has to see is that the decree in the second suit is postponed until the decree in the first suit has been passed and has been complied with. If he does this, there is absolutely no danger to his claim in the second suit being defeated because by the time the decree is passed in the second suit, he would have acquired the right, which the vendee possessed in the first sale; and he having complied with the provisions of the decree, the title in the vendee would have been lost and therefore the right of rival pre-emptor or an equal pre-emptor would have been destroyed. Therefore from this point of view also there is absolutely no necessity for this amendment. All litigants are expected to be diligent, careful and cautious. All that the courts have to see, if they have to decree pre-emption claims is that the second decree is not passed simultaneously with the first decree. I know of a case in which this has been done actually. Two decrees were passed at the same time and the vendee came to the High Court and appealed from the decree in the larger suit of the District Judge and he succeeded. If the pre-emptor had been careful, the vendee would have failed because the pre-emptor would have then complied with the provisions of this decree.

Another reason for not legislating on this point is that in that particular case it was the judgment of Justice Jai Lal in second civil appeal No. 25 of 1927—it was decided recently—the judgment has been appealed against, and the case is now pending before the Letters Patent Bench of the High Court. It is just possible that this Letters Patent Bench may not agree with the view taken in 5 Lahore, 486 and that case may be referred to a

larger bench, possibly three or five Judges of the High Court. I should submit, Sir, that the Judges of the High Court are the best persons to see whether the law of pre-emption ought to be made so stringent or should be relaxed. They would be in a position to either uphold this 5 Lahore 486 or to knock it down and revert to the old law such as is referred to by the honourable mover of this Bill. As my honourable friend has been pleased to observe, in 1908 the law was different. I believe it is in his mind that the law was laid down in the single bench judgment and it is reported in 25 Punjab Record, 1908. But my submission is that that judgment has not been followed and in fact has been dissented again and again by the Judges of the Chief Court and our present High Court; and that learned Judge, a very learned Judge indeed — I am prepared to pay my meed of tribute to his ability—unfortunately did not consider Mr. Justice Mahmood's judgment. Otherwise possibly, even in 1908, this view might not have been taken up by him. I would therefore submit that on all these grounds, it is not at all necessary to propose any amendment to the existing law. As the law stands at present, it is stringent enough and if any loopholes are left for people who do want to acquire land—we people are out of it—it is only intended for zamindars....

The Honourable Mian Sir Fazl-i-Husain : I must say that the Punjab Pre-emption Act does not apply only to zamindars nor only to rural areas, it applies to all, either rural or urban property, zamindars or non-zamindars.

Dr. Gokul Chand, Narang : My honourable friend has entirely misunderstood me. The question of acquisition of land does not affect us because we cannot acquire land. A zamindar alone can acquire land and it is he that is referred to as having recourse to these devices. Why should he be prevented from doing so? I was submitting, Sir, that we, non-agriculturists are entirely out of the field. It is not a question of the application of the law of pre-emption, but the ability to acquire land and this my honourable friend does not understand. If a person who acquires land for the first time and if he is an agriculturist and if he does have recourse to this device and does acquire land, why should he be pounced upon by the pre-emptor? Why should the pre-emptor be provided with a weapon to defeat a brother zamindar and a brother agriculturist from acquiring a piece of land and on the strength of which acquiring another piece of land?

Then, again, Sir, it may be necessary even to make an amendment in the Civil Procedure Code, even though that is not necessary. I would submit that this amendment, if passed, would lead to very mischievous results and one of the mischievous results would be that litigation would be prolonged. If there are two suits and the court has not come to any decision in proceeding with the other suit until the first has been decided, what does it amount to? Does it mean that the right of pre-emption in the first should be decided by the first court or the second court or the High Court because the vendee will have the right of appeal to the first appellate court and then to the second appellate court, and if the value is less, he will have the right of appeal straight to the High Court? In the High Court, as the work is being carried on there at present, such an appeal would take three or four years, if not more, before a decision is given. That means that both parties will be hung up and no decision will be arrived for a number of years. Then,

[Dr. Gokul Chand, Narang.]

there will be another trouble; if a decision has been given in the first case, then the question will be whether the decision in the second case would be open to appeal or not. There might be a conflict and it may go before different judges either in the first appellate court or the second appellate court and the result would be as I see it, confusion worse confounded. I would therefore submit that unless there is a very strong case made out for the introduction of this amendment, no leave should be granted for the introduction of this Bill.

Mr. President : The question is—

“That leave be granted to introduce the Punjab Pre-emption (Amendment) Bill.”

The motion was carried.

The Honourable Mian Sir Fazl-i-Hussain (Revenue Member) : Sir, I beg to introduce the Punjab Pre-emption (Amendment) Bill.

The Honourable Mian Sir Fazl-i-Hussain : Sir, I beg to move—

“That the Punjab Pre-emption (Amendment) Bill be referred to a select committee consisting of the following:—

Chaudhri Zafullah Khan,

Dr. Gokul Chand, Narang,

Sardar Harbakhsh Singh,

Mr. W. B. Wilson,

Mr. M. M. L. Currie,

Nominee of the Honourable the President (Sardar Habib Ullah).

The Mover.”

Sir, in placing this motion before the House, I will not enter into any lengthy controversy on the points raised by the honourable member who very kindly agreed to serve on the select committee wherein no doubt such points as relate to the nature of the amendment, its utility or otherwise and the possibility of improving it will be gone into very carefully. The points that I like to mention at this stage are only two or three. One is that the amending Bill does not profess to change the law on the subject in any way, and the second is that it does set about preventing recourse to a device which defeats the existing law, and I submit that that is an absolutely correct and sound way of legislating. In case there is a feeling that the law of pre-emption should not exist, and that feeling is shared by the majority of the members of this Council, then it is open to the majority to take steps to have the law of pre-emption repealed. As long, however, as that law does exist, I think I am right in submitting that this Council should see that the device under discussion which defeats the law is counteracted. The only point which this Bill takes up is to prevent a man having recourse to the simple device of splitting up his transaction into two parts, the first part a small one and the second part a large one. I may mention that that does not necessarily apply to landed estates, but it applies to urban estates as well. It applies to places where a large number of members of one community reside and under unfortunate circumstances desire to exclude others from living in their *mohallas* and would like to put up a *kuchabandi* in order to be able effectively to deny even entry to members of the other com-

community. Surely these frailties of human nature are not the sole monopoly of the landed classes or members of the agricultural tribes. However, it is not necessary for me to go into the history of the law of pre-emption whether it is of Islamic origin or whether it is of the Vedic origin.

Dr. Sir Muhammad Iqbal : It is of Roman origin.

The Honourable Mian Sir Fazl-i-Husain : It may have more origins than one, it may have an independent existence in more countries than one. In any case so far as India is concerned—I had better restrict myself to my own province—so far as the Punjab is concerned, it is really imbedded in the very constitution of the village community.

It is the village community in rural areas and the *mohalla* community in urban areas that have practised pre-emption since hundreds of years. I have no doubt they had very good reasons for it such as defence and mutual co-operation. If I may venture to make a comparison, the coming into being of what are called trade-unions does bear some similarity to the old and ancient custom of the law of pre-emption. As I have already said, in cases where the law of pre-emption exists and is not repealed, I claim that it is but right that that law should be a reality and not a farce and if it is not to be a farce, I claim that the provisions of this Bill or some other similar provisions are necessary to achieve the object in view. My learned friend says that the law of pre-emption is a bad thing and therefore any device to defeat a bad law is a good thing. I cannot subscribe to that view. I would rather not defy a bad law and exert myself to have it modified or repealed; but as long as we allow a law to exist we must see that that law is not a farce but a reality.

Dr. Gokul Chand, Narang : It is worse.

The Honourable Mian Sir Fazl-i-Husain : May be. But if you have the right to have that law repealed and if you feel that the country wants that law to be repealed, by all means try to have it repealed; but do not make a farce of it as long as it is the law of the land. I trust I have a large majority of members of this House with me on this subject. I cannot conceive of the possibility of any one disagreeing with me on this subject. I quite concede that it is up to any one to have the law repealed; but so long as he does not do so, I trust that he will see his way to honour the law and not to override it so long as that law remains the law of the land. (*Voice of no*). That again may be due to the spirit of independence that prevails in our neighbours across the frontier. But under the normal conditions I have no doubt that members of this House and especially those who profess the profession of law will not, as long as a law does exist, think of violating it, and I do not think that such a spirit, if it does exist, will find much support, in this House.

Then my honourable friend proceeded to urge that really this amendment is not necessary at all, and he showed how very easy it was for him to bring forward his two claims on the same day and how easy it was for him to have both the claims brought before the same judge and how easy it was for him to see that both cases are brought up together from day to day and the judgment also is given on the same day.

Dr. Gokul Chand, Narang : I rather said that judgment is not given on the same day.

The Honourable Mian Sir Fazl-i-Husain : Now I do not know if it is his experience that these things could be arranged so easily in all cases. If a client were rich enough to engage a capable, learned and experienced lawyer, it may be easy for him to move on in his litigation so pleasantly ; but I have known of cases, while I was at the Bar, when it was not easy for all counsels or for all litigants to get themselves accommodated in such matters with such ease. As a matter of fact, cases usually go to different courts according to the monetary jurisdiction of the litigation. When one case goes to a senior sub-judge and another to a junior sub-judge, it is up to a client to go to the District Court or the High Court to put in a petition for transfer or for stay of proceedings ; but it is rather a bit expensive.

Dr. Gokul Chand, Narang : Connected cases are always taken in the same court and they always go together.

The Honourable Mian Sir Fazl-i-Husain : Even there I cannot support my learned friend's experience. My own experience does not bear that out.

I admit there is a good deal of force in what the honourable member has said about delay. But delay with a greater certainty that the law will not be defeated by recourse to such devices is probably better than less delay—even this is not certain—with the certainty that such devices over rule the law of the land. With these few observations, Sir, I trust that the motion to refer the Bill to the select committee will be adopted.

Mr. President : The motion moved is—

“ That the Punjab Pre-emption (Amendment) Bill be referred to a select committee consisting of the following :—

- (1) Chaudhri Zafrullah Khan,
- (2) Dr. Gokul Chand, Narang,
- (3) Sardar Harbakhsh Singh,
- (4) Mr. W. R. Wilson,
- (5) Mr. M. M. L. Currie,
- (6) Nominee of the Honourable the President (Sardar Habib Ullah),
and
- (7) the Mover.”

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban] : Sir, the Honourable Member making the motion stated that the amending Bill does not profess to change the law as it stands and the only object of the mover in bringing forward this Bill is to prevent a device that is resorted to by the purchasers in order to defeat the provisions of the pre-emption law. If that is the object, my submission is, that the Honourable Member will have to prepare a list of other devices also that are resorted to by the purchasers for defeating the provisions of the pre-emption law. The Honourable Member is very well aware of the fact that it is not the only device that is resorted to by the purchasers in order to defeat the provisions of the pre-emption law, but there are other devices also to which the resort is made for the said object and to which the reference has been made in the various rulings of

the High Court. For the information of the Honourable Member or for his guidance, I will just refer to one or two such devices. Supposing a man wants to purchase a piece of land or other immoveable property and he wants that it should not be made the subject of pre-emption, he would see that a relation of his gets it on mortgage for Rs. 2,000 with onerous conditions and a few days after he would get the equity of redemption on sale for a nominal price of Rs. 200 agreeing to pay off the mortgagee, Rs. 2,200 being the market price. If the terms of the mortgage are that the mortgage shall continue for 20 years carrying interest at the rate of Re. 1 or Re. 2 per cent. per mensem, the pre-emptor shall have to see if he can afford to abide by the terms of the mortgage before he is in a position to get possession of the land or other immoveable property. It would be a very bad bargain for the pre-emptor, and the purchaser would be in a better position to have the property at the market price of Rs. 2,200. This is a sort of device by which one can defeat the pre-emption law. I would just give another instance of the kind. If a man wants to purchase any property without any fear of pre-emption, he can very well pay the fabulous price and purchase it, and the provisions of the pre-emption law would not help the pre-emptor. So there are many other devices to defeat the law, and it has been held legitimate to do so. If the only object is to avoid the devices, the Honourable Member should first prepare a list of all such possible devices and then come forward with the plea that so long as the law, however bad it may be, stands on the Statute Book, as law abiding citizens it is our duty to abide by the law. The considerations, that guided the legislature in enacting the law, were not economical, but they were social and political. The village community did not like that an outsider should break up their compactness by purchasing land in their village. There was a time when the people did not like that the privacy of their family should be intruded upon by a stranger. Now that civilisation has advanced and education is spreading far and wide in every nook and corner of the province, such social considerations do not count for much at the present hour. For the development of the province the Government is acquiring the land of both the agriculturist and the non-agriculturist in the villages and is acquiring even house property in the towns for public purposes. The reasons which guided the legislature in framing the law do not apply

3 P. M.

when the Government becomes one of the party. There may be political reasons even up till now for allowing such a restrictive law on the Statute Book. The Honourable Mover of the Bill has stated that even if it is conceded that the law is bad, so long it stands on the Statute Book, it should be enforced. Well, if it is considered for a moment that the law is bad, why should not the people be permitted to have resort to such devices as to make the law impracticable in its enforcement. The law was enacted a number of years ago when the country had not so advanced as it is now. We have to take into consideration the circumstances in the country as they exist at the present hour and in view of those circumstances we have to see whether we should allow such a law to remain on the Statute Book, and until and unless the Honourable Revenue Member comes forward with a repealing Bill, we should see that we do not allow him to make the provisions of the law more stringent than they are now. With these few words I would submit that the motion be not accepted.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I wish to oppose the motion which has been put forward by the Honourable Mover. I quite agree with the Honourable Mover that a law should not be violated, and that it should not be permitted to be violated. With that proposition nobody will have any dispute, but if there is a law which goes against the fundamental rights of a citizen, I submit that it is the bounden duty of everybody to oppose that law and to oppose its extension. The reason why I oppose this law is that it places certain restrictions on the individuals which should not exist in an advancing society. I quite agree with the Honourable Member for Revenue that here in the Punjab the law of pre-emption is not only derived from the Muhammadan law, but also from what is called the customary law of this province. The village community had certain rules or regulations which ultimately came to be incorporated in the statutory law which we see to-day. This customary law is due to the peculiar features of the society which existed in the olden times and which with the growth of education, of trade and other matters is now being broken up in this part of the country as well. There is a spirit of awakening abroad and it is the duty of everyone who wishes the village communities to advance that he should try to remove these restrictions. It is a matter known to almost every lawyer that there are judicial pronouncements and private opinions of the learned judges that law of pre-emption should not be allowed to stand on the Statute Book of the Punjab, and one learned Judge, before his retirement or at the time of retirement, has definitely wished some patriot of the Punjab would move for the repeal of the Punjab Pre-emption Act. The object of this amendment is to prevent the defeat of this law. The Statement of Objects and Reasons says: "Consequently in order to defeat the object of the law of pre-emption a man has only to split up his transaction into two parts, purchase one kanal of land on the first day, and the balance on the second day." This instance is not happily chosen, but unfortunately those who have framed this amendment have entirely ignored the provisions of the Punjab Pre-emption Act. Section 4 of the Act reads: "The right of pre-emption shall mean the right of a person to acquire agricultural land or village immoveable property or urban immoveable property in preference to other persons, and it arises in respect of such land only in the case of sales and in respect of such property only in the case of sales or of foreclosures of the right to redeem such property." The law of pre-emption applies only in the case of village property or agricultural property and in the case of sales or of foreclosures of other immoveable property. It does not apply to gifts; it does not apply to the creation of occupancy rights which are specially saved in this Act. The object of this amendment is that people should not be able to defeat the law of pre-emption. But this object cannot be achieved by this amendment. Supposing a man wants to acquire property in a certain village and he approaches the would-be vendor and gets a gift of a kanal of land or of two kanals of land in his favour. After three or four months he comes forward and gets a purchase in his favour. No amount of amendment of the present Act will defeat the man of this kind. That would require a substantial change in the whole spirit of the Pre-emption Act. You shall then have to pass a law that people who get land by way of gift or by way of charity should also be somehow tobaccoed and should not be able to acquire land by way of gift. You know that if a person wishes to acquire property he gets the

creation of occupancy rights in his favour. Section 8 (b) of the Act says that these matters cannot be the subject of pre-emption—"The creation of an occupancy tenancy by a landlord, whether for consideration or otherwise." We find in the Punjab that a large number of people who are anxious to gain a footing in any village get people to create them occupancy tenants instead of making a sale to them. This is recognised by the law. A person first becomes an occupancy tenant and then he makes a purchase. Thereby he acquires a footing in the village and the object of the village community to keep him out is defeated by this very device, a step which the law allows. It has been stated by honourable members who have preceded me that the learned judges have recognised the fact that it is perfectly legitimate for a person to adopt legal or lawful means in order to defeat the law. There is no sin in it. A man is perfectly justified not only on this ground, but he is justified on the ground that the law of pre-emption stands in the way of the fundamental rights of a citizen. That is to say, he has got the freedom to purchase and the freedom to acquire land or any other property. I wonder whether another point of view has struck those who are placing this amendment before us.

Now what would be the effects of this amendment. One of the effects would be that you would be preventing a large number of people who can, by the purchase of land, acquire rights of voting, from becoming voters; you would be preventing them from exercising the right of franchise. There are people who want to get land so that by the payment of a certain amount of land revenue to Government they may take advantage of the Government of India Act and may qualify themselves to become voters. The village community comes forward and says: "No, we shall not let you buy land and we shall not allow you to exercise the right of franchise." He may be a graduate, he may be in every other way fit to exercise the right of vote, but because he does not come under the Government of India Act and does not get certain qualifications, you are not allowing him by this law of pre-emption to acquire this right. I submit that in an advancing society when people are clamouring for the extension of franchise and for the grant of further reforms and more powers to them, you are so narrow-minded that you place these difficulties in the way of those who want to qualify themselves for the rights of citizenship—the right of voting. It must not be forgotten that the law of pre-emption is really meant for a primitive society. If you go to advanced countries like England and France, you will find that laws of this kind are quite unknown and do not exist. Both to claim liberty, equality and fraternity, to borrow a phrase of the French revolutionaries, and at the same time to come forward and place difficulties in the way of people who want to acquire civic rights, I submit, are two contradictory things. Therefore if we do not want any further civic rights and if we do not want any further powers to be handed over to us, then I can understand your sympathy for this sort of amendment and then I can understand this amendment being brought forward in order to extend the scope of the Act. But if there is a desire on the part of a large number of people to get more rights and if that desire is supreme, then I submit that the Council should not be a party to that extension and to this mischievous principle which is now being sought to be extended to people to whom it ought not to be extended. I submit that it is against the spirit of democracy, it is against the fundamental rights of citizenship that the scope of restrictive laws should be extended.

[Pandit Nanak Chand.]

One thing more. The force of the argument was admitted by the Honourable Mover that it would lead to delay of justice. I may refer to the Civil Justice Committee which was appointed by the Government of India to find out ways and means by which the trial of suits should not be delayed. If the amendment is made, it would be a fruitful source of delaying cases of this kind. On that ground also we should not be a party to this amendment.

Then again, how many cases have arisen in which these difficulties had to be met? Very few. I submit that there is no need of a statutory law of this kind. Every law made by men has got certain defects. You cannot possibly remedy each and every defect, and if you start remedying defects of this kind, you will make the law worse than it originally was. That would be the result. As I have already stated here, you cannot possibly by this amendment attain the object which you have in view, that is to say, not to allow people to gain a footing in a village or a town. I submit that on the various grounds I have already submitted, this amendment will not achieve the object which the mover has in view and the amendment being against the spirit of progress it should not be accepted by this House.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), Urban]: Sir, I was listening with great attention to the objections that were being raised by the various honourable members who have spoken in favour of the opposition. I would first take up the point which was taken by the honourable member for Hoshiarpur (Pandit Nanak Chand). He just placed before the House the definition of pre-emption that was provided in section 3 of the Pre-emption Act and suggested a real difficulty in the way of this amending Bill. He stated that because by gifts or by the acquisition of occupancy rights or by the acquisition of proprietary or testamentary rights we people acquire rights which cannot be revoked, therefore this amending Bill which is limited in its application should not be carried. What I understood from the proposed amending Bill was this, that any defective title so long as it is defective should not be utilised in the case of further acquisition. That is, I believe, the intention of the legislator who has put forward this Bill. So long as the title hangs in the balance, so long as it has not been finally sanctified by the final pronouncement of the superior court it should not be utilised in any way to help the owner of that defective title to acquire further land on the basis of that defective title. I do not see any defect in this amendment at all. If property is acquired by gift, if property is acquired through acquisition of occupancy rights, then the title is not defective; and those cases are not covered by the proposed amendment. That title is as good as any other title, and therefore the intention of the legislature would not be defeated (*interruption*). I simply submit before the House that the difficulty which was placed by the honourable member for Hoshiarpur does not exist at all in the matter of this proposed legislation. It was argued that because acquisition through gifts, acquisitions through occupancy rights or in any other way cannot be assailed or attacked by the proposed measure therefore, this measure should not be allowed.

Pandit Nanak Chand : Let me explain my position, Sir. What I stated was that if a man wishes to buy land in a village he could get a gift made in his favour and on the basis of that gift he would become a proprietor, and if afterwards he acquires land, that land will not be pre-empted. I submitted that this amending Bill does not touch gifts at all.

Mr. Din Muhammad : The honourable mover remarked that the only reason which made him come forward with this legislation was that so long as the Pre-emption Act remained on the Statute Book, it is a slur on the intelligence of the Punjab legislators to allow this defect to continue. It was in order to remove this defect, this possibility of recourse to this device to defeat the provisions of the Pre-emption Act that this Bill is being proposed. My submission is that the objection raised by the honourable member for Hoshiarpur does not apply in this case at all. A man by his acquisition of a small parcel of land can, as is the law for the present, defeat all other village owners to pre-empt successfully his subsequent acquisitions, and the proposed legislation is confined to meeting this defect. A counter defect is being suggested and my submission is that that case does not arise at all. Any title gained by gift or by exchange of land or testamentary disposition is a *pucca* title and is not defective at all. Therefore, it would not be open to that sort of objection to which a temporary sale and the splitting of transaction would be which would enable a person to defeat the right of pre-emptor who would come later.

Dr. Gokul Chand, Narang : The first sale is already pre-emptible.

Mr. Din Muhammad : Well, the intention of the Honourable Revenue Member is that although the first sale is pre-emptible, so long as it is.....

Mr. President : Will the honourable member please discuss the principles of the Bill and leave it to the honourable mover himself to explain his intention ?

Mr. Din Muhammad : Very well, Sir. It was stated by the honourable member for North-West Towns (Dr. Gokul Chand, Narang) that their Lordships of the Privy Council and the Honourable Judges of the Punjab High Court have ruled on several occasions after 1908, that this is a device which is perfectly legitimate, and that because the Act is an artificial one, therefore these devices should not be made impossible. I have not been able to follow the soundness of this argument. The honourable member for Hoshiarpur stated that because this Act is open to so many other devices, therefore this device should not be removed or should not be made impossible. Well, Sir, as has been very clearly put by the Honourable Revenue Member, before the House the intention of the legislature in this case is that so long as the legislature permits the Pre-emption Act to remain on the Statute Book it must be clear of all those defects which we can possibly imagine. If other difficulties arise later, measures for removing them may be taken up by the legislature in due course. But that is no reason why a device, which we consider as most inequitable, which we consider is likely to defeat the intention of pre-emption and which we consider can be removed now, should not be removed simply because there are other devices open to the pre-emptor to adopt to defeat the provisions of the Act. If a person is ailing from a disease, I do not imagine that he will not go to a doctor simply because his body is liable to the attacks of other diseases. A clever lawyer might find

[Mr. Din Muhammad.]

so many other devices in order to defeat the provisions of the Act, but that would not justify the withholding of a piece of legislation which intends to remedy a defect which has already been noticed and which is noticeable. The real point which is worth consideration is the one to which attention of the House was drawn by the honourable member for the North-West Towns (Dr. Gokul Chand, Narang), and that was the question of delay. The honourable mover has in a way conceded that this point would be considered in the select committee. There is no doubt, however, that if the first case is not decided for, say, five years, then it would really be very hard for the second pre-emptor or even the vendee himself to have his second claim hanging in the balance for a period of five years. The present Bill clearly enacts that so long as the plea is not finally settled, the second plea should not be taken into consideration at all. The words here are :

"the court shall not decide the claim or plea until the period of limitation for the enforcement of such right of pre-emption has expired and the suits for pre-emption (if any) instituted with respect to the land or property during the period have been finally decided."

It is really a difficulty which the honourable mover has promised to solve at the time when the Bill goes before the select committee. In all other respects I fail to find any equity against the mover of the Bill or any equity in favour of those honourable members who propose that this Bill should not be referred to the select committee.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, while speaking on this motion I shall not make any attempt on the one hand to go into the history of the law of pre-emption or into the utility or the mischief of the law of pre-emption, nor on the other hand into the question whether in the form in which the amendment at present stands, would achieve the object that it has in view or not. The former two matters are irrelevant on this motion, because the House is not considering a measure for the repeal of the law of pre-emption. The latter, I respectfully submit, is irrelevant because that would be a question for the select committee to deal with and subsequently for the House to deal with when the report of the select committee is submitted to the House. I shall, therefore, endeavour to confine myself entirely to the question whether the principle of this amendment is such that the motion before the House should be adopted and the measure should be referred to a select committee. Now, Sir, with very great respect to the members of this House who have previously spoken on this motion I think that if a little more attention had been paid to the facts of the case in 5 Lahore, which has given rise to or necessitated this amendment, and to the spirit of this amendment itself, a good many observations which have been made on this motion would have been avoided. The facts of that case were these: One Nadir Ali Shah persuaded an owner of land in a village to make a gift of two acres of land in his favour. Having obtained these two acres of land in the form of a gift, Nadir Ali Shah, eight days afterwards, proceeded to obtain from the same man under a sale deed 25 acres of land. What happened next would deserve the careful attention of my honourable friend, Dr. Gokul Chand, Narang. A pre-emptor, that is to say, a proprietor in the village to which the land belonged and to which the vendee did not belong, instituted a suit to pre-empt both these transactions on the

same day in the same court, alleging that the transaction of gift was in reality a sale and that, therefore, both these transactions were pre-emptible. The trial court held that the first transaction was a sale, although it had been put in the form of a gift, and, therefore pre-emptible and also that the second being a sale on the face of it was pre-emptible and granted a decree to the pre-emptor in respect of both those transactions. Both the suits were instituted in the same court on the same day and were decided on the same day by the same judgment.

Nadir Ali Shah, the vendee, went up to the District Judge on appeal and the District Judge confirmed the judgment of the trial court on all points. He then came up to the High Court on second appeal. In respect of the first transaction he contended that that was not a sale but was what it purported to be, namely, a gift, and was therefore, not pre-emptible. The High Court repelled that contention and upheld the finding of the lower courts that the transaction was a sale and not a gift, and was, therefore, pre-emptible and the decree in respect of that transaction was confirmed. In respect of the second and the larger transaction, the real transaction as I might call it, the contention put forward was this: Nadir Ali Shah said, "It is true that when I obtained the gift of these two acres of land I was not a proprietor in this village, and the plaintiff in this case was a proprietor in the village and he was, therefore, entitled to pre-empt that bargain as it has now been held that it was a sale and not a gift. But eight days later, on the date when I obtained the sale deed in respect of the twenty-five acres, I was also a proprietor in that village under the previous transaction, call it a sale or call it a gift. Now, being on that date equal to the pre-emptor himself in this respect, both of us being proprietors in the village, no right of pre-emption arose in respect of the second transaction." This plea was put forward in spite of the fact that both the transactions were sought to be pre-empted at one time and decrees had been obtained in respect of both, and money had been paid and possession of the land had been taken by the pre-emptor. The question arose before the High Court: who was the owner of these two acres of land during the interval between the date of the gift or sale or whatever the transaction was, and the date on which the pre-emptor paid the money into court and obtained possession of the land? The contention put forward on behalf of the pre-emptor was this. He said that as soon as he paid the money in and obtained possession of the land he became the owner of these two acres from the date on which the transaction had originally been effected between the vendor and the vendee. That is to say, the effect was that the name of the vendee had been wiped out from the sale deed and that of the pre-emptor had been substituted in its place and therefore he became the owner of the land from the date of the sale. His contention was that having become the owner of the land comprised in the first bargain he must be taken to have a right to pre-empt the second bargain. This was an argument based on the judgment of Mr. Justice Shahdin in 25 Punjab Record of 1908. The contention put forward on the other side was this. "Under Order XX, rule 14 of the Civil Procedure Code, a successful pre-emptor becomes the owner of the property pre-empted by him only from the date on which he pays in the money, and his title accrues from that date. Therefore, the position is this that up to the date of sale, the vendor remained

[Ch. Zafrullah Khan.]

the owner of the property and from the date of the payment of the money the pre-emptor became the owner and in between, the vendee remained the owner and if that is so, the result follows, that he was an owner in the village on the date of the second purchase and the suit for pre-empting the second bargain was not competent." This contention was accepted by the High Court and the suit in respect of the second transaction was dismissed. That is how the present position has arisen. Now, Sir, before I proceed further, I might attempt to clear up one or two misconceptions which seem to have arisen. One is this: the position above described arises only in respect of agricultural land and village immoveable property and does not arise in respect of urban immoveable property at all, so that the observations of honourable members directed towards cases relating to urban immoveable property were really not relevant.

Dr. Gokul Chand, Narang: It was the honourable mover of the Bill who said that it applied to both.

Chaudhri Zafrullah Khan: Urban immoveable property is not pre-emptible on the ground that the vendee is not an owner in the town or in the *mohalla* in which the property sold and sought to be pre-empted is situated, and that the pre-emptor is. Village immoveable property and agricultural land are pre-emptible on that ground, and, therefore, the amendment affects only suits relating to agricultural land or village immoveable property.

Mr. Din Muhammad: It is wrong.

Chaudhri Zafrullah Khan: Urban immoveable property can only be pre-empted on the ground of vicinage or common easements or some similar right, and not on the ground that the pre-emptor is an owner in the *mohalla* or in the town in which the property sold is situated, and that the vendee is not. My honourable and learned friend's contention that you really do not require this amendment at all because where this sort of thing happens, if you institute a suit and get a decree in respect of the first transaction and comply with that decree, the vendee cannot put forward the existence of the first transaction as a defence in the second suit. That is exactly what happened in 5 Lahore. Nevertheless the suit in respect of the second transaction was defeated. It is in order that that might not happen that this amendment has been brought forward before the House. This amendment provides for a stay of the suit instituted in respect of the second transaction, while the suit in respect of the first is being tried in which a decree might be obtained and complied with and then a decree might be obtained in the second suit. Honourable members have put forward the contention that there are several devices by adopting which the law of pre-emption may be defeated and, therefore, you have no business to try to put out of court, as it were, one of these devices. It is an argument which I cannot follow. Nevertheless the devices which have been pointed out are not such—if they are adopted as devices—as can at present defeat the law of pre-emption. One of the honourable members has said, If you wish to purchase a piece of property and you are anxious to avoid a suit for pre-emption you have only to obtain a mortgage of the property with onerous conditions for a long term and thereafter you or somebody

else acting on your behalf can obtain a transfer of the equity of redemption. A pre-emptor would be frightened away by this position. If he does pre-empt the sale of the equity of redemption, he might be fastened with that onerous mortgage for a long number of years and may not be able to get rid of it. Therefore he will think better of it and will not pre-empt the transaction. My honourable friend forgets that in such a case it is open to the court to hold that this device has been adopted for the purpose of defeating the law of pre-emption, and that the mortgagee and the vendee are really one and the same person, one being the nominee of the other, and that both of them having combined to split up the transaction which was really one of sale into a transaction, first of mortgage and then a sale of the equity of redemption the transaction is one of sale and is pre-emptible. It will, in such a case, grant a decree for pre-emption and the mortgage will merge in the sale.

Dr. Gokul Chand, Narang : Not always.

Chaudhri Zafrullah Khan : It will not grant a decree in case it holds that they are not one, and that it is not a device and that the mortgage is real. But if it holds it is a device, then it will grant a decree as submitted by me. Another honourable member has suggested that a vendee might first obtain a deed of gift in respect of a portion of the property which he wishes to purchase and might then purchase the remainder. In Nadir Ali Shah's case, that is exactly what happened. Nadir Ali obtained a gift of two acres of land, but the transaction was held to be a sale by the court and it was pre-empted. The same might happen with regard to the creation of occupancy rights.

Pandit Nanak Chand : It was a colourable transaction.

Chaudhri Zafrullah Khan : I was submitting that if the courts hold that such transactions are devices, that is to say, they are not what they seem that they have been put in a particular form in order to defeat the law of pre-emption, it will grant a decree for pre-emption. If they are honest transactions and they are in reality what they seem on the surface to be, then there is no right of pre-emption in respect of them. A very curious argument was put forward by my honourable friend Pandit Nanak Chand, that if you allow this amendment, it narrows the franchise. I do not know by what devious ways of reasoning that conclusion was arrived at. If my honourable friend is anxious for the extension of the franchise, the opportunity is very near and he should take advantage of the Simon Commission and insist upon the widening of the franchise before that Commission (*Hear, hear*). If he is fond of widening the franchise, he must do it directly and not by dubious ways. If, however, that sort of procedure has a special appeal for him, any graduate who approaches him for help in this matter need only be advised that if he takes a house in his own name on a rental of Rs. 8 per mensem, he will become an elector.

My submission is that the House is concerned at the present stage with this question. The Pre-emption Acts of 1905 and 1913 purported to give a right of pre-emption to a proprietor in a village in respect of sales of property situated in that village or agricultural land pertaining to that village where the sale took place in favour of a person who was not already a proprietor in that village. This is what those Acts purported to do. It now appears that as a result of judicial pronouncements, perfectly reasonable and per-

[Ch. Zafrullah Khan.]

fectly logical, so far as they go, that these Acts were not properly drafted that the actual words employed in the Acts do not fully carry out the intention of the legislature and that devices can be adopted, so long as the present language is permitted to continue unaltered, that might defeat the object of these provisions. In practice you find that the right conferred by the Statutes has been rendered nugatory. The question is, should that be allowed to continue? The line of argument has been adopted that you should not have the law of pre-emption at all, and that you must do away with it. If you want to do that, adopt the right method of doing it. If the law purports to confer a right, but as the result of defective drafting or as a result of contingencies having arisen which were not foreseen at the time when the Act was drafted, the right has been defeated or has been rendered incapable of being enforced, will you obstruct a measure which seeks to set right this defective drafting on the ground that the law of pre-emption should be repealed altogether? That to my mind is scarcely logical. I would, therefore, submit that this amendment is necessary, if an entire repeal of the Act is not contemplated. The amendment proposed is not final in its form. It will go before the select committee and the House will have another opportunity subsequently when they consider the report of the select committee to decide whether the amendment is adequate or not.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] : Without prejudice to my views which I may have to express on the select committee if the Bill is allowed to go to the select committee, I have been prompted to offer some remarks after listening to the interesting speeches made on the introduction of this amending Bill. There is no doubt that it is generally admitted on all hands that defects do exist in the law. The question is whether we are going to remedy those defects or leave the law as it stands. The first point which I want to say is that when discussing such a matter on the preliminary lines, we must not lose sight of the fact that we are sitting here to do our duty as legislators—we are not arguing here as practising lawyers—to support the good law as it exists and to try to remedy the defects. Happy may be the day when as my friend Dr. Gokul Chand, Narang, desires this law is wiped off the Statute Book because, as he says, it smells so much of an alien in its spirit; but as long as it is allowed to stand I think we should not summarily dismiss the present measure. It is a measure which deserves our consideration for the moment and we should allow it to go to the select committee. Some of the remarks made by Dr. Gokul Chand, Narang, also contain an aspersion in a way that it is a measure which will help or be harmful only to agriculturists. Of course to one of his points the Honourable the Revenue Member gave a reply when he showed that the Bill affected urban property.

Dr. Gokul Chand, Narang : I did not cast any aspersion nor did I mean any aspersion. I only pointed out that my action was absolutely selfless and disinterested and that if this amending Bill was going to bring in any good to anybody, it would be to the agriculturists.

Sardar Harbakhsh Singh : Thank you. I am glad to hear that. But there is still a misunderstanding which has not been cleared up. Even under the Land Alienation Act the non-agriculturists are

entitled to purchase from non-agriculturists and therefore even as regards agricultural land, the non-agriculturists are touched by this measure because before the Land Alienation Act was passed a good amount of land had already passed to non-agriculturists. Therefore this measure does not touch the agriculturists alone. Again my honourable friend has said that village compactness had already been broken. I wonder what villages were in sight when he said so. It may be a few villages manipulated for this very purpose in some districts by clever people. But I can safely say as a member of the agriculturist tribe that a large majority of the villages do still adhere to that compactness and it is a compactness which ought to be respected and protected. The question of democracy does not come in at all. Democracy does not suffer by this measure unless the term is synonymous with Bolshevism which says that every man must have a share in everything. Similarly the other argument which my honourable friend from Hoshiarpur has put forward and to which some reply has already been given, that this measure will put a stop to the aspirations of certain people who may desire to become voters by purchasing land, is an ingenious sort of argument. I would say that if only wealthy classes would be open-hearted and lay the accounts before the income-tax officers and allow themselves to be properly taxed, they can easily become voters. (*Hear, hear*). Therefore that argument has no force. Of course a good many things have been said; but I think the main contention is to the effect that these defects in the law are comfortable and convenient and that therefore they should be allowed to stand as they form loopholes for some purpose. Well, Sir, such defects may be comfortable and convenient to some people and may not be so to others. But I have already submitted that we are here as legislators, not as clients or as practising lawyers and therefore it is our duty to remove such of those defects which we can possibly remove and if there are still other defects, any honourable member is welcome to come forward with another amending Bill which will cover the whole ground or if he feels strong enough, he can bring forward an amending Bill which will wipe off this law altogether and then we will see how we face the matter. When any such Bill is brought forward we can consider it. But as long as this law remains on the Statute Book it is our duty to try to keep it free from all possible defects. The law courts of course are administering the law and they find it and they are justified in remarking that there are defects in the law, but when we stop these loopholes, the law courts are bound to act accordingly. We should try to stop the juggling which is going on at present. There are innocent people who live in villages who should be treated and made to act in a straight forward manner. It is our duty to help the ignorant people by removing these defects and this will be a measure for the mitigation of litigation which is on the increase.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, personally I feel I have had a great treat to-day in listening, after so many years, to so much legal eloquence; to such a series of ingenious points which have been raised. I really feel it was quite a treat; but I cannot say that that is the opinion of all the members of the Council, especially those who do not happen to be members of the legal profession. In one

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

way it has been perhaps a disappointment to me inasmuch as this measure which I had believed to be non-controversial, all of a sudden, turned out to be a controversial one, although that controversy appears to have been acute more on points which are irrelevant than on points which are really relevant to this Bill. The subject has been, I am glad to notice, discussed from different points of view. Therefore, it is not necessary for me to bring under review the points urged against the proposal. I will therefore content myself with briefly stating a few points. First of all, this Bill does not profess to extend the scope of the law of pre-emption as it exists to-day. Therefore such of the defects as have been pointed out by some members—that the right of pre-emption can be defeated by certain people by having recourse to certain devices and so on—cannot be remedied by this Bill which does not profess to change the law. If the law does not protect the pre-emptor, I am not here to amend the law and to give him greater protection than the law already vouchsafes. Another argument is that it gives him additional right. I do not think any honourable member has seriously asserted that. The whole tenour of the argument of the opposition was, 'pre-emption is a bad thing; therefore even if the right of pre-emption is being defeated by some device, it is not altogether a bad thing and we should not look at it, but let it pass.' That, as I submitted already, is not a position which I am prepared to adopt. Then the only other point mentioned was with reference to delay. On that point I have nothing to add to what I have already stated. Then another point which I wish to make is to make the intention of the Government quite clear. The measure is not understood and was not understood to be applicable to rural property only. When the point was raised by the honourable member from Gujranwala a short while ago I considered this matter and found that though he was familiar with the case which he had conducted and in which he secured the acceptance of his view in the High Court of the Punjab he had not perhaps studied other aspects of this problem. As his was a case regarding landed estate I thought he himself had not addressed his mind to the question of its application to urban house property in residential quarters. If I may, I will put it to him in this way. Taking the four seats which he and the other three honourable members are at present occupying to be the four houses in a well-known street of Lahore where the law of pre-emption prevails and assuming for the moment that it is the house to his left which is for sale, the one that is being occupied by the honourable member for the whole of the Punjab, and there is a very rich honourable member to his extreme left who has his eyes on that house and would buy it at a high price; but there is another man, an equally wealthy man and also resourceful, who is occupying the extreme seat in that row, but the member on the other extreme, the member for Gujranwala is very poor and cannot buy it. Now how is the honourable member on the extreme left, the honourable member who spoke and who is to my right, going to get hold of the house if the principle of the law as expounded in the High Court judgment were to remain in force? Is it not conceivable that as the honourable member on the extreme corner is poor and is not likely to pre-empt that the house be split up into two parts and one part purchased by the honourable member from Gujranwala? Therefore the other member who is rich and can buy

cannot pre-empt, because that is not next to him and he comes in then to buy the next one as an owner because he has vicinage.

Chaudhri Zafrullah Khan: The amendment does not remedy this state of affairs.

The Honourable Mian Sir Fazl-i-Husain: But the fact remains that the defect does not exist only in the case of agricultural property, it exists in the case of urban property as well. I am afraid there are more cases than one in the Punjab Record where such splitting of house property has taken place. (Interruption). It is hardly a point about which we need enter into controversy at this stage of the progress of the Bill. But *prima facie* there seems no reason why the amendment should, more than the law itself, be restricted to one form of property and be not applicable to all sorts of property. If such is the case, the matter can be taken up by the select committee. I am very glad indeed that I was so fortunate as to acquire the assent of the honourable members of this Council to serve on the select committee as they happen to be the members who take keen interest in the subject matter of this Bill. I am inclined to congratulate myself on having so well forecasted the interest that they were bound to take in the deliberations of the select committee. With these words, Sir, I trust the Council will accept the motion that is before it, to refer this Bill to the select committee already mentioned by me.

Mr. President: The question is—

“That the Punjab Pre-emption (Amendment) Bill be referred to a select committee consisting of the following:—

Chaudhri Zafrullah Khan,
Dr. Gokul Chand, Narang,
Sardar Harbakhsh Singh,
Mr. W. R. Wilson,
Mr. M. M. L. Currie,
Sardar Habib Ullah, and
The mover.”

The motion was carried.

The Council then adjourned till 2 p.m. on Wednesday, the 22nd February, 1928.

The REVENUE COURT, Government of India,
245 PLC-900-5-2-25-8085-1-1-1-1

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 22nd February 1928.

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

OATH OF OFFICE.

The following member was sworn in:—

CRUMP, Mr. R. H. (Official nominated).

RESOLUTIONS.

RESOLUTION RE UNANI AND AYURVEDIC SYSTEMS OF MEDICINE.

Mr. President: On the day when the Council was adjourned last the resolution of Lala Mohan Lal, namely—

"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",

was under discussion. Therefore, the discussion of that resolution has to be continued and the Honourable Minister for Local Self-Government, who was then in possession of the House, will now resume the discussion.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I am much obliged to you for giving me this opportunity of explaining my views on the subject which was being discussed some months ago. I was very disappointed at the time because, having been promised that I could go on for as long as I liked, when the clock struck 8, you adjourned the meeting. That day I related to the House the difficulties that existed in the way of Government taking any drastic action in furtherance of the *Unani* and *Ayurvedic* systems of medicine. I was just going to relate then as to what Government had decided to do when the House adjourned. I cannot do better than say now that Government has decided to give financial aid to these two systems of medicine in this province. Of course I did not tell the House that I had before that day been to the Tibbia College at Delhi purposely to learn for myself as to what kind of work was being done there. We have also *tibbia* classes in the Islamia College, Lahore, and we have *ayurvedic* classes in the D. A.-V. College, Lahore. One good feature of these three institutions is that in future you would have *baidis* and *hakims* certified by these institutions, so that people in the villages will be able to know whether any native doctor is really trained or not in the science which he practices. In that way people may not be deceived

[Hon. Malik Firoz Khan, Noon.]

as they have been done in the past. The question was whether Government should undertake the launching of a scheme which would involve the province in a very heavy expenditure. To start with, I think, I had better relate to the House the action we have taken. Government has decided to give financial aid to the Tibbia College at Delhi and to the *tibbia* classes in the Islamia College, Lahore, and the *ayurvedic* classes in the D. A. V. College, Lahore. That decision has been embodied in the budget in the form of a proposal to grant Rs. 9,000. If this House sanctions that grant, then Government will proceed to allot Rs. 3,000 a year to the Tibbia College, Delhi, Rs. 3,000 to the Islamia College, Lahore, and another Rs. 3,000 to the D. A. V. College, Lahore. I hope that that step will meet with the approval of the House. Beyond that I do not think it is necessary at this stage to go, because these institutions are in their infancy and it will be waste of public funds for the present to accord larger grants than has been proposed.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadian), Rural] (Urdu) : Sir, I think that the Honourable Minister has not forgotten the speech that he delivered on the last non-official day in the November session of the Council. While referring to his interview with the late Hakim Ajmal Khan on the occasion of his visit to Tibbia College, Delhi, he said that the *unani* system of medicine had not found much favour even with the organisers of that College and consequently it had not proved a success. He was further pleased to remark that attempts were being made to adopt western system of medicine in that College.

The Honourable Malik Firoz Khan, Noon : I do not remember to have said anything of that sort. What I did say was this, that in the Tibbia College at Delhi they have found that the type of *unani* education was defective in certain matters and to make up the defects they were taking up some things from the western system of medicine.

Chaudhri Afzal Haq (continued in Urdu) : Sir, if the Honourable Minister had waited and listened to me, he would have found that I was going to say the same thing. It is a pity that the respected Hakim Sahib is no longer in this world to give expression to his views on the subject. But when he was yet alive and when we showed him the speech of the Honourable Minister, he said that what he said in the course of his interview, had been misconstrued. The real significance of the appointment of an M.B., B.S. Principal and the teaching of certain branches of the western system of medicine in the Tibbia College is that its organisers are anxious to give training to their students in those branches side by side with the indigenous systems of medicine. And this desire on their part is not unnatural. We find that even the most enthusiastic supporters of the western system of medicine are making effort to supplement its teaching with the useful aspects of the *unani* and *ayurvedic* systems of medicine. Besides making other arrangements, the Tibbia College is teaching Homeopathy. That should not be taken to mean that the interests of the *unani* and *ayurvedic* systems are not very dear to the College authorities.

This all relates to the discussion on the last occasion. To-day the Honourable Minister has been pleased to inform the House that he proposes

to put before the House a demand of Rs. 9,000 to be spent on the encouragement of the indigenous systems of medicine. There is no doubt that the Council will sanction that grant. But may I enquire whether this small and insignificant amount will suffice to achieve the end we have in view and for the attainment of which we have repeatedly requested the Government. There can be only one answer to this question and that in the negative. If I do not mistake, it was in 1925 that this subject was once discussed in a Standing Committee and a *communiqué* was issued by the Government inviting the institutions interested in the advancement of *unani* and *ayurvedic* systems of medicine, to send in their estimates of requirements. In response to it the Islamia College asked for a grant of Rs. 50,000 to be able to open a Unani hospital and that too on a moderate scale. I think such an estimate was also sent by the D. A.-V. College, although I do not know the exact amount demanded. However, from the estimate of the Islamia College it is abundantly clear that the sum of Rs. 9,000 proposed to be set apart for promoting the cause of indigenous systems of medicine is inadequate.

Then, we have been repeatedly asking the Government to take steps to encourage our *hakims* and *vaids* and to open *unani* and *ayurvedic* dispensaries just as these are being opened for popularising the western system of medicine. I think sometime ago instructions were issued to the local bodies to employ *hakims* and *vaids* in their service. But this much is certain that the present Minister in charge has not so far done anything in that way. I remember that in 1926 this request was definitely formulated that the local bodies be instructed to employ *hakims* and *vaids* at Rs. 50 per mensem in every district and tahsil headquarters as an experimental measure. But that request appears to have been lost. Under the circumstances, how are we to conclude that Government is in sympathy with our object of promoting the study of *unani* and *ayurvedic* systems of medicine? On the other hand we have evidence to believe that Government is opposed to the development of these systems of medicine. A *communiqué* was issued by it in 1927 which was conspicuous in depicting the dark side of the indigenous systems of medicine. I need not say that this *communiqué* raised a storm of protest throughout the length and breadth of the province. We are grateful to the Government for its expressing sympathy with our object on the floor of this House, but I am sorry to point out that when it comes to giving it a practical shape, an insignificant grant of Rs. 9,000 is considered sufficient for the purpose. I repeat once again that this sum is quite insufficient if you profess to be in sympathy with the advancement of these systems. Government should at least provide for a sum sufficient to open one College and to open a few dispensaries immediately. That is the least that can satisfy us for the present.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu): Sir, the Honourable Minister has really done a favour in proposing to set apart a sum of Rs. 9,000 for such an important subject as the development of indigenous systems of medicine. Certainly he has thereby placed us under a debt of gratitude and more so because this sum is again to be divided amongst three institutions. Do you think that any useful work can be done with the help of this insignificant grant? I

[Rai Bahadur Lala Sewak Ram.]

think that we immediately require a college where *unani* and *ayurvedic* systems of medicine should be taught and if that is not possible for the present, substantial grants should be given to the three institutions. Undoubtedly the western system of medicine is superior to the indigenous systems of medicine so far as surgery is concerned, but the work of physicians is known to the *unani* and *vedic hakims* and *vaid*s. Where the western doctors fail to diagnose complicated cases, *hakims* and *vaid*s find it very easy to diagnose and cure the ailment. That being so, I wonder why the cause of indigenous systems of medicine is being ignored. Either an increased grant should be set apart for promoting these systems or this small amount of Rs. 9,000 be held back and given over to the Communications Board so that the latter may be able to construct another half a mile of a road. Why is it that when thousands of rupees are being spent for encouraging western system of medicine, a *unani* college is not opened in Lahore which is the seat of Government? It is a pity that the systems that best suit us are being discouraged. I pray, therefore, that, if nothing else is to be done, a zero should be added to the grant proposed by the Honourable Minister for Local Self-Government so that it may be possible to give substantial grants to the three existing institutions for the promotion of the study of *unani* and *ayurvedic* systems of medicines.

Shaikh Sir Abdul Qadir (Non-official, nominated) (Urdu): Sir, it might be within the recollection of the honourable members that on a previous occasion too, when the question of the promotion of the study of *unani* and *ayurvedic* systems of medicine came up before the Council, I expressed my sympathy with it. I avail of this opportunity to express my sympathy once again with the object of developing the two indigenous systems of medicine. Next I wish to point out that the sum of Rs. 9,000 which it is proposed to provide in the next budget for this purpose at the instance of the Honourable Minister, as he has told us to-day, is too meagre. I appreciate this step as a first step in the right direction, otherwise I fully endorse the views of the two previous speakers that the proposed help is inadequate and like them I have no hesitation in saying that this sum is not commensurate with the importance of the object in view.

In the course of his speech the Honourable Minister, though expressing his sympathy with *unani* and *vedic* systems of medicine, used a word to which I take strong objection. In announcing the proposed grant he said that if more money than what is being proposed were provided for this purpose it would amount to a waste of public money. I take exception to the use of the word 'waste.'

The Honourable Malik Firoz Khan, Noon: I remember to have qualified my expression with the word "immediately".

Shaikh Sir Abdul Qadir: That does not make much difference. I think that even if we speak of the immediate present there is no rule in existence by which any one can gauge that beyond a certain limit which is arbitrarily fixed every pie spent will be wasted and within that limit the money will be spent usefully. I think even more money spent on so useful an object will not be wasted. However I am glad that the Honourable Minister took the trouble of visiting the Tibbia College at Delhi and more

so because it appears that that visit has created in his mind at least some interest in the promotion of the indigenous systems of medicine. In this connection I may add that yesterday I was in Delhi and I too paid a visit to the Tibbia College and saw the work that is being done in it. I was very favourably impressed by what I saw and was pleased to find that the organisers of the Tibbia College had made arrangements to give instruction in both *unani* and *ayurvedic* systems on up-to-date lines and that as many as 250 students, both Hindus and Muhammadans, were studying in that institution. It was further gratifying to find that one-third of the students on the rolls hailed from the Punjab. Besides this the College can boast of an up-to-date building on modern lines and good care is being taken to keep every nook and corner of the building clean and tidy. It is fitted with all modern attractions and I can say that you cannot have an object which deserves better support. It will interest the members of this House to further learn that the Tibbia College has a hospital which can accommodate about 50 indoor patients who are treated on up-to-date lines. The medicines are very carefully stored and used. Add to it the research work that is being done in the College with the object of extending the scope of the *unani* and *ayurvedic* systems of medicine. This shows that narrow conservative views have been cast off by the founders of this institution and they are now prepared to adopt what is useful in the western systems of medicine. There are arrangements for the teaching of surgery in the College and the appointment of an M.B., B.S., as Principal are clear indications of the broad-mindedness of the organisers of the institution. The College is being run on a very large scale and therefore at a great expense. We will be doing a public good to give substantial aid to the Tibbia College at Delhi.

To recapitulate what I have said above I may say that as a first step in the right directions the provision of the sum of Rs. 9,000 in the next year's Budget for helping the College at Delhi and the *unani* and *ayurvedic* classes in Lahore must be appreciated. But this sum is very small for the purpose. The Islamia and the D. A.-V. Colleges are doing good work in this direction. The Conference of Hakims that meets every year to consider means for the development of the two indigenous systems of medicine deserves encouragement. To crown the efforts of the three Colleges and of the Conference with success financial aid is required and if it is not possible to increase the proposed grant this year, I hope the Honourable Minister will do his best to get a much larger grant for these institutions next year.

Dr. Sir Muhammad Iqbal [Lahore City (Muhammadan), Urban] (Urdu): Sir, the impression is gaining ground amongst the people of this country that the Government has commercial interests in view, and is for this reason, encouraging western system of medicine on the one side and discouraging indigenous systems of medicine on the other. I do not know how far this impression has basis in truth, but the fact remains that the *unani* and *ayurvedic* systems of medicine do not find favour with the Government.

In my opinion, in spite of all that the supporters of the western system of medicine say, the latter has yet to learn much from the *unani* system of medicine. Many of the books written on the *unani* system and specially those written by Najib-ud-Din, Samarqandi, have not yet published. There are in the libraries of Europe many works which, if published, are sure

[Dr. Sir Muhammad Iqbal]

to serve as eye-openers to those who boast of the superiority of the western system of medicine. Nor can we lose sight of the fact that ours is a poor country. Its people cannot afford an expensive system of medicine. It is, therefore, essential to introduce and encourage a cheaper system. From this point of view, I think, our *unani* and *vedic* systems very much suit the people. Of course the way in which our medicines are prepared is defective and requires improvement. An institution is needed to teach pharmacy. Our own system of pharmacy, I believe, is more conducive to the health of the people than any other methods. If you excuse me, Sir, a little digression I may mention that while I was in England an English friend of mine told me that our way of cooking food was unnatural so much so that the original flavour of the food was entirely lost in the act of cooking it. He praised the western way of cooking food. Thereupon I told him that what we did with our food, the westerners did with their medicines. Coming back to the point I think that if the Government were to take up the question of improving the indigenous systems of medicines seriously, these systems are sure to prove much more useful to the people of this country. I will, therefore, request the Government to give a little more attention to this matter.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Perhaps you are aware, Sir, that in spite of the fact that the policy initiated by Mian Sir Fazl-i-Husain, when he was Minister for Education, has been vigorously pushed forward and nearly 5 or 6 dispensaries have been opened in every district of the Punjab, 90 per cent. of the population is yet unable to get medical aid in time. It will perhaps interest the members to learn that these people have now become fatalists and whenever any disease attacks them, they suffer from it with resignation. I have nothing to say against the western system of medicine except that it is more expensive. But we must take into account the fact that it will take a very long time and require huge expenditure to open dispensaries in almost all the big villages of the province. Therefore it is necessary that the *hakims* and *vaids* should be encouraged so that they may spread in the villages where their assistance is badly needed. At present the number of doctors is as small as of dispensaries and therefore it is the duty of the Government, as of all civilised Governments, to see that this deficiency is made up without delay. And the best way to do so is to give financial aid to the institutions that are training *hakims* and *vaids* who will prove very helpful to the villagers when they have completed their course. Besides these *hakims* are more sympathetic and cheaper. They prescribe medicine for their patients according as they are rich or poor. The Government may not like them but the public and particularly the villagers have full confidence in them and if the word '*hakim*' is objectionable, as it seems it is, they can be named as doctors. For God's sake do not continue to discourage them. Their number has already decreased very much and there are many villages now-a-days where no *hakim* or *vaid* is available. These villages, therefore, present a very sad picture whenever any disease such as malaria or plague spreads in them. Most of the villagers die for want of medical aid. We should feel ashamed of ourselves for what is happening in such villages (laughter). Let the income of crores of rupees continue to be spent

on the pay and allowances of the officers. Let no share be given to us out of it. But please do not take away from us our indigenous systems of medicines and with it our *hakims* and *vaides*. We are fed up with your hospitals and dispensaries. Take them away if you like.

“عَلَّامٌ تَوْبَةً لِقَاتٍ تَوْبَةً”

The Medical Department can not boast of having relieved the poor villagers of their miseries. I know of a village in the Sheikhpura District which is suffering on account of the appearance of an unusual kind of mosquitoes for the last six months and no medical aid has been sent so far by the Medical Department to help the residents of the villages in their suffering....

The Honourable Mian Sir Fazl-i-Husain: May I know the name of that village?

Sayad Muhammad Husain: The name of that village is Gajyana.

The Honourable Mian Sir Fazl-i-Husain: And the year in which this trouble arose?

Sayad Muhammad Husain: This very year you can go and see for yourself if you can take that trouble (*laughter*). There is not one school boy in the school located in that village who is not suffering from the enlargement of the spleen.

Mr. E. Maya Das: Will the honourable member kindly let me know how big this mosquito is?

Sayad Muhammad Husain: It is as big as a fly. Why should you take the trouble of enquiring into such matters? You are content to be a chairman of a local body. You are not in touch with the masses and therefore you cannot imagine their sufferings. Before resuming my seat I would again request the Government to make arrangement for the encouragement of the indigenous systems of medicines. Let it give us money for the purpose from the Provincial revenues, if not as our rightful share, by way of charity.

Rai Sahib Chaudhri Chhotu Ram [South-East Bohtak (Non-Muham-madan), Bural] (Urdu): Sir, from the discussion that has started to-day I am reminded of a vernacular proverb which means that a stale dish is in a state of ebullition. From what the honourable members, who have preceded me, have said, it appears to me that that speech of the Honourable Minister has been misunderstood and that justice is not being done to him (*hear, hear*). The proposed provision of the sum of Rs. 9,000 in the Budget for next year is a clear indication of the sympathy for the promotion of the study of the indigenous systems of medicine. I concede that this amount is not sufficient for the three institutions amongst which the same is proposed to be divided. But has any of the honourable members cared to enquire whether any of these institutions has ever applied for a grant? So far as I can guess none of them has done so and, therefore, our complaint does not sound reasonable. My honourable friend from Hoshiarpur has questioned the *bona fides* of the Government and has said that if it is

[Rai Sahib Chaudhri Chhotu Ram.]

really in favour of the advancement of the indigenous systems of medicine it ought to have directed the local bodies to employ *hakims* and *vaids*. This allegation of the honourable member is due to his ignorance of the facts because I am sure that such a letter was issued by the Government directing the local bodies to employ *hakims* and *vaids* and that, if they did so, and applied for grant, their applications would receive favourable consideration. If I am not wrong certain municipalities have already employed these *hakims* and *vaids* as a result of that letter. At least in Rohtak district, I know, one such *hakim* has been employed only recently. The complaints that some of the honourable members have made to-day would have sounded reasonable if at the same time they had told us that such and such an institution applied for a grant of 5 or 10 thousand of rupees and that its application was rejected or not considered. If we are a little charitably inclined we must take the proposed provision of the sum of Rs. 9,000 as a gesture of sympathy. I am sure that the Honourable Minister will never stand in the way of the *unani* and *ayurvedic* systems making any progress and will always be ready to help us in achieving this object.

Rai Bahadur Lala Rattan Chand (Non-official, Nominated) (Urdu): Sir, if the conditions of our country were taken into consideration no one can deny that the indigenous systems of medicine are more suited to the people of this country than any other system and I think that the Government has already directed the local bodies to open *ayurvedic* and *unani* hospitals in their respective jurisdictions. Accordingly our municipal committee has since opened one *ayurvedic* and one *unani* hospital and I should have very much liked to give the House the number of persons who have availed themselves of this hospital, but as I did not know that this subject was coming up for discussion before the House, I did not care to bring those figures with me. However I may mention that quite a large number of patients attend these hospitals. Our committee is anxious to open more hospitals of the same type, but it has not got sufficient funds to achieve that object. I avail of this opportunity to request the members and the Government to give us increased grant for the purpose.

Colonel C. A. Gill (Director of Public Health): Sir, I should like to refer to the remarks of the honourable member who has just spoken in regard to the outbreak of malaria in a village of Sheikhpura district, called Gajyana. There was a small outbreak, not a very severe one, in October and November last. Unfortunately it was not reported promptly to the District Medical Officer of Health, in fact it was not until November 25th when the District Inspector of Schools sent information, that the Health Department learnt of the outbreak. On the 26th of November the District Medical Officer of Health visited the village, that is on the very next day after he had known about it. He took a large quantity of quinine which was distributed throughout the village; but unfortunately the district board supply was not adequate to meet the demand and his efforts to obtain more were unsuccessful. He also took steps to have the village cleaned up and to destroy the mosquitoes, which were present in large numbers, by means of kerosine oil and he delivered a lecture in the village on the prevention of malaria. The village was visited again two or three

times later by himself and his assistant. I think that everything possible was done under the circumstances and the suggestion that the Public Health Department took no action does not seem to be quite fair or accurate. (*Hear, hear*).

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) (Urdu): Sir, I am obliged to the honourable members who have drawn my attention to the various difficulties as seen by them. As already referred to, I tried to acquaint myself with the *unani* and *ayurvedic* systems of medicine at the earliest opportunity and travelled as far as Delhi to see with my own eyes the actual working of these systems in the Tibbia College, Delhi. This should have convinced the members as to how far I am interested in this problem. If further proof of my sincerity is wanted, I may say that the proposed provision of Rs. 9,000 to which reference has already been made was made on my moving the Government of my own accord. I concede that the indigenous systems of medicine find more favour with the people of this province and particularly with those who live in villages. But I hope that the members will also agree with me when I say that it is not at present safe to rely altogether on them, nor is it possible to replace the western system of medicine by them. If the doctors are to remain as at present, we can not afford to relax our efforts in the least in the way of extending the kind of medical relief already undertaken. I admit that at present the number of dispensaries is not sufficiently large to meet all our requirements and it would be well if a few efficient *hakims* are available to supplement our efforts. However we are trying to remove that difficulty and with that end in view we have proposed to open 70 dispensaries every year in the province. Government has further decided to provincialise all the hospitals located at district and tahsil headquarters and to open hospitals for females in the near future. I may mention here in passing that the hospitals in district and tahsil headquarters are open to the villagers as well and on examination of the registers I have found that many villagers have actually availed themselves of the assistance available in these hospitals. This should not be taken to mean that rural dispensaries are not needed. We feel that they are badly wanted and it is why we are trying to increase their number every year.

The honourable member for Hoshiarpur has suggested in his speech that Government should issue instructions to the local bodies to the effect that the latter should employ *hakims* and *vaids*. In connection with it I will simply remind him that these local bodies are to a certain extent independent and, therefore, it would not be advisable to dictate any terms to them. Besides there is a dearth of efficient *hakims* and *vaids* at present and I understand that where efficient hands were available, they have been employed by the local bodies. We know that about 70 or 80 students from the Punjab are studying in the Tibbia College, Delhi, and when they have completed their course, their services can be utilised by municipal committees and district boards. In case Government were to give increased grants the public money will not be usefully employed if not actually wasted. I learn that Islamia College has also opened a *tibbia* class this year, but so far no remarkable results have been achieved. The D. A. V. College

[Hon. Malik Firoz Khan Noon.]

is also trying to obtain better results. And all this means that we must wait for some time to come before liberal provision is made in the Budget for encouraging *unani* and *ayurvedic* systems of medicine.

My honourable friend from Rohtak said that probably no application had reached the Government for financial aid on behalf of any of the three institutions and that the provision of Rs. 9,000 had been made on my initiative. His surmise is quite correct. I may add for the information of the House that I was rather surprised to learn on the occasion of my visit to the Tibbia College, Delhi, that its organisers were anxious to keep clear of any financial aid from the Government. They were of the opinion that the only way of keeping their institution independent of any control by the Government was not to ask for financial aid. Besides the College is to a large extent self-supporting. It receives sufficient income from the sale of medicines. Of course it requires financial aid so far as its Research Department is concerned. They have employed one doctor and two or three Hakims to carry on the work entrusted to this department. These Hakims with the help of doctors are translating certain standard books into vernacular to be used as text-books in the college. I was very favourably impressed by the useful work that this Department is doing and I thought that it would be worth while to establish it on permanent basis. Consequently I made enquiries and found that the Research Department was being run at a monthly expenditure of two to three hundred rupees. I then made up my mind to get a grant sanctioned sufficient to cover those expenses. I hope that the books that are being written by this department will prove very useful. Without them they are groping in the dark. I think that I could not serve the cause of *unani* and *ayurvedic* systems of medicine in a better way.

As to the establishment of a College for teaching *unani* and *ayurvedic* systems of medicine, I may say that the late Hakim Ajmal Khan was not in favour of such a step being taken. He was quite right when he said that the establishment of such a college in the Punjab would adversely affect the interests of his institution. Besides there are already two institutions in our province whose interests we cannot overlook. They cannot yet stand any competition. Therefore it is not advisable to open any other College.

Before I close my speech I wish to assure the House once again that the Government and I fully sympathise with the object the members have in view. If a small amount of money has been provided in the next year's Budget it is because the Government does not know how increased grant is going to be spent. It has yet to know the requirements, if any, of the various institutions which are engaged in promoting the cause of *unani* and *ayurvedic* systems of medicine. The Government is anxious, as it ought to be, to see that not a pie of the public money is uselessly spent.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I must frankly confess that the discussion to-day on the resolution moved by my learned friend Lala Mohan Lal has rather disappointed me, inasmuch as the speeches of the honourable members cannot be said to bear the stamp of that dispassionate and cool consideration, which is the distinguishing feature of this House. Since the introduction of the Reforms in

India, seven or eight years ago, the Medical Department has been a transferred subject, completely under the control of the provincial legislature, and I am proud to say that our Council have shouldered and discharged this onerous responsibility in a befitting manner. And yet my learned friend from Montgomery, who is one of the oldest members of the House, and as such must have thoroughly studied the proceedings of this Transferred Department, has delivered a speech, which if heard or read by any one not acquainted with the conditions obtaining in our province, would naturally believe that our province is the worst governed province and our Council is a most inefficient council, and that the Government has no sympathy for its subjects. In a paroxysm of anger and excitement words escape one's lips which one would never utter in saner and cooler moments, and I trust that what the honourable member said in respect of the callousness and criminal indifference of the Government towards the masses, was said in a fit of anger, and he did not mean to condemn the Government, when he said that lakhs of people were dying and Government did not care for them.

Sir, it is conceded by our worst critics that Government has since Reforms bravely endeavoured and is still endeavouring to improve the sanitation of the province and to combat and eradicate the various pestilences that take a heavy toll of human lives every year. During the last 7 or 8 years, the number of hospitals in the province has been doubled; a net work of dispensaries has been spread and a host of other measures conducive to the welfare and well being of the rich and the poor alike have been introduced.

Sayad Muhammad Hussain : This, too, is insufficient, Sir.

The Honourable Mian Sir Fazl-i-Husain (continued) : But this does not mean, Sir, that Government is satisfied with this, and that it will sit with folded hands and do nothing else in this direction. On the other hand, as soon as funds are available, progress and improvement in sanitation will be made with rapid strides, and the indigenous systems of medicine will also receive their due share of encouragement. But, Sir, it is curious that the honourable members who clamour most for encouragement being given to the indigenous systems of medicine are foremost in opposing any further taxation for the purpose. It is evident, Sir, that under these circumstances progress must be gradual and not immediate, as the honourable member has demanded in his excitement.

Again, the honourable member has laid a good deal of stress on the comparative cheapness, popularity and efficacy of the *unani* and the *ayurvedic* systems of medicine and has appealed in the most pathetic terms to give these systems all possible help and encouragement. But strange to say, Sir, that the self same member, sometimes back, recognised that these systems were at present cheap instruments of death in the hands of the ignorant practitioners who should be curtailed by Government.

Sayad Muhammad Husain : On a point of personal explanation, Sir, I never said so. I want a quotation.

The Honourable Mian Sir Fazl-i-Husain: The honourable member will soon be reminded of it. The indigenous systems of medicine are in rural areas generally practised by men whose stock in trade consists of a cheap third rate book in Urdu or Nagri; who have never studied medicine and surgery in any school or college, and who have never sat at the feet of any really efficient *hakim* or *vaid*. Under these circumstances, if they charge less than the doctor duly qualified in medicine, and surgery is it correct to say that these so-called *hakims* and *voids* cost less than the qualified doctors? Really competent *hakims* and *voids*, e.g., the *hakims* of Maddrassa-i-Tibbia, Delhi, do not charge less than the sub-assistant surgeons. In my opinion, Sir, only men who have studied upto the matriculation standard, and have command over the Persian, Sanskrit and Arabic languages and, have also studied surgery, can really make comptent *hakims* and *voids*. But will these people accept lower rates of fees than the doctors?

I have great sympathy and regard for the *unani* and the *ayurvedic* systems of medicine, and after careful consideration and after consulting the leading men on the subject, I find that these systems need thorough overhauling. I am of the opinion that the best way to encourage these systems of medicine is this,—and I am proud to say that it was shared by the late eminent physician, Hakim Ajmal Khan,—that we should collect all the existing books on these systems of medicine, revise them in the light of modern researches and produce revised standard works and stock the present

books in libraries as antiquities so that they may not fall into the hands of *hakims* and *voids*. The late lamented Hakim Sahib since his return from Europe devoted a good deal of his time to this scheme and hoped before very long to accomplish this great work. Again in the *unani* and the *ayurvedic* schools, western medical science should form an important part of the syllabus of studies, if they are really to be beneficial. Also, *unani* and *ayurvedic* systems of medicine can profitably be added to the curriculum in the medical colleges and schools where now western medical science is exclusively taught.

In conclusion, I would appeal to the honourable members that in future they should not draw such a horrid picture of the activities of a transferred department, in the administration of which ultimate responsibility has been theirs and more than once they have won admiration from others for it.

Mr. President: The resolution proposed is—

“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 motion was carried.

RESOLUTION RE AMRITSAR MEDICAL SCHOOL.

Shaikh Sir Abdul Qadir (non-official, nominated): Sir, the resolution I have to move runs as follows:—

“This Council recommends to the Government that the course of studies at the Amritsar Medical School be extended to five years.”

Sir, this resolution is put forward in the interests of efficiency of education in the Medical School and in the interests of the better equipment of the licentiates turned out by that school. It is a matter of common knowledge that during the past few years the course of studies in medicine in that school has increased as compared with what it used to be. Several new subjects have been introduced in the curriculum, and a higher standard of knowledge in those subjects seems to be required. Professional examinations, too, have increased. There is the first professional examination at the end of the first year, then a second professional examination and then a final, so that the work of the students in that school is very heavy, considering that they have to study the same subjects practically as those prescribed for those intending to take degrees in the Medical College at Lahore, but in a shorter period. In addition to those subjects there is, in the first year, the elementary study of Physics and Chemistry required in the Medical School, and when we take this multiplicity of subjects into consideration, it seems to me that the period prescribed for education in that school to cover the whole range of studies prescribed is inadequate for the purpose.

If those subjects are spread over five years, that would not only lighten the burden on the brains of the students so far as the work in each year is concerned, but will be conducive to a better grounding in those subjects and to a better efficiency in the knowledge of those subjects. I think it might be said by any one adversely criticising this proposal that this would mean more expense in providing additional staff or the additional accommodation for another year and may also involve more expense so far as the students are concerned, because they will have to maintain themselves in this institution for five years instead of four years. It is true that both these expenses are involved in the proposal that I am putting forward, but my idea is that if anything is worth doing, it is worth doing well. I believe the additional expense would be justified by the better equipment which would result in the case of students who come out of that institution. It might also be said in some quarters that where would be the justification for this particular school being maintained, if the course in that school is also to be made a five years' course like the degree course. It is true that when this school was at first established, the idea was to provide for a cheaper service than the service which was recruited from the graduates of the Medical College. From that point of view it might be said that a shorter course of study or a shorter period of study is justified in the interests of economy, because it is going to feed a service which is considered the cheaper service of the two. It must not be forgotten, however, that things have changed in many ways in this respect. In the first place, the licentiate class has itself produced some men who have done such distinguished and meritorious work in the department that it has been generally stated that there is really no initial difference between the representatives of the two classes, and that advancement in the profession depends on the capacity of each man to distinguish himself. It is possible to have men among sub-assistant surgeons who may do as good work as assistant surgeons. Therefore it has been felt not only by members of this class, but by many classes of the public that they should not continue to labour under any essential or initial disadvantage. In the second place so far as the

[Shaikh Sir Abdul Qadir.]

market value of the products of this institution and the products of the higher collegiate institution, that is the Lahore Medical College, is concerned there has been a marked tendency of getting it gradually levelled. There have been so many people produced by the Medical College that they have not all been provided for by Government service and in the ordinary market, for hospitals managed by local boards and district boards it has been in many cases found possible to obtain an M. B. of the Medical College on about the same salary for a start as a sub-assistant surgeon. Now, therefore, it cannot be said that as things stand at present the theory of this being a cheaper service holds good no longer and there is no reason why the education of the two branches of the profession may not be equalised as approximately as possible. Some people are afraid that if the Licentiates get a better training and pursue a longer course of studies they would want higher salaries. I am afraid that in the present state of the market that fear has really no foundation and should not deter us from any proposal that we may otherwise regard as acceptable, because any sub-assistant surgeon, who knows that an M. B. is willing to accept the same pay on which he ordinarily starts, would not, if he is in his senses, insist on higher pay. This will be regulated by the ordinary rule of supply and demand, nor can there be any real fear of this class demanding higher fees, owing to their improved education. Therefore, all that we are really concerned with is efficiency. If you send out men of this class as qualified men, as men entitled to practice medicine, as men who are not quacks, as men who are not adventurers, as men who have got the hall mark of a department of Government on them, as men qualified to deal with the lives and the health of the people, there is no reason that in the present circumstances you should leave them deficient in any way in their equipment as compared with the other class. I understand from people who have studied the system of teaching that is at present in vogue under the four years' scheme that the number of subjects is practically the same, or including physics and chemistry is even a little larger than that prescribed for the assistant surgeons. The result is that the study of the subjects has to be hurried through in the medical school and therefore the students there do not get the same benefit from their course as they would otherwise get, if the course is so adjusted that during the four years they would study as much as they could easily digest and something is left over for the fifth year. The fact that there is something left over for study is recognised by the department itself and by the Government in a provision they have made of late years, for a year of additional study for sub-assistant surgeons. Men who are in service can take an additional course after taking leave from their service and pursue it. In the medical college, I understand, there is a separate class for this purpose. I believe in that class they go over some of the very ground which they have covered before when they studied in the school at Amritsar. Why not then give them the opportunity of a more complete study when at their school. The additional course at the college does not solve the real difficulty. It is not open to every sub-assistant surgeon who wants to come and take that additional course in the medical college to do so. It is only a limited number that can go in there and preference is given to men in the service. It is very seldom that anybody from outside the service can come in there. That is

what I am told. If that is so, then that furnishes to my mind an argument in favour of having a properly spread and a more extensive and intensive course at the school itself. Now, it might be said that if this proposal is adopted one difference will remain there and that is that people who get admission to the medical college are men who have passed the F. Sc. examination, while those who are entitled to admission to the school at Amritsar are men who have passed the matriculation examination; and that in view of this inferior general grounding in education the Licentiate class must be regarded as somewhat inferior and they must be contented with an inferior status which the four years' course gives. With regard to this, I wish to make one or two observations. One is that so far as the capacity to follow the course of studies in Medicine through the medium of English is concerned it has been recognised by this very school that the students are capable of doing so. In the second place, I am told that in the said school preference for admission is now given to those matriculated students who have studied physical science for their matriculation. Any remaining deficiency is made up by the provision that students at Amritsar have to learn a certain amount of Physics and Chemistry in the first year. The saving of two years thus made as to admission furnishes a justification for the proposed extension of the medical course by one year. On this point I wish to draw the attention of the House to an important fact, and that is that in the medical colleges of Bombay, Madras and Calcutta, which give education to the military sub-assistant surgeons class—which is a class corresponding to the class I am dealing with, the course of studies has been recently raised from four years to five. That furnishes a very good precedent for us. If the same system is adopted here and if this school at Amritsar, which includes military sub-assistant surgeons as well, extends its course to five years, we would be able to send out military sub-assistant surgeons as well as civil sub-assistants whose qualifications will be equal to those produced by the colleges mentioned by me.

It may also be observed by some critics of this proposal that though I have stated that the additional expense incurred by students for having another year's course in the institution would be worth-while, I have not taken into consideration the case of those students who cannot afford to pay for their education from their own pockets, but who depend for their maintenance in the school on local bodies such as municipalities and district boards, and may not be willing to pay more. So far as public bodies are concerned, I think if they will see that they are going to get the value of the additional money they pay in the shape of better education of these students they would be prepared to do so. If they can maintain a student for four years, they can as well maintain him for five years, especially when they see that he will be able to render better service. As regards other students who depend on the charitable help of private bodies or private gentlemen the same remarks will be applicable. If those who are helping a student, will come to know that the rule is now changed, and that the student cannot complete his studies in four years and cannot get a diploma unless he puts in five years' course, they would probably be prepared to help him for five years instead of four years.

Sometime ago there was a similar question before the U. P. Government and so far as I know they decided to improve the course by making it a five-

[Shaikh Sir Abdul Qadir.]

years' course instead of a four years' course. I therefore see no reason why this improvement should not be introduced in the Medical School at Amritsar.

I was discussing this matter this morning with a friend of mine, who knows a good deal about this department of medical education and who has something to do with the control of the Medical School at Amritsar. He pointed out to me that I must bear in mind the fact that there is another institution in the Punjab which will be affected by this proposal, and that is the Medical School for Women at Ludhiana and perhaps another proposed Government School for women in Lahore, which is likely to come into existence in the near future. With the one that will come into existence later we are not concerned at present. But with the existing school at Ludhiana certainly we are concerned and I think that what I have said in regard to the school at Amritsar would be equally applicable to the school at Ludhiana. The school at Ludhiana will also gain by having the course extended to five years.

I have just one more remark to make before I close, and that is with regard to the work done by doctors belonging to the sub-assistant surgeon class. They have on many occasions won the good opinion not only of their own superior officers but of some of the highest officers of Government. I have got before me an extract showing that sub-assistant surgeons as a class got a certificate from His Excellency Lord Chelmsford when he was the Viceroy of India, of which they might well be proud. His Excellency observed :—

“ Ever since I have been in India, I have been hearing of the good though unobtrusive work done by the sub-assistant surgeons. Though your cadre consists of the largest number of medical men in India, the value of your services to your country and fellow countrymen is perhaps not as widely known as it ought to be. Your work lies largely in remote parts of this vast country, and is performed chiefly among the voiceless masses. And it is no doubt chiefly for these reasons that the high character of your services is principally known only to those among whom you work and to your immediate superiors. But those in authority, you may rest assured, are in no way unmindful of what the administration and the country owe to you. I cannot think of any report of plague, famine or any other epidemic which I have read without coming on reference to the good work done by sub-assistant surgeons, and your praises are continually sung to me by those responsible for the medical administration of the country.”

I also find that in the report of the Medical Department in the Punjab for 1926 six doctors, including sub-assistant surgeons and assistant surgeons, came in for special mention. Two of them were Assistant surgeons and three sub-assistant surgeons. The sixth gentleman who received this special praise was Dr. Mathra Das, of whom the sub-assistant surgeons are naturally proud, because though he now holds the rank of an assistant surgeon he is an example of what a sub-assistant surgeon can accomplish. I would advocate therefore that the more efficient the training, the better it would be for the great number of people whom this class are expected to serve. When all of them cannot be absorbed by Government service, and have to take up private practice, they will do much better with the better equipment they will get and the additional year spent and the additional expense incurred

would be well repaid in the better service they will be able to render to the public.

Mr. President : The resolution moved is—

"This Council recommends to the Government that the course of studies at the Amritsar Medical School be extended to five years."

Sardar Ujjal Singh (Sikh-Urban) : Sir, I stand to oppose the resolution. The honourable mover moved his resolution with a bundle of contradictions. He stated that this Licentiate class has produced distinguished men. I quite admit it. Besides that he also stated that among this class the majority of doctors have been good or bad according to their individual capacity. Now, if we rely upon this statement, where is the necessity of having another year's course and why should we incur additional expense when the result of the present practice is quite satisfactory. He then went on to say that if another year's course is added, the Licentiate class will not claim higher salary or in other words, their market value will not be enhanced. Now from this it is quite evident that we will be incurring unnecessary expense for a thing for which we will be getting no higher value. On the ground of efficiency he suggested that one year's course added to the present course of studies will improve the efficiency of this class. Efficiency is certainly a relative term. You cannot have efficient and cheap service side by side. If you want efficiency, you must be prepared to pay for it and if you are prepared to pay for it, you have the assistant surgeon class, highly qualified men, at your service. Besides, I am very doubtful that we will necessarily get more efficiency by adding one year's course, without the higher educational qualification and the necessary grounding.

Another point urged by the honourable mover is that during the four years' course the same subjects are taught as are taught in 5 years in the Medical College. This is not a fact. In the 4 years in the Medical School only elementary knowledge of medicine and surgery is given. The sub-assistant surgeon class is intended to fill in the gap between the assistant surgeon class and the compounder. It is meant to supply cheap service, which the assistant surgeon class is not expected to do.

Again it has been stated that this Licentiate class is debarred from pursuing further studies and obtaining higher degrees in foreign countries with the exception, I believe, of Ireland. Well, Sir, most of the students who go to the medical school for study are poor and it cannot be expected that those students who care to qualify themselves more and obtain higher degrees in England would join that school. It is generally that class of people who cannot afford to incur expenditure on higher education given at the Medical College at Lahore that join the Medical School. Besides it is not certain that another year's course will help in removing the bar that exists now. It is further urged that this class of doctors is not absorbed by Government, nor is required by the public. But I fail to understand how the five years' course will create a demand for that class either by Government or by the public. Ours is a notoriously poor country and not free from disease either. Malaria, cholera and hosts of other diseases offer valuable opportunities for medical practitioners and if they can only accommodate themselves to rural conditions, they can find great scope for their service to

[Sardar Ujjal Singh.]

the public. They can have a great demand for their services in the rural parts.

On the other hand, five years' course will result in pitching up the fees of this class of men still high and consequently result in the reduction of their demand. Even now the sub-assistant surgeon class offers greater opportunities for Government service than the assistant surgeon class. In the interest of the masses also the five years' course is unnecessary. Now, Sir, the Government has an extensive programme of opening up rural dispensaries. At tahsil headquarters assistant surgeons are posted and the rural areas are within the reach of expert medical advice, and even in the rural dispensaries managed by district boards many of the assistant surgeons are appointed. I do not know the number employed so far in those rural dispensaries practically on the same pay which this Licentiate class would be prepared to accept. Rural areas, therefore, are gradually being supplied with expert medical advice for which this Licentiate class is not meant. I shall suggest, however, that the present practice of allowing a few selected men from this class to have a training for one year in the Medical College at Lahore may be extended a little further. More facilities ought to be given to good and qualified men to have training in the Licentiate of State Medical Faculty. So, Sir, this five years' course will only result in the production of a class of medical men with high notions about their knowledge which they would not possess for want of proper grounding and the necessary higher educational qualifications, with high expectations which are not likely to be fulfilled. There is no middle course. Either this School should continue to play its useful roll which it has been doing in the past or it should be converted into another Medical College.

Mr. Din Muhammad [East and West Central Towns (Muhammadan); Urban]: Sir, I have had the advantage of hearing the arguments advanced by the honourable mover of this resolution and I have also had the advantage of reading a note that somehow or other was placed in my seat yesterday in which all the reasons that can be urged against it have been put down in detail, and after balancing both in my mind I have been compelled to rise to oppose this resolution. It has been stated that the main reason for urging the extension of this course of studies to five years is to lighten the burden of the students who attend the Medical School. So far as I am aware I have not seen any protest on behalf of the students attending those classes against the subjects being too much or too voluminous for the four years' course. What I consider to be the main reason for putting forward this resolution is the desire in the mind of the sub-assistant surgeons that all those distinctions and all those differences which exist at the present day between the sub-assistant surgeons and the assistant surgeons be removed. (*Hear, hear*). It is the spirit of Bolshevism which reigns supreme everywhere that is responsible for this resolution, to see whether those differences are reasonable. The honourable members of the House will be pleased to see that there is another department also under the Government in which there is a distinction existing quite in the same manner as existing between the sub-assistant surgeons and the assistant surgeons. There are overseers who go for their training

to Rasul or to some other similar institutions and there are Engineers who are sent to Roorkee to qualify themselves as Engineers. I believe that an overseer also has to learn sketching, drawing, surveying and similar subjects and an engineer is also required to study the same subjects. But if overseers of that school come forward with a request that by extending their course by one year, the present-day differences be levelled up, I believe the request being most unreasonable would be rejected. As I have already submitted the reasons which weigh against the resolution are more cogent and more weighty. I understand that if the course of studies is extended by one year, the students who pass out of the Medical School will not gain any corresponding advantage which they expect. It is quite possible that false hopes might be raised in their minds. It is quite possible that they might begin to think that after studying for five years they would place themselves on the same footing as the assistant surgeons, but this would never come, as I understand Government is not prepared to concede that by simply studying for five years in the Amritsar Medical School with an initial qualification which is far lower than that required for the assistant surgeon course in a medical college, the students will be placed on the same level with the assistant surgeons.

Then, Sir, the question of expense is not an ordinary question which can be shelved out so easily as the honourable mover has done. We shall have to provide for an extra staff, we shall have to provide for an extra course of studies, for extra accommodation and the students also shall have to find additional expense to meet the extended course. Similarly, as has been pointed out in the reasons which have been detailed against the resolution, it would then look quite unnatural to run two institutions at one and the same time, one at Lahore and the other at Amritsar. If there are persons who consider that their grounding is such as to enable them to qualify themselves for the Assistant Surgeon's course, it is open to them to obtain the extra qualifications by joining the Lahore Medical College. Why should they go to Amritsar at all? Why should they content themselves with the vernacular course, which is being taught there? Further it is perfectly obvious that in the Medical College the qualifications required from a teacher are higher than those required from a teacher in the Medical School at Amritsar, and if the Medical School students expect that the same sort of training should be given to them, then Government will have to provide extra teachers with better qualifications, probably European qualifications, to go and teach there. That would mean extra expense for which the Ministry for Local Self-Government might not be prepared to spare any money. With these few remarks I would submit that the resolution is not one which should be supported.

Dr. Gopi Chand. Bhargava [Lahore City (Non-Muhammadans), Rural] (Urdu): Sir, the resolution moved by my learned friend Shaikh Sir Abdul Qadir can be looked at from two points of view, namely, service and education. I shall deal with them *seriatim*. So far as the first point is concerned I submit, Sir, that if it is the intention of the Government to run the medical colleges and schools for training men for Government service only, let it run them on any lines it chooses; the public is unconcerned; what the public wants is medical aid and advice, when in the clutches of disease, and

[Dr. Gopi Chand, Bhargava.]

it goes where it can get it, no matter whether the doctor is an assistant surgeon or sub-assistant surgeon.

Thus it is apparent that the distinction of qualifications and status count little in the public and the discrimination between the assistant surgeon and the sub-assistant surgeon exists only in service. Nor is it true Sir, that the medical colleges produce assistant surgeons and the medical schools turn out sub-assistant surgeons inasmuch as sub-assistant surgeons are made assistant surgeons and persons taking medical degrees in foreign Universities when joining service under the Government become assistant and civil surgeons respectively.

Now the question might well be put that when public makes little distinction between the assistant surgeon and the sub-assistant surgeon, why should the Government be anxious to discriminate between the two ; and again where is the necessity for sub-assistant surgeons ? The answer to the query is a simple one. The distinction and the necessity for sub-assistant surgeons is due to two grounds (a) military service, (b) political grounds. A considerable number of medical men are required in the war. It is from these sub-assistant surgeons that the majority of them are recruited. During the great war, they were so much in demand that the Government gave stipends to persons joining this class and when it was found that the neighbouring provinces could not supply the demand adequately men from distant provinces like Madras were sent for and trained in the Amritsar Medical School.

The second ground is a political one. From educational point of view there is little if any difference between those who pass the I.M.S. examination in England and those who pass the M.B., B.S. in India. Since distinction between the two is necessary on racial and other grounds, sub-assistant surgeons are created as a blind to dissuade the M.B., B.S. from claiming equal status, and equal emoluments with the I.M.S. I may mention, in passing that I.M.S. is really a military service. It is similar to the I.C.S. in emoluments, rights and status ; the only difference being that I.C.S. men are appointed to civil posts but no such thing is possible in the case of I.M.S. men. Only a few out of them are appointed to civil posts.

As regards the second point of view, namely, education, I submit, Sir, that it is imperative that the course of studies at Amritsar Medical School be extended to 5 years. The reason being that medical men are concerned with human life, unlike the lawyers who are mainly concerned with property. A slight mistake and human life is done with. A highly qualified and efficient doctor is, therefore, indispensable for human life, and no consideration, however weighty, should be

4 P.M.
allowed to outweigh it.

Those who are opposed to the resolution might say that if the course of studies is extended by one year both the Government and the student will have to incur extra expenses ; in other words medical education which is already expensive will become all the more expensive. In reply to this, I submit, Sir, that it is Government who makes the medical education expensive by engaging the service of I.M.S. men for professorships of medical

colleges whereas non-I.M.S. can perform the duties of professors equally well. In the Lucknow Medical College, for instance, there are several non-I.M.S. men working as professors and their work has never been criticised by the authorities concerned. Why not therefore engage the services of non-I.M.S. men and thus reduce the expenditure considerably which will certainly result in the reduction of fees. Again people will not grudge to bear the extra expenses inasmuch as in the Lahore Medical College formerly the expenses amounted to Rs. 80 per mensem and the number of students was limited. Now it has risen to 150 rupees per mensem and there has also been a corresponding considerable increase in the number of students.

Another reason that the opponents of the resolution might put against it is that if the course of studies is extended to 5 years, sub-assistant surgeons would ask for bigger salaries. But Sir, the Government can very well reply that it is not going to pay them higher salaries and as beggars cannot be choosers they must submit.

Again it might be said that if the resolution is carried, competition between the private practitioners and the sub-assistant surgeons will become more acute. If the Government is so anxious about the welfare of the private practitioners let it stop all concessions enjoyed by professors, assistant professors of medical colleges in India. The private practitioner has to use his own instruments, his own medicine, his own place while operating, while the professors and assistant professors get all these things from the Government hospitals. Competition is already very acute; so if another handful of medical men appear on the scene, it will not make any appreciable difference.

In conclusion I would suggest that the course of studies at the Amritsar Medical School should be extended by one year and at the same time really efficient men should be appointed as professors in the medical colleges and schools. With these remarks I support the resolution.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan), Urban] (Urdu): Sir. A good deal has been said on the matter under consideration but there are still one or two things which I should like to bring to the notice of the House. In the first place, if the proposed resolution is given effect to, the Government will have to increase the expenditure by at least $\frac{1}{4}$ th of its present expenditure on the school. Not only that, the expenses of students will also increase because they will have to spend one more year at the school. The honourable proposer has said that students who join the Amritsar Medical School are sent there at the expense of municipal committees and district boards and they will bear the expenses. I want to say in this connection that if the course of studies at the Amritsar School is to be extended to five years, that will mean an extra burden on the municipalities and district boards, and as you know very well, Sir, their financial position is not such as to enable them to bear this extra burden for the same set of students without demur. I am at one with the honourable member representing the city of Lahore that the standard of medical education should be raised but if this involves the elimination of a large number of students who cannot afford to bear the extra expenses for one year then I submit that I cannot see eye to eye with the honourable mover of this resolution. If this resolution is

[Khan Bahadur Ch. Fazl Ali.]

accepted and given effect to you will be depriving a large number of students from rural areas of the chance of receiving medical education and I am sure that the honourable mover of this resolution had no such thing at the back of his mind.

As I have already said I have no objection if the standard of medical education is raised and you turn out a larger number of specialists, but the question is, can we afford to set up a number of institutions for this purpose. The answer to this question must be in the negative. Only the other day an incident happened at Gujrat which led me to think that it would indeed be a blessing if we had an X-ray expert at Gujrat, but when I took into consideration the fact that a great many places in this province have not got the chance of receiving even the most elementary medical aid, I revised my opinion and came to the conclusion that it was not yet time to think of obtaining the services of specialists at each and every place in the province. We should try, in the first instance, to obtain the services of ordinary doctors and then we can think of experts and specialists.

The Government has been pleased to sanction the opening of 60 to 70 hospitals every year for which we are deeply grateful to it. But here, too, we find a fly in the ointment. The Government is giving at present a grant for the maintenance of a hospital in Gujrat but our district board says that when the Government stops this grant wherefrom are they to get money for its maintenance. The hospital is there but where is the money to come from for its repairs? Under these circumstances, it would be futile to extend the course of studies for another year. We should try to produce as many doctors as possible and then we can think of having experts. The question facing us is not of money alone but there is also the question of extending the course of studies by another year with all the incidental expenditure.

Only a short while ago, we were discussing the resolution regarding the opening of *unani* and *ayurvedic* dispensaries. The honourable mover of this resolution would have been well advised to have dropped this resolution. He should have tried to see the result of the motion. He should have seen whether the *unani* system of medicine is more useful for the rural areas or the allopathic system of medicine. If you adopt the resolution under discussion you will be doing a disservice to the cause of *unani* medicine in this province.

The municipal committees and district boards have not got chestfuls of money so that they can spend it on anything and everything. Every municipal committee and district board has to prepare its budget statement and has to divide the money at its disposal amongst various heads of expenditure. If a district board can spend only Rs. 500 for the maintenance of a hospital, it can not surely give Rs. 700 by simply passing a resolution to this effect. If things are to be achieved by passing resolutions alone we might as well ask for the moon. However, if the Government can afford to spend medicines for the encouragement of *unani* as well as the allopathic systems of medicine, it is welcome to it and we should only be too glad if the Government does so. It is no use suggesting that money should be spent on this item and that item when we have got no money at our disposal.

When the Government declared its intention of opening cheaper rural dispensaries in the province, there were only two men available for this in the whole of the Gujrat district. There are no qualified doctors in rural areas and they have got to be imported from towns like Lahore and Amritsar. We, the rural people, thank our stars that we are in a position to obtain doctors at little cost and can establish cheap dispensaries and it would be in the interest of the country at large if we can have well equipped dispensaries and a larger number of doctors. It would be unfair if at one place we have got specialists while other places are entirely deprived of the most elementary medical aid. The resources of local bodies are strictly limited and there are a large number of students who wish to join the medical school. The district boards and municipalities will never be in a position to meet all the demands on their purse.

You are well aware of the fact, Sir, that whenever we have any urgent scheme on hand the Government insists upon our providing half the cost of the scheme and as the municipalities and district boards are not well-off they cannot fulfil the condition imposed by Government, and the result is that we have not been able to carry out the schemes which have been approved and sanctioned by Government for lack of funds. I would, therefore, request the Government to do away with this condition of providing half the expenditure because you are thereby depriving the poor of their dues and laying down the principle that people who can afford to pay more money will have the benefit of a larger number of the amenities of life, such as medical aid, roads, etc.

As an honourable friend of mine pointed out money should be no consideration when it is a question of life. I quite agree with him and urge most respectfully that it would be in the interest of the country at large to have a larger number of cheap doctors. With these words, Sir, I oppose the resolution.

Sayad Muhammad Husain (Montgomery (Muhammadan), Rural (Urdu): Sir, after hearing the various speeches on the resolution under discussion I have come to the conclusion that the position of the Honourable Minister for Local Self-Government is indeed a pitiable one. He is on the one hand called upon to give effect to the resolutions passed by this Council because he is a representative of the people and is in charge of transferred subjects and on the other hand he finds it difficult to coax the Honourable Member for Finance to give him sufficient money for carrying out the wishes of the Council, to which he is responsible. His position is indeed an unenviable one. He was only a short while ago called upon to open unani dispensaries and obtain funds for the same and now he is asked to get more funds for extending the course of studies at the Amritsar Medical School. He has to carry out, on the one hand, the wishes of the representatives of the people and on the other hand he has no money to give effect to them. It is indeed a conundrum for him to solve....

Mr. President: Will the honourable member please speak to the question now before the House?

Sayad Muhammad Husain: If we say that by carrying out our wishes he will have to obtain more funds from the Government he says that

[Sayad Muhammad Husain.]

the members of this Council do not realise their responsibility and it is just possible that the Simon Commission will be adversely affected.

Mr. President : I will again ask the honourable member to speak to the question.

Sayad Muhammad Husain : The question is this, that our demand that the course of studies at the Amritsar Medical School be extended to five years is not a negation of the fact that we do not realise our responsibility in this matter. I want to tell him in no uncertain terms that we do realise our responsibility and I wish to proclaim this fact by beat of drums that the reforms are so defective that our Ministers have got no powers at all. They are mere figure heads.....

Mr. President : Order, order. It is the third time that I have asked the honourable member to speak to the question. I do not think the honourable member holds a brief for advocating the cause of the Minister, who can take care of himself and his departments.

Sayad Muhammad Husain : Sir, the fact is this, that the Honourable Minister should at least concede this much that if the course of studies at the Amritsar Medical School is extended from four to five years, it will not do harm to the public or for the matter of that to the province as a whole. If the standard of medical education is raised and there is an increase in the number of well qualified doctors it will redound to the benefit of the country inasmuch as the people will have more reliable doctors at their disposal.

Now as regards the question of increased expenditure, I submit, that the only way of meeting it is that the fees of the students may be raised and if the Government sees its way to accept this resolution it will do a lot of good to the people and the Government will not stand to lose anything by it.

Rai Sahib Chaudhri Chhotu Ram (South-East Rohtak (Non-Muhammadan), Rural]: I am afraid I cannot support the resolution that has been moved by the honourable member, Sir Abdul Qadir. The honourable member representing the city of Lahore seemed to suggest that money should be no consideration whatsoever. It would be a very bad state of things if a Government takes really the same view as the honourable member for Lahore. Government is not in possession of limitless funds and therefore Government has to be very careful as to the way in which it spends money. Then again it is not only the Government that is affected but at least there are two other classes which are affected. One other class which is affected is the local bodies, district boards and municipalities. If our future sub-assistant surgeons have to undergo a five years' training naturally they will expect and demand a higher pay and morally there will be considerable force in their demand if they ask higher pay than Rs. 70 which is now paid to them. The local bodies, district boards and municipalities, engage a fairly large number of sub-assistant surgeons. The financial condition of local bodies is a good deal worse than that of Government. Their means are very strictly limited and it would be absolutely impossible for them to maintain even the existing services if there were to be any substantial increase in the pay of any class of their employees.

Next to local bodies come the students themselves. Even now students from poorer classes and backward areas are afraid to join the medical school. If the course is increased from 4 to 5 years the result will be that the admission of students from backward areas and of poorer classes will be still further hampered. So it is not only the Government which has to take into account the additional expenditure which will have to be incurred by making the course one of 5 years instead of 4, but also the local bodies and the students themselves who will be very materially affected. The object of the honourable mover seems to be that these sub-assistant surgeons should have a registrable qualification. My answer to that is that those who are really desirous of having a registrable qualification should not go in for their medical education at the school at Amritsar, but they should join the Medical College at Lahore and that will solve the difficulty. If the desire for more efficient medical education is really very keen in the minds of the future generation of students, they should join the Medical College at Lahore and not the Medical School at Amritsar. I do not know if there is any other desire at the back of these sub-assistant surgeons' mind. But the obvious remedy for the present complaint seems to me to be to join the Medical College at Lahore and undergo the five years' course given there. But if there is to be an addition of one more class to the Medical School at Amritsar, Government itself will have to incur considerably more expense. In the first instance they will have to provide additional accommodation for the students. Then again in order to obtain a registrable qualification I think it is necessary that the students should attend a certain number of labour cases and so Government will have to provide accommodation for a labour block also. Thirdly a large number of professors and more highly paid ones too will have to be employed. All this means a considerable advance upon the present expenditure which is required for the maintenance of the Amritsar School. But as I said in the beginning it is not only the Government which is concerned in this additional expenditure but also the local bodies and the students themselves. Already the resources of the local bodies are very strictly limited and surely a very large number of students who are desirous of receiving medical education will be prevented, on account of their poverty, from attending the medical school if they have to undergo a five years' course instead of four years. On account of these difficulties I am unable to support the resolution which has been moved by my honourable friend Sir Abdul Qadir.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) (Urdu): Sir, the object of this resolution is that students who obtain medical diplomas from the Amritsar Medical School after undergoing a training of four years should now be called upon to undergo a training of five years with a view to complete their medical education. If the honourable mover of the resolution desires that the standard of medical education should be raised I am at one with him. In other parts of the world the standard of medical education is the same for all, but here in India, the Government has created two different standards of medical education with a view to meet the exigencies of service. There is a higher standard of education for those who want to get their M. B., B. S. degree and there is a lower standard of education for those who are content with becoming sub-assistant surgeons and it is for this latter class of people that a medical school has

Hon'ble Malik Firoz Khan, Noon.]

been established at Amritsar. The people belonging to the latter category are employed in the Military department or serve as sub-assistants surgeons in charge of rural dispensaries.

If the object of the honourable mover of this resolution is simply to raise the standard of medical education in the Amritsar Medical School so as to bring it on the same level with the standard of education in the Lahore Medical College, then I wish to tell him that this object cannot be achieved by the resolution under discussion, because it would simply mean duplicating the work which is already being done at Lahore.

Now the question is, what is the difference between the education imparted at Amritsar Medical School and King Edward Medical College, Lahore, respectively. To this question my reply is that there is little or no difference between the two as far as the subjects are concerned. The courses of study in both the institutions are the same and if there is a difference it is in the number of lectures. The number of lectures delivered at the King Edward Medical College is larger as compared with the number of lectures in the Amritsar Medical School. That is the only difference between the two institutions.

I may also point out that the spheres of utility of the two classes of doctors are different. The diploma holders of the Medical School at Amritsar are meant for the Military department and they also serve as sub-assistant surgeons in charge of rural dispensaries and for the performance of these duties their medical education is considered sufficient. As regards the graduates turned out by the King Edward Medical College they can and are being utilised in tahsil dispensaries, and district headquarter hospitals.

I may also mention that the question under discussion has already been brought to the notice of Government in the form of a suggestion that the Medical School at Amritsar, be abolished because the standard of education at the said school is indeed very low as compared with the standard of the Lahore Medical College. Another reason given for the abolition of the said school was that the number of graduates turned out from the Lahore Medical College is large enough to make it useless for the Medical School to turn out more diploma holders and thereby increase the number of competitors in the field.

Now the crux of the whole problem is that if the standard of medical education is to be raised at the Amritsar School, will it not amount to the opening of a second college at Amritsar, which on the face of it is absurd because if the students at the Amritsar School receive training for five years, they will demand more pay when they come out.

As matters stand at present the King Edward Medical College has been turning out from 60 to 70 graduates every year during the past years, and the Punjab Medical Department has not been able to supply them with billets, and matters have come to such a pass that graduates of the said college are offering themselves in places meant for sub-assistant surgeons, and have actually obtained service as such. If, therefore, you want full-fledged graduates you can have plenty of them from the King Edward Medical College, Lahore, and it is, therefore, unnecessary, to open another college at Amritsar, for that is the essence of the resolution under discussion.

There is one thing more which I have to say. We are opening 60 to 70 dispensaries every year and for this purpose we are giving grants-in-aid to the district boards. These district boards are employing diploma-holders from the Amritsar School at Rs. 70 per mensem and are giving Rs. 100 to the graduates of the King Edward Medical College, and if we extend the course of studies at the Amritsar School, it would mean that the diploma holders of the said School will demand more pay, which it will not be quite convenient for the district boards to pay.

Then comes the question of private practice. When full-fledged graduates are available for this purpose, where is the necessity for increasing the number of competitors by raising the standard of medical education at the Amritsar Medical School?

The honourable member for Lahore was pleased to remark that it would be advisable to extend the course of studies at the Amritsar Medical School and that in future only such students should be taken in this School as have passed the F. Sc. examination. This, I submit, is tantamount to saying that another medical college be opened at Amritsar, which, as I have already pointed out, is not desirable, because it would amount to a duplication of the work now being done at Lahore.

In the end I wish to point out to the honourable mover that this resolution will not do any good to the sub-assistant surgeons. You are proclaiming by beat of drum that their medical qualifications are of a lower order and it may do them some harm. Again if you wish to cut off the supply of sub-assistant surgeons you will be depriving the province of the services of doctors, who are badly needed in rural areas as well as in the Military Department. If the Council adopts this resolution the public will be deceived into believing that the material turned out at the Amritsar Medical School is the same as that turned out of the Lahore College, which is not the desire of any one to do. I would ask my honourable friend under the circumstances to withdraw his resolution.

Shaikh Sir Abdul Qadir : Sir, after having invited the attention of the House to an improvement which I considered very necessary but seeing that a large number of speakers have spoken against it, I do not think I will press this resolution. I ask for leave to withdraw it.

The motion was by leave withdrawn.

RESOLUTION RE RURAL SANITATION.

The following resolution in the name of Mian Ahmad Yar Khan Daultana was not moved:—

"This Council recommends to the Government that a committee consisting of officials and non-officials belonging to rural areas be appointed to consider and report on the best means of improving rural sanitation."

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF INCOME TAX TO THE ASSESSMENT OF LAND REVENUE.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhamadan), Rural], (Urdu) : Sir, I beg to move :

"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."

[Rai Sahib Chaudhri Chhotu Ram.]

Sir, this resolution mainly aims at relieving the poor zamindars of the burden of land revenue which is at present most heavily weighing with them. Its other object is to ascertain if any such provision is being made in the present Land Revenue Bill. It is further to be seen how much burden is placed on the class of smallest holders. To begin with, let me define the exact scope of my resolution. Its words are simple and its object is clear, although it appears from private conversation that there is certain misunderstanding regarding its scope and its effects. Some honourable members of the House perhaps think that my resolution proposes to shift the burden of land revenue from the shoulders of the owners of small holdings to those who own large areas of land. Sir, let me assure those who have this misgiving that this resolution aims at nothing like that. No such construction can possibly be put on its words. What it means is simply this that some relief may be given to those who are at the bottom without putting any extra burden on the people above.

The Honourable Mian Sir Fazl-i-Husain : And still the land revenue is to remain the same ?

Rai Sahib Chaudhri Chhotu Ram (*continued in Urdu*) : My resolution does not say that it should remain the same. Sir, my point is that the owners of small holdings may either be relieved of their burden altogether or to an appreciable extent, but in each case their burden should not be shifted to the shoulders of well-to-do zamindars.

Mr. President : May I ask the honourable member if the principle underlying his resolution is covered by any of the clauses of the Land Revenue Bill ?

Rai Sahib Chaudhri Chhotu Ram : No, I do not think so.

The Honourable Mian Sir Fazl-i-Husain : My honourable friend Chaudhri Sahib seems to be cornered to-day.

Rai Sahib Chaudhri Chhotu Ram : No, Sir. My resolution is quite simple. It requires that the principles similar to those governing the assessment of income-tax should be applied to the assessment of land revenue. For instance, a certain minimum income may be exempted from the operation of land revenue. An annual income of 2,000 rupees is exempted from the operation of income-tax. In the case of land revenue also there must be an exemption of a minimum income.

The Honourable Mian Sir Fazl-i-Husain : What about the question of super-tax ?

Rai Sahib Chaudhri Chhotu Ram : I am coming to that also. If the Government is prepared to accept the principle of exemption of a minimum income, I would have no objection to the imposition of super-tax. The zamindars who derive from their lands large incomes say forty or fifty thousand rupees a year must pay super-tax. But it would make no difference because my object is to secure the exemption of a minimum income. The next principle which I wish to be applied to the assessment of land revenue is the same which is applied in the case of owners of factories and other business concerns. The capitals spent on them are not not subject to income-tax. It is not the income that forms the basis of assess-

ment. Similarly the value of the land and the cost of cultivation should be accounted for and the land revenue must be charged on the net income derived therefrom. Next comes the principle of graduation. The land revenue must be charged according to the income derived from land. It must be increased or decreased according to the rise or fall in the income. By this I do not mean that the burden of the poor zamindars should be placed on others. It is far from my mind. But my point is that the landlord may be charged land revenue on the same principle according to which the money lender is required to pay income-tax. The imposition of a super-tax payable on large incomes would not matter at all if the relief proposed by the resolution is given to the zamindars in general. There is a very limited number of those zamindars whose annual income would be subject to super-tax. Moreover the super-tax is charged at the rate of 0-3-0 per cent. per annum. The state of affairs obtaining now-a-days in the country is quite different from what it ought to be. The amount charged from the zamindar on account of land revenue bears no proportion with that charged from the money lender on account of income-tax. Sir, I do not object even if the Government may charge us half of the net assets, provided they should fix them after deducting the value of the land. I am sure that the annual income derived from non-agricultural property by means of income-tax cannot exceed half the net assets. It would be much less.

Sir, after explaining some of the principles to be applied to the assessment of land revenue, I request the honourable members of the House especially those sitting on my left to come forward and vindicate the cause of the poor cultivators. This is an occasion to show their much boasted sympathy with the owners of small holdings. This resolution does not afford so much relief to the landlords as it affords to those who belong to the class of smallest holders. I hope the honourable members who always allege that their sympathies are with the owners of small holdings rather than with the landlords, would support my resolution. It has always been alleged by the Government that the zamindars are law-abiding people. They fill up the coffers of the Government. They are very useful people. They are backward in education and so on. It is now for the Government to show that they really feel what they profess. The discussion of this resolution would certainly show how much the Government feels for the zamindars in general. Sir, the moral courage of the zamindar members of the House is also on trial. I realise that their position is rather a difficult one. They are in the state of indigence. They cannot afford to lose the official favour. Whenever the Government is opposed in this House the zamindar members look to one another's faces and manage to slip away on some pretext. To-day we will see whether they care for the official pleasure or for the welfare of their poor brethren. In fact if they would support the cause of their brethren, they would be safeguarding their own interests. They would not stand to lose but would gain instead. There are very few zamindars whose annual income may be two lakhs or above and even if this resolution is accepted they would be paying less than what they pay at present in the form of land revenue, provided of course it is assessed on the principles governing the assessment of income-tax. Sir, there is another reason which has necessitated the intro-

[Rai Sahib Chaudhri Chhotu Ram.

duction of this resolution and that is this that the land revenue system prevailing in the country is a very harsh one which adversely affects the best interests of the zamindars and impedes their general progress. The most glaring defect of the system lies in the fact that not even a marla of land is exempted from the payment of land revenue. I am sure that such a harsh system does not prevail in any of the civilised or semi-civilised countries of the world. According to this system we have to pay land revenue in respect of every inch of agricultural land. In the case of income-tax an annual income of Rs. 500 was exempted from taxation in the first instance, then an annual income of Rs. 1,000 was exempted and finally the exemption was extended to a minimum income of Rs. 2,000. Sir, while fixing this limit it was considered that a person whose annual income might be Rs. 2,000 or less than that, was hardly able to keep his body and soul together. But, Sir, I ask why no such limit is fixed in the case of zamindars paying land revenue? Does this mean that the zamindars do not require food or that they do not eat? Their every thing, bread, butter, curd and milk is subject to taxation and this makes the system still harsher.

Sir, another defect of the system lies in its rigidity and it is very much annoying as well. The land may not yield produce worth a pie but the owner has to pay land revenue in every case. The crops may fail for want of water or on account of locust or they may rot on account of abundance of water but the zamindar has to pay the fine imposed on him in the form of land revenue. The crops may not be worth four annas a rupee but the revenue officers always report them to be worth twelve or fourteen annas a rupee. Sir, under these circumstances, I am constrained to remark that the government's sympathy with the zamindars is merely a lip sympathy and that it does not go beyond its pious professions. Sir, leave aside the remissions of land revenue and take the case of suspensions. When once the suspension of land revenue is granted and after two or three years it is realised all of a sudden the poor zamindars most bitterly feel the pinch. In that case they cannot even enjoy their full harvests. Sir, the system of *batai* was once prevailing in the country. I do not approve of that even. It has also certain defects peculiar to itself. But one thing is clear that the Government under that system could know how much a particular piece of land had yielded or whether the crops were worth four annas, twelve annas or fifteen annas a rupee. Under the present system the reports of the revenue officials do not disclose true facts and, therefore, the Government remains always in the dark. Sir, I know that my resolution will be objected to on some grounds one of which I have already referred to above, that is, those who are opposed to the resolution would say that the burden of land revenue would be shifted from the shoulders of smallest holders to those of the landlords. My resolution does not propose any such thing.

The Honourable Mian Sir Fazl-i-Husain: On whom then this burden should be placed?

Rai Sahib Chaudhri Chhotu Ram: Sir, it is for the Government to decide. It is a matter of detail.

The Honourable Mian Sir Fazl-i-Husain: Would the honourable member please suggest something definite in this connection?

Rai Sahib Chaudhri Chhotu Ram : The Government may calmly consider the matter and say on whom the burden may rightly be placed.

The Honourable Mian Sir Fazl-i-Husain : But how should the matter under consideration be dealt with ?

Rai Sahib Chaudhri Chhotu Ram : The Government can curtail its expenditure, can revise its sources of revenue. It is possible that the Government may thus be able to find out a way to solve the problem. Sir, the question at issue is whether the demand made in the resolution is justified. Is it not in the fitness of things to accord the same treatment to zamindars which is accorded to non-zamindars under Income Tax Act. I for one at least cannot see any reason why the same treatment should not be accorded to the zamindars. They must be relieved of this inequitable taxation. Sir, probably the Government would ask me how I propose to make up the deficiency in revenue that is likely to happen in case the smallest holders are relieved of their burden. That is an apparent difficulty and in order to solve it I have proposed 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. I do not like to see any violent change to be made in the revenue administration of this country. I have given a period of forty years to the Government for the fulfilment of the object of my resolution. I am sure if Government care to act upon the resolution they would be able to solve the difficulties pertaining thereto. Sir, the last part of my resolution says that for the purpose of fulfilling its real object, a beginning be made as soon as possible, preferably in the present Land Revenue Bill. To achieve this object I propose that a certain minimum area of land be declared exempt from the payment of land revenue.

The Honourable Mian Sir Fazl-i-Husain : For instance ?

Rai Sahib Chaudhri Chhotu Ram : It is for the revenue officials to decide. There is a good number of them employed in the Punjab. Let them decide in favour of exemption of one or two acres of land in the first instance. One thing more should also be done, that is, the net assets should be fixed after deducting the value of the land and if it is done then whatever the Government or its officers propose would have our support. With these words I commend my resolution for the acceptance of the House.

Mr. President : The resolution proposed runs :

"This Council recommends to the Government 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.

The question is that that resolution be adopted.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I intervene at this early stage of the debate (*A voice : Urdu*) I think honourable members know that Hakim Sahib is here to translate the English speeches. Let him translate my speech if any member so desires. Moreover that will help towards thorough discussion as desired by the honourable mover of the resolution.

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

Sir, I intervene at this early stage of the debate with the sole object that thereby I may place certain points of view before the Council which will help it to discuss this important subject with that seriousness, with that interest and with that anxiety to arrive at a correct decision which the importance of this subject certainly deserves. What it is that is before the House, I will presently state. But before doing so, I should like to state what I consider general principles the observance of which will facilitate the discussion and enable members to arrive at a correct decision. The first principle, I take it is that the recommendation to be made should be such as is reasonable and practicable. If the recommendation is very attractive but is more ideal than practical then I venture to submit that that recommendation is not a fit one to be made by a legislature which has a reputation for sanity and practical common sense. Again if the recommendation made is such that is obviously beyond my humble powers to mould into a practical scheme to which I could obtain the assent of my colleagues and of the Government as a whole and subsequently of the Government of India and later of the Secretary of State, it would be really not much use making such a recommendation and knowing perfectly well that however anxious I may be to carry out the wishes of the Council I have not the ghost of a chance to succeed therein.

Then, after this general statement, I would like to lay down three propositions to which I trust the Council will agree. The first is this, that there is no part of this House which believes, seriously believes that the province, at its present stage of development, does not need ever-increasing revenues to meet the needs of development. I trust honourable members realise that the Punjab has not yet reached the limit of its development and that every year more and more revenue is needed to complete the various programmes of development whether in the educational line or the medical line or the public health.

Only earlier this afternoon we heard about the wretched condition of the Public Health and Medical administration owing to lack of adequate institutions for relief. Surely, additional measures of relief, whether of the western or of the eastern type, cannot be procured without incurring definite and heavy expenditure. I have mentioned only two. But perhaps the Honourable Minister for Agriculture will blame me if I do not add to the list a very important department on which the prosperity of rural Punjab depends, the department of Co-operative Credit, as also the departments of Agriculture and Veterinary. These are expanding departments. It would be improper to check their development or their growth. These departments, comparatively speaking, are still in their infancy. It would again be wrong if, having been a member of rural party myself for a long time, I fail to mention a very very important department indeed, that of industries in which very little has been done and where a great deal should be done before the Punjab as a whole can be considered to be fully developed. Assuming, Sir, that the House agrees with me in the programme that I have indicated, you will permit me to add that I believe that all members of the House desire that other departments of Government which are held by me as also by my honourable colleague on my left, should also be transferred

and when they are transferred it will also be the desire of the House to overhaul important departments like that of Jails in the improvement of which this Council has been so keenly interested. Again take the Police department which after becoming transferred may receive more affectionate treatment than it has received in the past. Honourable members may realise that the pay of a constable is not a living wage. How are all these charges going to be met unless it be from the revenues of the provinces? Surely honourable members do not expect that Government members practise some sort of *kimia* (alchemy). If I am right in assuming that honourable members have before their mind the picture of these departments which need re-organisation, which need expansion, which need development, they will realise that to talk of saving expenditure in the existing administration is not really a business proposition at all. If you are an irresponsible critic and you are very much hard put to it and if you have to get out of your difficulty in some way or other than you resort to the simple formula 'reduce your expenditure.' But unless you are in a position to say 'here I lay my finger where you can effect economy,' how are we to take action? I was one of those who in the first Council after the Reforms had devoted long days, weeks and even months to this problem; but the result achieved in spite of the most whole-hearted co-operation of the then Financial Secretary was not much and since then we have realised that the economies effected were small and that in the interests of a free development those cuts also had to be restored to the budget. Therefore, I take it that the honourable mover knows perfectly well that barring a few thousands, perhaps a few lakhs, there is no scope for economy in the matter of expenditure which is already being incurred and that every year the amount of money needed is bound to be on the increase. So I take it that any curtailment in the land revenue income, if approved by this House, will have to be made good in some other way. It is best to be frank and face facts boldly. How do we derive our revenue, is the question the honourable members should answer before they can formulate a decision on this resolution. Roughly speaking—I am giving only rough figures—just to have a general picture—3½ crores come from land revenue; 4 crores from *abiana*; 1½ crores from excise which, no doubt, a large number of members would like to see scrapped; 2 crores from court fees and stamps which also honourable members would like to see very much reduced; and 1 crore from miscellaneous, like forests. *Abiana* is one of the items which the honourable member from Montgomery and the honourable member for the Hindu landowners would like to see reduced. I cannot put my finger on any of the items of income which has not already been pointed out by some one member or other as the item which ought to be reduced, and I cannot think of any single item of revenue which it has been suggested by any member should be enhanced. Therefore how am I going to get my total revenue of 12 crores? Again forest is an item from which we cannot hope to get more. Would you like the revenue on excise to increase? Obviously not, because the demand in the House has been very persistent that it should continue to decrease till it vanishes altogether. Stamps—we are going to discuss it to-morrow—should also be reduced. Then we are left with two items which are the main items and which some people

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

with Bolshevik tendencies might advocate should be further increased. These are *abiana* which, it is alleged, is derived from the rich, though I do not admit or deny it, the other item is land revenue itself. Now what is the object of this resolution? The first object is that some relief should be given to the people who are at the bottom, a proposition which I myself heartily endorse. That is a proposition with which Government is in entire sympathy. Now let us be sure as to who are the people who are concerned. If it is alleged that people who own 2 or 3 acres and less should be given relief, the honourable member must realise that 3 acres of land in Lyallpur is worth at least Rs. 1,500 whereas 3 acres of land in Hissar may not be worth even Rs. 8. Now how are you going to lay down your principle? Should your relief depend upon the price or upon the number of acres? There are all these points to be considered. However, I do not wish to make much capital out of these things. The honourable member has stated that these are points of detail. But I do not agree; they are not points of detail. They are very important and vital points. Whatever your principle might be, one thing remains and that is that you are reducing the land revenue by a certain figure. Now how do you propose to make it up? By my process of elimination I showed that that must be made good either by other land revenue payers or by those who pay *abiana* on the assumption that every payer of *abiana* is rich enough and will make good the deficiency in revenue wherever it occurs.

That again is a suggestion which it is not my business either to accept or to reject. It is for the Council to decide whether there is some truth in it and if so what amount of truth there is and if really the shoulders of the *abiana* payers are broad enough to bear the extra burden, my honourable colleague, the Finance Member, may have no objection to get his money either from the one source or the other, as long as it is well understood that money for provincial development must be forthcoming. Therefore, Sir, let us settle down to think and think, hard assuming that this reduction is to be made and this relief is to be given to the extent of, let us say, a crore of rupees, how are we going to make good this amount of money? One way is, without disturbing the *abiana* payers, to put this burden on those who still pay land revenue. There is nothing unreasonable in the proposal. Assuming that 8½ crores is obtained from land revenue and assuming it is our desire to relieve the lowest strata of land revenue payers, it is but reasonable that the relief given to the lowest must come from the higher. You can do that either by distributing the burden evenly on all or by introducing the system of graduation. For instance, let the class who are immediately above the people to whom you have just given relief pay what they are paying now and the one above them pay 25 per cent. extra and the one above them 50 per cent. extra and so on. Let not honourable members be afraid of this proposal. It may not come. But if we are going to be good to others we have to make some sacrifice. Still it may hit hard, but then if we are going to be good to others, it cannot be done without some sacrifice.

Dr. Sir Muhammad Iqbal : It can come from the pockets of highly paid officers.

• **The Honourable Mian Sir Fazl-i-Husain:** How much and from how many? It may so happen that some of the people who desire that it should come out of the pockets of highly paid officers may themselves be holding one of those offices and then they will be quite as silent as we on this bench are. A closer study and consequent understanding of the budget will convince the honourable member from Lahore that the total amount spent on the highly paid officers does not go even beyond twenty lakhs, not to talk of one crore of rupees. It will now be realised that the problem is a serious one and a difficult one and that it cannot be disposed of so lightly as the honourable mover tried to dispose it of.

I mentioned three points. The first one was claims of provincial development and the second one was the source of revenue. Supposing there are three strata of assessment, one is the assessee who is going to get relief, then the upper one and then the uppermost. I am sure this burden of one crore will weigh very heavily on the higher strata and the middle one too. And it reminds me that in England it is this very thing the rates that tell heavily and that have resulted in beautiful pastures existing in England but very little agriculture land. (*A voice:* death rates). They can also come in. That day for all of us is not very far off. However I would not take up that point because then the discussion would become very much prolonged.

My third point is this. It has been said that there are people who pay no tax and it is the holder of a small bit of land who is the one who pays all taxes. Well, Sir, no one, I claim, has greater sympathy with the small land-holder than my humble self, but it would not be right on my part to say that land revenue in every case falls on the man who pays it. Every consumer of grain does indirectly pay land revenue. Surely land revenue does form part of the price which the producer charges for the grain that he sells. I do not think it would be right to assume that the incidence of taxation is entirely on the small land-holder. As long as he has a certain amount to sell, the incidence is on the consumer of that grain as well.

Having made these general points, Sir, I will proceed to say what are the points at issue between the honourable mover and myself. What does he want? He has stated frankly that what he wants is relief of the poorest class, roughly speaking by one crore of rupees or by three-quarters of one crore. Realising the weakness of his position in naming the source where from the deficit should be met, he promptly referred to the term of forty years mentioned in the resolution. He failed to mention by what stages this relief has to be given. Does he mean that a crore of rupees has to be split up into forty stages, 2½ lakhs to be released every year? Or does he mean that we should continue thinking deeply over this problem for the next twenty years and then start giving relief? Or does he mean that at all events during my term of office I can continue to think over this matter and hand it over to my successor. (*A voice:* That would suit you best). I assure you, Sir, that either this system is to be adopted at once or not at all. There are no stages in it. Either assessment of land revenue is to continue according to the method now in force or it is to be entirely revolutionised and transformed into income-tax on agricultural income.

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

I hope I have made my point clear. There is no question of gradually approaching the realisation of income-tax principles as applied to land revenue. If the trick is to be done it can be done at any one time either now or forty years hence or at any particular stage during this period. If I am right in this, Sir, does not the resolution resolve itself into this that we recommend that land revenue be abolished and income-tax on agricultural incomes imposed instead? This is so far as I can judge the purport of the honourable member's resolution. If this Government were an independent government standing by itself having nothing to do either with Delhi or with Whitehall, something might have been said for the proposal. Something might have been said for our thinking deeply over it, trying to arrive at a decision, trying to evolve some scheme to meet the wishes of the honourable mover or of this Council, but land revenue in India is a vast system which has a history of its own, an ancient history at that. To expect that all that ancient history will be abandoned, that any Government would be strong enough to break with the past and start upon a new experiment altogether, I must say I do not at all see the possibility of this Government or the superior Government undertaking that business. The honourable members are not unaware of the long delay between the preparation of the Land Revenue Bill and the assent obtained for its introduction in this Council. There were many resolutions during the period of one and a half years or possibly two years which it took to introduce that Bill. No one is better acquainted with this Bill than the honourable mover of this resolution. Does he seriously believe for a moment that his proposal as interpreted by me and he has expressed his approval of my interpretation by the shake of his head—has the slightest chance of even receiving a favourable consideration? I have not the slightest doubt that the authorities high above would be likely to attribute such a proposal to the waywardness of our minds if we propose that land revenue should be abolished and income-tax substituted in its place. The proposal is nothing short of that, so far as I can understand.

The honourable mover proceeded to lay down three points which he said are the essence of his scheme and the essence of the income-tax assessment principle. The first one was, he said, exemption of certain incomes. That I have already said can be done provided the amount lost through carrying out that is made good by the people above under the income-tax on agricultural incomes. The second principle, he said, was graduation. I am sure we will have no objection to graduation provided we secure the total due from this head to the Province.

The third thing he said was rigidity of system; that this system was very rigid. Any system would be rigid. By rigidity, I presume, he means that what is laid down in the system must be carried out. Income-tax is a rigid system because if a man gets Rs. 2,000 or more, he pays it, and if he gets Rs. 1,999 he does not pay. There is that rigidity about it. If the honourable mover meant that the system was harsh inasmuch as there was no minimum income that was exempted, then it is not a new point; it is covered by the first point which he took up. One thing, however, I must make clear to the Council, and that is that there is no harshness in the

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF 89
INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.

administration of the land revenue department so far as I have been able to ascertain. Is it not a fact that when the cotton crop in the *khairif* of 1926 was below the average, even when there was no agitation set afoot, this Government without hesitation before the collection was taken in hand at once issued orders reducing the demand due for the crop? Is it not a fact that throughout the Province intelligent zamindars were vociferous in the expression of their gratitude for that measure? Surely it would hardly do justice to the representative capacity of this House if it gave expression on points of such importance to sentiments other than those of the constituents whom they represent. Therefore, Sir, so far as the question of rigidity is concerned, it is a matter of administration and it is up to this House to see that Members in charge do not administer their departments in a harsh or unpleasant way. I said about two years ago when I took over charge as Revenue Member that although I was taking over a reserved portfolio, it was my desire to so administer it as if it were a transferred subject; but that can be done only through the co-operation of this House and by its being reasonable in its demands, and not giving me tasks that it is beyond my power to accomplish. When they give me something to do which is beyond my power, surely they are not treating me well.

The Council then adjourned till 2 p. m. on Thursday, the 28rd March 1928.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
365 PLC-300-143-25-BGPP Lahore,

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 23rd February 1928.

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

RESOLUTIONS.

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.

Mr. President : The Council will now resume discussion on Rai Sahib Chaudhri Chhotu Ram's resolution.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I was saying yesterday that the task to be set to me by the Council should be such that I, with the best efforts that I can put forth, should be able to accomplish. Here we see that history, tradition, large interests at stake all indicate that the present constitution of the provinces and of the Government of India does not admit of revolutionary change. It does admit of certain advance, it does admit of a certain amount of progress on socialistic lines, but it certainly does not admit of a revolutionary change. What have we now got in hand ? We have got a Land Revenue Bill which this Council referred to a select committee and of which select committee the honourable mover of this resolution is a distinguished member. In the present resolution the honourable mover says that in that Bill the principle underlying his resolution should be introduced. May I point out to him that the present Bill professes to codify the existing practice and further promises when codifying that practice to codify it in such a way as to secure, if possible, a mild advance on the present practice, in the interest of the zamindar. But that Bill does not profess to abandon the present system of land revenue assessment. The present Bill does not in any way profess to introduce the method of income-tax in the assessment of land revenue. I am stating that, Sir, absolutely frankly so that there may be no misunderstanding in the minds of the honourable members. If by this resolution this Council decides that the principles of income-tax should be introduced, it is obvious that by that resolution this Council is holding the view that the principle on which the Land Revenue Bill has been framed should be abandoned. Does it not amount to this that on one day this Council by referring that Bill to the select committee holds that the principle on which the Land Revenue Bill has been framed is acceptable to it and is one that it would like to be improved upon but not abandoned, and to-day a resolution is being brought forward demanding that that principle should be altogether abandoned and a new principle introduced ? If the honourable mover of this resolution has said

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

that he would like himself to introduce a Bill by which the Land Revenue Act should be repealed and a new income-tax on landed estates introduced, that would have been quite intelligible. But when he says, keep the present Land Revenue Bill and therein introduce this system, I venture to submit that it is a position which is altogether untenable.

Then, I want the honourable members of this Council to address their minds to this dilemma. What do they want? If they want a Land Revenue Bill, then all that they can say is, let us have one. Of all the suggestions put forward by the honourable mover, the only one which relates to the Land Revenue Bill, is whether in the matter of net assets, it is not possible to consider the question of the value of the land. That is relevant to the inquiry, but it is contrary to the present practice. It can, however, be argued, but I do not recognise for a moment that that argument is good, but it can be argued that that also should be taken into consideration. No other part of the honourable member's speech really relates to the principles on which land revenue is based. What the honourable member desires is in my humble judgment altogether unattainable at present. I am not sure whether, when this Council has the power to attain it, it will consider it worth doing or in the best interests of the province as a whole. When it comes to the final step being taken, realising the consequences of it, many a reformer, most anxious to achieve the reform, so long as it does not touch his pocket begins to ponder whether really the reform is worth being carried out. I mean no reflection whatsoever on the *bond fides* of the honourable members who are themselves zamindars. But it is to a certain extent quite fair that they should see whether in their efforts to redistribute the good things of the world they are really doing something which will materially improve the social and economic conditions of the province as a whole. That again is a matter for them to decide, and not I urge quite relevant to the controversy with which we are at present concerned. I was saying, Sir, that the honourable members were on the horns of a dilemma. What is that dilemma? One is that this Council has referred the Land Revenue Bill to a select committee. They know perfectly well that that Bill is an extremely delicate infant. With all the care and nursing that I can give it, I do not really feel sure whether that little infant will survive and achieve babyhood. Any one can kill that poor mite, but all of you must combine to help me to nurse that weakling out of danger so that it may grow, attain maturity and become strong. Whether this resolution will mean infanticide in the matter of the Land Revenue Bill, it is for the honourable members to decide. Whether it should commit infanticide or not, it is up to them to decide, but if I were consulted I should advise them strongly against it. To put it a bit differently, are the honourable members going to give up something which may bring some good, because they are attracted by the willo' the wisp of this introduction of the principle of income-tax into land revenue? Cannot you leave this for your successors? After all, no one of us really considers that the present reforms will be the last to be gained before we reach the dominion status. Should we not be wise in pursuing the Land Revenue Bill, getting it enacted and trying it and seeing how it works, and then later on start this new idea in the hope that it will effect further improvement? What should the honourable members do now?

Two courses are open to them. Either to act as practical men, pursuing practical course of action, or if they prefer continue asking for the moon (Applause).

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I have very carefully heard the speeches both for and against the resolution. The honourable mover of the resolution, as he is coming from a very poor part of the province no doubt, is actuated by a very genuine desire that the poor should be helped. But we have to see whether, even if the Government should accept the resolution and give effect to it, it would achieve the object which the honourable member has in view. We have to see, whether the poor will be helped, even if this resolution, unpracticable as it is, is materialised. What will be the result if this resolution were accepted? The result will be that people owning lands, 2 acres or 4 acres or 5 acres will get remission from the land tax. This will mean that the income of people in the part of the country from which the honourable mover comes, will increase by Rs. 2 or Rs. 3 per year. This is all the sum that will be added to their income. Will it in any way reach the blighted districts of Hissar and Muzaffargarh? To what extent will these districts be benefited?

I would go even further. Muzaffargarh is one of the poorer districts and even if all the land revenue of that district is waived, will that in any way relieve the poor people of the district involved as they are in heavy debt? Take the case of the district of Hissar. The land there is as bad as any other part of the province. If we were to reduce the land-revenue derived from the smaller landholders, what would be the result? No doubt we have to improve the condition of these agricultural people in many parts of the country. The condition of their canals ought to be improved. The rigidity of land revenue should be removed. We have also to take into consideration all the difficulties stated by the Honourable Revenue Member though I do not agree with him to the extent he has gone. Even if you can do something for the poor zamindar, I as a bigger zamindar would be quite satisfied. I would be the first man to bear the burden on my shoulders and there may be others also. But there are many practical difficulties. How many people are going to get relief and to what extent and for how long? All these questions are to be considered. The ultimate result might be that the whole land revenue might be wiped out. Is that a desirable thing? Are we in a position to ask the provincial Government as it is now constituted to substitute income-tax in place of land revenue? I do not think. Whatever it is, what I ask is, is there any guarantee that the people who will be benefited will be the zamindars? Does the honourable member not know that there is another class, the *baryas*? As soon as they know that the small holdings are not assessed to land revenue, will they not buy up small holdings? (Cries of "how, how?"). I am sorry. But still I think they will benefit to some extent. Your idea is to help the poor man. But there are other rich people, lawyers and other big officials who might be possessing small holdings. I can quote cases in Muzaffargarh district of district judges and others owning small plots of land. Thus this resolution if passed will benefit not only the poor man but also the rich man. The *banya* also will benefit by this. All the poor zamindars are involved in debt

[Sayad Muhammad Husain.]

and these *bangas* go and harass them and unless you wash their debt completely all the relief you give them will go to the pockets of these *bangas*. Again one of our aims should be that each zamindar should have an economic holding. But the tendency of this resolution will be not towards the consolidation of holdings but towards the fragmentation of holdings. The question of moral turpitude referred to the other day when discussing the law of pre-emption will again come in here and everybody will somehow or other try to avoid the payment of revenue. So the result will be that we will be inducing the poor but honest zamindars to become 'clever' in this way. But if you want that these zamindars also should be dishonest, then you can do so. Though I do not agree with the Honourable Revenue Member with all that he has said and that this is a very dangerous thing, yet I cannot agree to this resolution. But when improvements are made in the Bill.

Mr. President : Order, order. The honourable member should speak to the question before the House.

Sayad Muhammad Husain : The honourable mover of the resolution is a responsible member and he has also been a Minister for some time. He knows all the ins and outs of the Government machinery. With due deference to what he has said, I say that what he has stated does not support his case. I would have been the first man to side with him and I will side with him when the matter comes up in another form.

Mr. President : Order, order ; the honourable member is digressing..

Sayad Muhammad Husain : I am not digressing. I think he ought to have taken some other course. Throughout my life I have been seeing all the harassment and trouble to which these people are put. Does the honourable member want the zamindar instead of being put to this trouble every 20 or 30 years should undergo the same every year ? Does he want that when the principles of income-tax are introduced as recommended in the Bill, the poor zamindar should undergo all the cross-examination by the patwari or a wakil or the agent who might be employed in the assessment ? In those circumstances the poor zamindar will have to pay more than what he is paying now. The difficulty can be solved in three ways : (1) the removal of the rigidity of the land revenue system, (2) the period of settlement being extended to not less than 50 years.

Mr. President : The honourable member is again discussing the provisions of the Revenue Bill. I think he is wandering away from the resolution before the House and if he does so again, I will have to ask him to resume his seat.

Sayad Muhammad Husain : Under the circumstances I would request the honourable mover to withdraw his resolution in the very interests of those poor zamindars whose cause he advocates ; it is better to discuss this point at a later stage.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban] : Sir, I had not the benefit of listening to the Honourable mover of the resolution yesterday, but I presume that he wants that the principle of income-tax should be introduced in land revenue. I, as a non-agriculturist, would

certainly welcome such an idea. But does the honourable member believe that the payment of income-tax is similar to the payment of land revenue? Perhaps he himself knows that income-tax is tax on persons. Those who pay the income-tax are the people who earn the money themselves by either investing their own capital or by some other means. Land Revenue from time immemorial has been a tax on land. Land has been recognised from time immemorial as the property of the State.

Sayad Muhammad Husain : Question.

Lala Mohan Lal : If you read history you will find that it is so. The privileges that you enjoy under British rule, you never had before. Can my honourable friend say that in the Moghul period they could transfer the land so freely as now? It is only the British Government that has admitted the right to transfer the land.

Sayad Muhammad Husain : The rights were admitted ever since the time of Mannu.

Lala Mohan Lal : I am talking of the Moghul period. History will tell you that. During the Moghul period and from time immemorial the land was considered to be the property of the State. Those who used to cultivate it were under the sufferance of the rulers. When the British Government came into power they continued the system previously in vogue. In the Moghul period also the State used to take a share of the produce of the land from those who cultivated the land, though the rights of ownership, as I have already submitted, were very limited. If the resolution as moved by the honourable member is carried, it would mean that the system that has been in existence for 500 or 600 or 1,000 years will have to be changed altogether. Again, is the proposed system to be applied only to the Punjab or to the other provinces also? Moreover, the Honourable the Revenue Member has pointed out—I have not heard his full speech—that income-tax is an Imperial Subject and the provincial council cannot touch it. Are we authorised by law to impose income-tax in the Punjab in substitution of land revenue? Again the question will arise, where is the income to come from to carry on the administration as it is carried on at present if land revenue is abolished? Perhaps my honourable friend would say that those who live in the city should pay. No doubt we are prepared to share a portion of the burden. But if they would allow us to acquire land, we will also be willing to pay income-tax or land revenue. Again, as pointed out by my honourable friend from Montgomery, he belongs to a district where the holdings are very small. But there are other districts where there are very big zamindars holding hundreds and thousands of squares of land. Now, if the proposed principle is applied to the big zamindars, it will seriously affect them. Sometime ago there was a resolution moved in the Assembly that the income of zamindars should be assessed to income-tax and there was a hue and cry raised against it. All the zamindars throughout India joined together and protested against that resolution. Again there is another point and let my friends contradict it if they can. The land of the small holders is being gradually purchased by the big landholders at very cheap rates. Again, Sir, may I know what is the incidence of land revenue in the Punjab? It is Re. 1-9-0 per acre according to my information. If the

[Lala Mohan Lal.]

principle of income-tax is to be introduced, what is to be the guiding factor? Where should the limit of exemption be placed? I understand that all these points have all been discussed yesterday; so I need not repeat them. I submit the incidence of land revenue is very small. One acre of *chahi* land may be equal to 5 or 6 acres of *barani* land. I think the question of applying the principle of income-tax in the case of land revenue is a cry in the wilderness and cannot under any circumstances be realised.

According to his resolution the whole system of land revenue which has existed for so long is to be abolished. If some of the brainy members like the honourable mover of the resolution put their heads together and devise a scheme by which they tell us how this can be done, then the matter can be considered. But just now I am of opinion that this is an impracticable scheme and not feasible and beyond practical politics. It is all very well to say on paper that this thing should be done and can be done, but I myself feel that even the honourable mover of the resolution would realise that it is a most impracticable resolution that he has put forward before the House for discussion. I have heard that one honourable member two or three years ago moved a resolution that a committee from the Council be formed with an insolvency judge to enquire into the question of indebtedness. Although that resolution was carried by the Council, Government found it impracticable to carry it into effect, although that resolution was not so impracticable as the one that we are now discussing. Does the honourable member who is responsible for it seriously think that the resolution is at all practicable? Will his resolution, as pointed out by my friend from Montgomery, give any relief to the poor zamindars, the holders of small holdings? I submit that it will not. With the remarks that the resolution is utterly impracticable and should not be supported by anyone, I take my seat.

Chaudhri Duli Chand [Karnal (Non-Muhammadian), Rural] (Urdu): Sir, I had no mind to speak on the resolution under discussion, but for the speech of my friend the honourable member for Montgomery. I never expected that any of the zamindar or non-zamindar members of the House would oppose such an innocent and harmless resolution as the one under discussion. I thought that the elected members of the House would accept it unanimously. But, Sir, my feelings are grievously hurt when I see that even some of the zamindar members of the Council like the honourable member for Montgomery have gone to the length of opposing a resolution which directly aims at ameliorating their own condition and the condition of their poor brethren. Sir, my honourable friend, the member for Montgomery has, contrary to my expectations, opposed the resolution under discussion and opposed it vehemently giving no reasons for his opposition. He has, however, placed before the House certain proposals. I am sure that if they are put before the House in the form of resolutions, my honourable friend would even oppose them for reasons known to us all now. I am really sorry to observe that some of the zamindar members of the House have made themselves puppets in the hands of Government. Sir, the question before the House is to afford relief to the owners of small holdings. I know that some of us own squares of land and some are honorary magistrates.

But this should not make us selfish. We must be frank and we should inform the Government that in the matter of affording relief to the owners of small holdings, we would not mind official displeasure and would vote against the Government, if need be. Sir, the poor zamindars are in a very miserable plight. A non-zamindar whose annual income is Rs. 2,000 or below is exempt from the payment of income-tax. Naturally we also desire that some relief may be given to the zamindars as well. We do not propose at present that relief should be given to the same extent to which it is given to the non-zamindars. The Honourable mover of the resolution and his supporters would be satisfied, I am sure, even if only the owners of one acre or less of land may be declared exempt from the payment of land revenue. Sir, you can just imagine how an owner of one acre or less of land can keep his body and soul together. If Government would kindly exempt such cases from the payment of land revenue, I am sure it would not mean much to the Government, because there would be a very limited number of such owners of small holdings in the Punjab. At the most it would lose an income of a few lakhs of rupees annually.

Sir, our future is still more gloomy and dark. The poor class of Indian weavers gave up their ancestral occupation as unprofitable, when weaving machines came into use and they had not the requisite capital to make use of them. Similarly in the near future old agricultural implements would be replaced by modern agricultural implements. The petty landholders would not be able to make use of them on account of want of capital to buy them, while big landlords will be able to do so. Thus the condition of petty zamindars would go from bad to worse. They would be compelled to give up their ancestral occupation. The report of the Royal Commission on Agriculture forebodes evil days for them. Sir, one of the honourable members of the House remarked that land is the property of the State. I beg to submit that he is quite wrong. The land is the property of the sons of the soil. The people of the Punjab are descendants of ruling tribes which conquered this part of the country in times immemorial. Our forefathers did not buy these lands, but they conquered them. There is also a ruling, as I am told, of one of the High Courts to the effect that the land is the property of the sons of the soil. The Royal Commission on Agriculture have also indirectly expressed the same view. To say that land belongs to the Government is groundless and this claim is not made even by Government now. Sir, the condition of petty zamindars is pitiable. For instance, the lambar-dars of the Sub-Tahsil of Guhla in District Karnal offer their resignations only because they feel great difficulty in the realisation of land revenue. Sir, it is the zamindar community which is ever ready to do all that lies in its power for the sake of the British Government. They pay land revenue, fill up the ranks of the Indian Army. They produced a very large number of recruits for the army during the Great War. The Government held out to them a promise that their services would be adequately rewarded, but it has never been satisfactorily fulfilled. I remember the Government also promised that the jungles of Rohtak would be turned into *Mungals* (irrigated areas). But they are still there. Sir, the zamindars are now constrained to think that the Government is very clever and selfish. Naturally a suspicion has arisen in our minds about the *bond fides* of the

[Chaudhri Duli Chand.]

Government. Let them remove it by giving relief to petty landholders. Let them declare at least that the zamindars who own one acre of land or even less than that would not be required to pay land revenue in respect of it. There is no use saying that the spirit of the resolution is inconsistent with the object of the present Land Revenue Bill. We cannot be convinced by such reasoning. With these words I would ask the Government to take time by the forelock and accede to our wishes and thereby remove the suspicion which has arisen in our minds regarding their *bona fides*.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), Urban]: Sir, I cannot help congratulating the Honourable the Revenue Member for a clear exposition of his case. In my humble judgment he perfectly justified his reputation for presenting the weakest possible case in the strongest possible terms (hear, hear). Sir, every weapon that he could employ to intimidate, to overawe and to threaten us, timid members, was not left unemployed. We have, however, to see in spite of all that whether he could successfully put forward any argument which would convince us that the resolution as put forward is such as can not be entertained by the Government at all. Before submitting my own observations before the House I wish to make it quite clear that this resolution was not conceived in a spirit of opposition to Government. The honourable mover did not wish to place Government in an awkward hole, nor do I consider that the supporting of this resolution would make the honourable members seditious. No disaffection is involved in merely supporting the resolution which to my mind is perfectly righteous in its demand. The reasons which have been urged by the Honourable Revenue Member are so general that they can very easily be adopted whenever any demand is put forward by any non-official member which involves either an extra expenditure or a reduction of the source of revenue. When, Sir, a non-official member rises up and puts forward a Bill for total prohibition the same arguments are employed. We are at once asked: who is to bear the burden? How is the deficiency to be made up? The thing is to go to the Secretary of State *via* the Government of India. Everybody is asking for reduction; the province is yet immature in its development; there are co-operative societies; there is the Department of Industries which requires money; how are taxes to be enhanced; the burden would be shifted to the big landlord; the *abiana* shall have to be increased. And all such reasons are employed.

I am fully convinced that if those brilliant heads that adorn the Government benches today are seriously convinced that it is a relief which should be given and if they put their heads together, they will surely find out some sort of solution of the difficulties which we are told beset us. Where there is a will there is a way. No difficulty can be insurmountable. (Hear, hear). It is up to us to see to examine what that demand is and then to determine whether it is really so idealistic that it cannot be entertained at all. I cannot imagine that the heart of the Honourable Revenue Member was never touched when he might have seen actual slices being snatched away from the hungry mouths of half famished children of the soil. We see that this invidious distinction is being maintained between the tiller of the soil and his fellow labourer in the urban centres. When the tiller of the soil comes

before you and puts forward his case before you and asks why this distinction is being perpetuated, you say : ' Look here, if your request is granted, it would involve a heavy reduction in the revenues of the province, which we cannot make up otherwise. We are not prepared to entertain this at all.' Sir the *summum bonum* of every constitutional administration is to provide the greatest possible relief to the greatest possible number. This is not the first time that similar replies have been given to our demands and I would most respectfully submit that in my humble judgment time has come when some sort of enquiry must be instituted by Government just to go into the matter of all heads of expenditure and income and to see whether in view of the demands made by non-official members it is possible to go into the question of taxation once more and to readjust our expenses to our income. It is no doubt true that you give us an opportunity to propose cuts when we discuss the demands made by the Government, but everybody knows that the time is too short to justify any expectation from us to do justice to those subjects with which we deal. A committee of experts and non-official members and of those members who are seriously urging these demands before this House should be constituted and they should be given ample opportunities to go into these matters in detail and then come to a finding as to whether actually the demands put forward by the non-official members are always preposterous. You yourself admit that the province is developing and if you always tell us that the revenues cannot be reduced and the expenditure should be enhanced then, how will you meet the expenses of further reforms which we demand? (The Honourable Mian Sir Fazl-i-Husain : By further taxation). You can similarly impose further taxation in this case. That is what I submit. You can readjust your revenues, you can readjust your expenditure and you can find a way out of the difficulty. No difficulty, as I have already submitted, is insurmountable if there is a firm determination to solve it. But if you simply discord our request, if you scorn it, if you kick it, then we cannot expect that you will ever seriously determine whether such demands should be provided for or not.

Sir, the Honourable Revenue Member urged before the House that a minimum is impossible to fix because if an acre of land costs about a thousand rupees in the Lyallpur district, it will cost about half an anna in the Muzaffargarh district or in the Kangra district. But when that objection is examined a little more minutely it would appear that it is not a serious objection at all. We do not ask that a minimum standard should be fixed on the basis of acreage. Government keeps a complete record of every inch of land that is brought under cultivation. Government keeps a complete list of all the rates that prevail in the market and Government can very easily assess the money value of every land that is being cultivated. If a certain minimum is fixed, say Rs. 50 or Rs. 100, it would not be difficult to determine what area of land produces that amount of money which you are prepared to exempt. Similarly, some other difficulties have been placed before the House, but all these difficulties are merely imaginary, and even if they are real, they can be easily overcome. Our administrators have simply to demonstrate that they are sympathetic towards poor people, people for whose sake this resolution is being put forward. My submission is that they should be a bit more serious. If they seriously entertain the proposal that I have

[Mr. Din Muhammad.]

submitted of constituting a committee and give us a proof of their *bona fides* we shall be quite satisfied that they are giving their best consideration to our demands. If these difficulties are real difficulties, and if we realise that they are difficulties which cannot be surmounted, we are not foolish persons to urge our demands again in the face of those difficulties which are placed before us. But unless the question is seriously gone into, how are we to be convinced that these things have actually had your consideration, and that you could not find a way? With these observations I, with all the emphasis at my command, support the resolution put forward by the honourable mover. (Hear, hear).

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu) : Sir, I cannot see my way to support the resolution as it stands. The arguments advanced in its favour have not convinced me in the least as to its applicability to the conditions prevailing in this country. The object of the resolution is to apply the principles governing the assessment of income-tax to the assessment of land revenue. But having regard to the conditions prevalent in the country it seems difficult to apply such principles to the assessment of land revenue. Of course I admit that the zamindars are entitled to relief and deserve encouragement at the hands of the Government. But, Sir, the question is whether the principles governing the assessment of income-tax can be applied to the assessment of land revenue. I think that they cannot be so applied to the assessment of land revenue. In my opinion the resolution under discussion would do no good to the zamindars in general. The honourable mover and his supporters have not shown how to make up the deficiency in revenue that is likely to happen in case the resolution is accepted. I think the honourable mover would be well-advised if he withdraws his resolution. With these words I strongly oppose it.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, my honourable colleague has dealt with some of the political, constitutional and financial reasons for opposing this resolution. Other technical sides of the question will doubtless be dealt with by other speakers. But there are two points in particular to which attention has not been drawn and on which I should like to make some observations. I have no doubt that the honourable member for Rohtak has sympathy with the zamindars as a class; that he thinks by moving this resolution he is really doing something to help them, as well as taking a step which will be popular among them. But, Sir, in my view, for reasons which I will presently explain, he is labouring under a misapprehension. He is not creating paradise for zamindars, but in reality he is beginning to dig a grave for them. On the one hand we are proceeding with our Land Revenue Bill. In regard to that, as my honourable colleague has pointed out, we at least know where we are and what we are trying to do. The Land Revenue Bill is in pursuit of a policy which was recommended to His Majesty's Government by the Joint Parliamentary Committee. What it seeks to secure is, in the words of the Joint Parliamentary Committee :

"The Committee are of opinion that the time has come to embody in the law the main principles by which land revenue is determined, the methods of valuation, the pitch of assessment, periods of revision, graduation of enhancements and the other chief processes which touch the well-being of the revenue payers."

That sets out what the zamindars will gain if the Bill, which is at present with the select committee, is passed. The principles of land revenue at present followed will be laid down by statute and statutory rules and will be known and ascertainable by everybody and any departure from what is laid down will be a definite breach of that statute. That on one side is what is offered to zamindars by the Land Revenue Bill. On the other side, the honourable member from Rohtak has offered another alternative. His alternative, as my honourable colleague has pointed out, if carried out in the exact words of his resolution, would have the effect of wrecking the Land Revenue Bill with which a good deal of progress has been made; and the zamindars will definitely lose that amount of clarity and security which they hope to gain from this Bill, as regards the assessment of land revenue. In its place, if the honourable member has his way, the zamindars would receive the application of the principles of assessment of income-tax to assessments of land revenue. Now, we have to see (quite apart from the fact that it is highly impracticable to pursue this suggestion, quite apart from the fact that it is going to wreck this Bill, quite apart from the fact that it may take a very long time before any progress can be made with it) whether the principle in itself offers any distinct advantages to the very class which the honourable mover wishes to benefit. I need not dwell on the fact that it would be a complete reversal of a system founded in history, well-known to the majority of the people and well-suited to the conditions of the country.

At present land revenue is imposed on land, the assessment is made on an estate, the proprietors are jointly and severally responsible for the payment and they have a say in the distribution of the amount on different holdings. The present system does contain the principle of gradation in that estates with very small holdings are more lightly assessed than estates with big holdings; the tax is on the land, that is source of income and taxation does not really die with any individual assessee, but as long as the land produces profits some small share of those profits is taken by the State. Now, income-tax, if its principles are going to be applied strictly, is an annual tax on a person and on a person's annual profits. Really it would be assessable on anybody deriving profits from land, that is not only on landlords but also on tenants. There is one point, first of all, which I wish clearly to bring to mind, that is, that land revenue is now assessed for a long period of years on the data of the past fiscal history of the estate, that is, for a period that has elapsed. Typical past years are taken. Cultivated areas are taken based on those years and records of outturns and prices prevailing over a number of years are ascertained. Eventually on these data a rate is imposed or a lump sum is assessed on an estate, against which persons can protest and appeal and their representations are heard; but finally after disposal of objections the assessment is fixed either in the form of a fluctuating rate or as a lump sum on the estate for a long period 20 or 30 years, a period which in the present Land Revenue Bill there are proposals for enhancing some parties favouring 40 years and others 50 years. The important thing to remember is that once that fluctuating rate is settled or once the lump sum assessment is fixed for the estate, it is fixed for a long period.

3 P.M.

[Hon. Sir Geoffrey deMontmorency.]

ahead at present and in future will probably be fixed for a much longer period; and the zamindar knows where he is (Hear, hear). During that period no additional impost of any kind can be placed on his land, though the Land Revenue Bill contains provisions that if an estate deteriorates a special re-assessment on it, in order to reduce assessment, may be ordered; and the rigidity of collection is tampered by remissions and suspensions. Now, what will be the position? Supposing there is a radical change, supposing a person is assessed to income-tax on income from land, then if he does a little piece of extra cultivation any year, he will have to pay an additional due on that account; if the sale price of cotton or wheat goes up a few annas, the income-tax authorities are not going to let that off. That is his payments to the state on account of his land instead of remaining unchanged for a period of 20 or 30 or 40 years (and it may be eventually 50 years) will be going up year by year. He will always be in a state of uncertainty as to what sum he is going to have to pay next year. He will never be in a position to know exactly how much capital he can put into his land for he does not know what sums he may or may not require to pay on it by way of tax next year; he does not know whether the income-tax authorities will allow any rebate for the capital he employs. He is left in a state of constant uncertainty. If this point was clearly explained to zamindars and they were offered that choice, I have little doubt myself as to what choice they would make. I know that if you could assure me that the amount of taxation which I should have to pay for 20 or 30 years is going to be fixed and that instead of that, instead of having a sum fixed for 20 or 30 years, I might take my chance and have my dues on the estate assessed every year, I myself have no doubt whatever what my own answer will be; and I think the zamindars, who are very shrewd persons, would have no doubt whatever either. I therefore think that while the honourable member for Rohtak is supposing in his own mind that he is leading the zamindars to a paradise, he is really leading them only to a fool's paradise (hear, hear). May I also bring to your notice another very important point? I speak from my own experience in other countries. At present when a land revenue assessment is announced in the Punjab in an estate, a sacred pact is entered in the village papers, a sacred pact is entered into between the Government and the body of proprietors, that rate if it is fluctuating land revenue will be so much and no more or that the total fixed assessment is going to be so much and no more for so many years. No power can break that pact. As long as the zamindars fulfil their obligations on the one hand, the Government fulfils its obligations on the other hand. But with income-tax, it is wholly different. Income-tax is an annual tax. Here in the legislature, in ten minutes, in an afternoon you can pass an Income-tax Bill raising the rate of a tax of that nature by four annas or more in the rupee. If you look into the history of England and Ireland during the last 12 or 15 years, you will find that income-tax was more than doubled. Whenever the State wanted money, what was the easiest way of getting it? By adding 6d or 8d or 2sh. or 2sh. 6d. or more on to the income-tax, so that it went up from year to year. You may think that a lot of the members of this House are zamindars at present, and supposing that there was an agricultural income-tax, and that some one got up and proposed for

the various needs of development to raise this income-tax by say, 4 annas in the rupee, then owing to the predominance of the zamindar element in this House, such a proposal would not stand a chance of getting through. It will be thrown out at once. But, Sir, with the democratisation of the electorate, the tendency is for all sorts of classes to get into political power; so the probabilities of the future are that there is going to be a new class in power which will be in a position to exert influence on the members of the House; and with the progress of representative institutions in India as in other countries it is inevitable that some day in India in the future, political power will not be confined to professional men, business men and zamindars, who are the main members of our legislature at present, but will begin to extend to other classes. It would be shortsighted in matters like this to look only at the present or a few years ahead. You may think that the legislature will always be confined to zamindars. But, will it? Is it not the experience in other countries that members of classes, who do not pay very much tax, who are not hit like professional men are by income-tax, who are not hit like the zamindars are by taxes on land, who are not hit like businessmen are by import duties and these sorts of things, will come into political power and into this House? Will it not then be a real temptation, to those who are not affected by raising the agricultural income-tax to use this income-tax as the best way of raising money for those particular objects, on which they desire that expenditure be incurred. I am afraid this will be the tendency and I therefore advise very serious thought should be exercised before the zamindars follow the honourable member from Rohtak along the path which may at the moment appear to lead to paradise but which I think does really lead to something very different. The enhancement of income-tax and its incidence on agricultural incomes in England and Ireland has meant a decline of those two countries as agricultural countries. Now perhaps in England this does not so much matter because there are minerals and industries to fall back upon; and if estates are split up the prices of land for agricultural purposes begins to go down it does not so much matter, because people may make money out of minerals and natural resources or out of industries. These resources, however, do not exist in the Punjab and as far as minerals are concerned they can never be brought into being.

As regards the rigidity of collection, I should like to say that I think the honourable member drew an unfair picture of the rigidity of land revenue collection.

I need only state to this House that the cotton failure of 1926 resulted in remissions which cost more than 35 lakhs of rupees. That was remission on one harvest only. If we are ever going to adopt the system of income-tax on agricultural income, I am afraid you would find rigidity both in assessment and collection considerably greater than either in the case of the fluctuating land revenue or the suspension and remission of our fixed land revenue assessments. I have had a good deal to do with the assessment of income-tax as a victim of the assessment of income-tax on agricultural incomes. If I may say so, the unfortunate farmer is liable to become the sport and prey of accountants. You send in a return showing that your income from agriculture last year was so and so. The next step again is that some one sends back the demand assessing the income-tax on the

[Hon. Sir Geoffrey deMontmorency.]

highest amount of profit you made from your farm in the last ten years. You then put in what is called the farmer's appeal. In this farmer's appeal you say 'I had losses of such and such an amount; the produce in certain fields was so and so; in some of the fields I had to sow less profitable crops because of the rotation of crops, because I wanted not to tire out my land, because my stables fell down, because my roof gave way and so on'; and very often these claims are dealt with by people who know little about agriculture, who do not go to villages like settlement officers. In the first place you have to pay the income-tax at once and your farmer's appeal is dealt with in the next year or so in a lengthy correspondence in which the gentlemen of the Income-tax Department seem to hold all the cards and you do all the paying up. I think that you would probably have somewhat similar experiences in the Punjab also. If the system were introduced, it is not improbable that people who know very little about agriculture would ask you all sorts of questions as to why you did not grow so much wheat as before, why you grew the same kind of crops this year as you grew last year, why you should require to repair your stables more than once in so many years and so on. At present we have an Income-tax Department in the Punjab, but fortunately the number of assesses is not large. I have no doubt that they have their own troubles with the department. But just imagine a department with millions of assesses with annual incomes to be assessed. Just imagine all the objections and correspondence of each individual assessee. I think if the zamindar sees in the future this state of things, he will say 'give me my old land revenue system; I know how it is assessed and what it will be for years to come; I far prefer it.'

I need not dwell on the point about the provincial finance. I heartily endorse what my honourable colleague said that if you tamper with the principle of assessment and the method of assessment and with one-third of our annual source of revenue, the whole financial structure of our income will come toppling about our ears. All your schemes of development and improvement and all your hopes of progress will sink into the background and we shall not know where we are. There are a number of other points I might raise; but I only wish to lay emphasis on two points, whether it is not better to have the certainty of land revenue, the certainty of the charges on land fixed for long periods ahead than the uncertainty and abuses which may arise from the principle which the honourable member from Rohtak has recommended in his resolution (*appl us.*).

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, perhaps it is the first occasion on which I find myself in agreement with the Government inasmuch as the problem before us is certainly fraught with many difficulties. I have been spending my best thought over it since I received intimation from the Council office that this resolution was coming up before the Council. I have also read the report of the Imperial Committee from end to end, but I have not succeeded in finding out a solution for this problem. The condition of the poor zamindars has now reached the breaking point and we must hurry up to find ways by which we may be able to improve their lot. We cannot hope to get peace and prosperity until we take steps

to lighten the burden under which the poor zamindars are groaning. Not only the interest of the poor zamindars but the interest of the whole country demands that the burden of taxation should be equally distributed and no one section of the population be made to pay more than others. I feel that in order that we may achieve our end, the present order of things must yield to a new and better order. Our arguments, however plausible, must fail to satisfy the zamindars whose holdings are very small and who are constantly fighting to drive away the demon of starvation. Do you call it justice to tax a man who has got only a few acres of land yielding an income which is not sufficient to keep his body and soul together when you do not tax a man whose income from other sources is a little less than Rs. 2,000 a year? One of the honourable members carelessly remarked that it was quite immaterial to realise, as a levy, one or two rupees from a zamindar owning 4 or 5 kanals of land because, he said, that this insignificant amount would not make him if not realised and would not mar him if he paid it. For him that may be insignificant. But let him place himself in the position of a man who has got only Rs. 2 with him for his support and see whether it will not pinch him to part with even one penny.

It is now a long time since we have been listening to the oft-repeated demand of the zamindar members for the uplift of the poor zamindars, and it is interesting to note that the Government has all along been expressing its sympathy with them. But all this appears to have been a farce. The zamindars want one thing in particular and that is permanent settlement. Is the Government prepared to accede to this demand? Certainly not. That shows that the Government is prepared to express only lip sympathy and nothing more. If we are here to represent and represent honestly those 80 or 90 per cent. of the zamindars whose holdings are very small, we must support the resolution moved by my honourable friend Chaudhri Chhotu Ram. The difficulties that will arise while acting on this resolution can be removed. As honest persons we must realise that we are not doing the right thing in taxing the poor zamindars without regard to their income. The fear of difficulties should not deter us from doing what we believe to be just and reasonable. Why not send a Commission to Russia which should study the conditions prevailing there and report whether they are applicable to our province? According to my conviction that is the only way to solve the difficulties facing us. Let not the word 'Bolshevism' associated with Russia frighten us. Let me warn the Government and others of its way of thinking that the half measures that are intended to be adopted will not do. We should make haste to mend our ways lest it should become too late and 80 or 90 per cent. of the population is compelled to cut our throats. Improve matters by means of evolution before revolution is brought about. The Government boasts that it is doing its best to remove indebtedness. Do you know what method it is adopting to achieve that end? It is giving back Rs. 2 to a man whose income is Rs. 10 and whose most necessary expenses are Rs. 12 and from whom the Government has already realised Rs. 2. Do you think that this will do to remove indebtedness? You know and I know what the answer to this question is. That is why I say that half measures will not help to improve the situation and that is why I repeat that we must study the principles of

[Chaudhri Afzal Haq.]

Bolshevism and apply them here in our province. To-day I may be alone in giving expression to this view, but if the present state of affairs is allowed to continue, the day is not far off when 80 or 90 per cent. of the population will be with me. I do not want the Government and others to realise then that they were mistaken and I, therefore, suggest that the Government should hurry up and take time by the forelock. As I have suggested it should send a Commission, consisting of a number of small landholders, to Russia which should study the principles adopted by the Bolshevik Russia and report which of them are applicable to our province.

The Honourable Member for Finance has remarked in the course of his speech that we are digging a grave for the poor zamindars by proposing and pressing for such a resolution. It is a dangerous remark that he has made for if any of the poor zamindars had listened to it, I am afraid he must have hastened to dig a grave for the Honourable Member before going into grave himself. I do not mean any personal attack thereby. That is farthest from my mind. I am only giving you an idea of different mentalities. We know that Russia has also seen days when the capitalist representative of Russian masses used to ride rough shod over the rightful demands of the masses and say that there was no solution of the troubles from which they were suffering. But those representatives have now gone and do not rule the destinies of the poor people. I say that before a similar revolution is brought about, Government should try to improve matters without further delay.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, when I read this resolution for the first time I thought I shall go and support my honourable friend Chaudhri Chhotu Ram. But after having heard the speeches and specially the arguments advanced by the honourable member for Rohtak, I am convinced of the impracticability, the absurdity if I may say so, of this resolution. The first argument that the honourable member for Rohtak advanced was that as men earning Rs. 2,000 or less are excluded from the operations of the Income-Tax Act, similarly the land holders or people who get agricultural incomes of Rs. 2,000 or less should be exempted from the payment of land revenue. Now let us try to apply this principle to the existing circumstances in the Punjab. I have tried my best to picture the state of society when this principle will be applied to people who derive their income from land and who do not pay any tax provided their income is not above Rs. 2,000. Speaking personally for myself I should welcome an announcement of this kind from the Government; speaking on behalf of the district which I have the honour to represent, I should welcome this announcement on the part of Government, because Rs. 2,000 income from agricultural land if applied to Hoshiarpur district will mean practically the exclusion of the whole district from the payment of land revenue. One must act according to the dictates of one's own conscience and speak out the truth. Supposing I were to go to my voters and tell them: "Here you are, Government is going to announce that the Hoshiarpur district will have no land revenue from this date." I ask whether there would be any thinking member or any thinking voter who would believe me when I go and say this to them. The voters will

say : " We have paid land revenue, our ancestors have paid land revenue under the Moghul Government and our far remote ancestors paid land revenue in the shape of *batai* to the Hindu kings ; it is a thing too good to be true ; there is something wrong about it and we will not believe this statement. Either the Government is going to get all the lands and make them State property and make us tools and machines to work out a new system in order to meet the State demands or the thing you are saying is an utter impossibility which we are not prepared to accept." My honourable friend from Hoshiarpur, Chaudhri Afzal Haq, said that Government should send a deputation to Russia in order to study the conditions that prevail there, so that they may be able to introduce them here. I thought he was talking in rather a half serious mood, but he repeated his statement twice or thrice. One great argument in favour of Russia is that there are no landlords. The land now belongs to the State and if that sort of thing my honourable friend from Hoshiarpur wishes to be introduced in this country, then I, speaking on behalf of a large number of land owners, say that I protest against a proposal of that kind. We do not want to give up our lands to Government. It will mean not only the exclusion of one particular district, it will mean the exclusion of a large number of districts, of a large part of Ilissar, Kangra, Sialkot and various other places. Can my honourable friend from Rohtak seriously ask this Council to say that when so many districts or large number of districts are excluded from the payment of land revenue that the work of Government can be carried on ? It is true undoubtedly that to-day a large number of people have not got the right to vote and they are now being represented by these men and by the Government. But we must not forget that there is a cry, there is a demand and a rightful demand that these powers which are now with the British Government should be transferred to the people, and if this is the sense of responsibility which we display then I submit that we are proving our unfitness, total unfitness for the transfer of the powers from the Government to the people. The first essential point is that we must realise that we have to shoulder the burden that has fallen upon us if we are to carry on the Government in a civilised manner and not in Bolshevik or Communistic manner. The Bolshevik system of government may appeal to some members, but it does not appeal to me. It is against the tradition of the Indian culture and of the Indian civilisation. We in the Punjab have tried that system in our village communities and have given it up. Have my learned friends ever cared to study the history of village communities ? They will find that all these village communities carried on their work on communistic principle. There was no individual ownership of property. The people owned the property jointly and the proceeds were distributed amongst them. That state of society they have left behind. Now they are clamouring not to go back to that society from which they have emerged, but they want to go further and follow in the wake of other civilised nations. Therefore this system of Communism has been tried here and has been given up. I do not know what sort of government is carried on in Russia but the impression that I have formed from newspapers is that it is the system we have tried in our village communities ; and the village communities are not prepared to accept that principle of government. That is one point which I submit does very much against the resolution of my honourable friend from Rohtak.

[Pandit Nana't Chand.]

There is one other point. My honourable friend from Rohtak speaking on behalf of a large number of zamindars said that they are groaning under the burden of taxation. There are a large number of people on the other hand, not money-lenders, not people who are doing anything to harm the small peasant proprietor, not at all, but various castes such as chamars, men of depressed classes, men who are styled depressed by one class of society who are anxious to bear this burden; but who are not permitted by law to purchase land. Legislation has placed certain civic disabilities on them because of their caste, because they are born chamars or men of depressed classes, they are not to be permitted to purchase land. I attended in Hoshiarpur a gathering of these chamars and of what is called the Sikh Nihal Khalsas where in large numbers these men had assembled. They made a demand from me and asked me whether there was any possibility of this civic disability being removed from them. I said: Not at all, there are the zamindar friends of yours who are the privileged castes who will not be prepared to forego the privilege that they have got; and not only have they got the privileges based upon caste but they are trying their very best to remove the taxation from their own shoulders and to put it on to others. The history of the district board taxation, of the professional tax is an eloquent testimony of the fact that the people who have got something are not prepared to pay; they want to throw their burden on to the shoulders of others. On the one hand you say: Here we are, land-holders, we want the Government to remove this taxation. On the other hand you say: We shall not allow anybody to become a land-holder; we are not prepared to see an extension of this privilege, which should in reality be the fundamental right of a citizen. I will not call it a right, let us call it a privilege because it is a privilege in the present circumstances of the country. You are not prepared to extend this privilege to other people who are ready to share the burden which Government may put on them, and you are not prepared to shoulder the burden yourself. An argument of that kind should carry no weight. So I submit before you send your men to Russia or to any other country, it is necessary that you study the conditions and listen to the voice of those who are neither money-lenders, nor have in any way harmed those millions of peasant proprietors but who are anxious to be one of them. What reply have you to give to that? I am sure Chaudhri Chhotu Ram will be the first man to say: "Well, well, well" i.e., no satisfactory reply.

Then, the second argument given by Rai Sahib Chaudhri Chhotu Ram was that it should be a graduated tax. I do not know whether those people who have to go and appear before income-tax officers are in favour of a graduated income-tax or a tax which they know they have to pay under all circumstances. I know a large number of people who are sick of this graduated tax and who will be prepared to make over this graduated tax to those people who are very fond of it. People feel the uncertainty of this tax and they feel great difficulties and humiliations whenever they have to go before the income-tax officers with their account books. Sometimes these books are held to be unreliable. I have known cases where respectable men's account books have been held to be unreliable. Perhaps it is because income-tax officers do not know how to understand the accounts or per-

haps it is due to some other cause. Are those people who are anxious to have a graduated tax of this kind prepared to stand the humiliation of this kind? All that glitters is not gold. There are difficulties which peasants or owners of land will have to face if they were to accept the principle which is applicable to income-tax.

When I have said all this, I still have in my mind one great objection to this resolution. I have stated that it is impracticable, that it cannot be applied and that the people will not believe that a tax of this nature will be a remedy to their difficulties. But the question is after all, how are you going to meet the expenditure of the State? We must not forget that our province is fast developing and expanding and is on the way to progress; the greatest benefit has been derived here in this province by the zamindars or by the land owning classes. It is not now open to them to turn round and say 'we are not for any further progress. We want first of all relief to be given to us.' Will they say, 'We don't want any more hospitals, any more colleges, any more schools, any more of those amenities of life which are existing in all civilised countries and which we find existing here also but only in big towns'? Are they prepared to say that? I submit that on this point a referendum may be taken and people may be asked if they would not pay a small tax rather than forego the amenities of life which exist in every civilised country and everywhere where people have realised the responsibilities of self-government or responsible government. If I were given the choice I would rather pay a small tax than forego the privileges which civilisation confers on the people. On that score I submit I have to oppose the resolution. I observe that some of my friends here are anxious to speak on the subject and I shall therefore conclude by saying that this resolution absolutely impracticable, and cannot be accepted by an assembly which lays claim to seriousness when it knows that it could never be accepted by the Government.

Dr. Sir Muhammad Iqbal [Lahore City (Muhammadan), Urban]: Sir, I am glad to see that the Honourable Member for Revenue did not make any attempt to justify the present system of assessment on the basis of state ownership of land. He left it very wisely for the honourable member for Simla. I am afraid this offers a fitting occasion for the application of that humorous Punjabi proverb *chor nalon pand kahli*, that is to say—the property stolen is readier to run away than the thief. (Laughter) (A voice: Who is the thief?) You may understand it as you like. Since the honourable member for Simla has raised this point, I think it necessary to dispose of it with a few remarks. Let me tell the honourable representative of Simla that the first European author to refute this theory was the Frenchman Perron in the year 1777. Later in 1890 Briggs made a very extensive inquiry as to the law and practice in India and relating to the theory of state-ownership of land. He gives in his book an accurate description of the laws of Manu, of Muhammadan law and the practices prevailing in the various parts of India,—Bengal, Malwa, the Punjab, etc.; and arrives at the conclusion that in no period in the history of India the State ever claimed the proprietorship of land. (Interruption). In the time of Lord Curzon, however, this theory was put forward, but the taxation committee's report which was published sometime ago has come to a very clear finding

[Dr. Sir Muhammad Iqbal.]

that this theory has no basis at all. That is I believe, the reason why the Honourable Revenue Member has not tried to defend the present system on the ground of that theory. (Honourable Mian Sir Fazl-i-Husain: Not necessarily). Well, you did not mention it at any rate.

The Honourable Mian Sir Fazl-i-Husain : It is irrelevant.

Dr. Sir Muhammad Iqbal : If you agree, Sir, the Honourable Member may argue on the basis of that theory if he likes. But in his first speech on the subject he did not try to defend the present system of assessment on the basis of that theory.

The Honourable Mian Sir Fazl-i-Husain : I did not want to.

Dr. Sir Muhammad Iqbal : And we take it that the Government does not rely upon that. However, we have to see in the first place, how far the present system of assessment is just. Workable it is and sanctioned by a very old tradition; but we have first to see whether it has justice on its side or not. My submission is that it is not at all just. (Hear, hear). The injustice of it is perfectly clear. If a man happens to be landowner, big or small does not matter he has to pay land revenue. But if a man earns from sources other than land, less than two thousand rupees a year you don't tax him at all. That is where injustice comes in. Nobody can deny that the system is unjust. It is no argument to say that since there are insuperable difficulties in the way of the removal of this injustice, therefore it must be perpetuated. We must admit that there is injustice and we ought to seek proper remedies in order to remove the injustice in so far as it is possible. I have no hesitation in admitting that there are serious difficulties in the way of the application of the principle of income-tax to land revenue. As a matter of fact one reason why I withdrew a more or less similar resolution which I sent in last time was this, that I felt that there were certain serious difficulties and the matter had to be further investigated, although the difficulties that were then in my mind have not at all been referred to by the Honourable Revenue Member, and I need not mention them until I have heard what other members have got to say. (A voice: You cannot speak again). I do not then want to tell the House the difficulties that struck me. (A voice: Is that a secret?) It is an open secret to which the Official Secrets Act does not apply.

The arguments that the learned Member for Revenue put forward are in the main two. In the first place he argues that we are constantly in need of money; the province needs money for its development, and that the Government does not practice alchemy. I think the Government need not practice alchemy so long as they have in their pocket all the tillers of the soil whose hard work turns dust into gold. But this kind of argument can be applied in defence of any kind of evil practice which brings the required amount of money. But assuming that this argument has force, I submit that the deficiency caused in the land revenue by the adoption of a different system of land revenue may be met in other ways. For instance, we can reduce the expenditure on administration. We can lower the limit of taxable income under the Income-tax Act. We can spend less on the so-called development.

which is a very dignified expression for something which has not brought us anything so far. We can further meet it from the remissions made by the Government of India.

Again the Honourable the Revenue Member has tried to meet the argument that the whole burden of land revenue falls on the shoulders of the cultivator by showing that the consumer indirectly shares in that burden. The argument is plausible; but personally I feel very doubtful of its validity. One must not forget the condition of things prevailing in this province. We gave up *batai* long ago.

The Honourable Mian Sir Fazl-i-Husain : Not yet.

Dr. Sir Muhammad Iqbal : Practically. The Land Revenue Bill does not recognise *batai*.

The Honourable Mian Sir Fazl-i-Husain : There is no amended Act yet.

Dr. Sir Muhammad Iqbal : In general practice *batai* is given up. I do not know what would be the attitude of my zamindar friends. On economic grounds, probably the *batai* system, to my mind, is better. (Hear, hear). However, the prices of the produce of the land are determined by the demand of the consumer and the prices, as the Honourable the Finance Member has pointed out, determine the amount of land revenue. But the moment the land revenue is determined, then it becomes a fixed amount for a number of years. If after the fixing of the amount prices go up, then there is a chance for the seller to profit by the rise of prices; but if the prices fall down, then I am afraid, the consumer has really no share in the burden of land revenue.

The Honourable Mian Sir Fazl-i-Husain : If prices rise?

Dr. Sir Muhammad Iqbal : Well, it is a matter of chance. They may rise or they may fall.

The Honourable Mian Sir Fazl-i-Husain : Then the consumer pays.

Dr. Sir Muhammad Iqbal : I have a serious doubt about this. The whole situation depends upon chance. If prices rise, it goes to his profit; if the prices fall down the argument which the Honourable the Revenue Member put forward has no application. The consumer helps in the determination of land revenue, but after the land revenue is fixed, then the whole thing is left to chance. We should not forget that the production is also uncertain, especially in areas where the land is *barani*. Again the Honourable the Revenue Member argued that this system should either be continued or be given up at once. There is no third alternative possible. In this connection I beg to say that this is not the spirit of the resolution moved by the honourable member from Rohtak. The spirit of the resolution is that if you recognise that the present system is unjust then do something to make a beginning towards the remedying of that injustice. Definite suggestions were made by the honourable members who preceded me in connection with this matter. I think it is easy to do so without definitely introducing the principle of income-tax in our land revenue system. It can be done by amending section 48 of the Land Revenue Act. I have already submitted

[Dr. Sir Muhammad Iqbal.]

an amendment to this effect, though I am afraid the prospect for that amendment is not very bright. I therefore suggest that holdings, not exceeding five *bighas* and situated in non-irrigated areas where the produce is practically fixed, should not be liable to the payment of land revenue. This can be done without deciding the question whether the principle of income-tax should be applied to assessment of land or not. This will to a certain extent remedy the injustice in the present system. If you lay down that a holding not exceeding five *bighas* is revenue-free, I do not think there will be very great deficiency in the land revenue. At any rate if there is a large deficiency, I think it can probably be met by reducing expenditure in other directions.

Lastly as regards the argument of the Honourable the Revenue Member, or rather the fear that he expressed that this resolution may mean the death of the baby, Land Revenue Bill, and the apprehension that it will amount to infanticide—well, in these days of birth control, I think infanticide does not matter especially when we know that the child is going to be a very wicked one. I do not think it is demanding too much if the holdings to the extent of five *bighas* should be declared revenue-free. I hope that Government will give serious consideration to this point. Personally I agree even if you make it less than five *bighas*.

The Honourable Mian Sir Fazl-i-Husain : Five acres.

Dr. Sir Muhammad Iqbal : An economic holding in this province is about ten or eleven *bighas*. At any rate, five *bighas* is half the economic holding. I do not think that remission of land revenue in the case of persons holding five *bighas* would cause very great deficiency.

Chaudhri Afzal Haq : Only two crores.

Dr. Sir Muhammad Iqbal : My calculation was that it was much less than two crores.

The Honourable Mian Sir Fazl-i-Husain : Not quite that. If you let out only the two acre man.

Dr. Sir Muhammad Iqbal : $2\frac{1}{2}$ acres.

The Honourable Mian Sir Fazl-i-Husain (Urdu) : (*Gunah belazzat*) a fruitless sin.

Dr. Sir Muhammad Iqbal : If you commit this fruitless sin, it would show that there is at least some sense of justice in you. Reference was also made by one of the honourable members to sending a kind of commission of inquiry to Russia. I am afraid several commissions have already been sent to Russia, though not from this country. My honourable friend is probably not aware of the causes that led to the Russian revolt. It is not necessary to detail those causes; a good deal of literature has sprung up since the Russian revolt concerning the things that happen and the system that has been adopted there. Books written by such men as Bertrand Russel and others who have devoted their time to economic questions have appeared. But I think my honourable friend Pandit Nanak Chand has already given an

effective reply to the proposal made by Chaudhri Afzal Haq that at the present moment, the Punjab zamindar is not ready to give up the right of private ownership. In this country, there are petty landholders, there are proprietors with 2 *bighas*, 2 *kanals*. They are practically like tenants, yet are not willing to give up the right of private ownership. My submission, therefore, is that Government should give some consideration to the demand embodied in this resolution; they should give some relief to the small proprietor the produce of whose lands is obviously insufficient to maintain his family.

Khan Bahadur Chaudhri Fazl Ali [East Gujrat (Muslim) Urban] : (Urdu) Sir, the resolution moved by my learned friend Rai Sahib Chaudhri Chhotu Ram has been discussed threadbare and I do not, therefore, propose to inflict a lengthy speech on the House. But I cannot refrain from saying that all that has been said so far is not wholly relevant to the matter under discussion, and I take strong exception to the derisive remarks hurled at the opponents of the proposed resolution during the debate. With what motive they were made, I cannot perfectly make out; but probably they were flung to conceal some flaw in the resolution inasmuch as none but the weak stoop to illegitimate means. In the second place, they may be meant to coerce the timid into silence, but let me tell them plainly that sometimes even they provoke the silent into speech. Lastly they might have been cast to suggest that only the honourable mover and the supporters of the resolution can discuss it honestly and none else can do so. Some members have remarked that we oppose the resolution because of the fear of the Government. For their information I should like to take them back to the time when the sub-committee for the amendment of the land revenue was formed and Sayad Muhammad Hussain and myself were members of it. People know what we did then and how much we were afraid of the Government and to what extent the representatives of the zamindars tried for their constituents. Let that amendment be again presented and people would know whether we are afraid of the Government or not.

The object of the resolution, so far as I have been able to gather, is that the principles governing the assessment of income-tax be also applied to the assessment of the land revenue. In other words, it seeks to fix a principle different from the former, according to which the land revenue should be levied in future. But before the resolution is passed and the principle is fixed, some honourable members have curiously enough dragged in petty matters of detail, and one honourable member has even gone to the length of asking what the effect of the proposed resolution would be on the zamindars owning four *bighas* of land and another honourable member has even recommended that the land revenue payable by the owner of one canal should be remitted. As a rule, 8 annas or one rupee is paid on one acre of *barani* land as land revenue. You can very well judge, Sir, how far the zamindars will be benefitted if such a petty amount of land revenue is remitted. Thus this resolution is meant to befool the zamindars. But the resolution does not contemplate any such big results. True it is that the land revenue would be reduced, but that reduction would be simply negligible. The owner of even 4 *bighas* of land, to give a concrete example, pays Re. 1, Rs. 2 and sometimes 8 annas revenue on *barani* land and this is the sum which he would be called upon to pay if the resolution is not carried.

[Khan Bahadur Chaudhri Fazl Ali.]

Can we call it a relief by any stretch of imagination? Such a relief is tantamount to the removing of a sieve from the back of the camel or the king distributing a grain of rice among a huge army. The zamindars are notoriously poor. As their representative, I would welcome any relief howsoever small. But at the same time I must consider the other side of the question as well, that is whether the proposed relief would not be outweighed by other considerations, if the resolution is carried. And I find that the negligible reduction in the land revenue would be more than counterbalanced by the setback that the programmes of development would receive in case the resolution is carried. The lapse of time has made the zamindars somewhat wise; they have begun to see things in true light; they cannot be pleased with such petty things. The zamindars would feel obliged to the honourable mover and the supporters of the resolution if they could get more land instead of remittance of land revenue for the zamindars to support themselves and their family. The honourable mover of the resolution, who is moving heaven and earth to ameliorate the conditions of the zamindars, could have done them yeomen service when he was at the helm of affairs if he had cared to do so. What was he doing when he was the Minister for Education?

The best way to help the zamindars is to assist the Government in the programmes of development. The zamindars are groping in the darkness of illiteracy; they want a torch of light to take them out of it. You can supply it by spreading a network of schools and colleges in the province. Again our province is the favourite haunt of plague, malaria and host of other diseases. They exact a heavy toll of human life every year. You can help the zamindars by building hospitals and dispensaries. Next, rural sanitation is in a sadly neglected state. Filth, refuse and dirt surround the houses in villages and big pools of stagnant waters greet the eyes at every turn. Why not remove these evils instead of reducing the land revenue by a negligible amount? The means of communication in villages too leave many things to be desired. The zamindars pay heavy fares in carrying their grain to the market. Good roads will do them a world of good. Lastly, submit that the holdings of the zamindars are becoming short day by day by division of land. If this process continues for sometime, you will find many zamindars without an inch of land to live on. And their plight is still worsened by water logging? If you really have the good of the zamindars at heart supply lands to those whose lands have dwindled and help those whose lands are ruined by water-logging. In short, the zamindar is leading a very precarious life and his future looks very gloomy; we should do something to brighten it up and not only give a relief to the extent of rupees two or four per annum. These are, in short, the wants of the zamindars and not a slight reduction in the land revenue as the honourable mover and the so-called representatives of the zamindars say.

Sir, I have already pointed out that the proposed resolution if carried and given effect to, will not give any substantial help to the zamindars. In this connection I may in passing refer the House to another disadvantage to the zamindars that is likely to result from the resolution. I mean, we shall

have annual settlement in place of permanent settlement for which we have been trying since long. Settlement is really two parts of mill; and we should try to release the zamindars from it.

Khan Bahadur Captain Sardar Sikandar Hayat Khan: Sir, nobody has said this, nor is it the spirit of the resolution.

Khan Bahadur Chaudhri Fazl Ali: It will come to that, Sir; tax is always levied yearly.

Mr. President: The honourable member has already spoken for more than 15 minutes. I would request him therefore, to take, his seat.

Mr. H. W. Emerson (Chief Secretary): Sir, I am surprised that none of the speakers on either side has drawn attention to the political aspect of this resolution. It is not a point on which I intended to speak and I do not want to attach any great importance to it. But I have found it rather difficult to reconcile the resolution which the honourable member has moved with another resolution which stands in his name. The other resolution runs as follows: **EN**

"This Council recommends to the Government that the opinion of this House that all persons paying Rs. 10 or more as land revenue should be enfranchised for the purpose of election to the Punjab Legislative Council in future, should be conveyed to the Simon Commission."

In this second resolution he proposes—and I think his proposal will have the sympathy of all sides of the House—to extend the franchise, to give to a larger number of people in this province a direct part in the selection of their representatives and through their representatives, a larger part in the Government of this Province than they at present have. And he quite rightly holds that the liability to pay taxes should give to the tax-payer the right of watching over through his representatives the expenditure of the money he pays in taxes. But in the resolution now before the House he wishes to narrow the basis of taxation; he wishes to disfranchise certain persons or at any rate to deprive them of the benefits which will flow from his second resolution if ultimately effect is given to it. He wishes to take away from a large number of people the privilege of being revenue payers. Several speakers have made the suggestion that the small holder does not regard it as a privilege to be a revenue payer; but I would ask any member who is conversant with conditions in the villages if he has ever heard the word "*malguzar*" used as an expression of contempt or servitude or of oppression. On the contrary it is used always as conveying a status in the village that a man who is not a *malguzar* does not possess and I think the sense in which it is used is attributable to a sounder political instinct than that possessed perhaps by the honourable mover of this resolution, namely, that the payment of taxes to the State does give to the tax-payer a stake in the good government of the State which otherwise he does not possess. If you deprive a larger number of existing *malguzars* of that privilege, I think that far from advancing the political interests of this country

[Mr. H. W. Emerson.]

you are likely to retard them. But as I have already said I do not wish to lay any great stress on this point.

To turn to the merits of the resolution. The Honourable Member for Revenue in his masterly speech has stripped these proposals bare of the pretences with which the honourable member tried to cloak them. The Honourable Member for Revenue described this resolution as revolutionary, and he gave this attribute as its chief characteristic. He also made it clear that the resolution if it were acceptable at all must be conditional on there being no reduction in the total proceeds of land revenue. Now I think most members of this House will realise that this is a revolutionary proposal, that it is not a mere modification of the existing system, some simple device that can be grafted on to it. It involves an economic and fiscal revolution. The honourable mover and his supporters have been extremely vague in stating the methods they propose to employ in introducing the principle of income-tax. Their attitude has been : Here is a revolutionary idea which we present free and gratis to Government ; they can now work it up for us ; if they only try hard enough they will be able to do so. If they succeed we will take the credit ; if they fail, they will thereby prove that they have no sympathy whatsoever with the zamindars. There have been no practical suggestions, at least none that I have heard of, as to how the machinery is to be manufactured for introducing into the land revenue system the principles of income-tax. But I will assume that the honourable mover is genuine in his desire to introduce these principles and that it is his purpose to divorce land revenue entirely from the mere possession, the mere ownership of land. It is going to cease to be an incident of the ownership of land and is to be converted into an income-tax which is to be assessed on the profits from the land, whoever earns them and however they may be earned. The landlord will still be assessed : but so also will the tenant. That is the first result of your fiscal revolution. You sweep into the net of land revenue taxation the whole of the tenant class. Just consider for a moment what a revolution that means. In the canal colonies where it is now the custom on many holdings for the landlord and his tenant to share the land revenue and other charges, a change of this kind might perhaps be introduced without any great economic disturbance. But over the greater part of the Province where it is the custom for the landlord to pay the land revenue and for the tenant to pay in the form of rent a share of the produce, suddenly to place on the tenant class an income-tax would result in complete dislocation, complete disturbances of the existing relations between landlord and tenant. Even if the tenants agreed to a revolutionary change of this kind, it would take more than the forty years which the honourable member mentions to affect those adjustments in rent which would produce contentment between the partners in agriculture. And there is no member of this House who owns or has any interest in land who does not know that the prosperity of this Province depends on the continuance of the friendly relations between landlord and tenant. That would be one result of this economic revolution.

The honourable member may however reply by saying that he does not mean what he says and that he wishes to introduce the principles of income tax only when it suits his purpose to introduce them and as it does not suit his purpose to make the tenant liable for them, he will confine them to the landlord. The fundamental condition of that, as stated by the Honourable Member for Revenue, is that there shall be no reduction in the gross receipts of land revenue, and when this subject was ventilated, I think, in the budget debate of last year, the impression I gained was that the members of this House were convinced that the time had arrived when in the interest of the small holders the large landlords should agree to shoulder a larger burden of taxation. That was certainly the impression gained by me. This willingness to bear larger burdens was, it is true, contrary to my own experience as a Settlement Officer. For although the honourable mover and others seem to think that the present system of land revenue is rigid and inflexible, it already contains the machinery by which relief not only can be given, but is given as a matter of course to small holders. A Settlement Officer, when he comes to distribute his assessment over an assessment circle, makes a distinction between the villages in which there are large holdings and the villages in which there are small. He goes above or below the rates sanctioned for the circle so that between the maximum and the minimum rates imposed there may be a difference of 50 or 60 per cent. In the same way when he comes to spread his assessment over the estate, that is, over the village, he asks, as he must ask, the land revenue payers what they wish to do and if they are willing that the small holding shall obtain relief, he gives it as a matter of course. At the present time in our existing system of land revenue assessment if the large owners in a village are willing entirely to remit the assessment on holdings of five *bighas* or ten *bighas*, there is no reason at all why effect should not be given. It depends entirely on the wishes of the owners and most Settlement Officers find by experience that the large owners stand in the way. The honourable mover indeed says that he is not going to allow this liberty any longer, for his proposals are conditional on the big landlord not giving away a pie; they are not to be taxed any more than they would have been taxed had the small holder still to pay his full land revenue. The effect of his proposals would actually be to deprive the small holders of the benefit which they now possess.

The position thus is that provided that the fundamental condition that the land revenue shall remain the same is observed, it is possible under the existing system, with the consent of landlords in the province or in the district or the assessment circle or the village as the case may be, to carry into effect remissions to the small holder. I doubt, however, whether the large landed proprietors are prepared for such a sacrifice. I cannot say that I have seen much evidence of it during this debate. Even if honourable members of this House were willing themselves to undergo the sacrifice, I doubt whether the province as a whole is ready for it. I doubt whether when large land-owners realise the effects, they will be prepared to agree. The support which this movement has received outside this House—and there has been a good deal of talk about it—is due to the impression that it is possible for Government to introduce a change by which the poor revenue

[Mr. H. W. Emerson.]

payer will gain and the rich revenue payer will have only to pay what he is now giving. I am afraid that the attitude taken by the honourable mover of this resolution and his supporters will not dispel this illusion.

But I do realise that honourable members are keenly interested in this question of land revenue. They do want to explore every possible means of placing it on what they consider sounder lines, and it is quite right that there should be a thorough examination and scrutiny of existing methods. But as regards this particular proposal if, after the fullest examination, members are satisfied that it is not practicable, then I would suggest to them that they should discourage and discountenance all agitation in its favour outside this House. There is a real danger that this movement will get into the wrong hands and at a time when there is a tendency to challenge the methods and principles of land revenue, I would recall to the members of this House the parting message of the late Finance Member, Sir John Maynard.

In bringing to a close his last budget speech, he epitomised the experience of many years of service devoted to this Province. "Let every member of this House (he said) and of the thinking public outside it remember that to sacrifice the dues of the State, which is the embodiment of the people is to rob the whole for the advantage of a part. We in the Punjab have ceased to part with our lands except for value received in cash or in peasant enterprise for their cultivation; and we have still kept a part, though not the whole, of that immemorial right to share with the owner in the produce of the soil which reformers elsewhere vainly seek to recapture. To this House I leave this parting message that the man who seeks to persuade us to abandon or abate so rich a public heritage to give away lands or to reduce or weaken the right to land revenue upon them, is sowing a harvest of regrets."

Khan Bahadur Captain Sardar Sikandar Hayat Khan [Muhammadan (Landholders)] (Urdu): I have heard many speeches that did not come up to my expectations but the speeches of the official members to-day are the most disappointing of all ever made in this House. Not a Session of the reformed council passes, and even in the pre-reformed council the case was not different, when one or more resolution is not moved by the popular benches demanding relief for the zamindars, and I can say that the honourable members will be glad to hear that Mian Sir Fazl-i-Hussain too before his joining the treasury benches was not behind anybody in championing the cause of the poor zamindars. The Government, I submit, should realise from the constant introduction of such resolutions that the zamindars really stand in need of assistance and something should be done for them without further delay. I am afraid some of the official members might be labouring under the misconception that the representatives of the zamindars in this Council who cry themselves hoarse in demanding some little relief for the zamindars are not serious or in earnest and that they bring these resolutions to make lengthy speeches only to come into limelight and show themselves off to the zamindars. But, Sir, I assure you with all the emphasis at my command, that if they are under this delusion they are

wrong. The zamindar members, if anything, are certainly not dishonest. And they merely voice the feelings of the masses and their own honest convictions. Whenever we have drawn the attention of the Government to the abysmal poverty and the woeful plight of the zamindars and asked for relief for this distressed class, they have shed crocodile tears and have been profuse in their expression of lip-sympathy with the zamindar. But in the same breath they have invariably put forth a dozen lame excuses to avoid conceding to the popular demands. In the last session of the Council I asked for the creation of a fund out of the remissions granted by the Government of India, but, Sir, it was said at that time that that would give insignificant relief and benefit would be infinitesimal to the zamindars, and as their benefactors Government cannot support it. Now when the present resolution is moved, it is argued that it goes too far and will considerably deplete the Provincial exchequer and would thus adversely affect the development programmes. In to-day's speeches from Government benches even that doubtful sympathy is wanting. They have shed the sugar-coat and have shown the zamindars the bitter truth of what I have already said, that they are unwilling to do anything for the poor zamindars.

In his masterly speech, the Chief Secretary has sought to argue against the resolution under discussion by putting forward a strange plea. He has said, Sir, that if the resolution was carried and given effect to, it would be detrimental to the interests of the zamindars inasmuch as the zamindar will be deprived of honour attaching to the name of "*malguzar*," a title which he so dearly cherishes. Sir, when the zamindars do not get the barest necessities of life, what advantage in the name of heaven, can they derive from being called *malguzars*, or from the schools, hospitals, or metalled roads of which the official members are making so much. These things are no doubt good in themselves, but the zamindars can derive little benefit from them unless and until their standard of living is raised and that I think can only be done if they are allowed to retain in greater quantity the products of their labour.

But what has astonished me most is the speech of my learned friend from Gujrat.

Dr. Shaikh Muhammad Alam : Is it new, Sir?

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Of course it is not new but more astonishing than usual.

He says, Sir, that if the resolution is carried and given effect to, it would mean that the zamindars would be inconvenienced by annual settlement being substituted for permanent settlement inasmuch as the income tax is levied every year and if the principles governing the assessment of income-tax are applied to the assessment of land revenue, the latter would also have to be assessed every year. But, Sir, it was not contended by the honourable mover in his opening speech nor is it the spirit of the resolution that land revenue should be assessed every year or after 2 or 3 years. This is a matter of detail.

The Honourable Mian Sir Fazl-i-Husain : It is a matter of principle and not of detail. That income tax must be assessed every year is a matter of principle.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Just as the income tax can be assessed after computing two years income, similarly the land revenue can be assessed after 2, 4 or 10 years, provided there is a will to do it.

The Honourable Mian Sir Fazl-i-Husain : We shall look to the estimate, Sir.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Again if the land revenue is assessed in conformity with the principles governing the assessment of income-tax, the poorer zamindars will particularly benefit thereby. The urban population has been paying income-tax for a number of years and their condition is considerably better than that of the zamindars. If the zamindars also wish to be treated similarly will they stand to lose anything? Certainly not, and the arguments put forward by the honourable member from Gujrat are fictitious and all-facious. In this connection I am reminded of a cartoon appearing in the "Boys' Own Paper" while I was at school. On the top of it the picture of the Czar of Russia was drawn with the inscription "I rule all." Below it was the picture of a clergyman with long robes and a flowing beard silvered with age, bearing the inscription "I pray for all." Below this stood a soldier armed to the teeth with the inscription "I fight for all." Next to it came the picture of a police man with the inscription "I keep peace for all." And last of all was the picture of the zamindar bearing the inscription in very small type "I pay for all."

Now Sir, we all know what happened in Russia less than twenty years after the above episode was published. This showed great foresight on the part of the author of the publication. Let us hope that we will not meet similar fate and the hard pressed smaller zamindar may not like his Russian brother turn out the big zamindar and the Government. It therefore behoves us both, Government and the big zamindar, to help the petty zamindar and concede his legitimate demands although in doing so the big zamindar may have to lose a little, although I do not believe that the bigger one will be at all affected by this resolution. With these remarks I support the resolution.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan) Rural] (Urdu) : Sir, before I give expression to my thoughts on the subject under discussion I would like to say that this resolution is indeed a very important one and the zamindar members of this Council in particular and the agriculturist population of the province in general are vitally concerned in the matter. It was, therefore, with this end in view that some of the non-English knowing zamindar members of the Council expressed a wish and are still desirous that the speeches of the Honourable Member for Revenue and the Honourable the Finance Member be translated into the Urdu language so as to enable them to arrive at a decision on the resolution under discussion.

Mr. President : Order, order. When the honourable member requested the Chair to have the Honourable the Revenue Member's speech translated, I particularly noticed that the members who are not conversant with English were not in the chamber. Therefore, I thought it useless to waste the time of the House on translation. Had the members been present, I would have been only too glad to have the Honourable the Revenue Member's speech translated for their benefit.

Khan Bahadur Mian Muhammad Hayat, Qureshi : Sir, since it is your pleasure not to have these speeches translated I will turn my attention to the honourable member representing Attock and I want to tell him that he should not give way to despair. The zamindars have still faith in the Government benches because none of them has opposed the resolution in the way he thinks. Probably he has not completely understood the Government point of view. The resolution under discussion is such that every man, whatever his opinions may be, every Punjabee who calls himself a son of the soil, is bound to have sympathy with its objects.

It is the zamindar, Sir, who pays for us all. It is the result of his strenuous labour that we, the big landlords, are living a life of ease and comfort. It is the zamindar, Sir, who by paying enormous sums of money as interest has built up the fortunes of the money-lenders, and lastly, Sir, it is the zamindar who is paying crores of rupees to the Government in the form of land revenue and *abiana*. In short, Sir, the zamindar is the main stay of Government as well as of all classes of people of which our society is composed. But at the same time we should not lose sight of the fact that the Government has to carry on the administration of the province, and for this funds are needed, and if this resolution is carried into effect the financial position of the Government is sure to receive a set back. So far as I have been able to gather from the speeches of the honourable members, I am inclined to believe that all of them have the fullest sympathy with the objects of the resolution, and if this resolution has been opposed at all it is on the ground that it would be extremely difficult to put it into practice.

It is an open secret that every zamindar considers the land revenue to be a burden, and there is no denying the fact that it is a burden from whatever point of view you may look at it and it would be but just if relief is given to the smallest holders. When people whose income is below Rs. 2,000 are exempt from the payment of income-tax there is no reason why people whose income is not even $\frac{1}{10}$ th part of this amount should not be exempted from the payment of land revenue. To this argument the reply is returned that this system has been in existence from time immemorial and the people are accustomed to it. I admit that it is so but I submit that this system is based on a wrong principle. It savours of usurpation of the rights of poor people and, therefore, the sooner this pernicious system is done away with the better it would be for all classes of zamindars.

I have no hesitation in acknowledging the fact that the Government is doing a good deal for the zamindars but I regret very much to say that it is not spending so much upon the uplift of the zamindars as it ought to have done. Had the Government been doing its duty by the zamindars, the honourable mover of this resolution would have had no occasion to bring

[K. B. Mian Muhammad Hayat, Qureshi.]

forward this resolution. For example, if the Government were to afford such facilities to the zamindars as would enable them to earn enough to keep body and soul together, after paying the Government dues, they would be satisfied with their lot. The poor zamindars of this province are really very badly off and Government could very well do something for them if it had the wish to do so. For instance, there are the lands in the Nili Bar Colony. Government need not have resorted to the sale of these lands by auction on such a large scale. These lands could have been given to such of the zamindars as have suffered on account of water-logging or they could have been given to such zamindars whose lands have been washed away by the action of the rivers; and even now, if the Government were to give a pledge that the land revenue obtained from the smallest land-holders would be spent for the betterment of their condition, there would be no difficulty in persuading the honourable mover of this resolution to withdraw his motion. Once again I draw the attention of the Government to the fact that the zamindars of this province are labouring under a heap of disadvantages and that their plight is indeed very sad and miserable. It is time the Government paid heed to the advice of its sincere well-wishers, otherwise my fear is that the zamindars will be obliged to have recourse to (مک آبد) (بجائی) more drastic steps. With these words I support this resolution.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, there is no doubt that the question now before the House is not a simple one and is not very easy of solution. Nevertheless, when such questions arise one has to consider them and if one has been lucky enough to hear the arguments put forward on both sides, one is helped to arrive at a decision whether the principle of the question which is being discussed ought or ought not to be supported. Sir, the principal thing which has weighed with me in arriving at a decision whether I ought or ought not to support this resolution is the fact that the Honourable the Revenue Member, in a very clever and very brilliant speech, has tried to extricate himself from a difficult position and has in an indirect manner admitted that the principle underlying this resolution is correct although he has pleaded his inability, for various reasons, to carry it into effect. The greater part of his speech was taken up in trying to show the impossibility of carrying into effect the principle of this resolution if it is passed by this House and he made very little attempt, if any at all, to show that the resolution embodied a principle which was unjust or condemnable on some other ground. He used arguments, which not he alone but even other members of the house have by this time got by heart which are apt to be employed by him on such occasions. He said: "If you want reduction of expenditure, that cannot be allowed because we can use up not only all the money that is available at present but all the money which can be made available for purposes of development. There are no other sources of income than the ones which are available to use at present; there is no possibility of reducing the expenditure and the result is that you cannot have any relief in taxation." That is a stock argument which the honourable member has always used, and he is no doubt entitled to use, in repelling any such suggestions which are now before the House. But his real answer to this resolution came when he said that even

if he was prepared to accept this resolution there were his colleagues to contend with, particularly the honourable member to his left, there was the Punjab Government to contend with and then there was the Government of India, and finally the Secretary of State. The House, I am sure, would not be disposed to blame the honourable member for this. His insistence on this inability was an indirect indication to the House that the views which he had expressed concerning the resolution were not really hostile to the spirit of the resolution. He pleaded that he should not be forced to accept the resolution because he would not be able to carry it into effect. Sir, we are grateful to the Honourable Member for the assurance that ever since he has accepted office as Executive Member he has endeavoured to administer the departments committed to his charge on the same principles on which the transferred departments should be administered. That is probably the strongest reason and justification for his occupying the seat that he now occupies. It is, however, a curious coincidence that this declaration is always used by the Honourable Member as a plea that this House should not press its wishes upon him. The only argument which he put forward against the resolution on the merits is this. He said it appeared to him that the present system of land revenue was not inequitable inasmuch as in the long run it was the consumer who paid the tax. Now, so far as land revenue is concerned, with very great respect to the Honourable Member, I am not prepared to accept that argument that land revenue is in the long run paid by the consumer. Prices of agricultural produce are affected by many factors and the prosperity of the producer himself is also affected by as many factors as affect prices and it is also affected, in addition, by those factors which affect the crops themselves, e.g., the failure of rains, the failure of the supply of water, pests and a thousand and one evils to which agriculture is subject in this country. Had I been told that a tax imposed upon butchers is really imposed upon the consumers of meat or a tax imposed upon sweetmeat-sellers is really imposed upon the eaters of sweetmeat, it would be easy to follow; but it is not easy to follow the argument that land revenue is ultimately paid by the consumer. But, even if that were correct, it is no argument in support of the proposition that a person whose total income, let us say, is Rs. 30 a year should be compelled to pay a tax of, let us say, Re. 1-8-0 per year to the State, when other persons whose annual incomes amount to, say, Rs. 1,500 a year, are not paying anything to the State in the form of direct taxation. (*Hear, hear*). Again if this argument is true that it is the consumer who ultimately pays the tax, my submission is that the agriculturists in this province form the bulk of the population and, therefore, they themselves, form the bulk of the consumers not only of the agricultural produce but of other articles as well that are imported into this province. (*Hear, hear*). They, therefore, pay not only land revenue but also the bulk of other taxes which go to form the revenues of the State. Therefore, this is an additional argument that they should be relieved of the direct taxation of their own labours on their land.

Now with regard to the argument of the Honourable Revenue Member that we must have so much revenue for the development of the province, that we cannot get more from other sources and as this resolution is likely to affect one of the sources of our income, it will give us less money to spend and consequently the pace of development will be slow, it may be perfectly

[Chaudhri Zafrullah Khan.]

correct so far as it goes. But if by this arguemnt the Honourable Revenue Member meant that the only possible forms of taxation are land revenue, *abiana*, court-fees, stamps and excise and nothing else and that nothing else could be devised, that argues a lack of financial acumen and a lack of statesmanship which is really lamentable.

The Honourable Mian Sir Fazl-i-Husain : For instance ?

Chaudhri Zafrullah Khan : The Honourable Revenue Member wants me to explain. I shall try to explain. He said that it may be possible to save a few lakhs in expenditure by practising the strictest economy. This resolution asks for relief in regard to the smallest holders of land under a system which should begin now and be perfected within a period of 40 years. The first suggestion which I make to the honourable member is this. Save those few lakhs now ; start at the bottom and begin with that relief. Give relief only to that extent to which your income would permit it. At present you are spending large sums of money on development and if these sums are wisely spent, if they are usefully spent, in the course of a few years you will have more industries, you will have larger commerce. If you spend your money wisely on your productive departments it will bring in greater prosperity all round and, therefore, greater ability to meet increased demands from the State. Therefore, though you cannot work a miracle or though you cannot practise alchemy, as the honourable member himself put it, you should so readjust your system of taxation that within the period of 40 years you should be able to give relief to that class of persons who are admittedly heavily taxed at the present time. If your present expenditure on development is justified, a stage might be reached when it would be possible to derive an appreciable amount of revenue from industries, for instance. In the course of your development it may be possible to impose additional taxation, let us say, upon imports into this province when commerce has increased ; similarly other sources of revenue may be discovered and are bound to be discovered in the course of the development of the province if you are spending wisely these large sums of money on the development of the province. When your sources of revenue have thus increased you can give greater and greater relief to the class which is heavily taxed at the present time.

The Honourable Mian Sir Fazl-i-Husain : The suggestion is that taxation should be increased on imports ?

Chaudhri Zafrullah Khan : The suggestion is that the increasing prosperity of the province as a result of your development programme will increase the capacity to meet greater demands from the State. Each source of revenue is likely to bring in more and in addition, there will be new sources from which you can derive additional income, for instance, industries and imports. That may not happen to-day or tomorrow or in a year or two ; it may come about in 10 or 20 or 30 years. As the income goes on increasing, you can go on giving more and more relief to the smaller land-owners. That is what has happened in other countries and there is no reason why it should not happen in this country.

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF 125
INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.

Another argument advanced is that the system of land revenue is an old one and this system is one to which people have been accustomed. As to this, I may say that there are many ills to which people in this unfortunate country have been accustomed. If this argument is to hold good, you can give up fighting disease because people have been accustomed to disease; you can give up fighting famine because people have been accustomed to famine; you can give up making new roads, because people have been accustomed to travel on camels and carts. This sort of arguments never weighs with the Government when additional revenue is required. The people may say 'this form of taxation is a novel one to which we are not accustomed', but this would not prevent Government from imposing additional taxation.

Again, the resolution was described, by one honourable member as one likely to lead to a paradise, but to a fool's paradise. If as the result of this resolution owners of two or three acres of land are likely to be relieved of the burden of having to pay ten or twelve rupees yearly to the State, they would all cheerfully submit to the designation of "fool's" in order to be admitted into this "fool's paradise."

Then it is argued that the political results of the resolution will be mischievous and that if the principle of income-tax is applied to land revenue a time is likely to arrive when the franchise will be widened and those classes will get into the Council in whose interests it will be to lay a greater burden on the land and then they will go on raising the rate of taxation on land, say from four annas to six, eight, ten and even twelve annas in the rupee. That might happen provided the constitution of the province and of its population are entirely changed. At present we are assured that 9/10ths of the population of this province are rural and agricultural. Then I cannot conceive what time can arrive in this province when those classes will preponderate who have nothing to do with land. With the widening of franchise and the admission into this Chamber of all classes of persons, I think the element connected with land will preponderate more and more, and if at any time it becomes really necessary to put on a heavier tax on land, I have no doubt, that the people representatives will cheerfully meet the demand and comply with it.

Another honourable member has contended that to ask for the relief which this resolution asks for argues a lack of sense of responsibility for self-government. The honourable member raised his hands in horror at the idea of agricultural people whose income is below Rs. 2,000 per annum being exempted from land revenue altogether and he says that that shows that we are not fit for self-government.

My answer is this that if in the towns you exhibit a sense of responsibility in spite of the fact that while earning incomes amounting to Rs. 1,999 per annum you are paying nothing to the State in the form of direct taxation, there is no reason why the zamindars should be charged with a lack of sense of responsibility when they say that they should be exempted, perhaps not to the same extent, but on similar principles. My submission, therefore, is

[Chaudhri Zafrullah Khan.]

that so far as the merits of this resolution are concerned nothing has been urged on behalf of Government or on behalf of those who have opposed this resolution from the non-official benches which would convince one that the resolution is a mischievous one in its spirit, and that it is likely to do harm instead of proving beneficial. If that is so, the resolution itself provides for the fact that there may be difficulties in carrying its spirit into practice because it requests the Government that that principle may be carried into effect within the space of forty years. With these observations, Sir, I support the resolution.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadian) Urban] (Urdu) : Sir, a good many members of this honourable House are in the habit of saying that they have no intention of speaking on such and such a motion and to-day I also count myself in the same category. I had no intention of speaking on the resolution under discussion and I feel that a long speech is not needed in support of the same and I may say at the very outset that I am not going to make a long speech. I also wish to point out that when a motion is moved by a member of the zamindar party there is always a fear in the minds of the members of the Council that it will be withdrawn or talked out. Anyhow the motion is before the House and I offer my heartiest congratulations to the leader of the zamindar party that after all he has made up his mind to test the moral courage of his party. Let me tell him that it does not require much of moral courage. Let his party and other members of the Council vote according to the voice of their conscience. Let them vote, for the side which they honestly think deserves their support. I am very glad that one of the party leader has resolved to test the honesty, the moral courage and conscientiousness of his party.

A friend of mine was pleased to remark that he had been greatly disappointed by the speeches delivered from the Government benches. But I should like to ask him when was it that the Government did not make disappointing speeches? When was it that the Government declared its intention of doing justice to the claims of the down trodden people? When was it that the Government benches supported the claims of the oppressed poor? I am glad and I am thankful to the Government that they have made my friend realise the fact that whenever a speech is made from the Government side it is always disappointing. Another member of the Council said that the resolution is indeed reasonable and that the object underlying it is also laudable and it is also true that the way in which the zamindar members of the Council are enabled to play the grand seigneur is mainly due to the hard and strenuous work done by the poor agriculturists, but as this resolution is likely to put the Government into hot water it would be advisable to withdraw it. All that I can say to this is that I fail to understand the mentality of such people.

The speeches from the Government side may have disappointed some members and surprised others, while some others may be thinking that they are on their trial to-day, that their honesty, their conscientiousness, their steadfastness of purpose, are in the testing crucible, but I am glad that

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF 127
INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.

their eyes have been opened at last. Let them be prepared to face the hard facts of their situation. Let them realise, that many more disappointments are in store for them.

The Honourable the Revenue Member was once a great supporter of this party. He was said to have every sympathy for the aspiration of this party and who knows he may still be their sympathiser....

Mr. President : Order, order, I would request the honourable member to speak to the question.

Dr. Shaikh Muhammad Alam : Sir, my submission was that the Honourable Member for Revenue was pleased to say that he had every sympathy with the object underlying this motion, that the proposal put forward before the House was indeed very useful and was calculated to help the poor zamindars. I am prepared to admit all that, but as a friend of mine has pointed out, it comes to this that the proposal under discussion is reasonable, is very important, that he has every sympathy with its objects but it cannot be carried into effect because the coffers of Government cannot bear the strain of so much money going out from the pockets of the Government.

Again another member of this honourable House said that landholders would take it to their heart if they are deprived of the honour of paying the land revenue, because it is considered a great honour to be a *malguzar* (a land revenue payer). Now, Sir, I submit very respectfully that when these zamindars are not prepared to accept this honour why do you thrust it upon them? Let the Government point out the defects, if any, of this proposal. It will not do for them to say that the proposal is sound, that it is reasonable, that it is useful, and that it is important but it cannot be given effect to.

The honourable mover of this resolution submitted that the poor zamindars want the concession because they are empty-stomached. If that is so, and if he is truly a representative of these poor empty-stomached zamindars he should be more insistent in his demands. He should not remain silent. He should make it his business to voice the grievances of these poor zamindars. We know that the poor zamindars cannot raise a hue and cry. We know that he is tongue tied, but is that a reason that he should be over-burdened. Nobody would take it into his hand to load a fleet-footed Arabian horse but everybody is ready to load a donkey, because the poor brute cannot speak and quietly submits to being over-loaded and is even ready to receive kicks. Because the zamindars are accustomed to bear their burdens silently, therefore nobody cares for them, and if at any time their grievances are brought to the notice of the Government, the Government benches admit half-heartedly that they too have some rights but at the same time a threat is held out to them that in view of the increasing expenditure on other departments of Government it is just possible that land revenue may be increased and, therefore, nothing can be done for them and that they had better hold their peace. The representatives of the zamindars should, therefore, understand once for all that this threat would

[Dr. Shaikh Muhammad Alam.]

always be hanging over their heads like the sword of Damocles, and unless the zamindars make up their minds to protect their rights now, they may rest assured that their rights are going to be encroached upon in the future also.

Then, Sir, the Honourable Revenue Member was pleased to remark that this resolution cannot be given effect to because there are no means of increasing the revenue by one crore of rupees. My submission Sir, is this that if the Honourable the Revenue Member would be pleased to apply his keen and incisive intellect to the solution of this problem, there is no earthly reason why he should not be able to find a way out of the difficulty. But if he is not prepared to do so then I would suggest that in the next budget provision may be made for the creation of another minister, whose business it should be to find ways and means of increasing the revenue by one crore of rupees, and if he is unable to do it, another may be appointed and so on till some means are found for either increasing the revenue by one crore or reducing the expenditure by the same amount.

It is really a wonder that Government should ask us to suggest ways and means of increasing the revenue or reducing the expenditure. The Government has at its disposal the best brains of the country. It has at its disposal high salaried officials. It has got the necessary books and statistics at its disposal and yet it asks us to suggest means for the reduction of expenditure and the increasing of revenue. If the Government gives over to us all these books and statistics and something over and above that we shall put our heads together and find out some way of meeting this difficulty, otherwise the only way open to Government is to go on increasing the number of ministers and they may in course of time be able to cope with this difficulty.

When the honourable mover proposed that the principles governing the assessment of income-tax be applied to the assessment of land revenue and that the same should be adopted as a goal to be reached within the next forty years, the Honourable Member for Finance was unable to understand the import of these words. He was at a loss to understand as to what the honourable mover meant by fixing a period of forty years: whether this meant that he should ponder over the matter for twenty years and after the lapse of that time do some practical work in the proposed direction or whether the honourable mover meant something else. To my mind it appears that the honourable mover deserved this snub, because it is not necessary to fix the period of forty years for the purpose he has in view. But there is something to be said for the honourable mover. He was only a short-time ago a member of the bureaucratic Government, and he has not yet been able to cast off the spell. He is still infected with the bureaucratic ideals and that is why he dared not ask that his resolution should be given effect to immediately. I am, however, glad that he has asked that a beginning should be made as soon as possible.

The honourable members of this house have depicted the zamindars as the most miserable creatures on the face of the earth, and if the picture

RESOLUTION RE APPLICATION OF THE PRINCIPLES OF ASSESSMENT OF 126
INCOME-TAX TO THE ASSESSMENT OF LAND REVENUE.

drawn is true to life, justice demands that their grievances should be redressed immediately and Government should not trot out such lame excuses that funds are not available. I would ask the honourable members of this House not to make recommendations to the Government. They should put forward their proposals in the form of commands and they should compel the ministers to give effect to them. My submission is that it should be made obligatory on the ministers to carry out the wishes of the members and in the event of their failure to do so they should either resign or find out ways and means of reducing the expenditure or increasing the revenue.

Mr. President : The honourable member has been repeating his arguments over and over again but has not said a single word for or against the resolution.

Dr. Shaikh Muhammad Alam : Sir, I was supporting the resolution and with that end in view I would urge upon the Government that they should take these resolutions in the light of commands and if once they realise this I am sure that some means will be found for increasing the revenue and reducing the expenditure. As long as this is not done these resolutions will result in nothing. With these words, Sir, I extend my heartiest support to the resolution under discussion.

Chaudhri Zafrullah Khan : I beg to move.

"That the question be now put."

The motion was carried.

Mr. President : The resolution moved is :—

"This Council recommends to the Government that the policy of applying the principles of 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."

The question is that that resolution be adopted.

The Council divided : Ayes, 20, Noes 34.

AYES 20.

Khan Bahadur Captain Sardar
Sikandar Hiyat Khan.
Mian Ahmad Yar Khan, Daultana.
Sardar Buta Singh.
Khan Sahib Khan Muhammad
Saifullah Khan.
Mr. Din Muhammad.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Dr. Sir Muhammad Iqbal.
Chaudhri Duli Chand.
Chaudhri Yasin Khan.

Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad
Raza Shah, Gilani.
Khan Muhammad Abdullah Khan.
Rana Firoz-ud-Din Khan.
Dr. Shaikh Muhammad Alam.
Chaudhri Afzal Haq.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Bishan Singh.

NOES 84.

Col. C. A. Gill.
 Mr. B. H. Crump.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan,
 Noon.
 Khan Bahadur Nawab Muzaffar
 Khan.
 Mr. W. R. Wilson.
 Mr. D. Milne.
 Mr. A. R. Astbury.
 Mr. M. A. Ghani.
 Mr. E. 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.
 Dr. C. A. Owen.
 Khan Bahadur Shaikh Sir Abdul
 Qadir.
 Mr. M. M. L. Currie.
 Rai Bahadur Lala Sewak Ram.
 Lala Mohan Lal.
 Pandit Nanak Chand.
 Mr. Owen Roberts.
 Lala Gopal Das.
 Lala Joti Parshad.
 Rai Bahadur Lala Rattan Chand.
 Chaudhri Ali Ahmad.
 Sayad Muhammad Husain.
 Khan Bahadur Chaudhri Fazl Ali.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.
 Sardar Sahib Sardar Fatch Singh.

The motion was lost.

The Council then adjourned till 2 P.M., on Saturday, the 25th February 1928.

PUNJAB LEGISLATIVE COUNCIL

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 25th February 1928.

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

STARRED QUESTIONS AND ANSWERS.

PROSECUTIONS AGAINST NEWSPAPERS.

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

- (a) the number of newspapers against which proceedings have been filed by the Government under section 124, I. P. C.
- (b) the names and number of those newspapers against which proceedings have been filed by Government under section 153, I. P. C.?

The Honourable Sir Geoffrey deMontmorency: If the honourable member will give the period for which the figures and facts are required, endeavours will be made to supply them.

ARREST OF KHAN SHAFAT ULLAH.

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

- (a) if it is a fact that Malerkotla State police wanted to arrest Khan Shafat Ullah, B.A. some months ago;
- (b) if it is a fact that Ferozepore police arrested Shafat Ullah Khan and handed him over to the State police;
- (c) whether the house of Shafat Ullah was searched;
- (d) if it is a fact that no warrant was shown when arrest was made;
- (e) if so, under what section the arrest was made?

The Honourable Sir Geoffrey deMontmorency: (a) Government have no information.

(b) No.

(c) No.

(d) and (e) Do not arise.

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

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

- (a) the names of the newspapers that were on the approved list for Government advertisements in the year 1926 ;
- (b) the names of those newspapers that were struck off that list in 1927 and 1928 ;
- (c) the reasons for striking off their names ?

The Honourable Sir Geoffrey deMontmorency : Attention of the honourable member is drawn to his question No. 1255 and the answer thereto reported at page 84 of the Debates of this Council, Volume VIII, and his question No. 10 and the reply thereto at page 84 of Volume X.

PUNJABIS IN FOREIGN COUNTRIES.

***929. Chaudhri Afzal Haq :** (a) Will the Honourable the Finance Member be pleased to state whether it is a fact that the Punjab Government requested the Government of India to take necessary steps to watch the movements of certain Punjabis who were living in foreign countries ?

(b) If so, will the Honourable Member be pleased to state the names of those Punjabis whose movements are requested to be watched ?

The Honourable Sir Geoffrey deMontmorency : (a) Not within recent years.

(b) Does not arise.

THAL CANAL.

***930. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state when the Government will be able to begin constructing the Thal Canal ?

The Honourable Mian Sir Fazl-i-Husain : Sanction of the Government of India to this Project is withheld pending the establishment of the sufficiency of Indus supplies in excess of the requirements of Sind. This Government cannot say if and when this will be accomplished.

EDUCATIONAL INSTITUTIONS AND POLITICS.

***931. Chaudhri Afzal Haq :** (a) Will the Honourable the Minister for Education be pleased to state whether it is a fact that Government (Ministry of Education) have issued a circular letter calling upon the managing committees of educational institutions not to take part in politics and permit any political meeting to be held in their premises under penalty of losing their grant-in-aid ?

(b) If so, will the Honourable Minister be pleased to lay that letter on the table ?

¹In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. H. F. Ashton.

The Honourable Mr. Manohar Lal: (a) No. The scope of the new amendment has been misunderstood. It adds nothing substantial to the existing provision in the Code, but has placed agitation exciting feeling of enmity against any section or sections of His Majesty's subjects on a par with the previously existing provision against exciting feelings of disloyalty or disaffection against Government.

(b) A tabular statement giving the old provision and the new provision as amended is placed on the table.

Article 35, paragraph 2, Chapter III, Punjab Education Code:

Old provision.

New provision as amended.

Grants will ordinarily be withdrawn from a school without notice if the manager or any member of the managing committee or any of the teachers employed in the school take part in political propaganda or agitation directed against the authority of Government or disseminates opinions tending to excite feelings of disloyalty or disaffection. Government reserves to itself the right, anything in the rules of this Code notwithstanding, to refuse or withdraw any grant at its entire discretion.

Grants will ordinarily be withdrawn from a school without notice if the manager or any member of the managing committee or any of the teachers employed in the school take part in political propaganda or agitation directed against the authority of Government or disseminate opinions tending to excite feelings of disloyalty or disaffection against Government or of enmity and hatred against any section or sections of His Majesty's subjects. Government reserves to itself the right, anything in the rules of this Code notwithstanding, to refuse or withdraw any grant at its entire discretion.

Lala Bodh Raj: Will the Honourable Minister for Education be pleased to state if he will consider the advisability of modifying the terms of this circular letter in order to make it consistent with the present practice and to pacify the agitation that is going on against the circular?

Mr. President: It is not a supplementary question but a suggestion for action which is prohibited under the Standing Orders.

Lala Bodh Raj: Will the Honourable the Minister be pleased to state if he is prepared to withdraw this circular or to modify it?

The Honourable Mr. Manohar Lal: There is no circular as I have stated already; an amendment has been made in the Code. I am considering the terms of the existing provision.

ARMS LICENSES.

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

- (a) the number of licenses for keeping arms according to districts in 1927 ;
- (b) whether the Government is considering the advisability of giving more facilities to the people for keeping arms than hitherto done ?

The Honourable Mian Sir Fazl-i-Husain : (a) Figures for 1927 are not available. The total number of fire arms possessed by the public in 1926 is available, and it is 51,595 as against 25,869 in 1921.

(b) No.

DURLI JATHA.

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

- (a) the names of those districts where special police called ' Durli Jatha ' has been organised to stop cattle-lifting ;
- (b) the number of cases challaned by the special police in each of the districts ?

The Honourable Sir Geoffrey deMontmorency : (a) ' Durli Jatha ' is not the recognised name of any special police force in the Province.

(b) Does not arise.

LOCAL INDUSTRIES.

***934. Chaudhri Afzal Haq :** Will the Honourable the Minister for Education be pleased to state what grant-in-aid has been given for the encouragement, improvement or popularising of local industries in the province in the year 1927 ?

The Honourable Mr. Manohar Lal : The following grants-in-aid were paid by this Department for the encouragement, improvement or popularising of local industries in the province during 1927 :—

	Rs. A. P.
(1) Co-operative Industrial Exhibition held at Lahore	2,000 0 0
(2) Organization of weaving demonstrations at the Cattle Fair, Mianwali, and the Palwal Show, Palwal	896 11 6
(3) Grants-in-aid amounting to	30,662 0 0
to the Industrial and technical institutions noted below :—	
(a) Victoria Diamond Jubilee Hindu Technical Institute.	
(b) Municipal Board Industrial School, Amritsar.	

¹In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. H. M. Cowan.

- (c) District Board Industrial School, Montgomery.
 - (d) Mission Industrial School, Gurgaon.
 - (e) Arya Samaj Orphanage Industrial School, Ferozepore.
 - (f) School for the Blind, Amritsar.
 - (g) Church Missionary Society Women's Industrial Home, Lahore.
 - (h) Jamshedpur Technical Institute, Jamshedpur.
- (4) Loans were also given under the Punjab Industrial Loans Act, amounting to Rs. 52,800, and the Department equipped a carriage in the North-Western Railway Demonstration Train.

POLICE ENQUIRY COMMITTEE'S REPORT.

***935. Chaudhri Afzal Haq :** (a) Will the Honourable the Finance Member be pleased to state the date on which the Police Enquiry Committee's report was submitted to the Government?

(b) Will the Honourable Member be pleased to state whether the Government have considered its recommendations?

(c) If not, how long will the Government take to consider its recommendations?

The Honourable Sir Geoffrey deMontmorency : (a) 1st June 1926.

(b) Yes.

(c) Does not arise.

DEFAMATION CASES AGAINST NEWSPAPERS.

***936. Chaudhri Afzal Haq :** (a) Will the Honourable the Finance Member be pleased to state the names of newspapers against whom Government officers, with the permission of the Government started defamation cases since the year 1921?

(b) What was the result of those cases?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is given in the statement now laid on the table.

Statement showing the names of newspapers against whom Government officers, with the permission of the Government, started defamation cases since 1921 upto date.

1921.

<i>Name of paper.</i>	<i>Result.</i>
1. <i>Zamindar</i> , Lahore, dated 29th August 1921.	An <i>ex-parte</i> decree of Rs. 15,000 was passed in favour of the plaintiff.
2. <i>Akali</i> , Lahore, dated 18th March 1921.	A decree of Rs. 5,000 was passed against the editor-printer-publisher.
3. <i>Akali</i> , Lahore, dated 6th April 1921.	A decree of Rs. 8,000 was passed against the editor-printer-publisher.

[Hon'ble Sir Geoffrey de Montmorency.]

1922.

<i>Name of paper.</i>	<i>Result.</i>
1. <i>Siyasat</i> , Lahore, dated 16th January 1922.	A decree for Rs. 100 was passed in favour of the plaintiff.
2. <i>Siyasat</i> , Lahore, dated 6th January 1922.	A decree for Rs. 200 was passed in favour of the plaintiff.
3. <i>Bande Matram</i> , Lahore, dated 18th February 1922.	A decree for Rs. 700 with costs was passed in favour of the plaintiff.
4. <i>Bande Matram</i> , Lahore, dated 24th March 1922.	The decision was upheld by the High Court. A decree for Rs. 100 was passed in favour of the plaintiff, the parties to bear their own costs.
5. <i>Gargaj Akali</i> , Amritsar, dated 28th May 1922.	An <i>ex-parte</i> decree for Rs. 5,000 was passed against the defendants.
6. <i>Pardesi Khalsa</i> , Amritsar, dated 24th May 1922.	An <i>ex-parte</i> decree for Rs. 8,000 was passed against the defendant.
7. <i>Akali</i> , Lahore, dated 29th April 1922.	An <i>ex-parte</i> decree for Rs. 15,000 with costs was passed against the defendant.
8. <i>Gargaj Akali</i> , Amritsar, dated 27th May 1922.	A decree for Rs. 4,000 with costs was passed against the defendants.
9. <i>Gargaj Akali</i> , Amritsar, dated 28th June 1922.	A decree for Rs. 500 with costs was passed against the defendants.
10. <i>Pardesi Khalsa</i>	.. A decree for Rs. 2,000 with costs was passed against the defendant.
11. <i>Akali</i>	.. A decree for Rs. 1,500 with costs was awarded in favour of Major Wilson.
12. <i>Daler Akali</i>	.. A decree for Rs. 500 with costs was awarded in favour of Major N. M. Wilson, I.M.S.
13. <i>Ahl-i-Sunnat-wal-Jama a t</i> , Amritsar, dated 11th March 1922.	The case was withdrawn as the defendants apologised.
14. <i>Partap</i> , Lahore, dated April 1922.	The case was dropped.
15. <i>Bande Matram</i> , Lahore, dated 22nd March 1922.	The case was dropped.
16. <i>Pardesi Khalsa</i> , Amritsar, dated 29th March 1922.	The case was dropped.

1923.

- | | |
|---|--|
| 1. <i>Bande Matram</i> , Lahore | .. A decree of Rs. 100 with costs was awarded in favour of Rai Sahib Jamna Das, Jailor, Multan Jail. |
| 2. <i>Gargaj Akali</i> , Amritsar, dated 19th March 1923. | Compromised on payment of costs. |

<i>Name of paper.</i>	1924.	<i>Result.</i>
	Nil.	
	1925.	
	Nil.	
	1926.	
	Nil.	
	1927.	
1. <i>Muslim Outlook</i>	... A Civil suit instituted by Sub-Inspector of Police, Munshi Lal, is pending in Court.	
2. <i>Zamindar</i>	... A Civil suit instituted by Sub-Inspector of Police, Munshi Lal, is pending in Court.	
	1928 upto date.	
	Nil.	

BURGLARY CASES IN AMRITSAR.

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

- (a) the number of burglary cases in Amritsar city, division No. 2, since August last;
- (b) the number of cases traced?

The Honourable Sir Geoffrey deMontmorency : (a) Eighteen.
(b) Three.

COMMUNAL PROPAGANDA IN THE MUZAFFARGARH DISTRICT.

*938. **Lala Bodh Raj** : Has the attention of the Honourable Finance Member been drawn to the fact that in the district of Muzaffargarh there is a Zamindara Development Committee under whose auspices some singing parties are carrying on communal propaganda which is calculated to create hatred between Hindus and Muslims? If so, will he please state whether the authorities propose to take any action to stop such activities of the said Committee?

The Honourable Sir Geoffrey deMontmorency : Government is aware that a movement has been started in the Muzaffargarh district with the object of effecting economic development of the district. Under the auspices of the Rural Community Council voluntary workers, both officials and non-officials, are working in the interests of agriculture, education, rural sanitation and co-operation. The methods of propaganda include the singing of songs and recitation of poems which emphasise the benefits of economic development. Government is of opinion that the material development of the district must have the effect of benefiting all classes

[Hon'ble Sir Geoffrey deMontmorency.]

and communities of the population and trusts that the movement will obtain the support of Hindus and Muhammadans alike. In order to avoid offence, it has advised the district authorities that care should be taken that the propaganda should not contain any attack on any particular class.

ALLEGED MISMANAGEMENT OF THE PIND DADAN KHAN MUNICIPAL COMMITTEE.

***939. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government be pleased to state if his attention has been drawn to the allegations made against some of the Municipal Commissioners of Pind Dadan Khan regarding the mismanagement of the affairs of the municipal committee published in the vernacular paper, the *Partap* of 11th June 1927, 9th August 1927 and also issues of earlier dates? If so, what action has been taken to remove those complaints?

The Honourable Malik Firoz Khan, Noon : Government has now seen the articles referred to and a report has been called for from local officers.

MR. HAFIZ MUHAMMAD, MUNICIPAL COMMISSIONER, PIND DADAN KHAN.

***940. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that Mr. Hafiz Muhammad, Municipal Commissioner, Pind Dadan Khan, is living in Peshawar and is continually absenting himself from the meetings of the committee for more than 8 months?

(b) Will the Honourable Minister please state why his name has not been removed from the membership of the committee under section 16 of the Municipal Act?

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

(b) Does not arise.

ALLEGATIONS AGAINST TEACHERS OF SCHOOLS CONDUCTED BY THE PIND DADAN KHAN MUNICIPAL COMMITTEE.

***941. Lala Bodh Raj :** Will the Honourable Minister for Education please state if his attention has been invited to the allegations of corruption and gambling against some of the teachers of the schools conducted by the Municipal Committee, Pind Dadan Khan, appearing in the vernacular press, the *Partap*, dated the 11th June and the 9th August 1927? If so, what action has been taken against the teachers concerned?

The Honourable Mr. Manohar Lal : I have not seen the copies of *Partap* referred to, but I shall draw the attention of the Divisional Inspector of Schools to the matter.

CHINIOT MUNICIPAL COMMITTEE.

***942. Lala Bodh Raj:** Will the Honourable Minister for Local Self-Government please state—

- (a) the elected strength of Hindus and Muslims respectively on the Chiniot Municipal Committee before the year 1923 ;
- (b) the relative strength of Muslim and Hindu members of the Chiniot Municipal Committee fixed as a result of a very careful enquiry in 1928 when the constitution was revised ;
- (c) the relative strength of Muslims and Hindus on the Chiniot Municipal Committee at the present time ;
- (d) the principle on which the nominations of non-official members have been made disturbing the ratio of the elected strength of the Committee ;
- (e) if it is a fact that the Hindus of Chiniot anticipating this action of the Commissioner drew the attention of the authorities and protested against the nomination of two Muslim members?

The Honourable Malik Firoz Khan, Noon :

- | | | | | |
|-------------|----|----|---|---|
| (a) Muslims | .. | .. | 4 | |
| Hindus | .. | .. | 4 | |
| (b) Muslims | .. | .. | 5 | |
| Hindus | .. | .. | 4 | |
| (c) Muslims | .. | .. | 7 | } excluding the <i>ex-officio</i> member. |
| Hindus | .. | .. | 4 | |

(d) As the result of the revision of the electoral rolls it was found that Muslims were entitled to six and non-Muslims to three elected seats.

(e) A petition, dated 26th July 1927, was received in the office of the Private Secretary to His Excellency the Governor on 29th July 1927. Commissioner's notification appointing members is dated 6th July 1927 and was published in the Gazette of 22nd July 1927.

Lala Bodh Raj: Will the Honourable Minister please state when the electoral rolls were revised?

The Honourable Malik Firoz Khan, Noon : I require notice of that question.

Lala Bodh Raj: Will the Honourable Minister please state if it is a fact that appeals were lodged by persons who were discontented?

The Honourable Malik Firoz Khan, Noon : We are awaiting information.

Lala Bodh Raj: On a point of order, Sir. What is the use of starring a question when we are told that information is not available?

The Honourable Malik Firoz Khan, Noon : One cannot supply information until it is received.

HAISIYAT TAX.

***943. Lala Bodh Raj:** (a) Will the Honourable Minister for Local Self-Government please state—

- (a) if it is a fact that the assessment of *haisiyat* tax has been recently revised in the Small Town Committee of Jalalpur Pirwala in Shujabad Tahsil ;

[Lala Bodh Raj.]

- (b) if it is a fact that the tax levied collectively on the Hindus has risen to more than threefold while that levied on the Muhammadans remains just the same as before;
- (c) if it is a fact that there is a great discontent amongst the Hindus of the place and that they complained to the authorities that the assessment has been made in an arbitrary manner at the instance of the President of the Committee?
- (ii) Will the Honourable Minister please lay on the table the figures showing respectively the amount of tax levied on the Hindus and the Muhammadans of the place before the revision and to be levied after the revision?

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

- (b) A report on the point is awaited.
- (c) A petition on the subject was received by local officers and the petitioners were advised to lodge appeals.
- (ii) The necessary figures have been called for and will be supplied when received.

TALIB HUSSAIN, ZAILDAR, GARH MAHARAJA.

***944. Lala Bodh Raj:** (a) Will the Honourable Member for Revenue please state if it is a fact that a deputation of the Hindu Sabha, Jhang Maghiana, waited upon the Deputy Commissioner, Jhang, to complain against one Talib Hussain, Zaildar, Garh Maharaja?

(b) Did the Deputy Commissioner record any remarks after receiving the deputation?

(c) Was the Deputy Commissioner influenced in his decision by the note left by his predecessor that no case should be started against the said zaildar?

(d) Is it a fact that in addition to the note referred to in (c) the said Deputy Commissioner has also left an adverse note against the same zaildar? If so, was this note also taken into consideration by the present Deputy Commissioner?

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

(c) and (d) There is some confusion in the honourable member's mind, and it can serve no useful purpose to state the views of various officers who dealt with the case.

CASE OF RAI SAHIB LALA JAMNA DAS *versus* THE PUNJAB AKHBARAT COMPANY.

***945. Lala Bodh Raj:** Will the honourable member for Finance please state whether in view of the report of the Punjab Jails Committee, the Government intends to proceed with the appeal filed against the judgment of the Senior Sub-Judge, Multan, given in the year 1925 in the case Rai Sahib Lala Jamna Das *versus* the Punjab Akhbarat Company?

¹ In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. W. B. Wilson.

The Honourable Sir Geoffrey de Montmorency : The honourable member is referred to the answer given to council question¹ No. 2434. The Jail Committee's report does not refer specifically to this case and Government will abide by the promise already given to Rai Sahib Lala Jamna Das.

GRANTS OF LAND FOR CATTLE BREEDING.

***946. Sardar Ujjal Singh :** (a) Will the Honourable Member for Revenue be pleased to state whether any grants for cattle breeding are to be given in the Nili Bar Colony? If so, on what conditions?

(b) Will any preference be given to any class or community in the matter of these grants? If so, does Government intend to consider the claims of these ex-soldiers who have received no grants so far?

The Honourable Mian Sir Fazl-i-Husain : The whole question is under consideration.

DAMAGE TO GINNING FACTORIES OF CHAUDHRI SHEER SINGH AND OTHERS BY RAIN WATER.

***947. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state if the answer to question No. 782² (starred) put in November last is ready? If so, will he please lay a copy of it on the table?

The Honourable Malik Firoz Khan, Noon : A copy of the answer to question No. 782² as furnished to the council office on 16th January 1928 is laid on the table.

[Answer to question No. 782²].

The Honourable Malik Firoz Khan Noon : (i) The rain water does flow into the Ginning Factories, but it need not do so, if the factory owners took steps to prevent it.

(b) Yes.

(c) Yes.

(iv) The matter is under consideration.

EDUCATION OF GIRLS.

***948. Lala Joti Parshad :** Will the Honourable Minister for Education be pleased to answer question No. 762⁴ (starred) asked by me during the session of the Punjab Legislative Council held in November 1927?

The Honourable Mr. Manohar Lal : The answer to the question has already been sent to the honourable member on the 14th January, 1928, through the Secretary, Punjab Legislative Council.

¹Vol. VIII-B, page 1699.

²In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. W. R. Wilson.

³Vol. X-B, page 1292.

⁴Vol. X-B, page 1279.

[Answer to Question No. 762.]

The Honourable Mr. Manohar Lal : The information referred to by the honourable member in his Council question No. 762¹ is appended herewith.

Statement showing the information regarding facilities for the education of girls in the Hissar, Karnal, Rohtak and Gurgaon.

Name of District.	Total population of girls of school-going age, viz., 6-12.
(a) 1. Hissar ..	41,937
2. Karnal ..	56,263
3. Rohtak ..	53,233
4. Gurgaon	47,130

(b) Name of District.	FACILITIES FOR EDUCATION PROVIDED FOR THE GIRLS OF SCHOOL-GOING AGE.		
	(1) By Government.	(2) By Municipal Committees and District Boards.	(3) By Private agencies.
1. Hissar ..	..	Primary schools are maintained by local bodies.	An Arya Middle School is in existence and a Mission High School is going to be started.
2. Karnal ..	..	Ditto	..
3. Rohtak ..	At present there is no Government school, but proposal to start one has been sanctioned and efforts are being made to get a site.	There is one middle school and a number of primary schools.	..
4. Gurgaon ..	..	One District Board Middle School.	..

(c) Percentage of literacy amongst the girls of school-going age in each district for the last five years :—

	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.
1. Hissar ..	2.80	2.86	2.74	3.01	2.85
2. Karnal ..	1.7	1.8	1.9	1.9	2.4
3. Rohtak ..	2.47	2.38	2.25	2.37	2.32
4. Gurgaon ..	2.05	2.30	2.59	4.13	4.32

(d) There has been some reorganization of the inspecting staff for girls' schools and a school for Domestic Science in Gurgaon is aided by Government. No other special steps have been taken, but an experiment, under the special care of the Deputy Commissioner, to give instruction to very young girls in small boys' schools is being tried, and about 1,600 girls are thus receiving education.

(e) The question of affording further facilities by providing Anglo-vernacular secondary education for girls is under consideration.

TOHANA SMALL TOWN COMMITTEE.

*949. **Lala Joti Parshad :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether Hindu Sabha, Tohana, and other prominent residents of that place have made any representation to the local Government, the Commissioner, Ambala Division, and the Deputy Commissioner, Hissar, about the redistribution of wards in the Tohana Small Town Committee? If so, what action, if any, has been taken by the Government?

(b) Will Government lay a copy of it on the table?

The Honourable Malik Firoz Khan, Noon : (a) Yes, the petition was forwarded to Commissioner for disposal.

(b) A copy is laid on the table.

Copy of a letter from the Secretary, Hindu Sabha, Tohana (Hissar) to the Commissioner, Ambala Division, Ambala Cantonment, dated the 9th September 1927.

Most humbly and respectfully we the Hindus of Tohana beg leave to submit the following representation in the hope that you will be pleased to issue orders for reconstruction of wards before the preparation of voters' registers for the forthcoming elections for Small Town Committee, Tohana, takes place.

2. We beg leave to submit for your kind information that before the Small Towns Act, 1921, came into force, Tohana used to be a Notified Area and all seats on the Notified Area Committee were then filled up by nomination. Out of four seats, two were reserved for Hindus and two went to Muhammadans. A perusal of old records in your office will clearly prove that 50 per cent. seats were allotted to each community then.

3. When, however, the Small Town Committee Act came in operation six seats were reserved for being filled up by election and one was to be filled up by nomination. The District authorities were instructed to arrange the wards in such a manner that each community may get its due share according to population, but this principle was entirely overlooked and legitimate rights of Hindu Community were deliberately trampled over. At present there are seven members of the Committee, out of whom as many as six are Muhammadans, and so long as the wards remain unchanged, there is absolutely no chance of our securing due representation on the Committee.

4. Tohana, we may add, is an important trade centre and according to the census of 1921 has got the population of 6,613, out of whom 3,400 are Hindus and 3,200 are Muhammadans. Two-thirds of the total town rate is also paid by the Hindus, while the Muhammadans contribute only one-third of the revenue of the Committee; yet the Hindus have practically no voice in the management of municipal affairs of the town.

5. Tohana is divided into two portions—Chaukhandi and Qila. Chaukhandi consists of 300 houses of Hindus and 100 of Muhammadans. In the Qila the Hindus own about 300 houses and Muhammadans 550. In all justice and fairness the Qila should have been assessed much higher town rate, but we are surprised to inform you that Chaukhandi is compelled to pay Rs. 2,000, while only Rs. 1,665 are levied upon the Qila.

[Hon'ble Malik Firoz Khan Noon.]

6. The result is that the sanitation and education of the town are entirely neglected. There is not a single primary school for boys or girls and the budget for education is nil. The rain water and other dirty water stagnates in the streets and no arrangement for drainage or sewage exists. A great portion of the taxes is wasted in fruitless litigation against the Hindus who have to incur expenditure extending over several thousands of rupees annually. In all the cases so far filed by the Committee the Committee has never been successful. All this litigation is based upon consideration of personal enmity and communal bias.

7. In view of facts mentioned above, we most humbly and respectfully request that separate wards for each community be fixed or at least there should be overwhelming majority in at least three if not four wards, so that in coming elections we may secure a just and proper representation. As the Hindus are in majority, the seat reserved for nomination should also be given to the members of our community as during the last three years a Muhammadan gentleman was nominated.

8. In the end we beg to submit that we are suggesting no new departure. The Muhammadans of Sirsa and Hissar did not obtain their due representation according to the population and so the Government resolved to introduce communal representation in Sirsa Municipal Committee, but in Hissar the wards were so constituted that at the time of elections each community got its due representation.

9. Our efforts to move the local authorities have not been attended with success. We submitted a representation to the Deputy Commissioner 2½ months ago, which has not been acknowledged and a reminder, which was sent over a week ago has not been replied to. Under the circumstances we have no other alternative, except to approach Your Honour direct. Finally we earnestly hope that we shall obtain full justice at your hands and early orders for revision of wards will be issued by Your Honour. A copy of this has also been sent to the Honourable Minister for Local Self-Government for favour of information, but as the Commissioner is the final controlling authority for Small Town Committees, this representation in original has been addressed to Your Honour.

Requesting the favour of early and favourable reply.

TOHANA SMALL TOWN COMMITTEE.

*950. **Lala Joti Parshad:** Will the Honourable Minister for Local Self-Government please state—

- (a) the total population of Hindus and Muslims separately in Tohana town, Hissar district;
- (b) the total amount of town rate realised from each of the above two communities;
- (c) the total strength of Tohana Small Town Committee; of these, how many are Hindus and how many are Muslims?

The Honourable Malik Firoz Khan, Noon :

(a) Muslims	..	..	..	..	3,363
Non-muslims	..	..	..	..	3,250
					Rs.
(b) Muslims	..	..	..	..	1,414
Hindus	..	..	..	..	2,154
(c) Seven members, of whom five are Muslims, one a Hindu and one an official.					

COMMITTEE ON STORAGE PROJECTS (BHAKKRA DAM SCHEME).

***951. Lala Joti Parshad :** Will the Honourable Member for Revenue kindly state whether the Expert Committee on storage projects (Bhakkra Dam Scheme) has submitted any report? If so, will a copy of it be laid on the table?

1The Honourable Mian Sir Fazl-i-Husain : The report of the Expert Committee has been received and copy of it has been placed in the library.

DISTRICT JAIL, HISSAR.

***952. Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) whether any disturbances took place in the District Jail, Hissar, in October 1927; if so, what were the causes;
- (b) whether serious complaints were made against the Jail staff by the under-trial prisoners;
- (c) whether any punishment has been awarded to the members of the Jail staff and the under-trial prisoners;
- (d) whether any enquiry was conducted by the Deputy Commissioner, Hissar, if so, with what result?

The Honourable Sir Geoffrey deMontmorency : (a) Yes. The disturbance arose out of an altercation between an undertrial prisoner and a convict-official owing to the former's attempt to leave barracks before counting had been complete.

(b) A relation of one undertrial prisoner made a complaint to the District Magistrate which is still under investigation.

(c) No, because the case in the courts is still *sub-judice*, and the District Magistrate has not completed his investigation.

(d) Yes as explained above. The District Magistrate has not yet come to final conclusions.

¹In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. H. F. Ashton.

HERIS IN THE HISSAR DISTRICT.

***953. Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) the total population of Heris in the Hissar district ;
- (b) the percentage of convictions amongst the Heris during the last three years ;
- (c) whether the Heris were permitted to enlist in the army during the great war ?

The Honourable Sir Geoffrey deMontmorency : (a) 3,519 (According to the census of 1921).

(b) 1925—17 per hundred convicted.

1926—22 per hundred convicted.

1927—71 per hundred convicted.

(c) Yes.

CRIMINAL TRIBES.

***954. Lala Joti Parshad :** Will the Honourable Revenue Member please state the principles which guide the Government in declaring certain tribes to be criminal tribes ?

The Honourable Mian Sir Fazl-i-Husain : The attention of the honourable member is invited to section 3 of Act VI of 1924 under which if the local Government has reason to believe that any tribe, gang or class of persons is addicted to the systematic commission of non-bailable offences, it may declare such a tribe, gang or class to be a criminal tribe. For the information of the Honourable Member I may add that Government does not usually notify gangs unless the machinery provided by the Criminal Procedure Code and the Habitual Offenders Act has proved ineffective.

INTERMEDIATE COLLEGE AT HISSAR.

***955. Lala Joti Parshad :** Will the Honourable Minister for Education please state when Government proposes to open an Intermediate College at Hissar ?

The Honourable Mr. Manohar Lal : The question is under the consideration of Government.

UNSTARRED QUESTIONS AND ANSWERS.

FEE CONCESSIONS.

557. Risaldar Bahadur Nur Khan : (i) Will the Honourable Minister for Education kindly state—

- (a) how long the agriculturist students in the Multan and Rawalpind divisions reading in anglo-vernacular schools had been in the enjoyment of fee concessions and whether this concession was withdrawn on 30th September, 1927 ;

¹ In the absence of the Honourable Mian Sir Fazl-i-Husain the answer was given by Mr. H. M. Cowan.

(b) whether it is also a fact that since then a large number of students have given up their studies?

(ii) If the answer to the above be in the affirmative, will the Honourable Minister kindly state whether it is proposed to renew that concession? If so, when?

(iii) If no decision has been arrived at so far regarding the grant of this concession, will he kindly state the reasons for the same?

The Honourable Mr. Manohar Lal: (a) (a) Certain concessions in the matter of fees to the children of agriculturists reading in anglo-vernacular secondary schools were first sanctioned for the Rawalpindi division in 1914; and similar concessions were later granted in 1915 to some schools in the Multan division. These concessions were sanctioned for specified periods, but have been renewed from time to time on expiry, and have hitherto continued without break. They have never been withdrawn, nor in the circumstances, has the question of any withdrawal as such ever arisen. It is a fact that the last sanction in the case of Rawalpindi division expired on 30th September 1927, but it has been continued up to 1st July 1928 by which date it is expected to arrive at a final decision on the subject of these concessions. Similar extension has been given for schools in the Multan division.

(i) (b) Does not arise.

(ii) & (iii) Do not arise.

CHINIOT SUB-DIVISION.

558. Rai Bahadur Lala Sewak Ram: Has the Honourable the Finance Member received a representation for creating Chiniot a sub-division? What steps does he propose to take in the matter?

The Honourable Sir Geoffrey deMontmorency: The latest representation on the subject was made in an address to His Excellency the Governor at Chiniot on 28th January, 1928. The stage at which the consideration of the question by Government rests was explained by His Excellency in his reply to the address. A copy of the relevant extract from His Excellency's reply is laid on the table.

COPY OF AN EXTRACT FROM HIS EXCELLENCY'S SPEECH AT CHINIOT (28TH JANUARY, 1928).

* * * * *

Government has not yet had any opportunity of considering your request that Chiniot should be constituted a Sub-Division of the Jhang district, and its decision on this matter must naturally turn on the important question of the development of those local communications to which you next refer. The construction of a line between Chiniot and Jhang has long been under consideration. Last day, we were informed by the North-Western Railway that it did not appear likely that the receipts of such a line would cover the cost of working expenses and the interest on capital; they indeed indicated that a guarantee of a considerable amount might be

[Hon. Sir Geoffrey deMontmorency.]

necessary before the railway could be undertaken. Discouraging as was this reply, we nevertheless pressed the Railway Board to proceed to a further consideration of the traffic side of the project, and in August last we were informed that they were doing so, though at the moment they favoured an alternative line from Jhang to Lyallpur. The matter therefore has not yet reached a final stage, and at the moment I can only assure you that before a decision is reached, the claims of the Chiniot-Jhang line will receive the careful consideration of the Government, and we shall in any case again consider the position occupied by Chiniot in respect of road communication with the headquarters of the district.

* * * * *

THE PUNJAB UNIVERSITY CONSTITUENCY.

559. Khan Muhammad Abdullah Khan : Will the Honourable the Minister for Education be pleased to lay on the table of the Council a statement showing the number of such registered voters of the Punjab University constituency as are either employed in, or members of the managing bodies of institutions or offices maintained, recognised, aided or inspected by the department in his charge ?

The Honourable Mr. Manohar Lal : It would be very difficult to compile an accurate statement of the kind required. The value of this information when collected would not justify the labour involved.

AGRICULTURIST EXTRA ASSISTANT COMMISSIONER CANDIDATES.

560. Khan Muhammad Abdullah Khan : (a) Will the Chief Secretary to Government please state if it is a fact that no agriculturist has ever been accepted as candidate for the post of Extra Assistant Commissioner on Register (C) from the Muzaffargarh district ?

(b) Are suitable candidates from among the agriculturists not available in the district ?

Mr. H. W. Emerson : (a) Government regret that statistics are not available for a reply to be given.

(b) Government have no information on this point. The claims of suitable candidates of the Muzaffargarh district whose rolls are forwarded to Government by the Commissioner, Multan division, will be carefully considered and weighed with the claims of other candidates.

CHAUKIDARA TAX.

561. Sardar Hira Singh : Will the Honourable the Finance Member be pleased to state whether it is a fact that the urban population of the province are exempted from the payment of *chaukidara* tax, while the rural population have got to pay this tax ? If so, what are the reasons for this differential treatment between two classes of subjects ?

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is drawn to the answer given to question No. 719.¹

KILLA BANDI.

562. Sardar Hira Singh : Will the Honourable the Revenue Member be pleased to state whether it is a fact that the system of *killabandi* does not exist in the old Upper Bari Doab canal colony? If so, will he be pleased to state whether Government propose to adopt the system of *killabandi* in this colony?

The Honourable Mian Sir Fazl-i-Husain : (1) The answer is in the negative.

(2) Does not arise.

FEROZEPUR DISTRICT BOARD.

563. Pir Akbar Ali : With reference to the answer to my Council question No. 1874¹ put on the 30th October, 1922, will the Honourable the Minister for Local Self-Government be pleased to state what has so far been done to redress the complaints of the Muhammadans of the Ferozepore district?

The Honourable Malik Feroz Khan Noon : The Muslims constitute 50 per cent. of the population, but only 20 per cent. of the voting strength. Their present representation on the district board is not inadequate according to the accepted formula.

CHAUDHRI AHMAD BAKHSI, MEMBER, MUNICIPAL COMMITTEE, MOGA.

564. Pir Akbar Ali : Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) what are the qualifications for nomination as members of the municipal committees;
- (b) were these qualifications possessed by Chaudhri Ahmad Bakhsh, Pleader, Moga;
- (c) did the Honourable Minister receive any resolution of the Anjuman-i-Islamia, Moga, for the nomination of Chaudhri Ahmad Bakhsh as member of the municipal committee, Moga?

The Honourable Malik Feroz Khan Noon : (a) No qualifications have been prescribed by law or the rules.

(b) Does not arise.

(c) Yes, six days after the Commissioner had made the appointment.

SEARCH OF BOARDING HOUSE, NORMAL SCHOOL, FEROZEPUR CITY.

565. Pir Akbar Ali : (a) Will the Honourable the Minister for Education please state if it is a fact that on the 14th December, 1927 or thereabout boxes and other articles of the Muslim students living in the boarding house of the Normal School, Ferozepore City, were searched?

[Pir Akbar Ali.]

(b) If the answer to the above be in the affirmative, will the Honourable Minister kindly state the charge against the students for which this procedure was adopted and the result of the search and the name of the officer by whose order the search was made?

(c) Have any complaints been received that the Muslim students of the said school are not accorded good treatment?

(d) Will the Honourable Minister kindly state who is in charge of the said Normal School?

(e) Has the Honourable Minister had a thorough enquiry made into this matter by some independent officer?

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

GOVERNMENT HIGH SCHOOL, JULLUNDUR CIRCLE.

566. Pir Akbar Ali : Will the Honourable the Minister for Education be pleased to lay on the table a statement for the Jullundur circle showing—

(a) the name of Government High School in which the percentage of successful students in the last Matriculation Examination was less than 25 ;

(b) the name of the headmaster in charge of the school ;

(c) the period for which the headmaster was in charge ;

(d) action taken against the headmaster or any other teacher with the latter's name ?

The Honourable Mr. Manohar Lal :

	Percentage.
(a) (1) Government High School, Ludhiana ..	22.9
(2) Government High School, Gujjarwal ..	16
(3) Government High School, Fazilka ..	28
(b) & (c) 1. Bh. Dalip Singh—from May 1925 to 30th April 1927.	
2. Khan Singh—from June 1926.	
3. Lala Karam Chand—from November 1926.	

(d) It is not in the interest of the public service to disclose the action taken by Government.

ASSISTANT DISTRICT INSPECTOR OF SCHOOLS, FAZILKA.

567. Pir Akbar Ali : (a) Will the Honourable Minister for Education please state if it is a fact—

(i) that the Assistant District Inspector of Schools, Fazilka, demanded explanation of some Muhammadan teachers for taking part in the " Rangila Rasul " agitation ;

(ii) that the authorities of the Islamia High School, Fazilka, have made certain complaints against the said Assistant District Inspector of Schools ?

(b) If the answer to the above be in the affirmative, will the Honourable Minister please state what steps he proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (i) The Assistant District Inspector made enquiries as to the conduct of certain teachers, but was satisfied with the result of those enquiries.

(ii) No.

(iii) Government does not consider that any action is necessary.

DAMAGE BY THE SUTLEJ RIVER.

568. Pir Akbar Ali : (i) Will the Honourable the Revenue Member be pleased to state if it is a fact—

(a) that after the introduction of the Sirhind Canal the Sutlej river has done immense damage to the lands situate towards its right bank;

(b) that between railway bridges Phillaur and Makhoo during the past twenty years, thousands of acres of lands on the right side of the river Sutlej have become unfit for cultivation?

(ii) Has the Government got prepared lists of owners of such lands with the area having become waste?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated certain enquiries from the local officers which are not yet complete. An answer will be communicated to the honourable member when it is ready.

GRANT OF JAGIR TO S. HARNAM SINGH.

569. Pir Akbar Ali : Will the Honourable the Revenue Member please state—

(a) if it is a fact that Sardar Harnam Singh of Abulkharana, tahsil Fazilka, district Ferozepore, has recently been granted a jagir of Rs. 500;

(b) for what services to the administration Sardar Harnam Singh has been granted the jagir?

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

(b) The attention of the honourable member is invited to Punjab Government Resolution No. 2377-R., dated 31st October, 1927, published in the *Punjab Gazette*, dated 4th November, 1927.

PROFESSIONAL TAX.

570. Sardar Hira Singh : Will the Honourable Minister for Local Self-Government be pleased to state—

(i) whether the residents of Nankana Sahib have memorialised the Government against the re-imposition of professional tax by the Notified Area Committee of the place;

(ii) the action the Government proposes to take on the memorial?

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

(ii) The matter is under consideration.

NANKANA SAHIB NOTIFIED AREA COMMITTEE.

571. Sardar Hira Singh : Will the Honourable Minister for Local Self-Government be pleased to state—

- (i) whether the Government has received a memorial from the residents of Nankana Sahib praying that the notified area of the place be converted into a small town;
- (ii) the action the Government proposes to take on the memorial?

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

(ii) The question of converting the majority of the notified areas into small towns or municipalities is under consideration.

RAJBABA KASSOKE AND RAJBABA JURYAN (LOWER GUGERA).

572. Sayad Muhammad Husain : Will the Honourable Revenue Member please state whether it is a fact that the Canal Department is going to close Rajbaha Kassoake (Lower Gugera) throughout the year and the Rajbaha Juryan (Lower Gugera) during the *rabi*? If so, why?

The Honourable Mian Sir Fazl-i-Husain : No. Government has under consideration proposals for closure of these two channels for certain limited periods during the *kharif* with the object of preserving the land which is threatened by waterlogging due to the rise of sub-soil water.

IRRIGATION OF CERTAIN VILLAGES IN HAFIZABAD TAHSIL.

573. Sayad Muhammad Husain : (a) Will the Honourable Revenue Member please state the reasons why the Jalalpur Minor (Kot Nakka Branch) has ceased to irrigate the lands of villages Kana Madhora, Sadhoke, Nabu Raza, Mona and Thatha Silabat in the Hafizabad tahsil?

(b) Is it a fact that with the construction of Vagh drain the flood water of the Chenab river does not reach the lands of these villages?

(c) If the answers to parts (a) and (b) are in the affirmative, what steps does Government propose to take for the extension of irrigation to these villages?

The Honourable Mian Sir Fazl-i-Husain : (a) Spills from the Vagh Nalla used to flood the whole area making irrigation unnecessary.

(b) Yes.

(c) Extension of irrigation to these villages is under consideration.

COTTON CROP.

574. Sayad Muhammad Husain : (a) Is the Honourable Revenue Member aware of the fact that cotton crop in the Lower Bari Doab Canal has been a failure this year?

(b) If the answer to part (a) is in the affirmative, what measures, if any, does the Government propose to take for the relief of the zamindars?

The Honourable Mian Sir Fazl-i-Husain : (a) Government is not aware that the cotton crop on the Lower Bari Doab Canal has been a failure this year, though the crop is reported to have been slightly below normal.

(b) Does not arise.

COTTON CROP.

575. Sayad Muhammad Husain : (a) Will the Honourable Minister for Agriculture kindly state, for the information of the House, what steps he has taken to investigate the disease which has ruined the cotton crop of the Lower Bari Doab Canal colony this year ?

(b) Will he further be pleased to inform what preventive measures he proposes to check the recrudescence of the disease ?

The Honourable Sardar Jogendra Singh : (a) As soon as information was received of damage to the cotton crop, steps were taken by the Department of Agriculture to investigate the cause. The following officers have been making investigations into the case :—

(1) The Cotton Research Botanist and several members of his staff ;

(2) An officer who has lately had a special training in mycology in England ; and

(3) Another officer with post-graduate training.

(b) On receipt of the final reports of these officers the whole case will be considered, and such preventive measures as are possible will be undertaken.

LANDS IN CERTAIN VILLAGES OF THE HAFIZABAD TAHSIL.

576. Sayad Muhammad Husain : (a) Is the Honourable Revenue Member aware of the fact that lands in the following villages in tahsil Hafizabad have become barren owing to the passing of Jhang Branch near their area —

(1) Pindi Bhattian, (2) Chak Ghulla, (3) Kot Dilawar, (4) Shah Muhammad, (5) Thatti Asaish, (6) Kot Nuzan ?

(b) Is it a fact that these villages are not given canal water up till now ?

(c) If the answers to parts (a) and (b) are in the affirmative, what measures does the Government propose to reclaim their soil and compensate them ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Yes.

(c) Does not arise.

MALARIA IN VILLAGE GAJIANA.

577. Sayad Muhammad Husain : (a) Has it come to the notice of the Honourable Minister for Local Self-Government that in village Gajiana, in the district of Sheikhupura, with a population of above 2,000 souls, there was a severe outbreak of malaria, which caused the death of no less than 150 people and invalidated the whole village ?

[Sayad Muhammad Husain.]

(b) Was it due to the appearance of a special type of mosquito which is as big as a fly?

(c) If the answers to parts (a) and (b) are in the affirmative, what measures does the Government propose to kill these mosquitoes and to afford relief to the inhabitants of Gajiana?

The Honourable Malik Firoz Khan, Noon : (a) Yes, but the total number of deaths from "fevers" of all kinds from the middle of September to the middle of January was 61 only.

(b) No.

(c) Quinine has been supplied for free distribution and measures have been taken to destroy mosquitoes and to clean up the village.

CRIMINAL TRIBES.

578. Sayad Mubarik Ali Shah : Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that systematic efforts at re-claiming the criminal tribes in the Jhang district by the local administration are being made for the last two years;

(b) what is the measure of success so far achieved;

(c) whether it is the intention of Government to introduce this system of reclamation of the criminal tribes to other parts of the province with similar elements of criminal tribes in their respective local populations?

The Honourable Mian Sir Fazl-i-Husain : (a) Systematic efforts for the reclamation of the criminal tribes are being continued in the Jhang district as elsewhere.

(b) The removal of the leading bad characters to the Reformatory Criminal Tribes Settlement, Amritsar, which has been effected during the last two years has checked the criminal activities of the Nur Mahram and Akla Hayat Biloches to a considerable extent, and has also produced a deterrent effect on other cattle lifters.

(c) Similar measures have already been adopted all over the province.

STATUTORY AGRICULTURISTS.

579. Sayad Mubarik Ali Shah : Will the Honourable Finance Member kindly state—

(a) how many persons from amongst the statutory agriculturists of the Jhang district have been directly recruited by the Punjab Government for gazetted posts of various Government departments in the province during the last 25 years;

(b) the names of the persons so recruited and the years of their respective recruitment and department to which recruited?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is not readily available and in view of the time and labour which would be involved Government does not propose to obtain it.

MALIK BHAGWANDAS HINDU HIGH SCHOOL, CHINIOT.

580. Sayad Mubarik Ali Shah : (a) Will the Honourable Minister for Education please state whether it is a fact that Malik Bhagwandas Hindu High School at Chiniot is proposed to be provincialized ?

(b) Is the proposed visit of the Honourable Education Minister to Chiniot connected with that proposal ?

(c) What are the conditions on which it is proposed to provincialize this school ?

(d) Will the Honourable Minister kindly state if the Deputy Commissioner of the district and the Inspector of Schools of the division have been consulted in the matter ? If not, why not ?

The Honourable Mr. Manohar Lal : (a) There is no such proposal before Government, but the people of Chiniot have recently expressed their desire for the establishment of a Government School at Chiniot.

(b) No.

(c) & (d) do not arise.

PANCHAYATS.

581. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government be pleased to state whether he is aware of the facts—

(a) that more than a year ago (in 1926) about 80 applications were submitted by different villages of the Ludhiana district under registered covers through the Secretary, Punjab Zamindar League, for the purpose of establishment of panchayats in those villages ;

(b) that in addition to the above some more such applications were submitted in 1927 ;

(c) what villages of the above have been refused panchayats and why ;

(d) in what villages majority of the revenue payers of any estate objected to the establishment thereof ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

GRANTS TO PANCHAYATS.

582. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state if the Government ever granted any sum to any panchayat in the Punjab ? If not, why not ?

The Honourable Malik Firoz Khan, Noon : No : no application for any such grant has been received.

LUDHIANA DISTRICT BOARD.

583. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government be pleased to state whether the Government has received any complaints from the voters of the District Board, Ludhiana, with reference to the coming elections and whether it is proposed to take any action on those complaints? If not, why not?

The Honourable Malik Firoz Khan, Noon : The reply to the first two parts of the question is in the affirmative: the third does not arise.

PROFESSIONAL TAX.

584. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Minister for Local Self-Government be pleased to state (a) whether he is aware of the fact that certain district boards of the Punjab have proposed to levy and have levied professional tax;

(b) If so, whether the local rate payers have been exempted from it or not; and if not, why not?

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

(b) Local rate payers as such are not exempted, but all persons whose principal means of livelihood is agriculture are exempted.

PANCHAYATS.

585. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government be pleased to state whether his attention has been invited to the resolution passed by the Ludhiana district zamindars on the subject of panchayats in its annual session held at Jagraon in February 1927?

The Honourable Malik Firoz Khan, Noon : I have now seen the resolution referred to.

THIKRI PAHRAS.

586. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Finance Member please state why the zamindars who pay *chaukidara* are sometimes asked to give *thikri pahras*?

The Honourable Sir Geoffrey deMontmorency : As an additional means for the prevention and detection of crime, particularly where house breaking and cattle stealing is prevalent, the duty of rendering *thikri pahra* (which is a legal obligation under section 8, Act VIII of 1918, both on villagers who do and who do not pay *chaukidara*) is imposed.

PRESENTATION OF THE BUDGET.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Last year when presenting the budget I explained at some length to this Council, which after the elections had then newly entered upon its responsibilities, the nature and purpose of the various heads of accounts and the

general principles of the structure of our financial arrangements ; it is unnecessary for me to dwell on this feature again ; the details regarding each account and regarding the estimates of revenue and demands for grants will be found in the memoranda attached to the budget estimates.

In the dead embers of figures of the ordinary revenue account for 1926-27, the chief item that now remains of interest for us, is how the final accounts compare with the revised estimates for that year. The revised estimates for receipts showed a figure of 11,01 lakhs, but in the final accounts this figure stood at 10,87 lakhs only, that is the estimates of revenue proved to be 14 lakhs in excess of the revenue actually accruing. The main difference is due to too low an estimate of the loss of land revenue owing to remission for the failure of the cotton crop, too sanguine an estimate for receipts from forests and an increase in the deductions on account of the working expenses under Irrigation, the figures in each case causing additional deductions of six, four and eight lakhs, respectively. Stamps were better by 3 lakhs than expected. The figures are interesting, because some honourable members have from time to time confessed to an impression that there is a constant tendency of the Finance Department to under-estimate revenue. On the disbursement side the revised estimate of 11,24 lakhs went down to 10,85 lakhs in the accounts, that is disbursements were over-estimated by 39 lakhs. The main items in the over-estimate are 15 lakhs under Irrigation, 15 lakhs under Civil Works, 3 lakhs under Pensions and 2 lakhs under Education. The second and the fourth items are due to too sanguine expectations of progress and are genuine instances of over-budgeting. The other differences are due to the accounts change of dividing up pension charges *pro-rata* over various Irrigation Branch heads.

Turning to the figures for the current year, 1927-28, on the receipt side of the ordinary revenue account, our budget estimate was Rs. 11,13 lakhs, which has been reduced in the revised estimate to 11,03 lakhs. Perhaps I may claim this as another instance of abstention from the alleged besetting sin of the Finance Department of under-estimating revenue. The reduction is mainly caused by a fall in the Irrigation receipts of 28 lakhs, of which 6 lakhs is due to slower development of irrigation on the Sutlej Valley Project and slower recovery of contraction in cotton sowings than was expected and the remainder to transfer of Irrigation Branch pension charges and to an increase in working expenses under irrigation owing to the transfer from the capital head 16 of the charges on those portions of the Sutlej Valley Project now treated as open canals ; but for some unexpected increases of receipts under Excise, Stamps and some other heads, the net difference of 10 lakhs, which, if account is taken of a supplementary grant of 5 lakhs for irrigation working expenses is only 5 lakhs, would have been considerably larger. On the expenditure side the budget estimate of 11,73 lakhs has been converted in the revised estimate to 10,83 lakhs. From the former figure 86 lakhs of remission of provincial contribution must be deducted and to it 21 lakhs of supplementary grants have to be added. After these modifications the budget grant would stand at 11,08 lakhs. The difference between the latter and the revised figure is 25 lakhs and is due in the main to the following causes : Expenditure has increased by 1 lakh under Land Revenue, chiefly

[Hon. Sir Geoffrey deMontmorency.]

owing to the extension of the period of settlement operations, by 1 lakh under Jails owing to increases in the average number of inmates, by $1\frac{1}{2}$ lakhs, under Miscellaneous mainly owing to the write-off as irrecoverable of taccavi outstanding in villages damaged by the Jumna floods of 1926-27, and by two lakhs under the Administration of Justice and Police. In the two latter cases the cuts made by the Finance Department for savings proved to be too large. On the other hand, expenditure has fallen short under Irrigation by 8 lakhs, under Pensions by 3 lakhs (due in both cases to reasons previously explained), by 1 lakh under Education, by 3 lakhs under Medical, by 3 lakhs under Public Health, by 2 lakhs under Agriculture and by 8 lakhs under Civil Works. If it had not been for 18 lakhs of regrants passed into the next year's budget, receipts and expenditure would almost have exactly balanced; but as it is, the result of these changes on both sides of the account has been to give a small surplus of 20 lakhs on the year and to put balances at a much more satisfactory figure at the close of the year than was hoped when the budget was introduced twelve months ago.

The estimates for 1928-29 of the ordinary revenue account provide a figure of 11.22 lakhs for receipts. This is 19 lakhs better than the revised estimate of 1927-28. The increase is expected from Irrigation owing to expansion, from Excise basing estimates on the available figures of the auction of licenses and the smaller payments to be made to other Provinces and under the heads Medical and Public Health, owing to a new method of showing recoveries of expenditure. The estimates for expenditure are placed at a figure of 11.69 lakhs. A comparison with the figure of the revised estimates of 1927-28, Rs. 10.88 lakhs, conveys a false impression because the latter figure gives effect to a deduction on account of the non-recurring remission of 26 lakhs of provincial contribution, but this sum, because it was non-recurring, must be included in the expenditure for the coming year, at any rate, until such time at least as Sir Basil Blackett takes pity on the Provinces again, as we all hope may be the case.

The estimated revenue expenditure, which, as already explained, contains 18 lakhs of regrants for new expenditure approved and sanctioned, but not incurred in the current year, compares in detail as regards main heads with the revised estimate of the current year, as follows. There is a decrease of 2 lakhs, under direct demands on revenue mainly under the heads of Excise and Forests, of 6 lakhs under debt services and of one lakh under the Administration of Justice and Miscellaneous in each case. There are increases of 6 lakhs under Irrigation, of 2 lakhs under General Administration, of 1 lakh under Jails and of 9 lakhs under Police, making up a total of 11 lakhs in all under the head of Civil Administration. The Beneficent Departments show an increase of $38\frac{1}{2}$ lakhs in the following detail, $14\frac{1}{2}$ lakhs under Education, 9 lakhs under Medical, $7\frac{1}{2}$ lakhs under Public Health, $6\frac{1}{2}$ lakhs under Agriculture and one lakh under Industries. There is an increase of $12\frac{1}{2}$ lakhs under Civil Works which includes the considerable sum of 10 lakhs for regrants. I propose to dwell later on some special features of these increases in discussing new expenditure; but first let me compare the expenditure position with that of the year 1921-22. Expenditure under direct demands on revenue has decreased from 9.5 per cent. to

7.4 in the present budget. Other decreases are to be found under Miscellaneous and Debt Services, which have fallen from 9.6 per cent. to 4.7 per cent. and under provincial contributions which have decreased from 17.6 per cent. to 2.2 per cent. The increases are under Irrigation from 9.6 per cent. to 11.7 per cent., under Civil Administration from 27.2 per cent. to 28.3 per cent., under Beneficent Departments from 14.9 per cent. to 27.2 per cent., and on Civil Works, which largely concern the beneficent heads, from 11.6 per cent. to 18.5 per cent. Translated into other terms the total revenue expenditure which stood at 10.69 lakhs in 1921-22 has increased by a crore, while there have been marked decreases under direct demands, miscellaneous and contributions. This has resulted in readjustments of expenditure, by which expenditure in the case of Beneficent Departments has increased by 1.50 lakhs and under Civil Works by 92 lakhs.

I have already mentioned some changes in accounts classification under Irrigation, Pensions and Medical. There is one other change to which I should refer. Following the judgment of a High Court in another Province the Auditor-General has ruled that the allowances of a Governor are non-voted and similarly travelling allowances and allowances of that nature of an officer whose pay is non-voted, are also non-voted.

I may briefly review the more salient features of the proposals for new expenditure now presented to the Council. There is a scheme for the revision of the pay of Tahsildars which has long been under consideration. Tahsildars are regarded as a branch of the administration which is entrusted with very important functions and is indeed a pivotal service in our provincial administrative machinery. Moreover, the present emoluments of Tahsildars compare unfavourably with those of Subordinate Judges, who, a few years ago, as Munsiffs, had the same status and pay as Tahsildars, and a revision of the scale of remuneration of the latter is in consequence put forward. Under General Administration provision is also made for the further development of the Criminal Tribes Department's work. The next prominent item is the scheme for the reorganization of the Police. This is the outcome of the recommendations of the Provincial Police Committee with which honourable members are familiar. This Committee, it will be remembered, was appointed largely as an outcome of comments in this house regarding police organization and working. Great care has been devoted to the examination of the proposals made by the Committee. The recommendations were published in the press, and public criticism was invited. The opinions of Police officers and district officers were also invited, and the recommendations together with the suggestions received from different quarters have subsequently been critically examined both by the Government the Standing Committee of the Legislature on Police and the Standing Finance Committee. The outcome of these investigations is that Government has been able to accept most of the recommendations of the Police Committee for administrative reform, but those relating to the improvements in the numbers and pay of the staff have been somewhat reduced; and as a result the proposals for expenditure now put forward by Government, while including a substantial measure of improvement make provision for the gradual, instead of the immediate introduction of some of the recommendations and for an eventual total cost amounting to only five-sevenths of the figure suggested by the Provincial Police Committee.

[Hon. Sir Geoffrey deMontmorency.]

Of great importance also is the provision for education which allows, among many items of interest for increased funds for vernacular middle schools for girls and liberal assistance for secondary education, for the training of increased numbers of vernacular teachers, for the extension of physical training, the expansion of vernacular education, by grants to local bodies for additional teachers, and last but by no means least, for the systematic development of a real and substantial degree of compulsion. This is a new and important feature, on the technical side of which the Ministry will no doubt dwell in due course; but on the financial side I may explain that generally speaking hitherto compulsion has been haphazard to this extent that provision for it was only part and parcel of grants for the maintenance and expansion of vernacular education. Now for the first time in the budget, while liberally providing for maintenance and expansion in backward areas, definite provision is also separately made under the head of compulsion for 450 teachers, for the conversion of 400 primary into lower middle schools and of 40 lower middle schools into upper middles. As a result of this financial provision education can now not only spread but also at the same time intensify; and an opportunity is given of testing compulsion not only in a number of scattered places isolated from each other, as is now the case, but in compact units of considerable area such as whole tahsils if so desired. Provision may be made for similar steps in future years within the limitations of our financial position. If this is done, at an early stage, say two or three years hence, the initiative as regards compulsion will have been taken on a sufficiently large scale to arrive at conclusions as to whether it is desirable and possible to continue it in a still more extended measure.

How far our policy for the rapid expansion of primary education and a growing application of compulsion can continue on present lines will depend on the results of the detailed examination of District Board's finances which is now being conducted in the Secretariat of the Transferred Departments. This examination, involving, as it does, difficult calculations of the eventual peak of expenditure which local bodies would have to bare as their share in the scheme under the present division of responsibilities and funds, is not yet complete. It seems not improbable that it will be found that the resources of local bodies will not be able, without serious detriment to other calls upon them, to continue to shoulder their present share of the cost of primary education, which tends rapidly to increase in amount as expansion including compulsion proceeds and the weight of incremental scales of establishments begins to be felt. This may necessitate a reconsideration of the whole position and possibly the alteration of the proportion of assistance given by Government or the readjustment of resources so as to place a less restricted field of income at the disposal of local bodies. Either of these eventualities is likely to create a considerable additional drain on provincial revenues. The expansion of educational facilities and compulsion is so generally accepted as a fitting goal of State endeavour that without waiting for a solution of the difficulties which the enquiry may reveal, it is our clear duty at the moment not to pause but to go forward. If the difficulties of carrying on the programme are later shown to be serious we may have to lay the whole problem before the Council at a later stage. Under the head Medical

the new expenditure provides for the provincialization of a number of Tahsil hospitals and improvement in hospital buildings and equipment and in the arrangement for the treatment of females. A start is proposed to be made also with a provincial school for training female Sub-Assistant Surgeons. The accepted policy of adding yearly 70 newly rural dispensaries also finds a place. Under Health and preventive medicine the new expenditure provides for continuing the process of the equipment of a District Medical Officer of Health with necessary staff in every district—a real step forward in fostering hygiene and health in rural areas—and for a trained reserve nucleus establishment to cope with epidemics wherever they may appear in the Province. Under Agriculture there is provision for progress with the five-year programme for research into important crops and crop diseases and for the development of seed farms, while under Veterinary increases are suggested in the supervising agency, for buildings by grants-in-aid to local bodies and staff for new rural Veterinary dispensaries. It is also proposed to reinforce the grants-in-aid to local bodies for the improvement of the Haryana and Dhanni breeds of cattle. Under Co-operation the increases proposed are practically automatic, supervision requiring strengthening in a fixed proportion to the increase in the numbers of societies of different kinds. Under Industries the main features are a considered scheme for improving the inspection, buildings and equipment of our industrial schools and the project for establishing a modern efficient sugar-mill factory in the south-east of the Punjab. This scheme has a special interest whether regarded as the pioneer of what may one day possibly prove an important development producing a general accretion of wealth among different classes of the Province or in the light of a project in which industry is wedded to agriculture and the manufacturer is directly associated with the peasant producer. It is proposed to help the scheme with capital under certain safeguards and conditions. Advance within prudent limits is proposed with our arterial roads and communications and with subsidies to District Boards for Class II roads. Provision is also made for the Rural Sanitary Board to continue their remedial operations in undrained tracts and to tackle the problem of harnessing destructive *chos* and hill torrents. The proposals end with further provision to deal with the menace of water-logging and for a survey of part of the Muzaffargarh district as a basis both for the future improvement of its defective irrigational arrangements and for protective measures in certain tracts in that district against disastrous floods.

As regards the Capital Account, we propose to incur expenditure to the extent of 188 lakhs or 23 lakhs less than in the revised budget of the present year. I will explain how we stand because it is right that once a year the Council should know the position as regards our capital projects and the exact stage which they have reached. We are concerned with the Sutlej Valley Irrigation project and the Uhl Hydro-Electric scheme. As regards the former, the honourable members are aware that the cost of the work is shared between our provincial funds and Indian States. The exact position at present is as follows, the figures quoted being for direct charges only. As regards the provincial portion, the revised estimate for the project provision amounts to approximately 976 lakhs. The estimated expenditure up to the end of 1927-28 will approximately amount to 681 lakhs and the

[Hon. Sir Geoffrey deMontmorency.]

budget estimate for 1928-29 is 78 lakhs. As regards the contribution portion of it, that is, the portion relating to Indian States, the revised estimate of the project is approximately 13.28 lakhs. The estimated expenditure up to the end of 1927-28 will approximately amount to 744 lakhs. The budget provision for 1928-29 is 127 lakhs. During the current year the headworks at Ferozepore and Islam have been opened, and capital expenditure on these in future will be small. By the end of this year it is hoped that all the main canals, with the exception of the Panjnad Canal, will be completed and many of the Branches will also be ready. During the year 1928-29 the main individual work will be the construction of the Panjnad head-works which will be in full swing. No single work of any great magnitude will be in progress in British territory, but the bulk of the expenditure in the latter will be incurred on the numerous distributaries and water-courses to be constructed and on rest-houses and quarters for establishment. It is apparent that as far as our provincial finances are concerned, the peak of expenditure on the project has not only been reached but passed, and expenditure is now on a diminishing grade. As regards the Uhl Hydro-Electric project, the sanctioned estimate amounts to 420 lakhs. The estimated expenditure up to the end of 1927-28 will be 61 lakhs. The budget estimate for 1928-29 is 46 lakhs. The greater part of the expenditure hitherto incurred on the project has been in connection with the provision of facilities required for the successful construction of the work, which include temporary plant and the haulageways and tramways required for the delivery of material and machinery to various points on the tunnel and head works. The temporary power plant at Dhelu was completed by the end of November last. Owing to industrial troubles in England and to the severity of the monsoon in the Kangra hills which interrupted communications between Pathankot and the works, the arrival of some other plant and machinery was greatly delayed and progress on the haulageways and tramways fell behind expectations, but it is hoped that these facilities for construction will all be working early in 1928-29. In that year the main individual works in progress will be the boring of the tunnel and the building of the head works. The work on the former began early in January this year. Progress is being made also on surveys in connection with the transmission system, and the acquisition of land for depôts and sub-stations is about to be put in hand. It will be observed that on this project capital expenditure is on the upward grade and we have not yet reached either the halfway-house or the peak.

The proposals concerning provincial loans offer no special or abnormal features. Under Extraordinary receipts we are budgetting for 151 lakhs. This is 28 lakhs less than was budgetted for twelve months ago; but our realizations on this account in the present year fell short of our expectations owing to slackness in the demand for land, in consequence of which some of the land proposed for sale was withdrawn. We propose to use the whole of the extraordinary receipts towards financing our capital commitments. We shall also borrow a sum of 40 lakhs from the Government of India for the same purpose.

The closing balance on all accounts at the end of the year 1928-29 will be 108 lakhs, of which 60 lakhs will be in the reserve funds and 48 in the other

accounts. There is a deficit on the year's working on the ordinary revenue account of 47 lakhs but that account will show a balance of 79 lakhs. Of this, it must be remembered that 31 lakhs will have been advanced to Capital and the Provincial Loan Account. It must also be recollected that we still owe 54 lakhs of the revenue loan taken from the Government of India. The Council should be under no misapprehension as regards the actual position. As it was predicted would be the case in the examination of financial resources and requirements, when total probable receipts and disbursements were being compared, we are definitely in this budget-drawing on balances to maintain our development programme. Nevertheless, the general position may fairly be described after seven years of varying fortunes and vicissitudes as indicating at the moment a sound financial position without any undue accumulation or depletion of balances, though the pace of the growth of commitments especially in the beneficent departments and the vulnerability of some of our sources of income, as instanced by the cost of remissions for the failure of the cotton crop in Kharif 1926, necessitates continued vigilance.

As regards taxation the position has been carefully examined. At various times since 1921 additional taxation has been levied under the heads of Registration fees, Mutation fees, Court fees, Stamps, Motor taxation and Occupiers' rates, amounting in all to an increase of about one crore of rupees; but it must be remembered as the financial situation permitted during the same period taxation has also been remitted from time to time under the heads of Mutation fees, Court fees, Motor taxes and twice under the head Occupiers' rates resulting in decreases of more than 37 lakhs of rupees. The net increase still subsisting is approximately 64 lakhs of rupees. When we examine the character of our present taxation under these heads, we find that our Registration fees, though identical in many cases, are, generally speaking, somewhat higher than in other provinces. As regards Court fees, our scale is similar to that in force in Bihar and Orissa, Bengal and Madras, the rates in our schedule being higher in a few instances than those in the former province, but markedly lower in many cases than those in the two latter. In all three cases our scale of fees is more favourable in the case of Suits and Memoranda of Appeal of a value of Rs. 500 and under, that is to the poorer class of litigant. As regards Stamp duties, our duties are generally speaking on a par in incidence with those prevailing in Madras and Bengal. At the moment complications would attend any attempt towards alteration by our action in Stamp duties, because the Government of India have under contemplation a re-distribution of responsibilities. That Government, it is understood, is examining the question of the transference of control to the Central Government over certain transactions, common to the whole of India and demanding uniformity of treatment, but at present dealt with by the Local Governments. As a consequence revenues from duties on such transactions would pass to the Central Government, the provincial Governments being compensated from Central funds for losses of revenue at a rate based on the provincial rates at the time a decision is reached. Our motor taxation has now no parallel in other provinces, the United Provinces having repealed the Act of the same kind once in force in those provinces; but the need for it is also unparalleled; for I think our road

[Hon'ble Sir Geoffrey deMontmorency.]

development programme, both from the aspect of the benefits to the province and its cost has no counterpart in other provinces. The existence of this taxation is an important point in the investigations now proceeding under the auspices of a committee of the Central Legislature as to the methods of assisting and improving road development in India; and until it is known what recommendations the Committee will make, what view the Government of India will take regarding its suggestions and how our provincial interests are likely to be affected, it would be a mistake for us to tamper with this tax.

As regards Occupiers' rates, it will be remembered that when they were enhanced on the perennial canals in 1924, the general principle was adopted that except in the case of cotton, dyes, tobacco, poppy, spices and drugs, the new rate was not to be in excess of the maximum rate already in force on one or other of the perennial canals: and while the rate on cotton was enhanced, the rate on vadh vattar was abolished. When finances improved, the earliest opportunity was taken of reducing the rates imposed in 1924 on less profitable but essential crops; and fodder crops were relieved by a reduction of Re. 1 per acre in Kharif 1925 and of further Re. 0-8-0 in Kharif 1926. These reductions taken together totalled Rs. 25 lakhs of rupees. The pitch of the schedule is now so equitably arranged and balanced that placed at the top of the schedule come crops which are both highly priced and require a large quantity of water, such as rice and sugarcane; next in order come highly priced and profitable crops such as cotton and lower on the list wheat: in lower classes still are found less highly priced crops such as maize and oil-seeds while at the bottom of the schedule come the fodder crops, so essential to the operations of agriculture, which only pay Re. 1-8-0 per acre.

Chapter V of the Indian Taxation Enquiry Committee's report examines the situation regarding charges for water. Honourable members, who study it, will find that the charges for water for irrigation in India are generally speaking far lower than in other countries, for example, America and Egypt, and that the feeling was that in the interest of the general tax-payer, charges should be made more commensurate with the value of the water to the irrigator. The agriculturists in those parts of this Province, where cultivation is barani or chahi, feel that the lot of those situated in canal irrigated tracts is far more happy than their own, and that if there is need of re-adjustments of payments, it is in precarious tracts depending on rain, where incomes vary violently with the seasons, and not in secure perennially irrigated areas, where incomes are, comparatively speaking, stable and constant, that the process should begin. Lastly the areas affected by canal irrigation are large and almost any reduction automatically becomes very costly. It would, for example, cost us nearly 25 lakhs recurring to take a rupee off the water rate for cotton and eventually more than 38 lakhs recurring to make a similar change in the case of wheat.

The conclusion of the examination is that the subsisting remainder of the taxation imposed since 1921 is not unusual in nature or unprecedented in any respect and is not unduly onerous: and the problem resolves itself into which way prudence and wisdom and the eventual public interest point. Remission of taxation always offers an attractive glamour; but is it in this

case a true guiding light? May it not rather prove a will-of-the-wisp treacherously leading us to engulfment in morass of stagnation? Those who have studied the paper entitled "the examination of financial resources and requirements," of which copies were distributed at the last session of the Council, can only infer from the forecast therein contained that any reduction in taxation must involve at once a degree of stagnation between now and 1930-31 and actual stagnation after that date, when the sources of new receipts, at present visible, are few and comparatively unproductive. Remission means, therefore, both some immediate slowing down and eventually an actual serious curtailment—not only in the progress but also in the very scope of the programme of the nation-building departments. The clock of progress will have to be put back; and the hands that are now surely and evenly moving forward in those directions which nearly touch the enlightenment, prosperity and contentment of the people, must be retarded on the dial of development and advance and remain almost stationary. More particularly in the choice, the fate of the growing generation of the people in the Punjab, who will make the Punjab of the future, rests in the balance. Are they to be allowed to develop and show their worth by receiving in adequate measure the essential vitamins of progress which will make them a nation, or is their development to be arrested by a curtailment in the supply? We must remember that nothing that the people themselves can combine to do, no individual acts of theirs can effectively supply a deficiency in those means of general progress and well-being, which the State has been providing and, given adequate financial resources, is in a position to organize and make more widely available also in the future.

The hand has been set to the plough, and there should be no looking back until the furrow has been finished. Where some have had their chances, the others may with justice also expect their turn to come. In our backward tracts—and there are such areas in every district of the Punjab—there are many who have for some time past watched with envy the light of education, the blessings of medical relief, the manifold opportunities for improvement which the Agricultural, Veterinary, Co-operative, Industries and Health departments have begun to spread abroad, brought to the very doors of their more fortunate neighbours. Their vigil has been long; but it has been lightened by the confident hope that at no distant date the good Fairy of development will be coming their way also and with her box full of priceless blessings will knock at their threshold. It seems clear to Government that the general interests of the Province demand that these expectations should not be shattered and that the highest eventual good of the people rests in the continuation and expansion of those beneficent activities, which have already achieved in their initial stages, though as yet only in a limited field, such a marked degree of success; and after careful thought and a review of the financial situation Government has arrived at the conclusion that the general welfare of the Province imperatively demands that for the present interests of development should take precedence over remission.

Though no change can be made in this direction, nevertheless in another direction Government sees its way to modify the rigidity of collection. It is a matter of common knowledge that a considerable portion of the land revenue in prosperous canal-

3 P.M.

[Hon'ble Sir Geoffrey deMontmorency.]

frigated tracts is fluctuating, but the reverse obtains in the majority of barani tracts which are subject to the vagaries of the seasons and notoriously insecure, and also in tracts irrigated by wells, the land revenue in these cases being fixed. The procedure concerning the collection of land revenue is explained in detail in Chapter XVI of the Land Administration Manual. The general policy regarding suspensions and remissions has been summoned up in paragraph 576 of that Chapter which runs as follows :—

" It has been usual in the Punjab in the case of ordinary calamities of the season first to suspend revenue, and, if the experience of three years has proved that it cannot prudently be recovered within that time, to remit the arrears then outstanding."

Though a perusal of the Chapter will show that in many special cases more liberal methods are followed, nevertheless this is the general principle which at present applies. Government propose to mitigate the rigidity of the existing system by substituting the words " three harvests " for the words " three years," that is, the question of whether fixed land revenue, which has been suspended, can prudently be recovered, will always begin to come under consideration in future after three harvests instead of after three years. This will inevitably lead to more liberal remissions of suspended land revenue; detailed instructions have still to be worked out; but it is anticipated on an examination of past figures of the length of time land revenue has remained under suspension in various districts that the change may cost provincial revenues a sum of between three and four lakhs a year.

In the annual budget Government seeks to obtain supplies of those financial sinews by which it is enabled to carry on its proper functions—the furtherance of the greater peace and prosperity of the people of the Province; and the budget is presented in the confident hope that the Council, as partner of Government in the responsibility for those functions, will entertain the same broad conception of them as Government itself; that it will regard, even as Government regards, the budget as the combined effort of both sides of Government to marshal forces to set to flight the legions of crime, poverty, ignorance and disease which war against the development of the welfare of the Province and to win for civilization another victory in its long campaign against influences inimical to human progress: (Cheers).

AMENDMENT OF STANDING ORDERS.

Mr. President: The Deputy President has given notice of a motion for leave to amend the standing orders. The first amendment proposed is—

" After the first sentence in Standing Order 81 (2), insert the following proviso :—

" Provided the President may, after the ringing of bell ceases, if in his opinion the division is unnecessarily claimed, take the vote of the Council by calling upon the members, who support and who challenge his decision, successively to rise in their places; and he shall thereupon, as he thinks fit, either declare the determination of the Council or take votes by division."

Has the honourable member the leave of the House?

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu): Sir, the existing standing order 81 (2) makes it obligatory

on the President to take votes by division if any member so desires, but if the proposed amendment is passed it would take away from the members of the Council the right of asking for divisions. All the powers in this respect would be vested in the President, and if he thinks that the demand for a division is unnecessarily claimed he can disallow it on the ground of being frivolous. This, I submit, is not a proper state of affairs. In the House of Commons the demand for a division is made on various grounds. For example, a member knowing that his party is not in a majority still persists in asking for a division because he wants to know greatly as to who are the supporters or opponents of his motion.

Then again the various party leaders in the House of Commons have been experiencing some difficulty in the matter of making the member of their respective parties to attend the meetings of the Parliament, and in order to obviate this difficulty the party leaders have recourse to divisions, so that the constituents of the various members should know as to whether their representatives have or have not been taking part in the deliberations of the House. For instance, a party in the House attaches a good deal of importance to a certain resolution, and the leader of that party in the interests of party discipline and with a view to expose the member of other parties claims a division. This, I submit, is perfectly right. Our own experience in this connection has been that in the course of one year the Honourable the President was pleased to declare thrice that our demands for divisions were frivolous. In the Parliament the members of the House of Commons repose their entire confidence in the speaker so far as divisions are concerned, but still there is a difference between the temperaments of the members of the House of Commons and the members of this House. It is an open secret that members of the House of Commons sometimes refuse to obey the rulings of the speaker.

Mr. President : I may point out that at this stage a very lengthy speech is out of order. The honourable member is welcome to oppose the motion, but he should not discuss any details.

Chaudhri Afzal Haq : Sir, I will not make a long speech at this stage. I will simply content myself with giving a brief outline of the reasons on the basis of which I wish to oppose the motion now before the House. In the first place, I wish to say that this motion infringes the right of minorities, and if it is passed it will place the minorities at the mercy of the President. Secondly, the existing standing order is necessary in the interests of party discipline, and if the various parties are deprived of this right, it will seriously affect their solidarity. Thirdly, the members of this House have not been given all the powers to which they are entitled. We, the members of this House do not possess as many powers as the members of the House of Commons possess. Had all these powers been granted to us, then there would have been some sense in putting limitation on our rights and privileges, but, as matters stand now, it will not do to deprive us of the small number of privileges that we already possess. And lastly, I submit, that if the proposed amendment is passed it is likely to create a spirit of unrest and suspicion against the President in the minds of the members.

With these words, Sir, I oppose the motion now before the House.

Sardar Habib Ullah [Lahore (Muhammadan) Rural]: Sir, I may point out at this stage that it is not very advisable on the part of this House to enter into a detailed discussion on the amendment before it, because by giving leave to amend the Standing Order and by referring the draft amendment to a select committee this House is not in any way committed to the principle involved in the amendment. The proper time, I think, for the House to go into the merits of the amendment will be when it emerges from the select committee with all sorts of recommendations. However, as my learned friend, the member for Hoshiarpur (Chaudhri Afzal Haq) has said a few words in opposition to this amendment, I may point out that this amendment is not a new one. The procedure has long been adopted by the Houses of Parliament and, I think as far as my information goes, in many of the Indian legislatures. The honourable member for Hoshiarpur has wisely pointed out that it is for the chair to safeguard the minorities, but I would point out that where it is the duty of the chair to safeguard the minorities it is also for the chair to see that the minorities do not in any way obstruct or delay the work of the Council or waste the time of the House. It is only for this reason that the amendment has been proposed. We have already adopted this procedure, and the present amendment only seeks to regularise that procedure.

Mr. President: The question is whether leave should be granted to the draft amendment being proceeded with. If leave is granted the amendment will be referred to a select committee and ultimately come before the House for final consideration. Those who are in favour of leave being granted please stand in their places.

(More than 20 members stood in their places.)

Mr. President: As more than 20 members have risen in their places I inform the House that the honourable member has the leave of the Council. The second amendment is—

“Number the second sentence of Standing Order 31 (2) as clause (5).”

This is only a consequential amendment. Has the honourable member the leave of the Council?

(No objection was raised.)

Mr. President: The honourable member has the leave of the Council for this amendment. The third amendment is—

“After Standing Order 32 (1), insert the following new clause as clause (2):—

‘A motion must not anticipate a matter already appointed for consideration by the Council, whether it be a Bill or an adjourned debate upon a motion. In determining whether a motion is of out of order on the ground of anticipation, the President must have regard to the probability of the matter anticipated being brought before the House within a reasonable time.’”

Has the honourable member the leave of the Council to move this amendment?

Pandit Nanak Chand: I object to this amendment. I think there is no necessity for this. It limits the privileges of the members of this House.

Mr. President: Those who are in favour of leave being granted please stand in their places.

(More than 20 members stood in their places.)

Mr. President : As more than 20 members have risen in their places, the honourable member has the leave of the Council.

The fourth amendment is—

“ In Standing Order 32, re-number the existing clauses (2) and (3) as clauses (3) and (4), respectively.”

This is only a consequential amendment. Has the honourable member the leave of the Council?

No objection was raised.

Mr. President : The honourable member has the leave of the Council. The fifth amendment is—

“ Insert the following new Standing Order, 35-A :—

“(1) At any time after a motion has been made any member may move: ‘That that question be not now put’ and unless it appears to the President that the motion is an abuse of the Rules and Standing Orders or an infringement of the right of reasonable debate, he shall put the motion ‘That that question be not now put.’

(2) If the motion is carried the President shall not put the original question; but if the motion is negatived he shall put the original question forthwith without any further debate or amendment.”

Khan Bahadur Captain Sardar Sikandar Hayat Khan : May I know, Sir, whether these amendments are now put before the House for its approval?

Mr. President : The House is not committing itself to the principles of these amendments. If leave is given, they will be referred to a select committee, the members of which will be elected by means of the single transferable vote; that committee will consider them and they will then come to the Council for final consideration.

Pandit Nanak Chand : I object to this amendment also on the same grounds as the previous one. It seeks to limit the privileges of the members.

Mr. President : Does it not widen the privileges of the members?

Pandit Nanak Chand : I think the older rule is safer.

Mr. President : Those who are in favour of leave being granted for this amendment please stand in their places?

(More than 20 members stood in their places.)

Mr. President : As more than 20 members have risen in their places, the honourable member has the leave of the Council. The sixth amendment is—

“ Insert the following new Standing Order, 35-B :—

“ At any time after a motion has been made any member may move ‘That the debate be now adjourned,’ and unless it appears to the President that the motion is an abuse of the Rules and Standing Orders or an infringement of the right of reasonable debate, he shall put the motion ‘That the debate be now adjourned.’”

Has the honourable member the leave of the Council?

(No member raising any objection.)

Mr. President : The honourable member has the leave of the Council.
The seventh amendment is —

"In Standing Order 42 (5) last line, delete the words 'of the report' and insert the words 'on which he signs the report.'"

Has the honourable member the leave of the Council?

(No member objecting.)

Mr. President : The honourable member has the leave of the Council.
The eighth amendment is—

"In Standing Order 44 (1) between the words 'Select Committee,' and the words 'to be printed,' insert the following words:—

'together with the minutes of dissent, if any'."

Has the honourable member the leave of the Council?

(No member objecting.)

Mr. President : The honourable member has the leave of the Council.
The ninth amendment is—

"In Standing Order 59, first line, between the word 'give' and the word 'fifteen' insert the words 'not less than.'"

Has the honourable member the leave of the Council?

(No member objecting.)

Mr. President : The honourable member has the leave of the Council.
The tenth amendment is—

"Insert the following new Standing Orders:—

'XIII. Petitions relating to Bills.

78. Petitions relating to a Bill which has been published under Rule 18, or which has been introduced or in respect of which notice of a motion has been received under the Standing Orders, may be presented or submitted in accordance with the Standing Orders.

79. Any such petition may be presented by a member, or be forwarded to the Secretary, in which latter case the fact shall be reported by him to the Council, and no debate shall be permitted on the making of such report.

80. A member presenting a petition shall confine himself to a statement in the following form:—

Form of presentation.

"I present a petition signed by _____ petitioners regarding _____ Bill, and no debate shall be permitted on this statement."

81. (1) A committee on petitions shall be constituted at the commencement of each session, and shall consist of the Deputy President who shall be Chairman and four members nominated by the President, of whom one shall be one of the Chairmen of the Council. In the absence of the Deputy President the Chairman of the Council shall preside.

(2) The President may, if he thinks fit, fill up any vacancies occurring on the committee during the session."

82. Every petition after presentation by a member or report by the Secretary, as the case may be, shall be referred to the committee.

Reference to committee.

83. The committee shall examine every petition referred to it, and shall report to the Council stating the subject matter of the petition, the number of persons by whom it is signed, and whether it is in conformity with the Standing Orders.
- Examination and report by committee.
- If the petition complies with the Standing Orders, the Committee may, in its discretion, direct that it be circulated as a paper to the Bill to which it relates. The Committee shall in its report state whether circulation has or has not been directed, and where circulation has not been directed, the President may, in his discretion, direct that the petition be circulated. Such circulation shall be of the petition *in extenso* or of a summary thereof as the committee or the President, as the case may be, may direct.
84. Every petition shall—
- (i) either be in English and in print or, if not in English, be accompanied by an accurate English translation in print;
- Printing countersignature and language of petitions.
- (ii) if presented by a member, be countersigned by him; and
- (iii) be couched in respectful and temperate language.
85. The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature, and if illiterate by his thumb-impression.
- Authentication of signatories to petitions.
86. Every petition shall be addressed to the Council and shall conclude with a prayer reciting the definite object of the petitioners in regard to the Bill to which it relates.
- Petitions to whom to be addressed and how to be concluded.
87. The general form of petition set out in Schedule II, with such variations as the circumstances of each case require may be used and, if used shall be sufficient.
- General form of petitions.

SCHEDULE II.

FORM OF PETITION.

(See Standing Order 87.)

To the Legislative Council, Punjab.

Whereas a Bill entitled a Bill*

is now under the consideration of the Punjab Legislative Council the humble petition of

sheweth

and accordingly your petitioner (or petitioners) pray that

and your petitioner(s) as in duty bound will ever pray.

*(Here insert Title of Bill.)

(Here insert name and designation of petitioner or petitioners in concise form, e.g. 'Ram Lal' and others' or 'the inhabitants of ———' or 'the municipality of ———' etc.)

(Here insert a concise statement of the case).

(Here insert 'that the Bill be or be not proceeded with,' or 'that special provision be made in the Bill to meet the case of your petitioner or any other appropriate prayer regarding the Bill.)

[Mr. President.]

Name of petitioner.	Address.	Signature or thumb-impression.

(Countersignature of member presenting)."

Has the honourable members the leave of the Council ?

(No member objecting).

Mr. President : The honourable member has the leave of the Council.

Sardar Habib Ullah : Sir, I beg to move—

"That the draft amendments be referred to a select committee."

The Honourable Mr. Manohar Lal : May I enquire, Sir, whether in agreeing to this motion we will be committing ourselves in any way to the various principles underlying these amendments ?

Mr. President : No. The question is—

"That the draft amendments be referred to a select committee."

The motion was carried.

Mr. President : The select committee will be elected at a later stage.

The Council then adjourned till 2 p.m. on Wednesday, the 29th February 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 8th PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 29th February 1928.

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 :—

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

Sanderson, Mr. R. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

SEPARATION OF JUDICIAL FROM EXECUTIVE FUNCTIONS.

*956. **Lala Joti Parshad :** Will the Honourable Finance Member be pleased to answer the question No. 784 (starred) asked by me during the session of the Council held in November 1927 ?

The Honourable Sir Geoffrey deMontmorency : (a) and (b). On the 4th July 1927 a circular letter was issued by Government to all Commissioners of Divisions on the subject of making the magisterial agency more efficient and expeditious in operation. With this object in view the staff of districts was increased in order to relieve magistrates as much as possible from the interruptions and distractions of executive business and instructions were issued that Revenue Assistants, Treasury Officers (except at Murree, Dalhousie and Kasauli), Excise Officers, and Colony Assistants should not be employed on the trial of criminal cases, except that in districts with small staffs, Revenue Assistants might be required to hear security cases (bad livelihood). Sub-Divisional Officers were to continue to do all classes of work. The Political Assistants at Dera Ghazi Khan and Simla were to try criminal cases only under their special powers as such. The remaining officers of the Punjab Civil Service attached to the district staff, were to be employed on the trial of criminal cases and on the functions ordinarily allotted to them as *Ilaka* magistrates. The Additional District Magistrate (where he exists) or the senior magistrate at headquarters exercising section 80 powers in addition to his magisterial duties was to continue to function as the first Assistant to the Deputy Commissioner and to take his place during his temporary absence. In the case of those Treasury Officers who were second or third class magistrates it was explained that they should continue to do magisterial duties in order to train them for 1st class powers, but that only a limited number of cases should be sent to them sufficient to give them adequate magisterial experience. It was further explained that these restrictions did not apply to temporary arrangements for the charge of a Treasury necessitated when a Treasury Officer falls ill or takes casual leave; and did not preclude the District Magistrate from making a

[Hon. Sir Geoffrey deMontmorency.]

general call on his staff in the case of an emergency, e.g., on the occasion of any of the more important religious festivals; but that District Magistrate should endeavour to avoid the dislocation of criminal business that results from the employment of magistrates to supervise elections.

Subsequently it was brought to the notice of Government that in certain districts the charge of the Treasury, even when combined with certain other miscellaneous duties, did not constitute a full day's work. Accordingly, a further letter was addressed to Commissioners authorising them to allow District Magistrates to send the Treasury Officer a certain amount of criminal work provided that this did not interfere with the effective discharge of his proper duties or lead to delay in the trial of criminal cases. It was explained that the essence of the scheme was that there should be in every district an adequate number of magistrates who should not be given other than purely magisterial work, save in a case of real emergency and, that provided this feature of the scheme were preserved, Commissioners might allow such minor relaxations of its details as were desirable in the general interests of the administration.

Commissioners have been asked to obtain in due course from the Deputy Commissioners in their divisions a report on the working of the scheme up to the 31st July 1928 and to submit these reports to Government with their views before the 1st October 1928, when the scheme will be further examined.

(c) Government do not propose at present to take any further steps.

POLICE STAFF IN THE EASTERN RANGE.

*957. **Lala Joti Parshad**: Will the Honourable Finance Member be pleased to lay on the table the answer to question No. 786 (starred) put in November 1927?

The Honourable Sir Geoffrey deMontmorency: As desired by the honourable member, a copy of the reply to Council question No. 786 is now laid on the table.

Answer to Question No. 786.

The Honourable Sir Geoffrey deMontmorency: (i) The following table shows the total number of sub-inspectors, head constables and Constables of police recruited in the District of the Eastern Range during the last three years from amongst the (a) Hindus, (b) Muslims and (c) Sikhs and others:—

Rank.	Hindus.	Muslims.	Sikhs and others.	REMARKS.
Sub-Inspectors	17	14	6	
Head Constables	12	18	10	
Constables	492	862	98	
Total	521	895	114	

(ii) It is a fact that during the last 5 years a number of applications for sub-inspectorship and head constableness were received from Hindus of non-agricultural classes of the Hissar District and that while each case was considered on its merits none of them was selected owing to the presence of more suitable candidates for the very few appointments available.

ELECTRIFICATION OF HISSAR TOWN.

***958. Lala Joti Parshad :** Will the Honourable the Revenue Member please state if the answer to question¹ No. 790 (starred) put in the session of November is now ready? If so, it may kindly be read out.

The Honourable Mian Sir Fazl-i-Husain : (a) The President of the Municipal Committee, Hissar, made certain enquiries in connection with the electrification of the town early in 1921, but the matter was dropped by the Municipal Committee in May 1921.

(b) Yes, and as a result of their visit to Hissar, the Electric Inspector to Government, Punjab, supplied estimates of Capital Cost, Revenue, etc., to the Municipal Committee, Hissar.

(c) After the visits of Director of Industries, and Electric Inspector to Government, Punjab, in 1921, the Personal Assistant to Electrical Engineer to Government, Punjab, visited Hissar in October 1925 in connection with the application of the Municipal Committee for the preparation of a scheme for the electrification of the town, but since then none of the officers of the Industries Department has visited the town.

(d) The application for administrative approval reached Government in March 1927 only.

(e) Yes, the general conditions of contract were accepted by the Municipal Committee and an intimation to this effect was sent by them to the Electrical Engineer in October 1926. The preparation of the specifications and designs was then taken in hand by the Electrical Engineer, but was stopped on the receipt of a telegram, dated 17th January 1927, asking for the postponement of the work. The incomplete specifications are still lying in the Electrical Engineer's office.

(f) Administrative approval has already been refused.

BHATTU-FATTEHABAD-JAKHAL RAILWAY.

***959. Lala Joti Parshad :** Will the Honourable the Revenue Member be pleased to answer question² No. 760 (starred) put by me during the last session of the Council?

The Honourable Mian Sir Fazl-i-Husain : Answer to Council question² No. 760 was despatched to the Secretary, Legislative Council, on 23rd January 1928, and was to the following effect :—

"The Traffic survey report of the Bhattu-Jakhal Railway sanctioned by the Railway Board to be carried out by the Agency of the Bombay-Baroda and Central India Railway Administration has been completed, and is about to be submitted to the Railway Board."

¹Vol. X-B, page 1295.

²Vol. X-B, page 1270.

CATTLE FAIRS.

***960. Lala Joti Parshad :** (i) Will the Honourable the Minister for Local Self-Government be pleased to lay a statement on the table showing—

(a) the number of cattle fairs held by various district boards during the last financial year ;

(b) the income derived from each fair ?

(ii) Did these district boards incur any expenditure on the improvement of cattle breeding apart from giving away the prizes at fairs ? If so, a copy of the statement showing such expenditure in each district may kindly be laid on the table.

The Honourable Malik Firoz Khan, Noon : The information has just been received and the statement desired by the honourable member will be forwarded to him in the course of a day or two.

METALLED ROAD BETWEEN HISSAR AND SIRSA.

***961. Lala Joti Parshad :** Will the Honourable the Minister for Agriculture please state when the metalled road between Hissar and Sirsa would be ready for use ?

The Honourable Sardar Jogendra Singh : The programme of construction is dependent on two factors :—

(1) The rate at which estimates can be prepared and sanctioned by competent authority.

(2) The rate at which funds are voted by the Legislative Council. The work on the first section of this road (Hissar-Badopal, 20 miles long) is expected to be completed by 31st March 1928. The second section (Badopal-Sirsa) which is 34 miles long, is estimated to cost Rs. 6,83,406 and a sum of Rs. 70,000 has been entered in the budget demand for 1928-29. If funds are provided at the rate at which it is possible for the work to proceed the road from Hissar to Sirsa could probably be completed by March 31st, 1931.

PROVINCIALISATION OF OKARA HIGH SCHOOL.

***962. Lala Bodh Raj :** Will the Honourable the Minister for Education please state if there is any proposal under contemplation to provincialise the high school of the notified area committee of Okara ? Has any representation been made by the people of the place ?

The Honourable Mr. Manohar Lal : There is no proposal to provincialise the Notified Area Committee High School at Okara, District Montgomery. The people of the place have made no representation except that the local Notified Area Committee in an address presented to His Excellency the Governor of the Punjab in 1926 prayed for the provincialisation of the school.

ESTABLISHMENT OF A SMALL TOWN COMMITTEE IN OKARA.

***963. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state if there is any proposal to establish a Small Town Committee in Okara in the Montgomery District? Has any representation been made on the subject by the people of the place?

The Honourable Malik Firoz Khan, Noon : (i) The question of converting the Notified Area of Okara into a second class municipality or a small town is under consideration.

(ii) In an address presented to His Excellency the Governor on 14th November 1926, by the Notified Area Committee a request was made that a town committee should be constituted for Okara.

COURT ROOMS AT OKARA.

***964. Lala Bodh Raj :** (a) Will the Honourable the Finance Member please state if any correspondence is going on between the High Court and the Government for providing Sub-Judge's court rooms at Okara in the Montgomery District?

(b) Has any representation been made on the subject by the people of the place to the authorities of the district and the Government?

The Honourable Sir Geoffrey deMontmorency : (a) and (b). The Notified Area Committee of Okara in the course of an address to His Excellency the Governor on the 14th November 1926 requested that a Sub-Judge's court should be established in their town. This request was the subject of correspondence between Government and the Honourable Judges, but it was decided that civil work in the area concerned was not sufficient to justify its acceptance.

NAIB-TAHSILDAR, KOT ADU.

***965. Lala Bodh Raj :** Will the Honourable the Revenue Member please state if any complaint has been made against the Naib-Tahsildar, Kot Adu, in the Muzaffargarh District that he lets loose his cattle in the cultivated land of other people? If so, what action has been taken thereon?

The Honourable Mian Sir Fazl-i-Husain : The complaint was found to be false and no action was necessary.

THEFT CASES IN MUZAFFARGARH.

***966. Lala Bodh Raj :** (a) Will the Honourable the Finance Member please state the number of theft cases in Muzaffargarh during the time Mr. Hakim Khan has been in charge as Sub-Inspector of Police?

(b) How many of these have been traced?

The Honourable Sir Geoffrey deMontmorency : (a) 29.

(b) 9 of the above were sent up for trial.

MR. GHULAM MOHI-UD-DIN, DISTRICT INSPECTOR OF SCHOOLS,
MULTAN.

***967. Lala Bodh Raj :** Will the Honourable the Minister for Education please state if it is a fact that Mr. Ghulam Mohi-ud-Din, the District Inspector of Schools, Multan, drew his travelling allowance for visiting Mianpur branch of tahsil Lodhran on or about 11th September 1927, while as a matter of fact no inspection was made? If so, what are the reasons?

The Honourable Mr. Manohar Lal : Enquiries are being made.

SHOP-KEEPERS' COMMITTEE, JHANG AND LYALLPUR.

***968. Lala Bodh Raj :** Will the Honourable the Revenue Member please state if any representation has been made by the shopkeepers' committee of Jhang and Lyallpur to grant the proprietary rights in the shop *thatas* in the colonised areas at the same rates at which they have been granted to the *abadkars* for similar *thatas*? If so, what action has been taken thereon?

The Honourable Mian Sir Fazl-i-Husain : Yes. Government is not prepared to reconsider the orders already passed in connection with the sale of and assessment of rent on shop sites in the villages of the Lower Chenab Canal Colony.

SIGNALLERS IN THE CANAL DEPARTMENT.

***969. Lala Bodh Raj :** Will the Honourable the Revenue Member please state if after the year 1921 when the general revision of scales of pay in the various departments of Government was made, the signallers in the canal department represented to the Government for further increase in their emoluments? If so, what action was taken thereon?

The Honourable Mian Sir Fazl-i-Husain : Yes, memorials from signallers addressed to the Chief Engineers, Irrigation Branch, were received and have been considered.

The present rates of pay are considered sufficient.

DEMOLITION OF CANAL EMBANKMENTS.

***970. Lala Bodh Raj :** (a) Will the Honourable the Revenue Member please state whether it is a fact that canal embankments have been demolished at several places near Mauza Wan Pitafi in the Muzaffargarh District?

(b) Has any enquiry been made to trace the culprits in this case?

(c) How many of the culprits have been prosecuted and with what result?

The Honourable Mian Sir Fazl-i-Husain : (a) No. Only three small cuts were made by certain men in the banks of the Thalwah Distributary.

(b) The case was handed over to the police for enquiry.

(c) The police found that the culprits were three men of Mauza Wan Pitafi but that no case could be brought against them under Section 490, Indian Penal Code. Therefore, action was taken under the Canal Act and punitive rates were levied.

PUNITIVE POLICE AT MAUZA NARLI.

***971. Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that the assessment list of the punitive tax in connection with punitive police posted for the years 1925-26, 1926-27 at Mauza Narli, Tahsil Kasur, District Lahore, was not published as is usually done?

The Honourable Sir Geoffrey deMontmorency : The answer is in the negative.

SARDAR HIRA SINGH, M. L. C.

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

- (a) if it is a fact that Sardar Hira Singh, M.L.C., was placed in the class of convicts;
- (b) if it is a fact that the Government has realised from him the punitive tax at the rate at which it has recovered from *badmashes* of the locality;
- (c) if it is a fact that his disqualification of being a convict was removed in the year 1926, before the Council election;
- (d) of what offence was he convicted?

The Honourable Sir Geoffrey deMontmorency : (a) If the honourable member means by the words 'the class of convicts' the class defined as 'convicted criminal prisoners' in the Prisons Act, the answer is in the affirmative.

(b) If the honourable member will state what punitive tax and what locality and to whom he refers as 'Badmashes', I will have enquiries made. Government is not aware of any taxation that is levied categorically on persons known as 'Badmashes.'

(c) Yes.

(d) For attending the meeting of an association declared by the Local Government as unlawful under section 17 (2) of the Indian Criminal Law Amendment Act, 1908.

SUBORDINATE EDUCATIONAL SERVICE.

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

- (a) what standard or criterion has been fixed for the promotions in the subordinate educational service;
- (b) whether length of service, academic qualifications, training in teaching, permanency of the Senior Anglo-Vernacular certificates, satisfactoriness of work, and conduct are considered at the time of promotion or the opinion of the Inspector of Schools only as expressed in his recommendation is considered for the purpose?

The Honourable Mr. Manohar Lal : (a) Promotion is generally given to the officer considered most suitable with reference to such qualifications as are mentioned by the honourable member in the second part of his question.

[Hon. Mr. Manohar Lal.]

(b) Inspectors are expected to consider the points referred to when making their recommendations, but these recommendations are not always accepted.

SUBORDINATE EDUCATION SERVICE.

***974. Lala Bodh Raj :** Will the Honourable the Minister for Education please state how many of the subordinate education service with lower qualifications superseded their colleagues with higher qualifications and longer service in the department ?

The Honourable Mr. Manohar Lal : The labour that would be involved by compiling this information is not commensurate with the value of it.

SUPERSESSION OF ARTS GRADUATES BY GRADUATES WITH MUNSHI FAZIL QUALIFICATIONS.

***975. Lala Bodh Raj :** Will the Honourable the Minister for Education please state if it is a fact that some B.A. (English) Munshi Fazil were promoted to the grade of Rs. 110—135 while full fledged graduates in Arts with B. T. qualifications were left out ? If so, what are the reasons ?

The Honourable Mr. Manohar Lal : The department does not distinguish between the various avenues to the B.A. degree when making promotions.

PANCHAYAT OFFICERS.

***976. Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the *Panchayat* Officers appointed ;
- (b) the qualifications of those officers ;
- (c) whether a suitable Sikh possessing requisite qualifications was available ;
- (d) the reasons for not appointing any Sikh ?

The Honourable Malik Firoz Khan, Noon : (a) (i) Chaudhri Nathu Singh.

- (ii) S. Milkha Singh.
- (iii) Chaudhri Nazir Ahmad.
- (iv) Khan Sahib Maulvi Abdul Malik.
- (v) Chaudhri Dil Ahmad.

(b) Experience of propaganda work in rural areas and sympathy with the needs and ideas of villagers.

(c) Yes.

(d) A Sikh was appointed.

MUNICIPALITIES AND SMALL TOWN COMMITTEES.

***977. Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the municipalities and small town committees in which separate representation is provided for the three principal communities—Muslims, Hindus and Sikhs ;

- (b) the names of the municipalities and small town committees in which separate representation is provided for Muslims only and Sikhs are classed with other non-Muslims ;
- (c) the names of the municipalities and small town committees in which according to the arrangement in clause (b) above the Sikhs have gone unrepresented in election during the last six years ;
- (d) the names of the municipalities and small town committees on which no Sikh is represented either by election or nomination ?

The Honourable Malik Firoz Khan, Noon : (a) Separate representation has not been introduced in any small town in the Punjab. The names of the municipalities in which separate representation is provided for Muslims, Hindus and Sikhs are —

- (1) Ludhiana.
- (2) Amritsar.
- (3) Lahore.
- (4) Banga.
- (5) Ferozepore.
- (6) Moga.
- (7) Sargodha.

(b), (c) & (d) The information asked for is contained in the statements laid on the table.

List of municipalities in which separate representation is provided for Muslims only and Sikhs are classed with other non-Muslims.

- | | | |
|-----------------------|----------------------|--------------------------|
| 1. Bhiwani. | 16. Hoshiarpur. | 31. Pind Dadan Khan. |
| 2. Sirsa. | 17. Nakodar. | 32. Murree. |
| 3. Rohtak. | 18. Jagraon. | 33. Bhakkar. |
| 4. Jhajjar. | 19. Raikot. | 34. Montgomery. |
| 5. Bahadurgarh. | 20. Fazilka. | 35. Kamalia. |
| 6. Rewari. | 21. Muktsar. | 36. Gogra. |
| 7. Palwal. | 22. Zira. | 37. Jhang-cum-Maghtiana. |
| 8. Ferozepore-Jhirka. | 23. Abohar. | 38. Multan. |
| 9. Faridabad. | 24. Kasur. | 39. Shujabad. |
| 10. Karnal. | 25. Dera Baba Nanak. | 40. Muzaffargarh. |
| 11. Kaithal. | 26. Gujranwala. | 41. Khangarh. |
| 12. Shahabad. | 27. Wazirabad. | 42. Alipur. |
| 13. Thanesar. | 28. Eminabad. | 43. Leiah. |
| 14. Ambala. | 29. Sharakpur. | 44. Karor. |
| 15. Jagadhri. | 30. Sahiwal. | 45. Dera Ghazi Khan. |

[Hon. Malik Firoz Khan, Noon.]

List of municipalities in which according to the arrangement in class (b) Sikhs were not returned as members in elections held during the last six years.

1. Bhiwani.	19. Nakodar.	25. Bhakkar.
2. Rohtak.	14. Raikot.	26. Kamalia.
3. Jhajjar.	15. Fazilka.	27. Jhang-cum-Maghiana.
4. Bahadurgarh.	16. Zira.	28. Gojra.
5. Rewari.	17. Kasur.	29. Multan.
6. Palwal.	18. Nurmahal.	30. Muzaffargarh.
7. Ferozepore Jhirka.	19. Wazirabad.	31. Khangarh.
8. Faridabad.	20. Eminabad.	32. Alipur.
9. Karnal.	21. Sharakpur.	33. Leiah.
10. Kaithal.	22. Abohar.	34. Karor.
11. Thanesar.	23. Pind Dadan Khan.	35. Dera Ghazi Khan.
12. Jagadhri.	24. Murree.	

List of municipalities and small towns on the committees of which no Sikh is represented either by election or nomination.

MUNICIPAL COMMITTEES.

1. Hissar.	22. Sadhaura.	43. Hazro.
2. Hansi.	23. Simla.	44. Pindigheb.
3. Bhiwani.	24. Kasumpti.	45. Mianwali.
4. Rohtak.	25. Dharamsala.	46. Kalabagh.
5. Jhajjar.	26. Urmur Tanda.	47. Bhakkar.
6. Beri.	27. Phillaur.	48. Isakhel.
7. Bahadurgarh.	28. Nurmahal.	49. Montgomery.
8. Gohana.	29. Rahon.	50. Kamalia.
9. Sonapat.	30. Nakodar.	51. Pakpattan.
10. Rewari.	31. Raikot.	52. Jhang-cum-Maghiana.
11. Palwal.	32. Fazilka.	53. Chiniot.
12. Ferozepore Jhirka.	33. Zira.	54. Multan.
13. Hodal.	34. Abohar.	55. Muzaffargarh.
14. Ballabgarh.	35. Patti.	56. Khangarh.
15. Faridabad.	36. Dalhousie.	57. Alipur.
16. Karnal.	37. Dinanagar.	58. Leiah.
17. Panipat.	38. Pathankot.	59. Karor.
18. Kaithal.	39. Eminabad.	60. Jampur.
19. Thanesar.	40. Sharakpur.	61. Dajal.
20. Jagadhri.	41. Jalalpur Jattan.	62. Rajanpur.
21. Rupa.	42. Khushab.	63. Mithankot.
		64. Dera Ghazi Khan.

SMALL TOWNS.

- | | | |
|----------------------------|----------------------------|-----------------------|
| 1. Dabwali Mandi. | 21. Nawanshahr. | 41. Shadiwal. |
| 2. Jakhal. | 22. Ichhra. | 42. Attock. |
| 3. Kalanwali. | 23. Kot Rai Boota Mal | 43. Fatehjang. |
| 4. Tohana. | 24. Niaz Beg. | 44. Chak Jhumra. |
| 5. Mehm. | 25. Dhariwal. | 45. Garhmaharaja. |
| 6. Hidayatpur
Chhaoni. | 26. Narot Jaimal
Singh. | 46. Lalian. |
| 7. Ladwa. | 27. Sujanpur. | 47. Shorkot. |
| 8. Pundri. | 28. Badomalhi. | 48. Duniyapur. |
| 9. Radaur. | 29. Begowala. | 49. Jalalpur Pirwala. |
| 10. Kalka. | 30. Daud. | 50. Kabirwala. |
| 11. Kangra. | 31. Mitranwali. | 51. Kahrur. |
| 12. Nurpur (Shah-
pur). | 32. Khangah Dogran. | 52. Mailsi. |
| 13. Palampur. | 33. Zafarwal. | 53. Tulamba. |
| 14. Dasuya. | 34. Pindi Bhattian. | 54. Daira Din Panah. |
| 15. Garhshankar. | 35. Sodhra. | 55. Jatoi. |
| 16. Hariana. | 36. Shahdara. | 56. Khairpur Sadat. |
| 17. Jaijon. | 37. Nurpur (Kangra). | 57. Kot Adu. |
| 18. Khanpur. | 38. Shahpur City. | 58. Kot Chhotta. |
| 19. Miani. | 39. Daulat Nagar. | 59. Taunsa. |
| 20. Sham Churasi. | 40. Phalia. | 60. Vehoa. |

TEACHING OF PUNJABI IN SCHOOLS.

***978. Sardar Ujjal Singh :** Will the Honourable Minister for Education please state—

- the names of the Government and board schools in which no provision for the teaching of Punjabi has so far been made ;
- whether it is a fact that in some schools of Rawalpindi and Multan Divisions representations were made by the Sikhs to the Inspectors of the respective divisions ;
- what action did the Inspectors concerned take in the matter ?

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

SENIOR AND JUNIOR VERNACULAR CLASSES.

***979. Sardar Ujjal Singh :** Will the Honourable Minister for Education please state—

- the number of students admitted communitywise in senior vernacular and junior vernacular classes in the Government schools and colleges in this province ;
- whether it is a fact that the number of Sikh students admitted last year to junior vernacular and senior vernacular classes in Rawalpindi and Multan divisions is lower than the number of Sikhs admitted in the previous year ;
- if so, the reasons for the same ?

The Honourable Mr. Manohar Lal : (a) A statement giving the required information is laid on the table.

(b) No.

(c) Does not arise.

Statement showing the number of admissions to Senior Vernacular and Junior Vernacular classes in the Punjab during the session 1927-28.

	Hindus.	Muham- madans.	Sikhs.	Others.	Total.
1. Senior Vernacular Classes.	371	442	105	5	923
2. Junior Vernacular Classes.	1,038	1,258	238	11	2,545

GRANT-IN-AID TO SCHOOLS.

***980. Sardar Ujjal Singh :** Will the Honourable Minister for Education please state—

(a) the names of recognised Sikh schools in the backward areas which have not so far been brought on regular grant-in-aid list ;

(b) the date since those schools were recognised ;

(c) the names of the schools out of the list referred to in (a) to which special grants are given ;

(d) the reasons for not bringing these schools on regular grant-in-aid list ?

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

LAHORE SEDITION CASE OF 1914-15.

***981. Sardar Ujjal Singh :** Will the Honourable Member for Finance please state—

(a) the number of those sentenced to different terms of imprisonment in connection with the Lahore sedition case of 1914-15 ;

(b) the number of those prisoners who had their property confiscated by Government order ;

(c) the number of those released so far and the number and names of those still undergoing imprisonment ?

The Honourable Sir Geoffrey deMontmorency : (a) 140.

(b) 70.

(c) 82 are still undergoing imprisonment.

CIVIL VETERINARY DEPARTMENT.

*982. **Sardar Ujjal Singh :** Will the Honourable the Minister for Agriculture please state—

(a) the number of Veterinary Inspectors and Deputy Superintendents in the Civil Veterinary Department communitywise in different circles ;

(b) the number of confirmed and unconfirmed Inspectors communitywise in different circles ;

(c) whether there is any departmental test provided for promotion to the grade of Inspectors from the post of Veterinary Assistants ?

The Honourable Sardar Jogendra Singh : (a) and (b) The information required is laid on the table.

(a) Circle.	DEPUTY SUPERINTENDENTS.			VETERINARY INSPECTORS.		
	Hindus.	Muham-madans.	Sikhs.	Hindus.	Muham-madans.	Sikhs.
North Punjab	...	1	...	...	3	1
Central Punjab	...	1	...	1	7	...
South Punjab	...	4	...	2	4	4
Cattle Breeding Section*	...	2	...	...	...	...

* One post of Deputy Superintendent vacant.

(b) Circle.	CONFIRMED VETERINARY INSPECTORS.			UNCONFIRMED VETERINARY INSPECTORS.		
	Hindus.	Muham-madans.	Sikhs.	Hindus.	Muham-madans.	Sikhs.
North Punjab	...	1	1	...	2	...
Central Punjab	1	4	...	...	3	...
South Punjab	2	3	4	...	1	...

(c) Yes.

POST-GRADUATE COURSE, VETERINARY COLLEGE.

***983. Sardar Ujjal Singh:** Will the Honourable Minister for Agriculture please state whether there is any proposal to abolish examinations for the post-graduate course of the Veterinary College, Lahore, and to provide only practical training in its place?

The Honourable Sardar Jogendra Singh: The reply to this question is in the negative.

MIDDLE SCHOOL SCHOLARSHIP EXAMINATION AT AMRITSAR.

***984. Dr. Sir Muhammad Iqbal:** (a) Will the Honourable the Minister for Education please state—

(a) whether it is a fact that at the last Middle School Scholarship examination held at Amritsar, the Superintendent of Municipal Board Schools, Amritsar, marked "wrong" a right answer to a question in Arithmetic in the case of all the nine candidates of Muhammadan Anglo-Oriental School, Amritsar;

(b) whether it is a fact that complaints were received by the department with regard to this matter?

(ii) If the answer to the above is in the affirmative, what action was taken against the Superintendent?

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

(b) Yes. A complaint was received, but it was considered, after enquiry, that no action was necessary.

(c) Does not arise.

DACOITY IN GARH MAHARAJA.

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

(a) whether it is a fact that there have recently been committed the offences of "dacoity" and "attempts at dacoity" in Garh Maharaja in the district of Jhang;

(b) whether it is a fact that the complainants when they went to the police station to make the report the Sub-Inspector of Police refused to record the report;

(c) whether it is a fact that attention of the Deputy Commissioner has been drawn to the matter;

(d) whether any enquiry has been held by the Deputy Commissioner into the allegations against the Sub-Inspector of Police concerned? If so, with what results?

The Honourable Sir Geoffrey deMontmorency: (a) No.

(b) No.

(c) A petition was made to the District Magistrate that dacoities were being committed. That petition included allegations against the Sub-Inspector of Police of Garh Maharaja.

(d) An enquiry was held. The allegations were found groundless.

GENERAL DISCUSSION OF THE BUDGET.

Mr. President : The Council will now proceed to discuss the Annual Budget as a whole or any questions of principle involved therein.

Khan Bahadur Captain Sardar Sikandar Hayat Khan [(Muhammadan) Landholders] : Sir, it is customary to offer thanks and congratulations to the Honourable Member for Finance at this stage for presenting the Budget to the Council, though it is also usual to take him to task the very next moment for the same Budget. Sir, I do not wish to thank him or congratulate him in that conventional spirit, but I wish to express my sincere and genuine admiration for his frank and lucid exposition of the financial position in this province at the present moment. It is not a very easy matter to wade through this bulky volume which has been given to us, and some of the members consider that the Memoranda provided for the purpose of elucidating any matter which may not be known to us, instead of helping us usually leads us off the track. So on the whole it is safer to keep an open mind and to express views after hearing the debate on each of the demands when they are discussed.

Sir, there is one thing which I noticed in the speech of the Honourable Finance Member and that was there is a possibility of making a saving, not a small saving but a considerable saving, if we set to it with a will. I asked the Honourable Finance Member when I moved my resolution in the last session that he should set apart sixty lakhs of rupees annually for the relief of the poorer zamindars in the province. I find that if the capital and revenue expenditure is properly adjusted, there can be a saving of nearly 34 lakhs, if not more—and this amount added to 26 lakhs—which have been budgetted towards the annual contribution to Government of India and which we all hope will be remitted again, will allow us to set aside at least 60 lakhs for this purpose.

There is one suggestion which I would like to make about the development of new areas. I would suggest that expenditure on the development of roads, the initial expenditure, should be met from the capital account and later the recurring expenditure from the revenue account.

The Honourable Sir Geoffrey deMontmorency : That is being done in the Sutlej Valley Area.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : I am glad to hear that that is being done in the Sutlej Valley area. I understand that by these means, after some time when the development of that colony is complete we will have a complete asset in the shape of land which when sold will give us an amount which can be kept as a reserve or which will consolidate our credit and considerably augment our present resources and give us an amount the interest on which can be utilised for the purpose of development, or giving relief to the taxation of the province as a whole.

The Honourable Finance Member pointed out that a very large amount was surrendered by certain departments during the present year, because they could not spend it during the year, or rather they could not hope to spend it before the 31st March this year. The worst offender in this respect is the department which is responsible for civil works (transferred) and civil works (reserved). No less than 18 lakhs have been surrendered by this

[K. B. Capt. Sardar Sikandar Hayat Khan.]

department and I hope that Government will keep in view the fact that it is very dangerous to supply this department with funds in excess of what it can conveniently spend because the usual practice is that just before the close of the financial year, during the last two or three months the whole money is sought to be spent irrespective of whether it can be spent to the best possible advantage or not. The officers in some circles try to spend the money you provide quickly so as to be ready for the next budget for another demand. I hope the Government member in charge will see that this does not happen, during the next year, as we find that these 18 lakhs which were surrendered have again been restored; while the usual annual demand is also provided, and the department may find it difficult to spend this large sum before the close of the next financial year.

While talking of the Public Works Department, Sir, I suggest to the Minister in charge that a considerable saving can be made in the road expenditure if we resort to the American system of construction and maintenance of roads. The system, I understand prevailing in some parts of America, is that large pieces or stretches of roads, say one hundred or two hundred miles according to the nature of the country through which the road passes, are given out to contractors and they are responsible to make and consolidate that road, and keep it in good condition for a certain number of years, and are paid a lump sum in return for this work. They have got figures about the life of roads in each district and have for a number of years studied this question and reduced it to exact figures required for building and maintaining the trunk and arterial roads. I suggest that this system may be employed here, this suggestion of mine might be kept in view, because it would not only help in effecting a certain amount of saving and reducing the cost of supervision but will also help to reduce a great deal of corruption in the lower ranks of the staff.

I am gratified to find that a fairly large amount has been set aside for the expansion of education and especially compulsory primary education. There is nothing which I wish to say except that the Honourable Minister should see that a large portion of this amount is not spent in brick and mortar, but is spent for the purpose for which it is really meant. In this connection I would like to point out that the present system of primary education wants overhauling and readjusting. It is my experience, and I believe it is the experience of other members also, that the present four class school does not turn out what we can call literate boys. The point is that if from the four class school the boy does not proceed to further studies he practically forgets what he has learnt in the school and he cannot be by any means called literate. So, I think it is just as well to consider whether it is not desirable to resort to the five class schools again or to adjust the system by raising the standard so that the boys may at least be able to read and write when they leave the primary schools. The policy should be one of extensive primary education and intensive higher education. At the present moment—and my colleagues in the unemployment committee will bear me out—there are thousands of graduates and undergraduates who are out of employment. Most of them are without employment because they do not know anything else but to become clerks or seek some jobs in government offices. So, I think that aspect of education should also be kept in view.

It is also my experience while I was on the Police Committee that practically all the witnesses that came before us expressed their opinion that corruption which prevailed in the police amongst the Sub-Inspectors, was, if anything on the increase, since the policy to recruit only educated classes for this post was adopted over twenty years ago. Practically all the witnesses both official and non-official were unanimous that corruption in the department among the Sub-Inspectors was greater in the last twenty years than before that period. This state of affairs, I submit, Sir, requires very serious thought and consideration. We must try to find out what is wrong with our present system, which lacks that most desirable and necessary sides of education, namely, character. I think we have in the past ignored this aspect of education which is unfortunate.

There is one unpleasant topic, which I just wish to mention in passing, and that is that there has been recently a great deal of agitation in the province about the advantage secured by a certain community in the education department with regard to appointments. I do not think it desirable to discuss that question here, but I will certainly like to ask the Honourable Minister for Education to carefully keep this unfortunate aspect in view and see that this policy is not further proceeded with, and does not create an atmosphere which might have the effect of further straining the relations of the various communities, specially when we are looking forward to better things in the wake of the Royal Commission on Reforms. Sir, I was disappointed to find that a substantial grant had not been made for the purpose of giving relief to local bodies which find themselves in a financial quandary on account of the recent ruling of the High Court. I am not aware whether representation that we sent from our district reached the Government. If it has, I do not know what fate it has met in the Secretariat. But I wish that the Honourable Minister for Local Self-Government and the Finance Department would help us at this juncture out of our present troubles, because I am afraid that if we do not get substantial help from Government in this respect the district boards will have to practically stop all work in the beneficent departments. Either the Government should bring the present dead lock to the notice of the Government of India and get this tax legalised, or be prepared to make a very substantial grant every year to assist the district boards, because I can assure you Sir, that it will be impossible to bleed the local zamindars any further. Practically all the district boards are now levying the maximum amount of local rates. This special tax known as the *hasiyat* tax as you are aware, was imposed because it was considered equitable to get a portion at least from that class of people who benefitted most from the district board institutions and did not contribute anything to the district board's coffers. It was for that reason that Government considered that the *hasiyat* tax will be an equitable tax for getting from these people a portion of the expenditure which was being incurred by the poorer neighbours, while they derived the benefit and did not contribute a penny towards the funds of the district board. I would make one suggestion for the consideration of the Honourable Minister and of the Government, and that is, that if *hasiyat* tax is not reimposed they should ask to be allowed to charge a surtax on all incomes on which income tax is levied. Just as local rate is paid by those who pay land revenue, it should be possible to levy surtax in the same proportion from those who are liable to pay income

[K. B. Capt. Sardar Sikandar Hayat Khan.]

tax. That would to some extent, though not fully, meet the position which now unfortunately has been rendered practically impossible by the High-Court judgment. I would also advise the Minister for Local Self-Government to devise means for accelerating the rural uplift work. We find that a great deal has been done in the Gurgaon district and we hear a great deal about it. But activities in Gurgaon alone do not mean that the whole province is going ahead in this respect, and I hope that arrangements will be made in other parts also, to do something in this connection. Talking about rural work I am reminded of sanitation. Rural sanitation work is also a very great necessity. At the present moment there is the important question of village water supply and drainage. No attention is being paid to these matters for the simple reason that there are no funds. I suggest that Government should annually make a grant to the Rural Sanitary Board for this purpose just as they supply funds to the Urban Sanitary Board.

Coming to agriculture, Sir, I think no one will deny that we require a considerable increase in the staff to cope with the expansion which we all desire. Farms should be multiplied, but I should like to ask the Honourable Minister for Agriculture to keep one thing in view, and that is, that some of these demonstration farms have not been appreciated by the public for the very simple reason that when they go to see these farms they are told that these farms are not self-supporting and are not paying institutions. Of course, it is conceivable that experimental farms in certain cases need not be paying concerns, but unless you can convince the people that these demonstration farms are capable of yielding a profit how can you expect them to follow your example?

So, I suggest that demonstration farms should be made paying concerns and run on business lines. Similarly seed farms should also be made paying concerns. Government should make efforts to provide good seed.

The Honourable Sardar Jogendra Singh : Some of the demonstration farms are paying concerns.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : There is no use in erecting pucca buildings and big houses when people cannot afford to follow suit. They cannot afford to buy bullocks at the price which Government pays for them.

The Honourable Sardar Jogendra Singh : They do.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Another matter which is of great importance is the supply of pure and good seed. This should always be kept in view because we want that our standard of produce should be better year after year as we proceed with our work. I think that such steps as are deemed necessary for producing better seed should be taken at once. I find that nothing has been done in this connection except for cotton—I do not know what number it is,—and 8-A. wheat, which is now very popular and is being grown largely in both barani and irrigated districts, I find that nothing has been done to multiply this or provide new seed. Perhaps it may be possible to encourage zamindars to grow seed by giving them, say small contributions or rewards or a little premium on the market price for their seed in each tahsil, or in each district, according

to the requirements of the district. This suggestion I hope will receive due consideration by the department concerned.

There is another question which I wish to bring to the notice of the Honourable Minister for Agriculture. That is that no information whatsoever is available about the amount of water required for each kind of soil or for each kind of crop. That is one of the most important aspects of our present agricultural problem. I think it is essential that we should start research work in this connection immediately. It will not only improve the crops of the zamindars but it may possibly be a solution of our water-logging difficulties which are increasing at a very rapid rate at the present moment. I hope the Government would keep this question also in view.

Then another problem which is facing the province is the disintegration of holdings. I would, personally, like to see an act of Legislature for the Province to allow of consolidation of holdings. I, however, do not think that we are ripe for it yet, as if we start now on a large scale, on a compulsory basis there might be a set back. Therefore, I suggest that those people who are prepared to consolidate lands should be encouraged, so that it may be taken as an example for others to follow. Government should offer rewards, or grant a remission of land revenue for a 'fasal' or the whole year to encourage acceleration in desirable object, by voluntary methods. If the people find that the amount of remission is attractive, others would naturally follow and they can spend the amount of remission to improve and develop their lands and thus it would be an impetus to other people to follow suit and start voluntary consolidation of their holdings. I would also point out that we are not making satisfactory progress with regard to stock breeding. I think stock breeding should be intensified and accelerated and more pasture lands should be provided for grazing purposes.

Next I come to the department of Industries. I was disappointed to find that as usual the amount allotted to this department was practically like a drop in the ocean.

The Honourable Sir Geoffrey deMontmorency: Has the honourable member considered the provision both under capital and revenue?

Khan Bahadur Captain Sardar Sikandar Hayat Khan: I think it would be admitted that the Industries department is the most important of all the nation building departments in all civilised countries. Agriculture and Industries must go ahead together and only those countries are foremost now industrially and commercially where agriculture and industries have gone hand in hand. Unfortunately in this province we are lop-sided. We started encouraging agriculture some years back but we are not going ahead with our industries and are not keeping proper pace in this respect. We are not making progress in this direction as we are doing in agriculture, we have absolutely ignored industry so far, with the result that a few years hence when our agriculture improves, as it is bound to do and when we find that we can grow more produce, that the standard of our produce is better, when we find that we can produce more per acre, than what we are doing now, we would be faced with the fact that instead of benefitting from these improvements in yield and quality we are getting less than what we do now, for the simple reason that we will have to depend upon foreign

[K. B. Capt. Sardar Sikandar Hayat Khan.]

Countries and markets for the prices of our produce just as we do now. On the other hand, if we have such industries in the province which can take up all our produce, which can take up all our raw materials, then we need not be dependent upon the foreign markets, or at any rate we shall be dependent only to the extent of surplus to our requirements. What I suggest is that the Government should in future allot a considerably larger amount for this department so that our industrial development may be accelerated and proceed at such a pace, that we can come up with the agricultural department as regards development. I have to protest against one item in the Industries grant, and that is the contribution proposed to be made for the Sonapat sugar refinery factory by the Government. The amount allotted for this purpose is two lakhs. I find that the terms on which this contribution is made are most extraordinary. If the Honourable Minister for Industries is responsible for the terms, reproduced in the memorandum, under which the contribution is made, then I must say that the department shows deplorable lack of business acumen. If on the other hand it is the Finance Department who have tried to extract the full pound of flesh for their 2 lakhs which they want to contribute, I can only characterise it as still more unfortunate and unsatisfactory because their attitude is liable to be misconstrued as obstructive and unsympathetic towards the industrial development of the province. The terms of contribution given in this note show that the Government are prepared to subscribe to the extent of one-fifth in the share of the company, those shares being preference shares, yet the very next line shows that these shares are more in the nature of debentures, than what are called, preference shares. In all business concerns, you find that there are various classes of shares, you have got deferred shares, you have got preference shares, you have got cumulative preference shares, you have got ordinary shares and you have also got debenture shares. In preference shares, you get a smaller amount of return than in ordinary shares, if the concern is a paying one, but you get an insured return; whether there is good year or lean year, you are safe. Those preference shares being more of a gilt edged security the return from these is usually much less than the return on ordinary shares. For that reason the preference shares have a fixed cumulative interest, at a fixed rate per cent. per annum, usually six or seven per cent. per annum according to the condition of money market when the company is floated. Here I find that these preference shares carry with them a preference or rather a first charge on the returns of the company. Six per cent. as interest will be realised by Government as a first charge on the gross income of the company, which means that they are not preference shares but more of the nature of debenture stock, because it is sought to take away from the gross income, and not from profits of the company, six per cent. Another matter which surprises me is that they have only provided one per cent. for amortization. I cannot say what actuated Government to provide only one per cent. for amortisation, as it is obvious that it will take one hundred years to wipe it off; unless it is to intrigue every finance member for the next hundred years—and no less than 20 finance members will come during this period—to remind them how we arrange to wipe off our industrial debt. Every Finance Member who comes hereafter will find that he is up against this contribution of 2 lakhs.

for the next hundred years. I do not see why that provision has been made at all. If amortization were necessary, then why not put the whole amount of six per cent. for amortization purposes. Government is going to contribute this sum for helping the industry in its pioneer stages. But the terms on which the contribution is to be made show that it is more of profiteering rather than pioneering the industry. Further you find that these very preference shares will range equally with the ordinary shares in sharing company's profits. This means that if the company makes ten per cent. profit and declares a dividend of ten per cent., these preference shares will also get ten per cent., this added to the six per cent. charged to income will mean that Government would be getting 16 per cent. on the amount invested while the ordinary shares, held by the man in the street, will fetch only ten per cent. I doubt very much if even the most usurious *baniya* would stoop to lend money on those terms for pioneering a new industry in his province. It is for the purpose of pioneering the industry, that the Government intends to give a helping hand. It is for the purpose of assisting an industry which is an essential industry, an industry which I am sure will be a paying industry, and will in time considerably augment the present resources of the province and which will also help to raise our economic standard to the level of other civilised countries it is only for a basic industry like this the Government should give money free; or at least on equitable if not on easy terms, on terms which do not place them at an advantage over other shareholders. The Government should be the last to take advantage of their position and prestige in this connection, because if that is done it would have a most unfortunate effect on the public mind. The terms on which the Government have offered this small contribution amounts to bleeding the industry instead of helping it. If by taking advantage of the backwardness of the province in matters industrial the Government insists on the full pound of flesh, it would be a great and unfortunate blow to the industrial development of the province.

In this connection, I would also like to point out that the Joint Development Board which was formed about a year ago is dragging on a miserable existence, and if it goes on as it is at present doing, it will be just as well to wind it up. I find that various sub-committees were appointed. Only one or two of these sub-committees have been able to formulate proposals and send them up expeditiously, because they had the assistance of Government experts, at their disposal, to furnish them with data and other particulars required. The other sub-committees have not this advantage and for lack of these necessary facilities they are not in a position to make their reports. If we go on at this rate, I do not think we can make much progress in this province. If the Government want to retain the Development Board, by all means do it; but make it more efficient. If it is to be of any use it should be on a more or less permanent basis, with adequate staff and the requisite assistance.

When we go to attend the meetings of these committees, we find that some time, there is no stenographer and even stationery is not provided; under these circumstances it is not an easy matter to conduct the deliberations at these meetings. Members meet for a while, exchange greetings, discuss weather and crops and disperse. Beyond that they do nothing. After about three or four months they are asked to meet again, with the same

[K. B. Capt. Sardar Sikandar Hayat Khan.]

result. When we ask for any data, the Government say they have none available. In one of the important committees that I attended there was no data available to proceed with the business of the committee and we were asked to refer to the Forest Department of the Government of India. We found that no statistics were available in any of the departments of this province as far as flowers and herbs are concerned and which are used in distilling essential oils. I think it desirable that an officer of the agricultural department should be placed on special duty to collect the necessary information, which should be catalogued. Because in case Government is not prepared or does not find it convenient to do anything in any particular industry, private enterprise may be prepared to do it provided they get the necessary information and data.

Sir, another disappointing feature of the budget is that we find no provision made for the relief of the zamindars. We have cried hoarse year in and year out about this question and Government should realise that we are not doing so merely for the sake of talking here or for the sake of getting notoriety as I pointed out the other day, but because we feel, as Government has also said that they also feel, that something must be done to give relief to these poor zamindars. The Honourable Finance Member stated that in future instead of 6 harvests, only 3 harvests will be taken into account for the purpose of granting remissions. We are thankful to him for that; but I may point out that there is a danger in that proposal which he has put forward. It might accentuate the difficulties instead of giving relief to the zamindar. As it is if we get 2 or 3 bad harvests running we are not pressed for repayment of remission. The Tahsildar reports to the Deputy Commissioner after 3 or 4 *fasals* and the zamindar can pay up gradually. But if you make remission at the end of three harvests you may find that these officers might come down upon the zamindar after two *fasals* and say 'the third *fasal* is coming; we are not prepared to make a total remission; we will be taken to task by the higher officials and so on and therefore they will take all measures necessary to realise the money from the zamindar whether he is in a position to pay or not. I should therefore like the Government to keep this in view when issuing the orders. Of course every one knows that the wheel which gets no grease creaks. If the Government would put their hands on the driving wheel they will find it is warming up and if it does not creak it shows that it bears the distress and trouble without trying in any way to compromise any one so that it may not put the Government in an awkward position. But all the same I think it is time that Government realised the position and greased the driving wheels before they give way and the chariot comes to grief.

In conclusion I wish to make a passing observation with regard to the non-official motions brought forward in this House. I have felt and I think other honourable members also must have felt the same, that whenever a non-official resolution is moved in this House, the attitude of the Government is such as leads one to believe that Government is not looking at the resolutions on their merits but since they have been brought forward by non-official members they must some how or other be opposed by them. The tendency of the members on the Government benches as seems from their

speeches usually is that they see only the dark side of the resolutions and even if there is any bright side or good suggestions made they are ignored; although these resolutions are meant to bring to the notice of the Government certain matters of which they may not be aware. I therefore, suggest that in future Government should not oppose a resolution simply because it is moved from the non-official benches but if there are any good suggestions made they should take them, consider them sympathetically and assure us that a certain portion of the resolution or certain suggestions will be taken into consideration. I think such an attitude on the part of the Government will certainly be much appreciated by the non-official members of this House as well as by the public outside. The general idea now is that anything moved from the non-official benches is bound to be thrown out because it is moved from the non-official side. But if the Government takes a reasonable attitude, we may have a desirable co-operation which may lead to a happier, wealthier and contented Punjab.

Sardar Ujjal Singh (Sikh-Urban): Sir, the Honourable Finance Member has been characteristically lucid and frank in his statement in presenting the big volume of budget, for the careful preparation of which he and his secretary Mr. Penny, deserve the gratitude of the House. The budget itself, however, will cause a great disappointment to the poor taxpayer who was led to expect some relief in times of surplus, when he willingly came forward to shoulder the burden of additional taxation in times of need. I shall dwell on this point later on.

The year 1926-27 has been a bad year for cotton crops and Government had to give remissions. Something also happened to the Forest department probably and it also reduced the receipts under that head. These two factors mainly combined together gave an opportunity to the Finance Member of this Province once at any rate to rebut the general belief that receipts were always under-estimated. Expenditure in 1926-27, however, does not help the Finance Member in vindicating his position. The actual expenditure is down by 39 lakhs. In 1927-28 the expenditure in the revised estimate, in spite of the supplementary grants to the extent of 21 lakhs stands at a figure less by 25 lakhs from the budget estimate. There is no satisfaction, however, from this reduced expenditure when looked at from the fact that it has been derived mainly from the allotment to the transferred departments. The reserved half has a good appetite and can swallow more than its share. It is a matter for great concern that the nation building departments suffered from nausea even with the scanty provisions made for them. While the expenditure in the current year has increased by 1 lakh under land revenue, 1 lakh on jails, 2 lakhs under administration of justice and police, the expenditure has fallen short by 3 lakhs under medical, 3 lakhs under public health, 1 lakh under education and 2 lakhs under agriculture. This reveals a state of affairs on which the Government cannot feel proud.

I shall make a few observations on the budget of 1928-29. Firstly: the expenditure on civil administration has been steadily growing. In 1923-24, the total expenditure under this head stood at 295 lakhs, whereas in 1928-29, it stands at 380 lakhs. It is no consolation to this House that

[Sardar Ujjal Singh.]

expenditure on transferred departments has expanded even by greater degrees. With the introduction of the reform scheme the administration became top-heavy and there were great misgivings as to how the ministers were going to be fed. In past years taxes were levied and this House acting with full sense of responsibility allowed itself to be taxed with the hope that when the financial position improved the burden would be taken away. But that opportunity has been taken by the Government to increase the expenditure under civil administration. The remission of provincial contribution was meant entirely for the beneficent departments or for the relief of the taxpayer. I shall quote a few lines from the speech of Sir Basil Blackett while introducing the budget in the Assembly last year. He said :

"We can justifiably make this concession without denying the principles in order to secure the advantages for India, economic and social and the stimulus to the successful working of the reforms which will flow from the release of 5.45 crores of revenue to the provinces for expenditure on those nation building services which all true friends of India and the reforms have so deeply at heart."

I therefore submit that any sum usurped by any of the reserved departments means a trust betrayed and a pledge broken. A poor country cannot afford a top-heavy administration. Economy must be effected under this head. We find that expenditure under education has increased by 14½ lakhs, under medical 9 lakhs, under public health 7½ lakhs, under agriculture 6½ lakhs and under industries only 1 lakh. Industries have not been receiving that attention which they rightly deserve. If the Government desires to reap the full advantage from agricultural development and if Government further desires to solve the problem of un-employment, certainly large sums should be allotted to industries. In 1923-24, the expenditure under industries was 8.6 lakhs and in 1928-29, it is 9.64 lakhs; that is, an increase of 1 lakh only during the last 5 years.

The Honourable Sir Geoffrey deMontmorency : It is 15 lakhs, if you look at the capital side.

Sardar Ujjal Singh : There is a very small sum on the capital side. It is a sad commentary on the industrial policy of the Government. Our province is rich in raw produce and we are going to witness cheap electric power within 3 or 4 years. Only it requires State patronage for the establishment of new industries. More industrial schools require to be started and some arrangement should be made for providing the necessary machinery for the students who get the training in those industrial schools. Hire purchase system should be introduced in order that those students may be in a position to set up a business of their own. Government should also give help to big industrial enterprises by means of loans at very low rate of interest and not, as my honourable friend pointed out, as they have done in the case of sugar industry. It is a matter of satisfaction that provision is made in the budget for the expansion of compulsory primary education. This is a step in the right direction; but I feel that more expenditure on Arts education at the expense of technical education is money not usefully spent. We need to suit our education to the environments and to the needs of life. In rural areas education besides being general should be able to

inculcate in the students a knowledge of agriculture and allied occupations. In towns the education, besides ensuring a certain general knowledge up to a standard, should be able to fit the recipient to earn a decent living without going to clerical jobs.

Much attention has already been bestowed to infusing the spirit of dignity of labour in the student community, and the report of the Director of Public Instruction shows that the Department is fully alive to this need.

Female education is greatly neglected and deserves much more attention than has been given to it. There has been an increase of only 2 high schools for girls since 1921-22 as against 98 high schools for boys, and an increase of 16 middle schools for girls as against 1,482 middle schools for boys. The Minister for Education has rightly said that the education of a single girl means the uplifting of a whole family in a larger and broader sense than the education of a single boy. It is imperative that much more money ought to be allotted for female education than has hitherto been done.

Sir, there is another thing in the Budget which requires the serious attention of Government and that is this. We are incurring heavy expenditure every year on civil works. In 1924 the total expenditure under that head stood at 70 lakhs, but in 1928-29 it has gone up to 2,16 lakhs. No doubt a portion of this expenditure concerns the beneficent departments, but there is provision of 5½ lakhs under General Administration, 28 lakhs under Jails, 5½ lakhs under Police and 36½ lakhs under Communications, besides 17 lakhs under Civil Works. This heavy programme of roads and buildings argues an extraordinarily happy financial prosperity. Roads are no doubt good in their own way, but I do not know how far it is advisable to go on taxing the people for providing metalled roads. Government should seriously think of curtailing expenditure under this head. Roads do not only mean heavy initial outlay, they mean a heavy annual expenditure which I am very doubtful this Province will ultimately be able to bear. Instead of that, means should be found for improving the kutcha roads for traffic and that can be done at a very low cost as compared with the expenditure on metalled roads.

I now come to the problem which has existed for a long time, but for which no solution has been found so far. I mean the problem of corruption in the services. People now take this as a matter of course. This evil practice has assumed civilised forms and civilised names. In some departments it is known as a percentage charge, in others it is known as *nazarana* and in still others as *fasalana*. I quite admit that communal feelings help to protect the guilty and sometimes to fix the guilt on the innocent, but much can be done by the Government and the heads of departments to check the growth of this evil. I honestly draw the attention of Government that they should face this problem seriously in order to find a real solution for it.

Lastly, Sir, I come to a point to which the man in the street would naturally be looking to. I mean the question of remission of taxation. Since 1921 additional tax has been levied under various heads, registration

[Sardar Ujjal Singh.]

stamps, occupiers' rates, etc., which have brought a net increase to the extent of 64 lakhs. Sir, as I have already said, the House did not grudge the taxation when it was necessary, in the interests of the Province. With the remission of provincial contribution we expected that the tax-payer would be given some relief but we are sorely disappointed. The Honourable Finance Member waxed eloquent in convincing the House that remission would mean curtailment of progress and that the interests of development should take precedence over remission. Let me frankly tell the Honourable Member that no argument of the kind can carry weight. We do not want curtailment of progress in the nation-building departments but we do want that no tax should be levied or that taxes should remain in force for the benefit of other departments. We honestly differ from Government and we want them to reduce expenditure under Civil Administration, to curtail expenditure under Civil Works in order to give relief to the tax-payer. There continues to be a great depression in trade of the country; the purchasing power of people has decreased and the people are steeped in abject poverty, and this is the time when relief would be most welcome. But the taxes once levied have always been taken for granted by Government. This is a position on which I wish to warn Government. Government should understand that when this House was prepared willingly to shoulder the burden of additional taxation, Government should, when finances permit, help the tax-payer in the way of remission. This will create mutual trust. Otherwise when the Government comes forward next with any proposal for taxation there should be no mistake that they would be paid in the same coin. With these words I resume my seat.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, before proceeding with the discussion of the Budget I should thank the Honourable Finance Member and the Financial Secretary for the great pains that they have taken in the preparation of the Budget. I must also congratulate them on the achievement they have attained in the preparation of the Budget, for it is a great improvement on the previous budgets. As regards the Budget any reader if he goes through it cursorily will find that the condition of the Province has considerably improved. The lean years are all over, the apprehensions of Government regarding the deficit are once for all over and prosperity itself smiles over the condition of the Province. But do all these things synchronise with the prosperity of the masses also? Is it a fact that the economic condition of the poorer people has also improved along with the improvement of the budget? No, Sir. People who are in touch with the masses, people who know the backward classes—I shall come to the forward districts later on—people who come from the districts of Muzaffargarh, Dera Ghazi Khan, Hissar and Gurgaon (*A voice: and Attock*) and Attock bear testimony to the fact that this prosperity in the Budget is not the prosperity of the people, of the general masses at large. The people of these districts especially are as poor to-day as they were eight years ago. There has been no improvement in their condition. They are as badly involved in debt as they were fifty years ago. Sir, I was expecting that a heavy lumpsum provision would be made in the Budget for the relief of at least the Muzaffargarh district, if not other districts, and

that next year it will be extended to Dera Ghazi Khan and the following year to the district of Hissar and then Gurgaon (*A voice : and then Attock*) and then Attock and so on. Already the ball has been set rolling. Mr. Brayne to whom the thanks of the province are due has already demonstrated the experiment of uplift. But what do we see? Government has allotted a few thousand rupees for the survey of the Muzaffargarh district. They are not satisfied with the Anderson report. Mr. Anderson, it will be remembered, was especially deputed for that work. We were expecting that a very large sum, say a crore of rupees would be spent for the uplift of the people. In fact Mr. Brayne had told us that everything was possible to bring them up to the standard of any civilised country, only if money were available.

Mr. J. D. Penny : More taxation.

Sayad Muhammad Husain : I would welcome taxation. Any taxation in order to uplift the people would be welcomed by this House. If Government is not prepared to retrench their expenditure let them tax us for the purpose of uplifting the masses. If they do not, the blame will rest on Government and not on us. When Mr. Brayne left he said that all the responsibility and blame was upon members of the Council who did not want to give money for the beneficent and useful uplift work which had been started. The responsibility is not ours; we are prepared to be taxed for the sake of the uplift of the people. It will lie and has always lain on Government, and not on the public. It is the Government who is responsible for keeping us backward and not uplifting us. We thought that Mr. Brayne would become a Special Commissioner for the uplift of the people. Unfortunately he is also disgusted. He has not even been paid money to pay off the liabilities which he had incurred on this account. He will go and with him also the noble work which he had started.

Now, Sir, we were also expecting that the Honourable Revenue Member will be true to his words. I suppose he won't take it ill if I say that he ought to have made a provision of about 50 lakhs in order to give effect to Mr. Anderson's recommendations. He may then come to the Council and say, 'See here what we have done.' Had he given relief at least to one district he would have removed the darkest spot in the British administration in the Punjab. The very existence of the wretched economic condition of the people, it may be in the Muzaffargarh district or it may be in the Dera Ghazi Khan district where I hear the condition is worse or it may be the Gurgaon district or even the Attock district or the Hoshiarpur district, the very existence of the conditions which are prevailing in these districts ought to be a matter of shame for any civilised government. (*Hear, hear*). But I see the time is not yet over. Let the Government start the work even now so that next year I may be the first man to congratulate the Government for what it has done. If the Government, and especially the people who are in charge of the Government, the Leader of the House, I am addressing the Honourable Mian Sir Fazl-i-Husain....

Mr. President : Order, order. The honourable member should address the chair.

Sayad Muhammad Husain : Very well, Sir, if I can prevail upon the Leader of the House through you to do this glorious act of giving effect

[Sayad Muhammad Husain.]

to the recommendations of Mr. Anderson as he promised to do last year. I think his administration will remain the brightest star in the whole of the British administration. His work will be second only to that of Lord Curzon who passed the Punjab Land Alienation Act. He will be ranked among those who have done benefit for the poor agriculturists. He will be reckoned among the great administrators like Akbar. The time is passing away. Two and-a-half years have already passed and only two and-a-half years more remain. If in these two and-a-half years he will go to the Muzaffargarh district and do something to ameliorate the condition of the people there I think he will be doing the greatest work which will be recorded in the history of this province. If the Government did all this I would be the first person to help them for the imposition of fresh taxation or even keeping up the old taxation. Having failed to do that, they are not justified in keeping up the taxes which they imposed in order to remove the deficit. They are not justified in keeping the *abiana* so high as at present. I shall refer to the so called rich districts where according to the budget speech of the Honourable the Finance Member there are extremes of wealth. What is the condition there? Talking for my own constituency which I have the honour to represent here, I mean the Lower Bari Doab Colony, let any officer go and see the condition there. The fact is that a few people are fortunate enough to possess good land and good water. The rest of the colony, I am told and I have seen it myself too, they hardly have the money enough to encounter the Government demand of land revenue and *abiana*. You would be surprised to hear that more than 25 per cent. of the wheat crop has failed because it did not receive the first water. You have not only not got sufficient water for the crops to grow, but you have also made strict rules that the incidence of *abiana* is not upon the cropped area but upon the sown area. With these two disabilities, namely, scarcity of water and the incidence of *abiana* upon the sown area, how could the people realise much from their land? If there had been sufficient water supply, I do not think the incidence of *abiana* would have pressed so heavily on them. With the inadequate water supply, with waterlogging reducing the productivity of the soil and the pressure of the population on the land growing greater, the incidence of *abiana* is harsher and, therefore, the Government is not justified in not reducing it to its original level.

One more point I want to develop and that is about the public health and the misery of the people. It has been proved fully that when we take a systematic campaign against rats and mosquitoes, if we also improved the water supply, if we improved the condition of the wells, then plague, malaria and cholera would disappear. I admit that a decent sum of money has been spent on this department, but, Sir, keeping in view the heavy death rate of our province almost every year, I think this money that is being spent is only a drop in the ocean. We require not merely district health officers in every district who come in motor cars and go away thereafter, but a staff for the systematic destruction of rats and mosquitoes. Already much useful life of the people is being lost. It is no use to say 'we spend a large amount, we have got health officers' and so on. We do not want a top heavy department. We want a department consisting of sanitary inspectors and others who could work for improving the sanitation.

of the villages. There are a number of ponds round about the villages which are the breeding centres of mosquitoes which eventually reduces the vitality of the people. At present remedial measures are not possible because the department is very poorly manned. Consequently the three diseases, cholera, plague and malaria attack the people in close succession and each has its full share of destruction of the lives of the people. The whole province has a cycle of these epidemics one after another. These are things which no civilised government will tolerate.

Now, as regards education, we have read a great deal about primary education. The Honourable Minister for Education very proudly made a speech the other day and said 'Multan division was supposed to be backward, but when I came across there, I found the division is not at all backward.' This surprised me. Probably the Minister thought that within a year and a half after taking charge of his portfolio, by coming to a backward division he had as if by a magic wand turned it topsy turvy. He evidently believes that by the touch of the magic wand he has been able to achieve what his two predecessors had failed to do. This sort of talk on the part of the Honourable Minister may be in his opinion conducive to the best interests of the division. But I think it is conducive to putting an end to all activities which may have been started. I fear it will be the deathknell of the Multan division. I pray this may not come true. But there is that apprehension. I say no attempt should be made in any way either to ask the people to pay school fees or to withdraw from them any of the concessions that have been given to them by the present Minister's predecessors in order to please his constituency.

Mr. President : Order, order. May I ask the honourable member which principle of the budget he is discussing ?

Sayad Muhammad Husain : I am discussing about the Honourable Minister for Education.

Mr. President : I may inform the House that discussion ought to be limited either to the budget as a whole or to the principles involved in it.

Sayad Muhammad Husain : I bow to the ruling of the chair. I will then give up that point. Sir, the education of the Multan division is still as backward as it was several years back.

Well, we will require several years to make improvement in education of this province. As representing one of the poorest districts in the province, I feel it my duty to impress upon the Honourable Minister that he should leave no stone unturned to uplift the masses of the province from their ignorance and illiteracy.

Now, as regards agriculture. The Honourable Minister for Agriculture has just stated in answer to my honourable friend who has spoken before me that demonstration farms are not paying concerns.

The Honourable Mian Sir Fazl-i-Husain : Some of them.

Sayad Muhammad Husain : I unfortunately live very near one of these farms.

The Honourable Sardar Jogendra Singh : That has recently been started.

Sayad Muhammad Husain : Then, I would say that none of the farms that I saw are carrying on work on a commercial basis. None of them are paying concerns. I have visited several farms. Probably because none of the people wanted to tell me the real facts or because they were not aware of it, but the fact is there that these farms are not paying concerns. These demonstration farms have been instituted for the purpose of benefitting the people, for the purpose of teaching the people farming on model lines, for the purpose of giving them the benefit of the experiments. Research work is going on there, and they can never be expected to be paying. What is the use of laying out beautiful roads, beautiful orchards? When people go and see the demonstration farms, they see beautiful cotton crops, but what is the use of these beautiful things if they are not paying concerns. When we compare the results that we get in the cultivation of a few acres of land with the results of the demonstration farms, we find that the results of the latter are very disappointing and much poorer than the results of ordinary cultivator. Surely that cannot be said to the credit of the agriculture department.

The Honourable Sardar Jogendra Singh : That is not true.

Sayad Muhammad Husain : My yield was much greater than the yield of demonstration farms and the yield in many other places also was much greater than in the demonstration farms. Agriculture being the foremost industry in the province, what we require is that a careful study should be given to find out the best method which should be on the most economic lines. It should be even more economic than what the ordinary zamindar is doing. It is no use if we give to demonstration farms beautiful things, beautiful orchards and several other beautiful things which the Government with their enormous resources at their disposal can command. Surely the poor zamindars have no access to such things. It is the duty of the Honourable Minister in charge of the department to teach people things which are within the reach of the average man and the Government should show results with the ordinary means so that the people also may emulate and produce the same results. In fact when I asked a zamindar to go and find out what is being done at the demonstration farms, he said 'what is there to find out. Our old methods of agriculture are enabling me to produce better yield. What is there that we can find in the demonstration farms which we do not know already.' This is not the impression in only one farm, but it is the impression in practically many farms. It is the duty of the member in charge of the department to take these poor people to these demonstration farms and show them in detail in how many of the villages, these demonstration farms have been introduced and with what results. In fact the people should be encouraged in every way to copy the model of demonstration farms and produce better and more economic results. Though the demonstration farms are very useful things in themselves, yet they are not very satisfactory, I regret to say. They are far from satisfactory.

I would like to touch upon one more point. It is about retrenchment of expenditure (Laughter). In the old days there was deficit budget. We, the members of the Council and the Government were trying our best,

in every possible way to reduce expenditure (Hear, hear). The Government were trying to meet the deficit. We were all putting our heads together and trying every possible means to balance the budget and wipe out the deficit. When the members of the Council said they would reduce their travelling allowance rate and their rate of daily allowance by 25 per cent., the Government on their part came forward with the proposal to reduce the rate of travelling allowance and daily allowance of the officials by a similar percentage. The Government and the members of this House were both trying to reduce the expenditure somehow or other. We did reduce the expenditure. Now with fresh taxation, with the Government of India foregoing their provincial contribution and with the opening of new lands and opening of new avenues of realising assessment from the poor zamindars, the tendency on the part of the Government has become one of over-expenditure. No attempt is made towards retrenchment. I can give you one example. We never want a Simla session. Almost every year for the past few years, we have been meeting at Simla just for a few days. The poor zamindars of the province are paying for this costly expenditure at Simla. Even though the Legislative Assembly of the Government of India refused to give us accommodation in their Chamber, yet we met at the Barnes Court at Simla just for a few days at a very heavy expense to the province. Just imagine members of this Council living in far off places like the Cart Road and the Summer hill being asked to go to the Government House of the Punjab for a session which lasted only for a few days. What about the enormous expenditure to the members? No less than Rs. 40,000 was spent by the Government for the session at Simla. If only the Government had spent this sum on the uplift of the poor people of the province, then it would have materially benefitted the province. The one sole aim of the Government should be to uplift the poor and reduce the expenditure. This may not appeal to the rich. But we who are born and bred in the villages, we who represent the masses, we who know the condition of our poor brethren in the villages and we, who represent the poorest of the poor know the real condition of the province and we strongly urge that the Government should try to the best of their endeavour to reduce expenditure. With these words I close my remarks.

Rai Sahib Chaudhri Chhotu Ram [Rohtak, Non-Muhammadian (Rural)]: Sir, the budget which was presented four days ago is the fourth prosperity budget in succession. I congratulate the Finance department on this singular good luck. I also congratulate the Honourable the Finance Member for the clear and lucid manner in which he explained the financial position of the province in the statement which he made at the time of presenting the budget. His new lieutenant Mr. Penny is equally deserving of praise in placing in the hands of the members of the Council clear and copious notes which in some cases really confound the members.

But while the budget from a purely financial point of view is excellent, it has another aspect as well. From a purely financial point of view, a more excellent budget could hardly be conceived, but from the point of view of the taxpayer the budget is disappointing, saddening and provoking. Every section of this House expected that some relief somewhere would be granted by the Government. This expectation was perfectly legitimate. When Government lacked money, when there was great financial stringency,

[R. S. Chaudhri Chhotu Ram.]

the people responded to the appeal of Government and allowed themselves to be taxed to the extent of nearly one crore. When prosperity has returned, when money is plentiful, when the Government of India has remitted the bulk of the annual provincial contribution, it was only natural that every section of the House should expect some remission somewhere. As a matter of fact there seems to have been some going back upon the original idea. Once in the time of Sir John Maynard, when most of the fresh taxation was imposed upon the people, I remember he made a speech the purport of which was that this additional taxation was to meet a temporary emergency only and that when the finances of the province prospered, every attempt would be made to restore *status quo*. The financial position of the province is even stronger to-day than what it was when Sir John Maynard left. But in spite of our very strong financial position, no remission has been granted. When the first instalment of our annual contribution was remitted, it was 61 lakhs, the Government was kind enough to remit about 21 lakhs of taxation. When the second instalment came, it was an instalment of only 28 lakhs, Government remitted taxation to the extent of 17 lakhs. Last year the remaining 86 lakhs was remitted by the Government of India 60 lakhs, permanently and 26 lakhs temporarily. Any way the budget for the year received the benefit of the whole 86 lakhs. Under the circumstances, is it not surprising, is it not saddening, that the Government should try to swallow up the whole of this remission without giving the benefit of any portion of it to the people in the way of remission of taxation? The memoranda placed in the hands of the members of the Council enter upon elaborate explanations for various allotments made for various purposes to various departments. The memoranda emphasise in places that more money is essential for the progress and development of the province, that more money is necessary for the completion or for the initiation of a particular programme of development and that if any remission is sought, the development and the progress of the province will suffer. But if we read through these notes carefully, we find that with the utmost capacity of the spending departments for spending money they have not been able to spend all the money that has been placed at their disposal. The Public Works department, the Education department, the Agricultural department, the Veterinary department, in fact almost every department, has failed to utilise in full the money that was placed at its disposal. What does this show? This shows clearly that we are providing in the budget more money than what these departments have the capacity to spend. The budget provision has outrun the spending capacity of these departments. I think this state of affairs should serve as a warning not only to this Council but also to the Government that all is not well. Probably we are spending our money on ill-conceived schemes or inadequately considered programmes. Anyway, when even with the feverish activities of these departments they are unable to consume the money that is given to them that ought to be an indication that the money is not being spent very usefully. My suspicion is—it may be an uncharitable one—that just now there is an abnormal inclination, an abnormal desire, on the part of Government to budget larger amounts than can usefully be spent, and that every department is trying to spend as much money as it can possibly do even though it may

not be able to get full value out of the money spent. The reason is this. Just now there is plenty of money. The annual revenue is high, the Government of India has remitted practically the whole of the annual contribution and possibly the Government desires that there should not be a very large surplus at its disposal. The budget should not show a large surplus because, if there is an abnormal surplus the Council would be in a position to urge with greater force and justification that there should be remission of taxation. As a matter of fact when I come to deal with the budget figures, I will try to show that the Finance department has not acknowledged the prosperity and soundness of our financial position to the extent that it ought to have done and that it could have done with the figures appearing in the budget. Unfortunately the figures shown in the budget are scattered in so many places and are dealt with in so many places that for an ordinary lay member it is very difficult to understand the exact bearing of these figures on the true financial situation as a whole. The cumulative effect of these figures, I will try to show later on, is an index of much greater prosperity than has been acknowledged by the Finance department.

I was just now complaining, Sir, that the Government has not remitted any part of the taxation which was imposed by it 4 or 5 years ago. A glance at the various sources of revenue in the budget will show that 9/10ths of this money comes out of the pockets of the zamindars and if there had been any remission practically the whole of the benefit of that remission should have gone to the zamindars and as a representative of zamindars in this House, I think it my duty to urge as forcibly as I can the desirability and as a matter of fact the urgent need, of the remission of taxation by Government. We have at various times made attempt after attempt to secure some sort of relief for the poorest zamindars, for the smallest landholders; but the Government has been obdurate all through. Last year a cut was proposed under land revenue in order to suggest that *chauthidara* dues should be abolished. The Government Member concerned said that the cut was out of order because these *chauthidara* dues did not find a place anywhere in the budget and so the motion for cut was ruled out of order. Again suggestion was made that *chahi* rates should be abolished. There is no justification to continue these *chahi* rates. As I contended last year, it is the zamindar who spends his capital and labour on the construction and maintenance of a well and the Government has no right to share in any extra produce which is the result of his own capital and labour. This demand was perfectly legitimate, perfectly just; but the Government said that the suggestion was impracticable, and that it could not be given effect to. Then I moved a resolution a few days ago that land revenue should be assimilated to income-tax. This resolution was declared to be revolutionary in character and Government would not listen to it in any form or manner. Another attempt was made by Dr. Sir Muhammad Iqbal, representing the Lahore City, suggesting that if the whole land revenue system could not at present be assimilated to income-tax, at least the smallest holding, say a holding of 5 bighas, should be exempted from the payment of land revenue. Government simply ridiculed the idea and said it was a most unsound and impracticable suggestion. Another rural member, representing the Muhammadan landholders of the Punjab, moved a resolution that in order to give relief to the smallest holder, a special fund should be created, the interest proceeds

[R. S. Chaudhri Chhotu Ram.]

of which when accumulated should be devoted to the purpose of wiping out the revenue which is realised from the small holders. That resolution again was ridiculed as unsound and impracticable. We threw out all these suggestions; we moved resolutions; we moved cuts; but we have not been able to elicit any gesture of sympathy on the part of the Government. While Government is prepared to ridicule the proposals put forward by non-official members, while it stoutly opposes any motion that is made by members in the interests of the small holder, Government itself is not prepared to put forward any alternative suggestion which might go to ameliorate the lot of the poor zamindar. So the situation seems to be hopeless. The Council in the first instance does not possess full powers and in the second instance, it is weak and divided. (Hear, hear) Government takes advantage of the weakness and divided character of the Council and it can afford to ridicule any suggestion however reasonable and however just. (Hear, hear). In spite of these difficulties, I venture to put forward a few suggestions which, if accepted by Government, would ameliorate the condition of the poor zamindars.

The first suggestion that I make is a repetition of the suggestion which was made in a resolution by my honourable friend representing the Punjab Muhammadan landholders, that a special fund, give it any name, should be created and accumulated and the interest from that fund should be used to cover the loss which will accrue by exempting small holdings from the payment of land revenue. All is not lost yet. After all the Government of India has to make another remission of 26 lakhs and that remission is bound to come. It may come this year or it may come next year; but come it must. That money may be considered as money in hand and if these 26 lakhs a year are put into a special fund and allowed to accumulate for a period of 40 years, at the end of that period, I believe the total amount would be sufficiently large to yield an amount of interest which will cover the loss of revenue if small holders are exempted from the payment of any revenue. Government may possibly say that it is an impracticable idea and no body can prevent the Government from saying so. But it is not an impracticable idea. Government has been starting special funds for itself, for instance the sinking fund, the depreciation fund, the famine insurance fund, land revenue reserve fund and so on. If Government can create special funds for its own needs and purposes there is no reason why it should not be able to do the same thing for the poorest section of the Punjab population. If Government has any element of sympathy in its composition, it should not hesitate to create this special fund which is now suggested.

Then I would make one other suggestion which if given effect to will result in some savings. The present rate of expenditure is most extravagant and most lavish; it requires a restraint. The amount of money which we spend every year on brick and mortar, in erecting palatial buildings for our officers and in erecting expensive buildings for the subordinate officials of Government, is very large. These houses should be reduced to a reasonable number. The amount that is being spent on these houses should be much less than it is now. They should not be built to the present high specifications, let them be built to lower specifications and that would effect considerable saving.

Another suggestion that I would make is this. The Public Works Department, in preparing its estimates should curtail the margin of profit which is now allowed to contractors. I believe that at present the margin of profit allowed to contractors is 10 per cent. It is my experience and it is within my knowledge that many of the contractors offer tenders under the sanctioned estimate, in some cases from 5 to 10 per cent. below the sanctioned estimate and in extreme cases the tender may be even 20 per cent. less than the estimate sanctioned. If there are contractors who are willing to offer a tender lower than the sanctioned estimate, there should be no reason why the Public Works Department should not revise its present rates and also the margin of the contractors profit. After all no contractor is philanthropic enough to make a tender which will result in a loss to him. The meaning is plain. The contractor who offers a tender lower than the sanctioned estimate still expects to make profit for himself. Therefore, there is no justification for the present rate of 10 per cent. of profit allowed to the contractor, and the present Public Works Department rates should be revised.

A glance at the last year's budget estimate of the Public Works Department, Buildings and Roads Branch, will show that in one year alone the department spent nearly 8 crores on its works, the actual figure being Rs. 2,82,22,150.

The Honourable Sardar Jogendra Singh : To what figures is the honourable member referring?

Rai Sahib Chaudhri Chhotu Ram : I am referring to civil works—provincial, in the Punjab for the year 1927-28. It seems to be some special document prepared by the Secretary in the Buildings and Roads Branch after the Council was over ; it is dated 25th April 1927. It is obvious that the amount of money spent by the Public Works Department every year is very heavy and taking the Buildings and Roads Branch and the Irrigation Branch together, it will not be too much to say that the two branches are spending something like 4 crores a year on works. If you reduce the margin of contractor's profit by 50 per cent., the saving on works of 4 crores will be 20 lakhs. If you reduce the margin even by 25 per cent. the saving effected will be 10 lakhs.

Another direction in which economy can be effected is the establishment. During the last two or three years very large additions have been made to the establishments pertaining to every department. Any number of clerks, draftsman, stenographers, typists and various other grades of Government servants have been added. I think we are going at a pace which cannot be justified, at least in some of the departments, by the amount of work which is to be done by those departments. We should call a halt to this ever-increasing addition to establishment.

Another suggestion which I venture to make related to the salaries of men at the top. I do not mean the Executive Councillors and the Ministers, alone but all Imperial and Provincial Service officers in relation to the top grades of their salaries.

The Honourable Sir Geoffrey de Montmorency : Do you refer to the Public Works Department men?

Rai Sahib Chaudhri Chhotu Ram : No, I refer to the services as a whole, I am not confining myself to the Public Works Department alone; and even while I was referring to increase in establishment I meant to include the establishments of all departments.

Mr. J. G. Beazley : Including non-voted ?

Rai Sahib Chaudhri Chhotu Ram : Yes. If any of these suggestions appeal to Government let them be considered on their merits. These are directions in which substantial savings could be made and without much difficulty, except of course in the matter of salaries which are a more delicate matter.

I would also suggest a few further sources of revenue which are now not open to the Province at all. I would suggest that the Punjab Government should make earnest efforts to get income-tax provincialised, and if this subject is provincialised then to lower the minimum assessable income. Now it has been put at Rs. 2,000 a year. If this minimum could be reduced to Rs. 1,000 a year there would be an accession of revenue, and any additional revenue which accrues as a result of this lowering of the minimum should be used in a manner which will tend to equalise the burden of taxation which now rests almost wholly on the shoulders of the zamindars. If the revenue from income-tax could be placed at the disposal of the Provincial Government it could use that income as a means to reduce the burden from the zamindars' shoulders. The local Government should also make efforts to secure a share of the customs revenue and salt revenue.

Another suggestion which I desire to put forward and which can be pressed with considerable force is that the Government of India should be asked to contribute to the construction and maintenance of roads, particularly of those roads which are of military importance. There is absolutely no reason why the Punjab Government should construct roads and bridges which are of military or semi-military importance, and the Government of India should not contribute anything to that part of the expenditure.

Yet another suggestion was made by a zamindar member and that was death duties. The suggestion is well worth considering. These are a few suggestions which I am making in the hope that Government would consider them and try to get as much out of them as it reasonably can.

In the beginning of my speech I said that the figures were arranged in such a manner and dealt with in such a manner that to the ordinary lay member the real significance of these numbers was not apparent. These figures are all there, they are not concealed in any manner, but because they are scattered an ordinary layman would find it difficult to piece them together and realise the cumulative effect of those figures. I will try to bring out their combined effect. But before I come to concrete figures relating to various heads I would survey in a general manner the history of our Budget since 1924-25.

When the budget for 1924-25 was introduced, the Honourable the Finance Member made a prediction that there would be a true revenue recurring deficit of 125 lakhs in the province, an annual deficit of 125 lakhs. Fortunately that prophecy did not turn out to be true and at the end of 1924-25 the province found itself with a comfortable surplus.

of 1.15 lakhs. I do not know whether any prophecy was made as to any deficit in 1925-26 but I find that the actuals of receipts were better than the revised figures by 23 lakhs which means that revenue was under-estimated even in the revised figures, to the extent of 23 lakhs, while the actuals of expenditure were less than the revised figure by 14 lakhs. This makes 37 lakhs. That is, even between the revised figures and the actuals there was a difference of 37 lakhs to the disadvantage of the tax-payer. If the Budget figures were available—I am sorry I was not able to get hold of budget figures—then the difference would probably be found to be still more marked. In 1925-26 the balance was 1.18 lakhs. I am speaking only of the true revenue balance, under the ordinary revenue account. In 1926-27 we were threatened with a deficit of 14 lakhs. Fortunately we find ourselves in the happy position of being in possession of a surplus of 2 lakhs. The figures appear like this. The budget figures for receipts were 11.49 lakhs; the revised figures were 11.01 lakhs; and actuals were 10.87 lakhs. Here probably for the first time in the history of these years there was an over-estimating of income and the reason was that 1925-26 was an abnormal year, and the revenues in that year amounted to a very high figure 11.39 lakhs, and the Finance Department thought that they could safely count upon a revenue of 11.49 lakhs for the year 1926-27. But this expectation was not realised because several factors intervened apart from the abnormal figures of 1925-26. There was the cotton failure and I believe there was a very large remission of about 35 lakhs. If you look at the expenditure figures, the budget figures are 11.07, modified figures 11.79, revised figures 11.24, actuals 10.85. I am sorry I cannot reconcile one set of figures. In the Budget for 1926-27, on page 18, I find the modified figure as 11.79, while in the memoranda on page 9 the modified grant is shown to be 11.63. I may have misunderstood the figures or there may be some sort of mistake, but these are the figures that I find. However one thing is clear, that is, even if we take the lower figures of 11.63, for the modified grant the actuals fall short of the modified grant by a very large sum. The actuals were only 10.83 lakhs. This means a miscalculation of 78 lakhs. That is, expenditure was over-estimated by as much as 78 lakhs. Now take the figures for 1927-28. With regard to this year also we were threatened with a deficit of 60 lakhs. What is the actual result? The actual result is a balance in the revenue account of 20 lakhs. The budget figures for receipts were 11.18. The revised receipt figures are 11.03. Here again revenue would appear to have been over-estimated by 10 lakhs, but I believe that the actuals will eliminate or at least narrow this gap. The budget figures for expenditure is 11.78 lakhs, modified figure is 11.08 lakhs, revised figures for expenditure is 10.83 lakhs. So the revised figure for expenditure falls short of the modified grant by 25 lakhs, and I feel almost sure that the actual figure of expenditure will be found to be much lower than 1083 lakhs. Now the general conclusion which I draw from these figures of revenue and expenditure is that, generally speaking, Government under-estimates revenue and over-estimates expenditure. We find year after year every department surrendering the money placed at its disposal, some departments surrendering as much as 20 lakhs. There will probably be other sums which have not been surrendered but which will remain unspent. In the memoranda an attempt has been made to minimise the extent of the budgetted expenditure by stating

[R. S. Chaudhri Chhotu Ram.]

that in several cases the budgetted amount includes large items of regrants, i.e., items surrendered by various departments as incapable of being spent this year and included in the next year's budget. But the fact of regrants affords no help to Government so far as the charge of over-estimating expenditure is concerned. On the other hand it is a clear indication that we are budgetting our expenditure on a lavish scale. If we just calculate the average annual difference between the Budget estimates and actual figures for revenue and the Budget figures and actual figures of expenditure, we shall find an astonishing state of things. Here it is.

In 1925-26 there is a difference of 14 lakhs between the actual figures and the revised figures.

The Honourable Sir Geoffrey deMontmorency : Of expenditure or revenue ?

Rai Sahib Chaudhri Chhotu Ram : It is revenue. The difference between the actual and the revised figures is 14 lakhs. In 1926-27 the difference is 78 lakhs, in 1927-28 the difference between the actual and the modified figures is 25 lakhs. I am sorry, I was wrong when I said that the figures related to revenue, these figures relate to expenditure and not to revenue.

The Honourable Sir Geoffrey deMontmorency : I am afraid, I did not hear, but 25 lakhs sounds much too small. Was it from 14 lakhs in 1925-26 to 8 lakhs in 1926-27 ?

Rai Sahib Chaudhri Chhotu Ram : 14 lakhs, 78 lakhs and 25 lakhs.

The Honourable Sir Geoffrey deMontmorency : In 1926-27 ?

Rai Sahib Chaudhri Chhotu Ram : In 1927-28, 25 lakhs. The relevant figures for revenue are equally startling. There is a difference of 1.89 lakhs in three years, 74 plus 60 plus 5. The annual average miscalculation under revenue receipts is 46 lakhs and the annual average miscalculation under expenditure is 89 lakhs. Both added together would give you the figure of 85 lakhs. Thus there is an average miscalculation of 85 lakhs a year to the disadvantage of the tax payer. (Voices : No, No). You won't believe it, but I am basing my calculations on the figures which are given in the budget. Then there are certain other figures, the exact significance of which is liable to be missed, that is the money which is in the special reserve funds. That amounts to 60 lakhs. That is really speaking one of our assets. Again there is the deposit of 1.10 lakhs with the Government of India. There is a note in the memoranda that this figure has been excluded both from the expenditure and the receipt sides. I have not been able to understand how this could happen, but the note is there. On page 6 of the memoranda : "The figures of Capital Receipts and expenditure exclude the deposit that was made with the Government of India for 8 months. The estimates of the deposit was originally 80 lakhs, but it was subsequently found possible to raise to 1.10 lakhs." This is another big item of our assets.

There is another feature of our budget which perhaps from a purely technical point of view may not be correct, but which I personally have no objection to, that is, a small part of the capital expenditure is being met from ordinary revenue. It is not a very large sum, but even if it were a bit

larger, I personally won't mind it. It is a very good investment. What I really desire to bring out is this that while such expenditure out of ordinary revenue entails no loss to us it has the effect of concealing a portion of our true revenue balance. By the end of 1928-29 the ordinary revenue will have advanced 31 lakhs to the head 'Capital Expenditure.' That would be another item in our assets. Then, our extraordinary receipts are being used for financing capital projects. The Punjab is in the happy position of dispensing with the necessity of taking loans for its capital projects. That is an element of great strength in our finances and therefore there is absolutely no reason to take a gloomy view or to conclude that in 1930-31 there will be the beginning of stagnation, if not actual stagnation, if any remission was made. That is the burden of the song both in the Honourable the Finance Member's speech and also in the Notes, contained in these memoranda that after 1930-31 if any remission is made, there will be a serious beginning of actual stagnation. Now, any other province if it had undertaken any capital project would have had to borrow money either from the Government of India or from the open market. We are not doing that. In fact, during the last few years our extraordinary receipts have amounted to 8.81 lakhs. From 1924-25 to the end of 1928-29 they yield a total of 8.81 lakhs and this sum will be sufficient to finance practically the whole of our undertakings in the way of capital projects. So, these extraordinary receipts inasmuch as they save us from the necessity of paying interest on loans for capital works put us in a very strong financial position.

Again there are some minus entries at page 2 of the memoranda for 1928-29. These minus entries are liable to be misunderstood. To an ordinary lay member they will signify that we are probably losing somewhere. Here is a deficit of 87 lakhs in 1925-26, 83 lakhs in 1926-27, 97 lakhs in 1927-28 and 1.18 lakhs in 1928-29. By the end of 1928-29 the total of these progressive deficits will be 1.18 lakhs. Ordinarily a minus entry indicates a deficit and will alarm the ordinary reader. As a matter of fact this minus entry need not alarm anybody. This is really one of our assets. 1.18 lakhs will have been advanced to local bodies, co-operative societies and so on. That is, this amount represents loans that we have made to local bodies and co-operative societies and are repayable to us. Thus, at the end of 1928-29, we will have not only the ordinary revenue balance that is shown in this memoranda or the budget, but also an asset of 118 lakhs repayable to us by local bodies and co-operative societies. In this way the true position at the end of 1928-29, will be indicated by a much larger true revenue balance than has been acknowledged by the Finance department. The balance at the end of 1928-29 has been shown to be only 79 lakhs, while as a matter of fact the balance would be 81 lakhs, the amount advanced to capital head, plus 60 lakhs under special funds, plus 118 lakhs, the amount of our loans to local bodies, etc. plus 79 lakhs, that is 238 lakhs. The true revenue balance under the ordinary revenue excluding capital head and extraordinary receipts will be 238 lakhs. Of course in the budget it cannot be shown as 238 lakhs, because part of the money has gone to other heads. But I submit that our assets at the end of 1928-29 will be not 79 lakhs but 238 lakhs. I do not know what will happen to the figure of 110 lakhs, the amount which has been deposited with the Government of India and which according

[R. S. Chaudhri Chhotu Ram.]

to this Note has not been shown either on the receipt side or on the expenditure side. That also should be taken as a part of our assets. (*Interruption*). I take it that that will be money coming into our hands.

The Honourable Sir Geoffrey deMontmorency : It is in the balance. It has never been denied.

Rai Sahib Chaudhri Chhotu Ram : However, I am not calculating it for the purposes of our assets in the ordinary revenue account.

Now with these figures before us, with the figures which indicate the miscalculations every year both under revenue and under-expenditure, is the Government justified in saying that they could not make remissions without endangering the progress of the province? I have tried to show that on the average there is a miscalculation of 85 lakhs a year to the disadvantage of the taxpayer and I have also shown that at the end of 1928-29 our assets will be more truly represented by 288 lakhs than by 79 lakhs. How can it be said that the progress of the province would be imperilled if we make remissions of taxation? I beg to submit that there is a very strong case made out for remissions and the Government should be a little more generous, a little more courageous and a little more wise in dealing with the claims of the poor zamindars of the province? The Government is not wise in trying to swallow the whole of the remission made by the Government of India. It will give a bad impression in the province. After all people have been expecting and expecting rightly and justly that Government would grant substantial relief to the poorest section of the population. That poorest section of the population is unfortunately not organised. There is no Press, there is no platform for them, but that does not mean that they do not feel the grievances which they actually have. They are not so ignorant, as they were 20 years ago. They know what their grievances are, they know whether the Government have been just to them, they also know whether the Government have been unjust to them. What will be the impression left in the minds of the people? The impression would be that it pays to agitate, it pays to ventilate grievances, it pays to clamour against what the detractors of the Government call the iniquities of the bureaucracy; and that no redress is possible without agitation. If that impression once gets abroad, I think it will be a bad day for the Government and also for the people. I do not want that this ignorant section of the population should get excited; if they once get excited, it will be difficult to control their passions. It will be difficult to regulate their activities. The Government should take a lesson from the past, they should take the warning that I am giving, they should take the timely notice that I am giving them. As a matter of fact if the present state of things goes on for a number of years, the result will be most disastrous. There will be nobody left in the province or perhaps in the whole country to say one little good word for the Government. The Government will be giving a very powerful handle to those who are interested in spreading discontent and sedition. They would make use of it, they would be able to make use of it under plausible pretexts too, pretexts which would appear to the people to be perfectly reasonable. As a matter of fact a time may come when the people,

these poor zamindars themselves, may find themselves goaded into desperation and take up the question themselves without resorting to any body's aid or guidance. My submission is that the Government should act in a wiser manner, in a more just manner towards that section of the population which has been suffering silently for centuries.

Now, Sir, I will just touch very briefly on a few more topics. The first of these topics is that the budget does not show any provision for undertaking the execution of the Bhakra Dam Scheme. This scheme seems to have been in contemplation for the last 15 or 20 years. There have been obstacles in its way. There were serious difficulties in its way, and Government could reasonably delay the undertaking of such a project so long as those difficulties and doubts and uncertainties existed. But now, I understand, the American expert who had been specially sent for from America and his assistants have examined the site and found the site perfectly feasible. The rock is solid and strong and a dam of very great height can be erected there without endangering the safety of the neighbouring districts. If what I understand is true, if the report about the site is favourable, there is absolutely no reason why the Government should not take steps as early as it can to put this project in hand. In the budget there are no signs of any provision for undertaking this project.

The next point to which I would invite the attention of the Government is the question of panchayats. The Panchayat Act was passed six or seven years ago. It has not been acted upon. As a matter of fact if I were to call it a dead letter my description would not be far wrong. The general attitude of the officials in districts has not been favourable to this Act. They have, I think, a slightly hostile attitude towards the starting of these panchayats. It is time that the Honourable Minister in charge of Local Self-Government should see that more use is made of the existing Act and more vigorous steps are taken to start panchayats in as many villages as it is possible to do. The establishment of panchayats in the country has been advocated perhaps for the last 40 years by the Indian National Congress. Panchayats have been advocated by both political and non-political bodies. The Government have always professed sympathy for starting this institution. As a matter of fact if panchayats were to be started in larger numbers than they have been in the past the Government would be reviving an indigneous institution of great antiquity and of great value and of great importance. At every step whenever you want to effect any improvement in rural areas, you find yourself up against the difficulty that there is no agency to carry into effect what we want. Now if there were panchayats in villages, it would be easy to give effect to any proposals which we want to give effect to for the welfare of the population of rural areas. These panchayats will also be very helpful in the detection and suppression and punishment of crimes. There are many petty crimes which go unpunished and which go even unreported and generally speaking whenever crimes go undetected the tendency is for crime to increase. If these panchayats are established, I think a greater number of crimes would be detected and a greater number of crimes would be punished. After I have said these words with regard to the advisability of starting panchayats, I would say just one word as to how to encourage them. The first step has already been taken by the Honourable Minister for Local Self-Government. He has appointed

[R. S. Chaudhri Chhotu Ram.]

five panchayat officers and I understand they are doing very useful work. If the reports about their work are favourable then the Honourable Minister should increase the number of these panchayat officers. He need not wait to the end of the year or to the end of the three years, which is, probably, the period fixed for judging the results of the experiment. If he is satisfied that these officers are doing really good work, he should appoint some other officers to work in other districts.

Another thing that can be done to encourage these panchayats would be to make grants to these panchayats. I am not sure, but I think the Government have got power to make small grants to these panchayats. If the power is already there, it is for the Honourable Minister to take advantage of that power and make a small beginning in the way of giving grants to these panchayats.

The subject of rural sanitation and how to improve it has already been touched upon by some of the honourable members, and as I have taken a good deal of time already, I will not touch upon it. But there is just one suggestion which I should make in relation to the co-operative department. The urgent need of starting commission shops is paramount. While the ordinary co-operative credit societies give some relief to the poor zamindars, inasmuch as they are in a position to advance loans on reasonable rates of interest to the zamindars, the societies are still handicapped by not being in a position to secure proper price for the produce of the zamindars. If it is meant to enable the poor zamindars to get proper price for the produce of his field, you must have commission shops in large numbers. If possible there should be one commission shop in every *mandi* wherever it exists and if the department can bring into existence a large number of commission shops, I am sure it will be conferring a great blessing upon the poorer section of the population.

I want to say just one word with regard to the holding of a session of the Council at Simla this year. A two days' session at Simla is really very inconvenient from the point of view of private members and it is very expensive from the point of view of Government. If there were a long session that would be different. In that event probably Government members would not like to have the ordinary course of their work disturbed, and would prefer a Simla session in order to avoid an unsettling effect on their even tenor of work at Simla. But if it is to be a session of only three or four days, I suggest that it should be held at Lahore because this will be more convenient to private members and less expensive to Government. With these words, I close my remarks.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana. (Muhammadan), Rural] (Urdu): Sir, it is more than once that this Council has urged upon the Government the advisability of affording some relief to the poorest of the poor, I mean the zamindars of the province. We have been expecting that Government would one day realise our difficulties and come to our rescue. But our expectations have so far remained unrealised. It appears that the die-hard attitude of the Government is unchangeable. Our demand for peace and good Government is not at all inconsistent with the right of the Government to impose taxes. We can ask them as a matter of right to do

all that may be conducive to good Government. Sir, the Government tries in vain to show that our Province on the whole is making good progress, because we find that the masses are as backward as ever. Whenever the question of giving relief to the zamindars comes up before the Council, the Government sympathises with them no doubt but never goes beyond its pious professions. Sir, it was only the other day that some zamindar members of the House asked the Government to give some relief to the owners of small holdings. We all know how that resolution ended; how the Government showed its inability to apply the principles governing the assessment of income-tax to the assessment of land revenue. Sir, I admit that they could not forego what they had got. But what we wish them to do is simply this much that they should confine themselves only to what they had already got. And if they would not do so I am afraid the matters are going from bad to worse and would bring about a revolution. Sir, our demand is nothing short of permanent settlement, and even that is not complied with. I find that large sums of money are provided for in the budget for settlement operations to be carried in different parts of the province. I ask is it just, is it equitable to disregard the legitimate demands of the community which is considered to be the back-bone of the nation and which renders all possible help to the Government in times of need. By disregarding their wishes are you not compelling them to become agitators and secessionists. For God's sake do not treat them as your enemies. They are your friends in need. Sir, they are not satisfied even with the provisions of the Land Revenue Bill. It would not improve their lot. They require nothing short of permanent settlement. It is not I alone who considers the permanent settlement to be the sole remedy for our sufferings, a good many English Officers have also expressed their views in its favour, since 1861. Even the Government of India was once inclined in its favour. But unfortunately matters stand where they once stood. No change has taken place in the policy of the Government regarding the revenue administration of the country. In my last Budget speech I described the history of the land tenure from 1861—1907, and the Honourable Member for Revenue described the history of the subsequent period. Sir, I can say without any fear of contradiction that since the inauguration of reforms the Government have taken no steps to improve the conditions of the zamindars. I do not say that you should provide zamindars with facilities to earn plenty but do help them to earn enough to maintain themselves and their families. Sir, you are afraid of Bolshevism, but unintentionally you are yourself bringing about revolution in this country. I admit that a country can flourish with the help of its industries. But to explain the policy adopted by the Government with respect to indigenous industries is an unpleasant task which I do not like to dilate upon. As matters stand I cannot think that my country would ever be able to make progress in matters industrial or it would be supplied with facilities provided to self-governing countries. Sir, we are left with only one industry that is agriculture, and that is all. I would request the Government to give effect to productive schemes and in order to finance them they may take loans from Government of India or resort to taxation. I, for one, would not object to it. Sir, I know that the Government has done something in this direction but that is not much. I take the case of my own district. The condition

[Chandhri Afzal Haq.]

of zamindars of Hoshiarpur, Jullundur and Ludhiana Districts is a critical one. The lands of these zamindars do not grow enough to maintain them and their families. In the Hoshiarpur and Jullundur Districts the Government is being confronted with a very serious problem. There has been a general complaint of scarcity of water in wells in those places. A committee of experts was appointed to enquire into the causes of the scarcity of water and to suggest means to remove it. The committee reported that the matter is going to seriously affect these two districts. If no new canal is dug within the next twenty years each tahsil would probably suffer a loss of nearly one crore of rupees. There were two proposals before the said committee, the digging of a new canal or stopping the sinking of new wells by means of some legislation. In the opinion of the zamindars of the *Naqa* and of the committee the latter proposal, if adopted, is bound to produce awful results. There is only then the first alternative left to us. Now Sir, imagine if no new canal is dug and the zamindars suffer a loss of one crore of rupees per tahsil which would mean roughly speaking eight crores of rupees for both districts, would not they be doomed? But our position is that Government has done nothing to relieve us of our miseries. Sir when such is the state of affairs why should the Government hesitate to give effect to productive schemes. The indebtedness of the zamindars has considerably increased. Sir, every year in the budget large sums of money are provided for the police administration although there has been no decrease in the number of crimes. With the increase in expenditure the number of crimes has also increased. Sir, it is my honest and firm conviction that whatever is being spent on the police is a mere waste of money. We do not derive any benefit whatsoever out of the money spent on the police.

I think that the police is a useless force. Perhaps it is only meant to oppress the people and to commit on them unspeakable atrocities. If one dares to question the doings of a police official he is liable to be prosecuted under sections 332 or 353. To vindicate their actions there are reserves in the district police lines and if need be the military authorities can be asked for help. Sir, from what we have seen of the police for the last two or three decades we can say that there is absolutely no justification of their very existence. Even our honour is not safe in their hands. They have not so far been able to stop crime. Of course they have helped the Government in suppressing the political agitations. Sir, an honourable member of the house was just talking of panchayats. There were about 73 panchayats in my district but none exists now because the police has made free use of section 107. That is what the police is meant for. I would ask the Government to abolish this force. There is no use keeping it. Their non-existence would not affect the peace of the country. For the present I leave this question aside. I would thoroughly discuss it when the demand for police is asked. Now, Sir, I turn to the all important question of compulsory education. I see that only a sum of 14 lakhs is being provided for the purpose. In the words of the late Mr. C. R. Das I would submit that not even two per cent. justice is being done to us. Sir, I ask you to abolish all departments and spend every pie you have got on the expansion of education. As I have

already said on some previous occasion we are deriving benefit worth 9 lakhs only out of these 14 lakhs. We are wasting the remaining 11 lakhs. In order to make the scheme of compulsory education a success we ought to pass an Act similar to the one in force in England. Without that we are sure to meet with failure. To-day the Government says that the members of the Legislative Assembly who have voted for the boycott of the Simon Commission are representatives of the learned few. They do not represent the masses who are illiterate and backward. True but I ask why Government had always turned deaf ears to the requests of the late Mr. Gokhale who asked them many a time to introduce compulsory primary education in the country in order to make the masses literate. The illiteracy of the masses is now being put forward by the Government to defeat our genuine aspirations. Now, Sir, the Government wants to spread education among the masses and provides only 14 lakhs for the purpose. Is it not making fool of us? We have now serious suspicions regarding the *bona fides* of the Government because we see that far larger sums of money are being spent on less important matters. I mean the military and the police administrations. This shows that the Government is not at all favourably inclined to our legitimate aspirations. It wants to suppress them. Sir, I may mention one thing more. A special class of people has come into existence in this country, I mean people who hang on Government. They are the lambardars, zaildars and Honorary Magistrates. Sir, they are good for nothing so far as the national point of view is concerned. They are flatterers of the Government. They are procurers of bribes. They are mainly responsible for the corruption prevailing in the various government departments. I do not say that my remarks apply to all of them. But most of them are black sheep. Sir the honorary magistrates of course excepting those who are members of this honourable House.....

Mr. President: Order, Order. How is the institution of honorary magistrates connected with any particular item or with any principle involved in the budget?

Chaudhri Afzal Haq (continued in Urdu): Sir I do not want to discuss the merits or demerits of this institution. I wanted to say that Government should direct the energies of such people to the right direction. I am sure if Government would act according to my suggestion, it would do the greatest service to this country without incurring the least expenditure. Sir, let the Government declare that only those people will be granted squares of land or jagirs who may render public services and may be recommended by the Honourable the Minister for Education or the Minister for Local-Self Government or the Minister for Agriculture. I am sure this would produce good results and the people who are now bringing disgrace to their motherland would prove its worthy sons. I have already taken a good deal of time and therefore with these words I finish my speech.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, after hearing the very illuminating speech made by the honourable member on my left (Rai Sahib Chaudhri Chhotu Ram) it is with diffidence that I rise to make a few remarks with regard to the budget proposals of 1928-29. In spite of the criticisms offered by him, on the form in which the figures are presented in the budget, I as a lay man, feel grateful to the Honourable

[Chaudhri Zafrullah Khan.]

the Finance Member and the Finance Secretariat for all the pains they have taken to make these figures intelligible by means of copious memoranda, notes and indices. I am extremely sorry that I was not present in the House during the opening part of to-day's debate on the budget and it is therefore possible that by inadvertence I may perhaps repeat some of the suggestions which may already have been put forward before the House concerning the budget. But so far as I have been able to ascertain what has been already suggested, I shall avoid those points which have been discussed.

I associate myself with all that has fallen from the lips of the honourable member on my left with regard to the failure of Government to afford relief in taxation during the next year and particularly with regard to the failure of Government to afford relief to landholders in the matter of taxation. (Hear, hear). My honourable friend endeavoured to demonstrate to the Government that on their present budget it was open to them, without running any risks, to afford considerable relief in those directions and I shall before I sit down try to indicate one or two other means by the adoption of which Government might be enabled to afford relief in taxation. Before doing so, I wish to offer a few observations with regard to certain matters which are not merely in the nature of criticism, but are intended to draw the attention of the House to both aspects of the budget as to certain matters which have struck me and to point out certain features that are satisfactory and others in which there is room in my humble opinion for improvement. With regard to this question of affording relief, the Honourable Finance Member towards the concluding portion of his speech informed the House that although Government has not been able to afford any active relief to the landholders, the rigidity of collection with regard to suspended land revenue had been lessened; and that whereas previously in the case of suspended land revenue the question whether it should be remitted altogether was considered three years after the suspension now it will come up for consideration after the expiry of three harvests. In my opinion it is a doubtful privilege which has been conferred upon the landholders. It may be as the honourable member opined that as the result of this modification the remission of land revenue might be decided upon sooner, on the other hand it may be that revenue officials responsible for collections might wish to speed up the collections of suspended revenue so that it might be recovered within three harvests, before the time arrives for consideration as to whether it should be remitted altogether or not. However, be that as it may, we are grateful even for this so-called concession. But we must re-iterate our demand that in spite of repeated efforts made in this House on behalf of the zamindars to press upon the Government the necessity of affording relief to small landholders nothing substantial has been done in this budget in that direction.

The next question to which I wish to draw the attention of the House is the question of affording relief to people affected by water-logging. With regard to that question, the position adopted by the Government briefly is this: Government says, it is unfortunate that water-logging has affected such large areas in the Punjab, but Government is under no sort of legal obligation to make compensation, whatever moral obligation there may be.

Government has made efforts to afford relief on certain terms to persons resident in such areas who have been affected by water-logging and it is open to those people to accept the relief. I need not repeat those terms, but I do wish to submit that the position adopted by Government is not tenable. I cannot understand on what grounds Government repudiates legal liability in respect of damage done by water-logging. To me the question appears to be perfectly simple. Government for its own purpose—I use the expression “its own purpose” in the sense that although there is no private benefit which Government or the members of Government derive from these canals, yet these are schemes originated by Government for the public benefit, and carried out on the basis of commercial ventures, out of which it makes a substantial profit—so that, Government for its own purpose carries a certain article, a dangerous article, that is to say, flowing water through certain tracts in order that it may be offered for sale in certain other tracts. In doing so Government caused damage to lands through which this canal water passes. It has been always understood as an elementary principle of the law of torts that if a person brings on to his own property any animal or thing which if it escapes is likely to do damage to neighbouring land, if that animal or article actually escapes and causes damage to neighbouring land, there is a right of action against the person who brought that animal or article on to his own property for not taking precautions sufficient to prevent it from doing damage. My submission, therefore, is that merely because Government says it does not accept legal liability in respect of water-logging that does not end the matter. The question may some day be raised in the courts of law and may be decided one way or the other. In the meantime I would submit whether there is legal liability or not, Government is bound, because damage has occurred as a result of its own action, to adequately compensate, not charitably compensate, but adequately compensate the people to whom damage has been done as a result of the action of Government.

Mr. President : Order, order, I wish to invite the attention of the honourable member to rule 28. Discussion to-day should be limited either to the principles involved in the budget or to the budget as a whole. May I know what principle involved in the budget the honourable member is now discussing?

Chaudhri Zafrullah Khan : My submission is that a large amount of capital expenditure is being incurred by the Government for the construction of canals. Government will come before this House for a grant for this purpose. As a result of such grants and the introduction of canals certain disadvantages accrue to the subjects. I am trying to press upon the attention of the Government that these canals cause a certain amount of damage for which they have made no provision.

A certain measure of relief has been afforded by Government to people in water-logged areas by issuing instructions to their officers that for the Sutlej Valley Colony, so far as possible, to begin with, they should select only such people as colonists who have been affected by water-logging. So far as that goes, that is satisfactory. But that is only a part of the charitable relief which the Government from time to time doles out to these miserable

[Chaudhri Zafrullah Khan.]

people. Even that is hedged in by many restrictions. A man who comes in for such a grant must show that more than half of his present holding has become useless as a result of water-logging, that he has grown up children or brothers joint with him who are able to carry on cultivation and must fulfil other similar conditions. Even then the area set apart for such grants is inadequate and that brings me to another connected point which is the grant of land in the new colonies in the Sutlej Valley. Without entering into a long discussion with regard to that I submit that Government ought to set apart a larger proportion of the area for grants to *abadhars* than is proposed to be done at present, and thereby correspondingly reduce the area which it proposes to offer for sale either by private negotiation or by auction.

Another connected subject is the question of the extension of irrigation as the result of this new system of canals. I desire to warn the Government that the extension of this system on too large a scale not only might result but has already resulted in scarcity of water in the older colonies. When the Government took in hand the Sutlej Valley Project, their estimate was that the supply of water in the Sutlej was more than sufficient to meet not only the requirements of British lands in the Sutlej Valley but also the needs of the two Indian States who are associated with the Government in that project. I understand that the report of the special engineer who was recently deputed to investigate into the question of the sufficiency or insufficiency of the supply of water in the Sutlej is that there is not sufficient water in the river for all the requirements of the Punjab, the Bikaner State and the Bahawalpur State. That in itself is a serious matter, but apart from that in the older colonies complaints have arisen that the extension of irrigation into the tracts which were hitherto not supplied with water from the canals has affected the prosperity of the colonists in the older tracts and that in the near future, it may only be a question of time, they may be compelled to go away altogether from those tracts. I wish therefore to draw the attention of Government to this matter and to request that they should be extremely careful in assuring themselves that there is sufficient water for all these projects before these projects are extended to an extent which might land them eventually in difficulties.

Now, Sir, one matter with regard to which Government has afforded partial relief but which cannot in my humble opinion be regarded as adequate relief is the pay of Tahsildars. The Honourable the Finance Member pointed out in his Budget speech to the House that the Tahsildars form a very important branch of the administration and he described the Tahsildars as the pivotal service in the administration of this Province. He also compared their position, their pay and emoluments with those of Subordinate Judges and pointed out that they suffer heavily by comparison. All this is perfectly true and I may humbly submit that after all those declarations when one examines the actual relief afforded to the Tahsildars one is disappointed. The present pay of the Tahsildars is Rs. 180, initial pay and then a yearly increment of Rs. 7½, up to Rs. 285, and then 12 selection grades of Rs. 300. What is proposed to be done is that the initial pay is to be Rs. 200, that certainly is a rise of Rs. 20? But that is practically all that is proposed to be

done. The increment of Rs. 7½ is retained up to Rs. 260, then there is an efficiency bar, then from Rs. 270 by an annual increment of Rs. 10 they rise up to Rs. 350 and then they have 12 selection grades of Rs. 375. Considering that the pay of Sub-Judges on confirmation starts from Rs. 300 per mensem, the Tahsildars would have a valid grievance that if Munsifs who originally held the same grade as Tahsildars are now started on Rs. 300, the start given to Tahsildars is too low. But apart from that an annual increment of Rs. 7½ to members of a service which is regarded as a pivotal service in the administration of the Punjab is really insulting. That is an increment to which even clerks in certain grades would object. Without discussing the point further, I would very strongly urge upon the Government the need of further revision of the scale of pay of Tahsildars, particularly in view of the fact that under the present system, it is not before a person reaches the age of 40 or 45 that he is ordinarily confirmed as Tahsildar, for, except in the case of direct candidates, the promotion from the ranks of Naib-Tahsildars does not occur until a man is at least 40 or 45. When he is confirmed, it leaves him scarcely 10 or 15 years of service and he can never reach the maximum pay fixed for the post. The increment granted to the Tahsildars remains the same and under the present scale they are not very much better off than they were before. Incidentally I might also draw the attention of the Government to the fact that the Naib-Tahsildars have been given no relief whatsoever. Their case also deserves consideration.

Sir, a great deal has been submitted against the police force by the honourable member who spoke just before me. In spite of all that fell from that honourable member I congratulate the Government on having adopted to a very large extent the recommendation of the police committee in the next year's budget (Hear, hear). Ever since that report was made, honourable members have been pressing upon the Government the necessity of giving effect to the recommendations contained in that report. So far as effect has been given to those recommendations it certainly is a matter for congratulation to the Government, but there is one matter to which I may draw the attention of the Government and it is this. So far as rise in pay and other recommendations are concerned, Government has adopted the recommendations *in toto* except with regard to the pay of constables. With regard to the higher grades of the police, the recommendations of the committee have been given effect to but with regard to the constables the Government had adopted this attitude. They say that the majority of the constables have to perform routine duties and therefore it is not necessary to give them anything more than Rs. 17 *per mensem*. They say that a special grade may be created and the initial pay of that grade may be Rs. 20. There may be promotions from the ordinary grade into the special grade with yearly increments finally rising up to Rs. 25 or Rs. 28, I forget which. My submission is that that is scarcely a reason for not giving a living wage to the servants of the Crown. Simply because a certain class of servants perform routine duties, to deny them the minimum living wage is quite unjustifiable. The ground on which the committee made its recommendation was that Rs. 17 *per mensem* was not enough to enable a man to support his existence. Whether his life is spent in performing routine duties or in performing strenuous duties or responsible duties, a constable would require the same amount of clothing and the same quantity of food. If that is so, I cannot see how

[Chaudhri Zafrullah Khan.]

it is possible for a constable performing merely routine duties to be able to make a living on Rs. 17 when his brother who performs more responsible duties is unable to do so. The distinction proposed to be made might have been put on the ground that the budget at present would not permit the Government to give a rise to all the constables in the province. If that is the real ground for not giving to all of them a rise, then at any rate this special grade might have been given to at least half the number of the police force in the constable grade.

Another recommendation to which effect has been given in this year's budget is that town watchmen have been abolished and their place is taken by constables. That is another instance of relief being given to urban areas without any corresponding relief being given to rural areas. The village watchman still continues to be paid out of village rates and it is a matter for the Government to take into consideration how far it is possible to substitute constables in the villages in the place of the village watchmen.

Another question to which I would draw the attention of the Government in connection with the police force is this. It is admitted that the ranks of the police are drawn from certain classes in the province and that service as a constable is not attractive to other classes who are very inadequately represented in the rank of the police force. If that is so, Sir, it is but equitable that the superior grades of the police force should also be reserved in the same proportion for those communities who contribute largely towards the lower grades. If a certain class of person is not willing to come forward to perform the humbler duties of a constable, it is not just that that disparity should be tried to be made up by giving a larger share to members of that class in the superior grades of that service.

Rai Bahadur Lala Sewak Ram : That is not so.

Chaudhri Zafrullah Khan : Having pressed upon the Government the necessity of paying Tahsildars and members of the police force on a more generous scale, I wish to draw the attention of the Government to the fact that very little has been done and if anything has been done, very little success has attended the efforts of the Government, in putting down corruption among the subordinate revenue officers and in the police department. By all means, as I have already said, treat them more generously in the matter of pay and emoluments, but treat them much more rigidly than you do at present in the matter of putting down corruption. I might mention a very simple instance. The Government was kind enough to establish some time ago contractors at various *dak* bungalows, for the purpose of providing provisions to officers who might go on tour through the districts. This provision has been made with the object that officers who go on tour should not be put to the necessity of levying provisions, which were often levied free of charge from zaildars, sufedposhes and others. So far as I have been able to ascertain, the only effect of this has been that superior officers conform to the rule as they were willing to do before. Whenever they levied provision, they always paid for the same. Even now those who belong to the superior grade pay for the comforts that they demand. Instead of getting their provisions from the zaildars, they now get them from the contractors. But there is no doubt that when these superior officers whether of

the police or of the district administration, go on tour, a good many subordinate officers, for instance, sub-inspectors of police, head constables, tahsildars, naib-tahsildars, patwaris, qanungoes and several other petty officials have to attend on them. When they so wait upon a superior officer, whether a Collector or a Superintendent of Police, these attendants always levy provisions from the zaildars or the sufedposhes free of charge. I have one instance in mind. A zaildar recently appointed had made up his mind, that he will not be corrupt either with regard to the Government or with regard to the people. He happened to be a fairly well-to-do man and he decided that even if he had to spend, in the discharge of his duties, the emoluments, that he would get as zaildar that would be but just. After a year's experience he has complained to me in piteous terms that as a result of five *deras* at the bungalow within his zail he had to incur an expenditure of Rs. 1,250 during the year in respect of provisions. He told me that there were only two courses open to him either to face imminent ruin or to put in a speedy resignation. That is a matter to which the Government might well pay attention.

With regard to education, I associate myself with the honourable member who spoke before me in congratulating the Government in entering upon an experiment with regard to intensive development of compulsory education. That is an experiment which will be watched with keen and anxious interest. If the results of that experiment justify it, I have not the slightest doubt that the Honourable Minister, in charge of Education will press the Government for larger and larger grants in future years in order to extend this system to the whole of the province.

So far as the University is concerned I might draw the attention of the Government to the fact that the representation of one particular community on the governing body of the University continues to be very inadequate. The community whose representatives are always very loud, both in this House and outside it, in favour of joint electorates and national representation has not, in a single instance, so far ever elected a Mussalman Fellow of University. If that community has adopted this intensely exclusive attitude with respect to such a non-communal institution as the University, it behoves the Government to make up the deficiency in the numbers of the other community by nomination, (hear, hear).

Sir, it is very satisfactory to note that the Government propose during the next year to open an Intermediate College at Shahpur. That is a very long felt need and I am glad that the Honourable Minister for Education proposes to remedy that need in the near future. There was a complaint some-time ago that the concession granted to zamindars in certain districts to pay half fees in schools had lapsed and had not been renewed. I understand that it has since been extended till October next. I wish to impress upon the Honourable Minister for Education that that concession should be renewed for a considerable number of years in order to set at rest the fears which have been entertained that this might be the result of some new policy which the Honourable Minister for Education is anxious to adopt in these matters (hear, hear.)

With regard to medical and public health departments, it is very satisfactory to note that the Government propose to establish a provincial school

[Chaudhri Zafrullah Khan.]

for training female sub-assistant surgeons. I only wish to add, with regard to this item, that much greater attention requires to be paid to the question of maternity and midwifery in this province and steps ought to be taken to supply a larger number of trained nurses for maternity and midwifery cases particularly in the rural areas. In this connection the services of lady health visitors appointed in urban areas might be utilised in rural areas also for the purpose of educating the women in rural areas in regard to these matters. That, I am sure, is bound to lead to very fruitful results. One other matter with regard to public health to which I wish to draw the attention of the Government is the question of affording relief or improving sanitation through the Rural Sanitary Board. What happens at present is that schemes are sent up by district boards and local bodies to the Rural Sanitary Board for relief. The Board examines those schemes and makes recommendations to the Government to make grants or to afford relief as the case may be. The Board has not at its disposal any lump sum set apart in the budget for that purpose out of which it may be enabled to make grants itself to local bodies who send up such schemes. The Urban Sanitary Board, I understand, is allotted a lump sum every year out of which it makes grants for similar purposes in urban areas ; but no such provision has been made for the Rural Sanitary Board. I, therefore, submit that the same course might in future be adopted in the case of the Rural Sanitary Board also and it may be allowed a lump sum grant out of which it may be enabled to make grants to local bodies and district boards for the purpose of hygiene and sanitation. (Hear, hear). Incidentally the Board will thus be enabled to make grants to panchayats which may be established in larger numbers in the future for similar purposes.

With regard to local self-government, I would urge upon the Government the necessity of revising the present basis of the franchise so far as district boards are concerned. The qualifications which at present entitle a person to become an elector of a district board are very high and they ought to be reduced considerably, so that a much larger number of people might be enabled to take an interest in and to control the affairs of the district boards. In the agriculture department a great deal of attention is being paid to improved farming, to the supply of better seed and the supply of better cattle to landholders and all that I wish to urge upon the Honourable Minister for Agriculture is that he should push forward his policy of having a much larger number of demonstration farms and there should be at least one farm at each tahsil headquarters run, not on scientific and technical lines, but with the object of demonstrating to the farmers as to how they can improve their methods of cultivation without specialising in any scientific or technical subject. With regard to the superior ranks of the agricultural service, I wish respectfully to convey a warning to the Honourable Minister that an impression is getting abroad that since he has assumed office undue preponderance has been given to one particular community at the expense and to the disadvantage of other communities. In the veterinary department a great deal of general progress has been made and that is as it should be. In the Veterinary College itself certain changes are being introduced which might hinder the expansion of the department. I may explain this. At present there is a four years' course in the Punjab Veterinary College

and matriculates are admitted to the college. I understand that it is now proposed to restrict admissions to the college to those who have passed the Intermediate Science or the Intermediate Arts examination with science, and it is also proposed to retain the present four years' course. It means that whereas in the past a matriculate has had to spend only 4 years to go through the full course, he will now have to spend 6 years to complete the course. That is adding two years to the college course at one stroke and it is likely to prove too heavy a burden for that class of persons who take this course. I understand that the first year in the Veterinary College is at present devoted to the teaching of preliminary science. If that is correct, then my submission is that as the new students who are proposed to be admitted to the college will have passed the science examination of the Intermediate standard in the University they need not again go through the course of preliminary science and that year might be knocked out, so that if it is necessary to raise the standard of admission, then the course in the college itself might be reduced to one of three years; otherwise the previous standard of admissions might be retained.

A great deal needs to be done in the direction of co-operative societies in regard to consolidation of holdings and I see from the budget figures that attention is being paid to that side of the department.

With regard to domestic science and rural economy I might just make one remark. After the experiments carried on for 7 years by Mr. Brayne in the Gurgaon district in this direction, it has been demonstrated even to the satisfaction of those who were sceptics with regard to this kind of improvement in villages, that a great deal of improvement is not only possible but has been achieved as the result of the activities and the unselfish devotion of one officer in that district. (Hear, hear). That, Sir, was a most unpromising tract in which such progress has been achieved. If that sort of thing could be done in Gurgaon, there is no reason why the same cannot be done and the same results attained in all the other districts of the province within the next 5 years. I have somewhere noticed, probably in the *Government Gazette*, that some officers have been deputed to Gurgaon to undergo training under Mr. Brayne with regard to rural economy and domestic science. If that is so, that is a very welcome sign and I hope that in future it will be regarded as an essential part of the qualifications of an officer who is to be put in charge of a district that he is able to devote a great deal of attention to these two departments and to that real work of uplift which alone can make a nation of the various peoples inhabiting this country.

One further matter with regard to co-operative societies which requires attention is the Model Town. It may be that I am partial to that scheme as I happen to have constructed a house there myself. But I understand that that scheme has met with the approbation of high officials who have described it as a move in the right direction. If that is so, that scheme deserves generous encouragement at the hands of Government. At present all the roads inside the town and other works of public utility are being undertaken by the members themselves. Government might well adopt a generous attitude with regard to works of that nature and might remit the amount due to the Government from the Model Town Society in respect

[Chaudhri Zafrullah Khan.]

of the price of land which is being utilised for public purposes, such as public roads, parks and gardens and thus enable the Society to carry on its work more usefully.

I realise, Sir, that out of considerations of time, I must compress my remaining remarks into a small compass and omit certain observations which I had intended to make with regard to two or three matters and bring myself to a matter which I think is one of special importance and it is this. On various occasions, Sir, honourable members on this side of the House have pressed upon the Government the necessity of remitting taxation. On the other hand some of the criticisms levelled against the budget amount to this: that there ought to have been incurred a larger expenditure than the Government propose to incur. That might seem paradoxical, that we continue to ask Government to recover less from us or at any rate from certain classes of tax-payers in this province and to spend more. Government might naturally demand that while making such proposals we should also try to point out as to how the extra expenditure is to be met by decreasing the present income of Government. In this connection, in addition to the suggestions made by my honourable friend, Rai Bahadur Chaudhri Chhotu Ram, I wish to make the following suggestions. There is no doubt that savings might be made in expenditure in a few directions. I shall not go into that in detail. Several suggestions have been made and one small matter may be suggested in addition and that is not to have the Council session at Simla. The better part of a lakh might be saved by abolishing that most unfruitful department of Government, the department of Fisheries. (Hear, hear). If it is necessary to auction licenses for fisheries that might be done, and I understand even now it is done, through the ordinary revenue authorities and collections might also be made through them. I do not see why a separate department should be necessary and what exactly is the good of that department. But the real trouble is that the whole system of taxation requires re-organisation on a new basis. At present provincial revenues are derived very largely from rural areas: e.g., land revenue, abiana, court-fees and excise. The taxation in regard to urban areas and urban people is left almost entirely in the hands of the Imperial Government. Income-tax forms part of Imperial Revenues and the province gets a very small share of it. During the next year, the Province expects to receive only Rs. 3,65,000 under this head. We are constantly told that large sums of money are required by Government for the development of the province particularly in the direction of communications, industries and commerce. This development is adding and is likely to add very largely to the assets of urban people which will be taxed by the Imperial Government, so that what is happening at present in this province is this. Revenue is being derived from rural areas in order to be spent on development which if it is to bring any income at all will be taxed by the Imperial Government and the entire benefit of that development will go to the Imperial Government in the form of income-tax and increased railway earnings. (Hear, hear). When the Government wants more money the Government must tax the rural people through the channels which at present exist and those press very heavily upon the rural population and that money must be spent on development the benefit

of which must go to the Imperial Government, so that what I suggest, and with great emphasis draw the attention of the Government to, is that it should press upon the Imperial Government the necessity for the revision of the Meston Settlement. (Hear, hear). At present income-tax goes almost entirely to the Imperial Government and a very small share out of it is given to the provincial Government. That must be modified even if the Government has to surrender something else to the Imperial Government in return for Income-tax. For instance, it is proposed to take away

6 P.M.

certain kinds of stamps from the provincial revenue. That might be done and in return for that or in return for something else which the Government might think it expedient to surrender to the Imperial Government, income-tax may either be made a provincial subject altogether or the provincial Government should be given power to levy a surcharge on the income-tax. (Hear, hear). That will enable the Provincial Government to tax both the rural and urban populations at the same time when more money is required for development. It will also enable the Government to grant relief to both classes when it is in its power to grant relief as the result of increased prosperity. That is a question, Sir, which I would have wished to develop at greater length but I have indicated my views to Government and out of considerations for time I must now resume my seat with these few remarks.

The Council then adjourned till 2 P. M. on Thursday the 1st March 1928.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

290—PLC—391—24-2-23—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 1st March, 1928.

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

STARRED QUESTIONS AND ANSWERS.

DISPUTE REGARDING *Tharra* IN DAIRA DIN PANAH.

***986. Lala Bodh Raj :** (a) Is the Honourable Finance Member aware of the fact that there is a Hindu-Muslim dispute regarding a *tharra* in Daira Din Panah in the Muzaffargarh district ?

(b) Is it a fact that the Hindus reported to the local authorities of the district that the situation was serious, and that an Extra Assistant Commissioner was deputed to make an enquiry into the matter ?

(c) Is it a fact that the said Extra Assistant Commissioner directed the parties to refrain from doing anything that is likely to disturb the public peace and from erecting any structure on the *tharra* till further orders ?

(d) Is it a fact that the Muhammadans erected a mosque on the *tharra* without the permission of any other authority ?

(e) What steps have been taken by the authorities to control the situation ?

The Honourable Sir Geoffrey deMontmorency : Government are making enquiries and a reply will be furnished later.

PENSION RULES.

***987. Dr. Sir Muhammad Iqbal :** (a) With reference to Council question ¹ No. 390 (unstarred) asked at the last session of the Legislative Council by Mr. M. A. Ghani, will the Honourable Finance Member be pleased to state when the pension rules promised in Fundamental Rules of 1922 will be ready for enforcement ?

(b) Will the Government please state the reasons for the delay in enforcing these rules ?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the answer given to Council question No. 363* (Punjab Legislative Council Debates, Volume X, page 898). The orders of the Government of India are still awaited.

¹ Vol. X-B, page 1137.

MUSLIM AIDED MIDDLE SCHOOL, TAHSIL DASKA.

***988. Dr. Sir Muhammad Iqbal :** Will the Honourable Minister for Education please state—

- (a) the number of Muslim and non-Muslim aided high schools and middle schools in the tahsil Daska, district Sialkot ;
- (b) whether it is a fact that the only Muslim aided middle school in the tahsil has been deprived of the aid sanctioned for it in 1925 ;
- (c) if the answer to (b) is in the affirmative, the reasons which have prompted this action ?

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

SEPARATE REPRESENTATION IN MUNICIPALITIES AND SMALL TOWN COMMITTEES.

***989. Mr. Din Muhammad :** Will the Honourable Minister for Local Self-Government, please state—

- (a) how many municipalities and small town committees exist in the province ;
- (b) in how many of them the principle of separate representation has not been introduced so far, and why ?

The Honourable Malik Firoz Khan, Noon : (a) 215.

(b) 159 : it is not the policy of Government to extend the system of communal representation to places in which it was not in force previous to 1923 if such extension can possibly be avoided.

PUBLIC PROSECUTORS.

***990. Khan Muhammad Abdullah Khan :** With reference to starred questions¹ Nos. 573 to 576 and the answers thereto given on November 21st, 1927, will the Honourable Finance Member be pleased to state—

- (a) if there are special reasons for retaining as public prosecutors the two licentiates in law ;
- (b) the names and the age of the two licentiates in law in question and the place where they are posted ;
- (c) the reasons for not obtaining from the University office information regarding the age of public prosecutors at present employed in the province ?

The Honourable Sir Geoffrey deMontmorency : (a) There is no ground for discontinuing the employment of the two gentlemen referred to, who have served for a number of years in the department and have passed the L.L. Examination, which was the only law examination recognized by the Punjab University prior to 1908.

(b) (1) Rai Bahadur Shiv Narain—age between 50 and 51 according to University record—Public Prosecutor, Ferozepore.

(2) Rai Sahib Chaudhri Jamni Das—age between 52—53 according to University record—Public Prosecutor, Dera Ghazi Khan.

(c) Does not arise. Ages are now being verified from University records as far as possible.

PUBLIC PROSECUTORS.

***991. Khan Muhammad Abdullah Khan :** (a) Will the Honourable Finance Member kindly state the number, names and ages of the candidates recommended by the district authorities during the last ten years as fit for the post of public prosecutors?

(b) How many of those so recommended have been actually appointed and how many of them have been given a chance to serve as special public prosecutors?

The Honourable Sir Geoffrey deMontmorency : The information asked for is not readily available; it can only be obtained with considerable difficulty and would probably be incomplete. If the honourable member will state the purpose for which he requires such information, an endeavour will be made to ascertain the facts needed to serve that purpose.

DISTRICT MAGISTRATES AND UNDUE INFLUENCE.

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

(a) the number of District Magistrates against whom the High Court has made adverse criticism for exerting undue influence with the magistracy during the last one year;

(b) whether it is a fact that Government have received complaints that even in the most important districts Deputy Commissioners interfere with the judicial work of the Magistrates;

(c) what action does Government propose to take to stop such interference in future?

The Honourable Sir Geoffrey deMontmorency : (a) One.

(b) No.

(c) Does not arise.

MAULANA ATTA ULLAH SHAH AND GHAZI ABDUR RAHMAN.

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

(a) if it is a fact that Maulana Atta Ullah Shah and Ghazi Abdur Rahman, B. A. (under-trial prisoners in a recent case) were always handcuffed when brought out from the Borstal Institute, Lahore, to the court for the hearing of the case;

(b) under whose orders they were handcuffed by the police?

The Honourable Sir Geoffrey deMontmorency : (a) Under-trial prisoners Atta Ullah Shah and Abdur Rahman were handcuffed whilst being taken from the Borstal Institute to the place of trial, but the handcuffs were taken off in court under the orders of the presiding Magistrate.

(b) Under the orders of the police officer in charge of the escort who used the discretion vested in him wisely in view of the excitement prevailing at the time.

Khawaja Abdul Rahman Ghazi, Maulvi Atta Ullah Shah and Maulana Habib Rahman.

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

(a) if it is a fact that Khwaja Abdul Rahman, Ghazi, and Maulvi Atta Ullah Shah and Maulana Habib Rahman now undergoing imprisonment are not being treated as special class prisoners ;

(b) if it is a fact that heavy securities were demanded from them ;

(c) if it is a fact that several thieves, cut-throats and persons belonging to other than Indian nationality who committed other heinous offences are being given special treatment in the jails of this country ?

The Honourable Sir Geoffrey deMontmorency : (a) The convicts referred to are not treated as special class prisoners.

(b) Yes.

(c) No.

SPECIAL CLASS PRISONERS.

***995. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state the names of those prisoners undergoing imprisonment at the present time who are treated as special class prisoners or put in the European ward stating also their terms of imprisonment and the nature of offences committed by them ?

The Honourable Sir Geoffrey deMontmorency : The information required by the honourable member is not readily available and is being collected. It will be furnished in due course.

HANGING IN JAILS.

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

(a) the number of those who were hanged in the Punjab jails from September 1927 to the end of the year ;

(b) the number of those who were hanged in jails other than their district jails ?

The Honourable Sir Geoffrey deMontmorency : The required information was not readily available and is being collected. It will be furnished to the honourable member in due course.

HANGING OF PRISONERS IN THEIR HOME DISTRICTS.

***997. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that Government in the year 1926 made the rule that arrangements should be made to hang the condemned prisoners in their home districts ;
- (b) if it is a fact that care is not taken now to observe this rule ? If so, why ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) Does not arise.

OIL PRESSING IN JAILS.

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

- (a) whether it is a fact that Government have decided to employ bullocks or other contrivance for oil pressing in jails ;
- (b) whether it is a fact that no steps have been taken to enforce this decision so far ?
- (ii) If so, will the honourable member be pleased to state why that reform is not introduced in jails ?

The Honourable Sir Geoffrey deMontmorency : The Punjab Jails Committee recommended the abolition of manual labour on the oil press. A scheme for following this advice and concentrating the industry of oil pressing at Lahore Central Jail has been prepared. It involves the use of power driven machinery and is under examination by Government.

WRITING MATERIALS FOR PRISONERS.

***999. Chaudhri Afzal Haq :** Will the Honourable the Finance Member please state—

- (a) the number of prisoners in the jails of the province who are provided with writing materials by the order of the Superintendent ;
- (b) whether it is a fact that complaints have been made to Government that Superintendents do not generally provide literate prisoners with writing materials ;
- (c) whether Government have given instructions to discourage prisoners from writing books in jails ?

The Honourable Sir Geoffrey deMontmorency : (a) The information is not available.

(b) and (c) No.

SUPPLY OF OIL TO PRISONERS.

***1000. Chaudhri Afzal Haq :** Will the Honourable the Finance Member please state—

- (a) whether it is a fact that almost every Hindu and Muhammadan prisoner complains that oil is not given to them for external use ;

[Chaudhri Afzal Haq.]

(b) whether it is a fact that every Sikh prisoner complains of insufficient quantity of oil issued for external use;

(c) whether Government is taking steps to remove this complaint?

The Honourable Sir Geoffrey de Montmorency: (a) No.

(b) No.

(c) Does not arise.

CLERICAL ESTABLISHMENT IN IRRIGATION DEPARTMENT.

***1001. Lala Mohan Lal:** Will the Honourable the Revenue Member be pleased to state—

(a) the number of—

(i) Superintendents,

(ii) Head Clerks, and

(iii) Other clerical establishment,

employed in the Irrigation Department of the Punjab at the headquarters and in the mufassil;

(b) the proportion of Hindus, Muhammadans and Sikhs in each class?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is referred to the annual statement placed on the table.

PATWARIS AND GIRDAWAR QANUNGOS.

***1002. Lala Mohan Lal:** (a) Will the Honourable the Revenue Member please state the total number of Patwaris and Girdawar Qanungoes employed in the Jullundur district, also how many of them are Hindus, Muhammadans and Sikhs?

(b) If the proportion of Patwaris and Qanungoes be incommensurate with the proportion of the population in the Jullundur district, does the honourable member propose to take steps to equalise the proportion?

The Honourable Mian Sir Fazl-i-Husain: Enquiries have been made and the result will be communicated to the honourable member in due course.

RECLAMATION OFFICER.

***1003. Lala Mohan Lal:** Will the Honourable the Finance Member be pleased to state—

(a) the exact functions and duties of the Reclamation Officer;

(b) the period for which this appointment has been sanctioned;

(c) whether the Reclamation Officer is treated as Head of Department;

(d) the sanctioned pay of the post?

The Honourable Sir Geoffrey deMontmorency : (a) The duties of the Reclamation Officer are—

- (1) to give effect to the recommendations in Chapter XV of the report of the Indian Jails Committee, 1919-20, regarding measures for the prevention of committal to prison, *viz.*, to obtain particulars of all punishments inflicted on children and adolescents, and of all short sentences of imprisonment and to move for revision in suitable cases;
- (2) to co-ordinate the work done in Borstal Institutions, Reformatories, conditional release farms and similar institutions;
- (3) organisation of Released Prisoners Aid Societies;
- (4) to make recommendations for the release of old and sick convicts;
- (5) to make recommendations for the release of other prisoners, prior to the expiry of their sentences, in suitable cases where special reasons exist;
- (6) to hold administrative charge of the new Borstal and Adult Prisoners farms in the Nili Bar;
- (7) to investigate amendments required in the Acts and rules relating to juvenile offenders;
- (8) to examine Borstal Act and submit draft rules thereunder with a view to the early introduction of this Act as an effective measure;
- (9) to deal with the cases of persons eligible for consideration under the Good Conduct Prisoners Probationary Release Act.

(b) Temporarily for a period of two years.

(c) Yes.

(d) The time-scale pay of the officer appointed as Reclamation Officer with a special pay of Rs. 150 per mensem.

OFFICERS IN THE CIVIL SECRETARIAT.

***1004. Lala Mohan Lal :** Will the Chief Secretary please state—

- (a) whether it is a fact that in the Civil Secretariat there are more Secretaries than Under-Secretaries to Government;
- (b) whether it is a fact that Under-Secretaries submit their cases in the first instance to Secretaries?

Mr. H. W. Emerson : (a) The reply to the first part of the question is in the affirmative.

(b) The reply to the second part of the question is also in the affirmative; but all the cases which are dealt with by Secretaries do not necessarily come through Under-Secretaries.

INDIANS FROM THE PUNJAB TAKEN BY THE GOVERNMENT OF INDIA.

***1005. Lala Mohan Lal :** (a) Will the Chief Secretary to Government please state how many Indians from the Punjab have been taken by the Government of India during the past four-and-a-half years in accordance with the terms of their Home Department, No. F-29-23, dated the 23rd May

[Lala Mohan Lal.]

1923, regarding the appointment of Indians as Secretary, Joint Secretary or Deputy Secretary in every Department of the Government of India?

(b) To what service did each of them belong and for what length of period was each employed by the Government of India?

Mr. H. W. Emerson : (a) None.

(b) Does not arise.

EXTRA ASSISTANT COMMISSIONERS.

***1006. Lala Mohan Lal :** (a) Will the Chief Secretary please state when the revised rules relating to the appointment of Extra Assistant Commissioners are likely to be available?

(b) Is it a fact that the last revision of these rules took place about 20 years ago and that during this long interval many changes have taken place in them?

Mr. H. W. Emerson : (a) The rules are under consideration, and it is hoped to issue them within the next three months.

(b) Yes.

MEMBERS OF THE PROVINCIAL CIVIL SERVICE.

***1007. Lala Mohan Lal :** (a) Will the Chief Secretary please state since what year members of the Punjab Civil Service are being appointed Under-Secretaries to Government?

(b) Have their emoluments been increased or decreased since that year?

(c) Is it a fact that the pay of the Punjab Civil Service Under-Secretaries is less than the pay of the Punjab Civil Service Junior Secretaries to Financial Commissioners?

(d) If the reply to (c) is in the affirmative, what is the reason of such differentiation?

Mr. H. W. Emerson : (a) The records of the past 28 years have been consulted. The earliest appointment of a Provincial Civil Service officer to a post of Under-Secretary dates from the year 1913.

(b) There has been no change in the special pay (Rs. 200 per mensem) attached to the post, but the officers concerned have enjoyed the benefits of the increases made from time to time in the substantive pay of the Provincial Civil Service.

(c) Yes.

(d) The post of Junior Secretary to the Financial Commissioners has been classified by the Government of India as a "superior" post on the Indian Civil Service cadre, while the posts of Under-Secretaries to Government have been classified as "inferior" posts. In practice, a comparatively Senior Provincial Civil Service officer only is appointed as Junior Secretary to the Financial Commissioners, while Under-Secretaries to Government are comparatively junior.

MEMBERS OF THE INDIAN CIVIL SERVICE.

***1008. Lala Mohan Lal :** With reference to the reply given to questions Nos. 486¹ and 504,² put by me in November 1927 session of the Council, will the Chief Secretary please state why the sanctioned strength of the members of the Indian Civil Service has been fixed at 142 when only 108 posts (including 18 superior and one inferior listed posts are reserved for them) ?

Mr. H. W. Emerson : The figures given by the honourable member are correct. The sanctioned cadre includes a deputation, leave and training reserve, and this explains the difference between the sanctioned strength and the number of posts reserved for members of the Indian Civil Service.

RULES AND ORDERS OF THE HIGH COURT, PUNJAB.

***1009. Lala Mohan Lal :** (a) Will the Honourable the Finance Member please state when the rules and orders of the High Court, Punjab, were published ?

(b) Is it a fact that these rules and orders have undergone numerous changes since their last publication ?

(c) Why has not an up-to-date edition of these rules and orders been printed and published for so long a time ?

The Honourable Sir Geoffrey deMontmorency : (a) Volumes II and III in 1911, Volumes I and IV in 1915 and Volume V in 1920.

(b) Yes.

(c) A reprint of Volumes I to IV will shortly be available for public use. Volume V was revised as recently as 1920 and does not require any further revision at present.

LOCAL RULES AND ORDERS.

***1010. Lala Mohan Lal :** (a) Will the Honourable Finance Member please state when the last edition of "Local Rules and Orders made under enactments applying to the Punjab" was published ?

(b) When is it intended to publish a revised and up-to-date edition of these Rules and Orders ?

The Honourable Sir Geoffrey deMontmorency : (a) In 1910.

(b) A revised edition is under preparation and will probably be ready for distribution towards the end of next year.

LISTED POSTS.

***1011. Lala Mohan Lal :** (i) Will the Chief Secretary be pleased to supply the following information :—

(i) total number of superior posts in the general line ;

(ii) total number of superior posts in the judicial line ;

¹ Vol. X-B, page 1399.

² Vol. X-B, pages 1408-09.

[Lala Mohan Lal.]

- (iii) total number of listed posts earmarked to (i) and (ii) separately;
 - (iv) percentage of listed posts to (i) and (ii) respectively;
 - (v) total number of Extra Assistant Commissioners;
 - (vi) total number of Sub-Judges;
 - (vii) percentage of listed posts to (v) and (vi) respectively?
- (2) Do the above figures indicate that the percentage of listed posts open to Extra Assistant Commissioners is wholly disproportionate to the percentage of such posts open to Sub-Judges?

Mr. H. W. Emerson : (1) (i) 60.

(ii) 28.

(iii) Executive six; Judicial seven (including 2 posts reserved for members of the bar).

(iv) Executive 10 per cent.; Judicial 25 per cent.

(v) 289 }
 } Permanent cadre.

(vi) 164 }

(vii) 2.5 per cent. Executive; 3 per cent. Judicial (excluding 2 posts reserved for members of the bar).

(2) No.

RECRUITMENT OF DISTRICT AND SESSIONS JUDGES.

***1012. Lala Mohan Lal :** (a) Will the Chief Secretary please state whether it is a fact that the District and Sessions Judges recruited from among the members of the Punjab Civil Service are generally drawn from the ranks of Senior Sub-Judges who mostly perform Civil Judicial work only and do not acquire sufficient experience of magisterial work which is obviously a *sine quo non* for the proper disposal of Sessions cases?

(b) What steps, if any, does Government propose to take to remedy this state of affairs?

Mr. H. W. Emerson : (a) It is true that the District and Sessions Judges recruited from among the members of the Punjab Civil Service are generally drawn from the ranks of Senior Sub-Judges. It is also true that Senior Sub-Judges are principally engaged on civil judicial work. They, however, do some magisterial work and are, therefore, not devoid of magisterial experience. Government agree, however, that the criminal work done ordinarily by a Senior Sub-Judge is not without further experience sufficient to qualify him efficiently to perform the duties of a District and Sessions Judge.

(b) This matter has been under the consideration of Government who have decided, in consultation with the Honourable Judges of the High Court, that Senior Sub-Judges who are approaching the stage of promotion to the rank of District and Sessions Judge should prior to their appointment as such be given special training in criminal work for one year as whole-time Magistrates on the staff of districts. In this period they would work as *Ilaga* Magistrates and would exercise 1st class magisterial powers and powers under section 30 of the Code of Criminal Procedure.

SUPERIOR AND INFERIOR SERVICES.

***1013. Lala Mohan Lal:** Will the Honourable Member for Finance be pleased to state—

- (1) What was the total number of Government servants on the 1st April 1927 in the various departments under the control of the Punjab Government in—
(i) Superior service; and (ii) inferior service?
- (2) Under each of the above heads how many of them were Muham-madans, Hindus, Sikhs, Parsis, Anglo-Indians and Europeans, respectively, on the above date?
- (3) What is the approximate annual cost in pay and allowances of each class of Government servants in (i) superior service; and (ii) inferior service?

The Honourable Sir Geoffrey deMontmorency: (1) and (2) A consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government on 1st March, 1927, is laid on the table¹. This does not include the All-India Services or menial appointments.

Within the scope of the information thus supplied it is hoped that the honourable member will be able to make the calculations necessary for his purpose in so far as parts (i) and (ii) of the question are concerned.

(3) Government consider that the time and labour employed in the elaborate calculations required to answer this part of the question are not commensurate with the value of the objects which such information would serve, and they regret that they are not, therefore, able to answer the question.

Lala Bodh Raj: Will the Honourable Member please state if the budget figures do not help him on that point?

The Honourable Sir Geoffrey deMontmorency: No.

LEGAL REMEMBRANCER TO GOVERNMENT.

***1014. Lala Mohan Lal:** (1) Will the Honourable Member for Finance be pleased to state when the post of Legal Remembrancer to Government was first created in the Punjab?

(2) Is it a fact that since the time of its creation it has always been held by a member of the Indian Civil Service?

(3) Will the Home Secretary be pleased to say if under the Government of India Act it is reserved for a member of the Indian Civil Service?

(4) If not, why cannot an experienced member of the bar be appointed to the post?

The Honourable Sir Geoffrey deMontmorency: (1) In 1897.

(2) No.

(3) This post is open to officers of the Punjab Commission and Provincial Civil Service and to Barristers.

(4) Does not arise.

¹Not printed in the debates.

DISTRICT AND SESSIONS JUDGES.

*1015. **Lala Mohan Lal:** (a) Will the Chief Secretary please state—

(a) the number of District and Sessions Judges in the Punjab so far recruited from among the members of the bar ;

(b) the community to which each of them belonged ?

Mr. H. W. Emerson: (a) Two.

(b) One Sikh and one Muhammadan.

GENERAL DISCUSSION OF THE BUDGET.

Mr. President: I understand that a very large number of members of this House is anxious to participate in the general discussion of the budget. Therefore, in exercise of the discretion vested in me under Rule 28 I prescribe a time limit of 15 minutes for speeches. But the Honourable the Finance Member, who has a general right of reply at the end of the discussion, will probably require more time than the other speakers, inasmuch as he will have to reply to the numerous criticisms made against his budget, and therefore he will be given half-an-hour.

The Honourable Malik Firoz Khan, Noon: On a point of order, Sir. A number of points have been raised in connection with the transferred departments and it is but right that we should have an opportunity of making a few remarks on the points that have been raised. Will that time limit of 15 minutes apply to us ?

Mr. President: Certainly.

Pandit Nanak Chand: [Hoshiarpur (Non-Muhammadan) Rural] : Sir, I listened very carefully to the debate that went on at considerable length yesterday with regard to this budget. Before I deal with one or two points which I have to say with regard to the budget, I, Sir, consider it my duty to speak with regard to one or two points touched upon by the speakers in relation to two or three Government departments, especially with regard to the police department which was touched upon by my honourable friend from Sialkot. I was rather pained to hear his speech when he wanted the Government, in this very session, to accept the formula for enlistment of recruits to the service of police, also for filling up the higher posts in the police service. Put nakedly, what he meant was that there was a large number of Muhammadans in the subordinate services, in the ranks of the constables, therefore it was natural that you should fill the higher ranks as well with Muhammadans. Surely this was not what was stated by him in Simla, where he welcomed the statement of the Honourable the Finance Member on this point. But he now enunciates a new formula for the acceptance of the Honourable Member in charge of the police department. Sir, I want to say this on behalf of the Hindu community that if there is any impression in the mind of the Government officials or in the minds of my honourable friends who criticised the police department on this ground that the Hindus are not coming forward in sufficient numbers in order to enlist themselves as constables, I submit that we are here to remove that impression. If an order were given to me to-day by the

Honourable the Finance Member that he is prepared to recruit 500 or 1,000 or 2,000 Hindus or more to the subordinate ranks of the police, I undertake to give him the required number of recruits. (*Hear, hear*). I wish to make it quite clear to the House what the complaint made to the House really amounts to. The complaint is that the police department is dominated by a particular community and, therefore, all sorts of reports are made against the members of the other community (*i.e.*, the Hindus) with regard to their unfitness or their incapacity to fill the police ranks. I know personally that men of very high Hindu families have enlisted themselves and are ready to enlist themselves in the subordinate ranks of the police. I objected to accept the formula which was enunciated by the Honourable the Finance Member in his speech at the Simla session with regard to the recruitment to services. I have always held and I do hold still that all services under the Government should be opened to merit and merit alone. No other consideration should be accepted when you are filling the services under the State. That is a formula to which I will give my adherence and I state it here and now on behalf of the community which I have the honour to represent that if all the posts were filled by Musalmans, no Hindu will be troubled if communal considerations were somehow or other ruled out of consideration in making the appointments. Sir, I have another proposal to suggest to the Honourable the Finance Member with regard to this matter; if appointments are to be made on communal consideration, and I do so with the utmost emphasis at my command at the present moment. What for is the police? The police is there for the detection of crime and for the prevention of commission of crime. Therefore, let us take the population of our jails and see from which community the population of the jails is largely drawn; let us see which community fills the jails in very large numbers, and then, it would be necessary to fill the posts under the police by the community whose numbers are not large in the jails.

The Honourable Sir Geoffrey deMontmorency: I always thought that you set a thief to catch a thief.

Pandit Nanak Chand: Complaints have often been made that a certain community or a certain section of the population which is largely responsible for a large number of dacoities, or robberies or thefts has got the sympathy of the police. These are complaints made from time to time. I do not know how far they are true, but if any communal basis is to be found for the recruitment of service in the police department, this is the basis which I would respectfully submit for the consideration of the Honourable the Finance Member, that is, that those communities which supply the largest number of criminals and offenders and who are a sort of burden to the taxpayer by being in jail, these are the communities which should be debarred from getting service in the police department.

Shaikh Muhammad Sadiq: Then you will have only *banias* left.

Pandit Nanak Chand: That would really lead to equity and justice if you are going to give the posts in the police on a communal basis. But as I have said I am one of those who believe and who trust that the only solution for these communal troubles is not to think communally but to fill your posts on a non-communal basis, to give the posts to the fittest man.

[Pandit Nanak Chand.]

When that principle is accepted by the Government, I submit that would be a red letter day in the annals of this province.

Then, Sir, with regard to the police there was one other matter that was touched upon by my honourable friend Chaudhri Afzal Haq, the member for Hoshiarpur. He said, and I quite agree with him, that there is a lot of corruption in the police department. Various remedies are suggested, but there is one remedy which I wish seriously to urge for the consideration of the honourable members who compose this House and it is this, that if in their opinion there are any people who are taking bribes, they should be socially boycotted (*hear, hear*). Let it be our duty to lead the people on this path of social reform and people who take bribes and are corrupt and by undue official pressure take money illegally are the men who should be looked down upon by all persons in decent society. They should not be invited to dinners and other social functions; the hand of their boys or girls should not be sought for by those people who prize above all, purity of administration and purity of justice. This is a matter, which requires the serious consideration of the honourable members who are anxious to see the public services purified and it is a very noble object on which we should concentrate our attention. I submit that this is the line on which reforms should be led by the various speakers who feel that there is corruption in the service. I have often seen—and I have also often read it in the newspapers—that this communal problem is becoming so acute and so threatening that whenever any offender in this respect is caught hold of by the Government, there is always a communal defence put in. If he is a Hindu, the defence is that it is the work of a Muhammadan and if he is a Muhammadan, they say that the trouble is due to the fact that there are Hindus who have engineered the case. Each community says that it is the other community that has instigated the bringing of a false charge against the accused. Therefore, I submit that this is a matter for the serious consideration of Government and of honourable members of this House. Sir, many of the speakers have touched upon various questions. There is just one important question to which I wish to draw the attention of the Government. That is in respect of the department of education. Some sort of pride is shown in this explanatory memorandum to the budget that education in this province has been progressing by leaps and bounds and there has been some abnormal increase in that direction. I may say at once that we are not satisfied with the present increase (*hear, hear*). This increase in education I submit requires a great deal of effort and attention on the part of the Government. I have found from the various speeches which have been delivered here that if there is one thing on which the whole House is agreed—on all other points they may not agree—the only point on which all are agreed is the question of compulsory primary education. Members from all quarters of the House have laid emphasis on this fact that if the Government requires fresh taxation in order that they may be able to introduce compulsory primary education, the people will be prepared to undergo that extra taxation. Why does not the Government listen to the voice of the people, the educated and the uneducated alike, in this direction? What is there that prevents the Government from taking a bold step in this

direction? Last year a one rupee cut was unanimously passed by the non-official members of this House, and this time I have heard the speeches of the honourable members and I find that every one, every representative of the people in this House, is agreed on this point that the Government should take the earliest possible opportunity to take a bold step in this matter and should introduce free and compulsory primary education for the sake of the poor people of the Punjab. While, on this point, I would submit that there is very little provision made in the budget for the education of the depressed classes and for the education of females. Well, Sir, with regard to education of the depressed classes it has been given out by the Secretary of State for India, in England, that the interests of the depressed classes are dear to the hearts of the British Government. So far as other provinces are concerned, I do not know what is done there, but so far as this province is concerned, I can say that the Government has not only been full of apathy towards the education of the depressed classes, but it has been antagonistic towards their education. The Government has steadily and consistently opposed the reform in this direction which was sought for by members representing the Hindu and the Sikh community. I remember a resolution was moved in this Council asking the Government for the removal of the disabilities of the depressed classes with regard to drawing water from public wells. The Government members opposed that resolution. I say that it is high time that the Government realised its duty and felt that the depressed classes do require looking after. It is no good proclaiming to the other parts of the world, to the British public in particular, 'here are these educated Indians who want to swallow these depressed classes, and it is they, the Englishman, that stand between the depressed classes and their utter destruction.' I do wish to urge upon the Government members that some special concession is made for the education of the depressed classes and for removing the disabilities that are cast upon them. While I am on the question of depressed classes, I will make mention of the Punjab Land Alienation Act, the so called Magna Charta of the zamindar class represented by their various members both on this side and on that side of the House. With regard to that, whatever you may have to say with regard to the disabilities cast on the money-lending class, is there any earthly reason why the various classes of people who are commonly described as depressed classes should not be given the privilege of purchasing land from the so called zamindars? That is a thing which I have never been able to understand. There are *chamars*, there are *Ramdasis*, there are various other "depressed" tribes who are cultivators by profession and disability is cast upon them on the basis of their caste. They are not allowed to purchase land. It may be all right when the money-lending classes are not allowed to purchase lands. It is an unheard of tyranny that people who talk of responsibility and who want full power to be granted to them in this Council should clamour for rights while they are not willing to concede elementary rights of citizenship to the depressed classes. I wish to impress upon them that if there is one thing which they should understand before they can have full responsible government it is that they must be prepared to remove all the restrictions and all the restrictive laws which hang heavily on the depressed classes. We are not prepared to be governed by the tyranny of the castes.

Shaikh Faiz Muhammad : What principle involved in the budget is the honourable member discussing ?

Pandit Nanak Chand : We are not prepared to bear the tyranny of castes and of the cliques which want to rule and dominate over this province on account of certain privileges that have been granted to them under the Act. Show your ability that you are prepared to take a broad outlook, that you are prepared to remove the disabilities which the various classes of people suffer under. Well, I find that under this Act various other classes say the Anglo Indians, Christians and various other tribes are placed under certain disabilities in the matter of purchase of lands, and I say that it will take a long time before the province marches on towards its ultimate goal. People should realise that before full responsible government is given to them they must be prepared to concede the equality to other people who are at this time of the day voiceless.

Well, Sir, there is one other point with regard to thisso-called zamindar class. (*A voice: Why 'co-called'?*) Because there are so many castes. With regard to this so called zamindars.....

Mr. President : Order, order. The general discussion of the budget should relate to the questions of principles involved therein. It has nothing to do with the zamindars and non-zamindars in this House. May I ask the honourable member which principle of the budget is he now discussing ?

Pandit Nanak Chand : On various occasions I have seen Government notifications stating that co-operative department and other departments should only be officered by men from these statutory classes, and these form part of the budget, and I, therefore, submit I am justified in making these remarks.

Mr. President : The honourable member's time is over.

Pandit Nanak Chand : I request that I may be allowed a little more time. While it has been stated that the Government is very antagonistic to the interests of these zamindars, I representing a zamindar constituency make a protest against that statement. I find that these canals, these roads, these hospitals and schools are mainly intended for the zamindar class, and if any reasonable proposal is brought forward, we on this side of the House have always supported it. I cannot but thank the Government for meeting the demands of the zamindars of the Hoshiarpur district where they have promised not only a reduction of land revenue but total remission in hard cases and for rewarding the people who reclaim the *chos*. We also see that they are intent on making progress in agriculture, that is, by reclaiming waste lands and lands which are destroyed by *chos* and other such calamities. I may also say, Sir, that it is not proper to hold out threats. Threats are being held out from every quarter. The peace of the country is going to be disturbed if in this Council Chamber and outside people should talk of blood and thunder. These pools of blood we have

seen many times and so far as I am concerned I am sick of them. I want orderly progress on constitutional lines and if honourable members are prepared to work according to constitutional methods recognising the rights of others, I submit this province can march on to an era of peace and progress within a very short time.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan) Urban] (Urdu): Sir, because of the fact that a time limit of 15 minutes has been fixed for speeches I do not think that I will be able to make a speech worth the name. However, I will try to make the best use of the time available and will touch upon only the more important points without trying to explain them at length.

Like the honourable members who have preceded me I must first express my thankfulness to the Honourable Member for Finance, the Secretary and his assistants for the trouble they must have taken to place before us the estimates of annual income and expenditure for the next financial year in a most intelligible form. I note some of the items in the budget presented to us with satisfaction and, therefore, if, on the one hand, we do not hesitate to criticise the budget where we find it to be defective, it is our duty to express our satisfaction at what we find to be in accordance with our wishes and welfare of the province. For example, it is satisfactory to note that a definite sum has been reserved for introducing compulsory primary education. This is certainly a move in the right direction. In this connection I cannot but say that since the introduction of Reforms the cause of education has always remained and is still in very capable hands, and that an appreciable progress has been made so far as education is concerned during the last seven years. I know what are the feelings of some of the other members on this point. In their opinion progress has not been made as much as they wanted, but let me remind them that it is difficult to accomplish what the people desire in a short space of time. Our province has made undoubtedly much more progress than the other provinces, and I am sure that this progress will continue to be made in future as well. Before indulging in this little digression I was saying, Sir, that by making a provision in the budget for the introduction of compulsory primary education, the Government has taken a very desirable step. It is all the more laudable that steps are being taken to extend secondary education and new high schools are being opened. But this side of the education requires a little more attention. I feel, that without it the money spent on the introduction of compulsory primary education will not be most usefully employed. If you do not open high schools in villages in large numbers as you intend opening primary schools, most of the boys will not be able to receive higher education in spite of their desire to do so. It is probable that under such circumstances most of the boys, after completing their primary course, will lapse into illiteracy. The result will be that a large number of people will remain illiterate. And unless all classes belonging to different castes and creeds are educated side by side with the advanced communities, the country as a whole cannot make real progress.

Besides, there is one more important point which I wish to submit for the consideration of the Government. We know that so far nothing particular has been done to educate the zamindars in the villages. And I

[K. B. Chaudhri Fazl Ali.]

say 'particular' because they deserve particular consideration not because they are zamindars but because they contribute nearly whole of the revenues of the Province. I remember that sometime back I moved a resolution in the Council requesting the Government that if the zamindars of any village were to ask for a grant to enable them to open schools in their villages they should be given such grants. But my resolution was not accepted. No one can deny that Government cannot afford to open as many schools as are required. They must be supplemented by the national schools, and it is why I request the Government to give us sufficient grants-in-aid. They are paying local rates, cesses and other taxes even on the income of an anna. It is their right to get a return for what they pay and; therefore, it is not unreasonable to hope that my request will not go unheard that particular grants should be given to them, and a large number of high schools and some colleges too will be opened in villages side by side with the opening of primary schools. It will not reflect well on the Government if the zamindars are allowed to remain as ignorant as before in this enlightened century. The progress of the whole province demands they should not be left behind. Before I pass on to another topic I may say that the rules governing the grant of grants-in-aid are not favourable in the case of schools which are not yet on their firm footing. Further the imposition of the condition that building grants will be given only after the building has been constructed or that a school will be recognised after it has got its own building, proves very harmful in the case of national schools. This ought not to be. I am here reminded of another important and allied question, and it is that of half-fee concession to the zamindars. As you are aware, Sir, the zamindar students are in enjoyment of this concession for the last many years. But because this concession is not permanent much of its value is lost. It was granted for three years in the first instance and since then the term of this concession has been extended from time to time. Last time the term of this concession was extended up to October last. May I, therefore, request the Government to take the earliest opportunity to make this concession permanent. Its temporary nature proves harmful in the case of many agriculturist students because in the absence of timely announcement for its extension, many of them are forced to give up their studies.

Then I have to say one thing more with regard to grants that are given to the local bodies for educational purposes. I understand that such grants are given in proportion to the amounts of money that these bodies are able to reserve for education from their own funds. If these bodies are able to spend more on education in a particular year, they get more grants next year, and if in any year they can afford to spend only a little amount, they get proportionately small grants next year. Under the circumstances if these bodies can employ a sufficient number of teachers one year, they are compelled to dispense with their services next year. Consequently their school can not make the required improvement or progress. I suggest that the Government should not base its grants on this principle particularly because at present the local bodies are required to make proportionate provision for other purposes as well such as roads and sanitation. They cannot, under the circumstances, reserve as much money

from their funds for education as they could do before. I know that whereas Gujrat District Board used to allot 50 per cent. and more of its income for education before, it is now able to reserve only 20 or 25 per cent. for the purpose. And if that is going to be taken as the basis of grants-in-aid I fear that many of the schools now in existence will have to be closed down. I, therefore, take this opportunity to request the Government to give sufficient and fixed grants-in-aid to the local bodies for education purposes.

Coming to the agricultural department I must acknowledge that a good deal of progress has been made and is still being made so far as this department is concerned. But I respectfully submit that there is yet much scope for further progress. So far attention has been concentrated to only one or two branches of this department and other useful branches have been left uncared for. For example, if the Government were to direct its attention to poultry farming, cocoon-breeding and towards the breeding of goats and sheep, etc., etc., much good is sure to accrue to the province. I may say that profit from such occupations will not go so much to the zamindars as to the *Chamars* and other depressed classes because the former foolishly consider it below their dignity to take up these things. I think that this proposal will also meet with the approval of the honourable members on that side of the House. Besides, demonstration farms are very badly needed as has already been pointed out. There should be one such farm in every tahsil but that should not be of the nature of the present seed farms. The latter, I think, can be done away with. You can ask the zamindars to reserve one plot in some village for growing best seeds, and I am sure that they will take up this suggestion quite willingly because they will then be able to obtain good seeds at their very door. Government will also stand to gain. Therefore, I repeat that demonstration farms should be established in large numbers even at the expense of seed farms. Then the experts, who have received education in the Lyallpur Agricultural College, should be posted to every convenient group of villages who should tour in these villages in turn and make demonstration of the various modern methods of agriculture to the villagers. They should then submit reports of improvements brought about by them.

Mr. H. F. Ashton [Secretary, Public Works Departments (I.)]: Sir, I wish to say a few words about matters which have been mentioned in the course of the discussion concerning the department which I have the honour to serve. In pressing the necessity of very great caution being exercised in considering further extensions of canal irrigation in the province an honourable member made the statement that extensions had already resulted in shortage of supplies in existing canals. In refuting that statement I should like to give a few figures. On the Lower Bari Doab Canal in 1925-26 the annual permissible area was 983,978 acres, and the actual irrigated area was 1,221,282—an excess of very nearly 3 lakhs. In 1926-27 the annual permissible area went up to 990,944 and the actual irrigated area was 1,234,928. That is, the annual permissible area went up by 7 thousand acres and the actual irrigated area by 13,700 acres. This canal is still under development. In the fully developed canals—the Lower Chenab Canal and the Lower Jhelum Canal—the figures are as follows. On the Lower Chenab Canal the annual permissible area was 1,753,916 and the actual irrigated area

[Mr. H. F. Ashton.]

in 1925-26 was 2,512,781 and in 1926-27 it was 2,562,136. On the Lower Jhelum Canal the annual permissible area was 823,149 acres and the area irrigated was 899,489 in 1925-26 and 881,081 in 1926-27. You will notice that in every case the actual irrigation has been very largely in excess of the area intended to be irrigated. In these circumstances I regret that I cannot understand how it can be said that extensions have already resulted in shortage of supplies in existing canals.

Then, Sir, one other statement was also made. That much had been heard in this House about there being sufficient and ample water in the Sutlej river for the Sutlej Valley Project canals, but that lately a special officer put on to investigate and report reported that there was not sufficient water in the rivers for these canals. As a matter of fact no officer was put on special duty to investigate and report on the supply of water for the Sutlej canals, and there has been really no such report. The original project was based on discharges at Ferozepore from 1900 to 1920. The same discharges are continued year by year, and lately the figures for the years 1921-26 have been examined. These figures fully support on the average those of the 1920 project except for a slight shortage in April and May. However, the six years in question include one very bad year and one bad year, and it may be that the inclusion of a good year—such as this one, the present one in which river supplies are good—would bring the average nearer to those in the 1920 project. Time alone will show whether the averages for the twenty years of 1900-20 are more reliable than those of the six years 1921-26. But it may be taken that there will be, and there is, ample water for the Sutlej Valley Canals, even in the months of April and May. It must be remembered that in April as soon as the crop cutting starts on the perennial canals the demand for canal water reduces rapidly; in fact at times there is no demand for water and canals have to be closed. At the same time very shortly after *Rabi* crop cutting starts the *Kharif* canals will open and the water that is not required on perennial canals will be used on the *Kharif* canals. Actually no regular shortage of water is feared.

Rai Bahadur Lala Dhanpat Rai (Punjab Industries): Sir, I congratulate the Honourable Member for Finance on the lucid exposition of the budget figures in his speech and a well balanced budget which he has presented to this House. It is a pity that in a budget of 18 crores a petty sum of 9½ lakhs has been set apart for the department of industries. With this paltry sum what can the department do except to run a hosiery factory here and there or a weaving school at Shahdara or a dyeing school and other minor institutions? These are small tinkering for the vast development of industries which this province is capable of. However, we are glad that a new departure in the right direction of real development of industries is proposed to be given a start in this province.

We see from the budget figures that a sum of 2 lakhs has been provided towards the establishment of a sugar factory in Samalka. That is no doubt a start in the right direction, but the onerous conditions that they have laid down are very exacting. However, with all that we are thankful to Government because it shows a real spirit of co-operation of Government with the people, and if we pursue this policy I hope this will be the

precursor of several similar projects in this province in which Government and people will co-operate.

Last year, Sir, I drew the attention of the Honourable Minister for Agriculture who is in charge of the co-operative portfolio to the rank communalism prevailing in the co-operative department, but it seems that no heed was given to it. At the same meeting my honourable friend Chaudhri Chhotu Ram remarked that whatever success this department had achieved it had achieved owing to the fact that such a large number of agriculturists had been employed in the department. But let us see what has been the result of that policy. I do not want to say anything myself, but I will only draw your attention to the Report on the Co-operative Societies. If you turn to pages 42-48, you will see what the state of that department is:—

“Human nature is not free from faults. Two Sub-Inspectors of the Punjab Co-operative Union and seven office-holders of societies have been sentenced to imprisonment for terms varying from 8 months to 2 years. One Secretary who had embezzled Rs. 400 was released as a first offender, having made good the defalcation. Two Sub-Inspectors are being prosecuted, with one circle secretary, one execution agent, and eight office-holders. Other cases are under inquiry by departmental officers of the police. A very grave offence occurred in a Hoshiarpur Union, where Rs. 27,000 is missing, together with the Secretary; criminal proceedings will be taken, but it appears impossible to prevent dishonesty if the local public have implicit confidence in a man whom they have known and trusted for many years.”

3 P. M.

As regards the causes of dishonesty, I will draw your attention to page 12 of this report.

There the Registrar of Co-operative Societies says—

“He will of course endeavour to persuade, but argument may fail, especially where a bank defends an incompetent employee on communal grounds. Directors are deplorably unwilling to employ non-agriculturists, though the *baniya* is the best of all bank managers. It is his ancestral profession, and it is a surprise to me that those who complained so bitterly of his domination do not rejoice at the opportunity of seeing him their servant.”

Now, Sir, this has been the result of the policy which was perhaps inaugurated by my friend Rai Sahib Chaudhri Chhotu Ram. I have also to draw attention to what the Honourable Minister thinks about these things. At page 8 of the Report he says—

“The prejudice of certain Directors against the employment of non-agriculturists as managers and accountants is unfortunate, and has doubtless been one of the chief causes of the frauds and irregularities noticed in the report.”

[R. B. Lala Dhanpat Rai.]

Will the Honourable Minister for Agriculture at least now take notice of this and see that no person is employed on ground of his belonging to a particular community? As regards Commission shops, there are some remarks at page 6 of the Report—

"The Commission shops sold nearly Rs. 27½ lakhs of produce, but grave dangers have arisen from the irregular proceedings of shop managers, and the default or insolvency of a few buying firms. Here again the need for business people to be associated with the producers is most desirable. Co-operation must bring together the producer and the trader to serve the common end."

My object in drawing the attention of this House to these things is not with a view to get some job for the non-agriculturists, that is not my aim at all, but simply to show that you should get experienced business men to fill up business posts. After gaining experience agriculturists may come in; by and by they fill up these posts.

One other subject in regards to which I want to offer some observations is the judicial administration. The expenditure on judicial administration, including the Sessions and Assistant Sessions Judges, Administrator-General's office and several other miscellaneous offices comes to about 53 lakhs of rupees, whereas the sale of judicial stamp alone brings about 73 lakhs. The income from other miscellaneous sources is about 10 lakhs, so that the Government makes a total profit of about 30 lakhs on the administration of justice. One should expect that civil justice should not be sold, but surely there is no justification for making a profit out of it. This department was not intended to be a source of revenue, so a remission of 80 lakhs should be given to the people. People who have to go to civil courts do not indulge in litigation as a matter of luxury. So far as many of the money claimants are concerned, the court is the last resort of the plaintiffs. When you take into consideration the fact that sometimes the cases are fought in three courts, you will see that the court fees alone come to about 88 per cent. and as the Honourable Finance Member remarked the incidence of court fees in this province is more than in some other provinces. I think it is time that a start should be made in the matter of reducing the rates of court fees.

Another subject, though of minor importance, is registration. Last year also I said something about this. The disparity between the expenditure and the income is great and I think the Honourable Minister for Local Self-Government should have taken some steps to reduce the registration fees. The Honourable the Finance Member has also remarked in his speech that the scale of fees is higher in this province than in other provinces. I would submit that the expenditure in this department is one lakh, whereas the income is 9 lakhs. This is not a fiscal enactment and, therefore, some step should be taken to reduce the scale of registration fees. The disparity between income and expenditure is too much, 9 to 1. It may be that there is some extra expenditure on account of the fact that sometimes tahsildars are asked to do the work of registration. Without fees still the income is too much considering the expenditure.

As regards the Council expenses, I notice that Rs. 72,000 has been provided for travelling and other allowances of members. I think the trip to Simla is useless expenditure, when we go there only for two or three days. Besides some of our friends cannot find suitable accommodation there because of the temporary nature of their stay there and are put to inconvenience. I think if the officials took the trouble of coming down to Lahore or before they go to Simla they hold a session here, I think it would serve the purpose and would effect a saving of about 25 thousand rupees.

Lastly I beg to draw your attention to the speech of the Honourable Finance Member as regards the prospects of tahsildars. He says—

“Tahsildars must be regarded as a branch of the administration, which is entrusted with very important functions and is indeed a pivotall service in our provincial administrative machinery. Moreover, the present emoluments of tahsildars compare unfavourably with those of subordinate judges, who, a few years ago, as Munsiffs had the same status and pay as tahsildars, and a revision of the scale of remuneration of the latter is in consequence put forward.”

One would naturally expect after these remarks that the status and pay of the tahsildars would be raised to those of sub-judges. But what do we see? There is only a very small increment given in their pay. It is not commensurate with the status the tahsildars enjoy and the duties they have to perform. I would submit that when there is a total remission of the provincial contribution the hard lot of these tahsildars should be taken into consideration and something should be done for them.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I will take only a few minutes as I wish these general discussion days to be fully utilised by the honourable non-official members of this Council. There were a few points raised yesterday and to-day which I feel the honourable members would like me to take up, and state how far those points were well-founded. The first point made by an honourable member of this Council was that there is a growing tendency on the part of the Government to disregard the wishes of this Council, and in fact he went so far as to say, the tendency in many cases is to thwart its wishes and if it came to know that the Council had certain wishes, to take pains to override them. It pained me when I heard that statement, because we on this side of the House occupying the front benches have been under the impression that we have almost succeeded in our ambition to carry the House with us in the administration of the province, and further that we had succeeded in following the House in many cases where but for the wishes of the House we might not have gone at all. Holding these views, the honourable member's condemnation of our tendency naturally came to me as a blow. I have more than once in this House tried to impress on the minds of my friends the desirability of not indulging in generalisations. They are a bane of all departments, of all institutions, of the public press as well as of the public platform. A slight trouble, even a very slight trouble, in consulting the official records available to every member of this Legislative Council would have convinced the honourable member that there was really no foundation whatsoever for the sweeping statement that he was pleased to make.

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

Now, without further ado I will proceed at once to take the Council through the list of the resolutions passed by this Council during the last three years. I have taken a fairly long period so that it may not be said that we have been lucky in getting hold of one year wherein the Council has passed such resolutions as the Government was able to accept. I will take the years 1927, 1926 and 1925. During these three years the Council passed eleven resolutions. Of these resolutions, Government found itself unable to accept, how many do you think? From the honourable member's speech one would have thought that Government refused to accept all or perhaps 8 or 9, while, as a matter of fact, of these 11 resolutions, it was only in two cases that Government was not in a position to accept them; and those two were the resolutions relating to the Gujranwala indemnity and the Kangra Shamlat forest proceeds of certain income, questions which were entirely of local interest relating to certain districts and not having reference to the administration of the province as a whole. Government felt that it could not possibly sacrifice the interests of the whole province for the sake of individual districts and found that the merits of the cases were such that it could not see eye to eye with this Council. There were nine other resolutions which were all apparently of general importance, of general applicability to the whole province. How did the Government deal with these resolutions? I will presently show. The first resolution passed by this Council in the beginning of 1925 was as regards land acquisition, that is, that people who were deprived of lands by Government should get lands in exchange. Government proceeded straight away to formulate general rules and circulated to all collectors giving effect to the wishes of this Council. Now when lands were acquired for the purposes of canals and other purposes Government has stuck to its bargain and given land in exchange for the lands of those whose lands were taken away by Government.

The next case is the desire on the part of this House to give guarantee for the extension of the Lahore-Multan trunk telephone line to Karachi. Government at once accepted that resolution and gave the required guarantee. The third resolution passed was that we should see that facilities are given to the members of this Council in the matter of jail visits. In 1925 Government had agreed so far as the standing committee of this Council was concerned that they would be *ex-officio* visitors of jails, though Government was not able to rule that every member of the Council should be a visitor of the jail in his district in virtue of his membership. It would be clear to the honourable members already that the alleged desire to overrule the Council at every point is a myth and the allegation must have been due to a very serious misapprehension of the activities of this Government. (A voice: Why should not every member of this Council be an *ex-officio* visitor of the jail in his district?) I have not the slightest doubt if the honourable member wishes to raise a debate on this subject, there will be opportunities for him to do so, but it would be futile on my part within the short space of fifteen minutes allowed to me to enter into a controversy on the subject. Then came the very important constitutional question, and that was that the sex disqualification should be removed in the matter of voting for Legislatures. Government gave effect to it. (A voice: Under the law you must give effect to it). Certainly not. The Council, however, proceeded to say,

not only shall the members of the fair sex be voters, they shall also be eligible to adorn the seats which some of those gentlemen were prepared to vacate. Government agreed to that as well. Next came the important question of swords. Honourable members will remember that one resolution based on the motion of the honourable member from Amritsar Sikh constituency was accepted by Government and given effect to forthwith by the Government of India. Further, when the wishes of honourable members were understood that they were not satisfied with it Government went one step further and the result was that in several districts of this province swords became entirely free. Then, Sir, we found this Council interesting itself in the matter of the Punjab prisoners who are in prisons outside the Punjab. The honourable member in charge instead of refusing entirely the wishes of the Council went more than half way to meet the wishes of the Council to institute an enquiry and see how far the wishes of the Council can be given effect to. We found this Council anxious to see that the Sikh leader, Sardar Kharak Singh, be released and we find that Sardar Kharak Singh was released. We found last time that banaspati *ghi* had agitated the minds of the members of this Council a great deal. Although several of us have never tasted that *ghi*, yet the Punjab Government sent in its recommendation to the Government of India saying that the wishes of the members of this Council should be given effect to. Is that a record of a Government which is charged by the honourable member with having developed antipathy to the wishes of the members of the Council. I claim, Sir, nothing more than fair and just appreciation of the position of the Government. I wish honourable members of this Council will realise that when members of Government try their utmost to give satisfaction, when it is their desire to carry the Council with them, when it is their earnest wish to go with the Council, as far as it is in their power to do so, nothing should be said or done to disturb that sense of confidence on the part of the Government in the Council and on the part of the Council in the Government that has subsisted for many years in the Punjab.

Now, Sir, I pass on naturally from this to the second stage, namely, harshness of administration in certain departments. Some members appeared to me to think that because in the long forgotten past of their childhood they had heard that the revenue department was harsh or that the tahsildar recovered the *manila* revenue demand sometimes by bringing strong pressure to bear on the defaulters, therefore, they were really true and further that such incidents occur in the modern Punjab.

Raizada Hans Raj : They do.

The Honourable Mian Sir Fazl-i-Husain : I see no traces of them on the honourable member.

Raizada Hans Raj : It is a pity.

The Honourable Mian Sir Fazl-i-Husain : I will be very glad to gain his confidence now as I have had in the past, and I have no doubt that will enable me to put matters right as I have succeeded in doing in the past.

Raizada Hans Raj : Thank you very much.

The Honourable Mian Sir Fazl-i-Husain : Now, Sir, I am afraid that my being in office, in this office particularly will afford me no pleasure if I were not in a position to put right these things in case they are true. But what is after all the good of an Indian being a member of the Government whether it is transferred or reserved if he is not able to have such matters, which are a disgrace to any civilised administration, put right, in case they do exist. Let me, Sir, utter a note of warning. There is an unfortunate tendency on the part of some members to lose touch with the masses. This is deplorable, and I trust this tendency will be checked forthwith. To proceed with my remarks on the revenue administration, take the matter of settlements. Some honourable members perhaps think that settlement means a great deal of hardship, trouble, undue over-assessment and so forth. Well, during the last two years, I have seen four or five cases, and in the instance of every one of these cases, I claim that the Punjab Government has borne in mind the need for affording relief to the poor zamindar taxpayer. There is the instance of Attock itself. I know the interest of the honourable member representing the Muhammadan Landholders is mainly centred in Attock tahsil. He will not claim that the Attock tahsil is the poorest tahsil of the district and I have not the slightest doubt that he will agree with me that the poorest tahsil of the Attock district has benefitted a great deal during the last settlement as compared with his own. The fact that one tahsil had to pay because of the poverty of other tahsils is no doubt a principle which he himself advocated only yesterday and on previous days.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Except Talagang and Findigheb.

The Honourable Mian Sir Fazl-i-Husain : As a second instance, I will take Sheikhpura. In that district there are tahsils which are weak and there are tahsils which are strong. It will be admitted that Shahdara is a weak tahsil. It will be admitted that Sheikhpura and Nankana Sahib are more flourishing. We find in the case of Raya and Shahdara there has actually been a reduction of demand and the zamindars concerned have appreciated it very much. It is true that it is not common, one may even go so far as to say it is uncommon, but the fact remains that Government has done it. In the case of weak tahsils in Gurjanwala district the same thing has happened. So, Sir, I claim, that the land revenue assessment policy of the Government has been in full accord with the views to which expression has been given from time to time in this Council. In these recent settlements weak tahsils, weak tracts are assessed lightly and no doubt the richer ones have to pay in part for the lenient treatment of the weak areas. Kindly note the word *in part* because they have not been made to pay to the full extent which they might have been called upon to pay. Again, Sir, I claim that not only in the matter of these settlements, but in other matters Government has stuck to its well defined and clearly set out policy of supporting backward areas. Take the water-logged parts. Can any one say that he can really suggest a measure to counteract the water-logging that has not already been adopted with that rapidity of decision, that thoroughness of grasp which are so essential to fight such an enemy as water-logging? It has been said, I understand yesterday that water-logged areas have not been treated well, that Government has not admitted legal liability, that

canal water was like a vicious dog and Government was responsible for all the biting he does. The comparison is not only odious but outrageous. I wish the honourable member will not consume the saliva of the vicious dog. Is it fair to malign these canals which have done so much to reduce poverty and enrich the province? As to water-logging Government has incurred a very great deal of expenditure indeed in the interest of water-logged areas and has incurred it with that determination and that swift decision that has enabled it in many cases to save those areas from really coming to grief. I claim, Sir, that in all the three districts, Gujranwala, Sheikhupura and Sialkot the amount of land given to peasant grantees recruited from these districts is greater in area than the land that is actually water-logged in those districts. Therefore to say that the poor, the weak and the wretched people with small holdings on whom this calamity has befallen are neglected, is, I beg to submit, really far from true. It is a statement which should not have been made by a responsible member of the House.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu): Sir, the preparation of a budget is a most uninteresting, nerve-racking and tiresome task, but the Honourable the Finance Member has performed it so skilfully that I cannot help thanking and congratulating him for this singular achievement. Another and a more important reason for my congratulating him is that it has been announced at Delhi, that the provincial contributions will be permanently remitted by the Government of India. I expected that this piece of good news would be conveyed to the Council by the Honourable the Finance Member; but it appears that he deemed it fit to suppress it. I, however, hope that in making allotments for nation building departments due regard would be paid to this remission.

In his masterly speech the Honourable Mian Sir Fazl-i-Husain while referring to the speech made by an honourable member accusing the Government of lack of sympathy for non-official resolutions was pleased to remark that out of the 11 resolutions passed by this Council during the last three years, the Government has actually accepted and given effect to as many as nine resolutions. I may add that all this is due to the strenuous efforts of Mian Sahib himself and to his solicitude for the public opinion as expressed in the Council. I sincerely congratulate him for this achievement. At the same time I hope that he would now make use of his persuasive powers to induce the Government of India to give effect to the wishes of the country expressed through its representatives in the Legislative Assembly and some of the provincial Councils urging the boycott of Simon Commission, and thus save the members of that Commission from further humiliations. With these introductory remarks I turn to the matter directly at issue.

Sir, in response to our insistent demand for the grant of Self-Government some years back we were given what has so often been called the Minto-Morley Reforms which had the effect of dividing us into two hostile camps, viz., the Hindus and the Muslims. The Montague-Chelmsford Reforms were the next instalment and they created a further division in our ranks, that of zamindars and non-zamindars. Now we have been honoured with

[Raizada Hans Raj.]

the visit of Simon Commission, who, it is stated, are out to recommend a further and a quite substantial instalment of reforms for us. Even before the grant of this third instalment we find a further division amongst us that of touchables and untouchables. We need hardly express any surprise on this. Our rulers are in the habit of doing everything according to a scientific method. Our indigenous *Hakims* would teach the science of healing disease by exposition, and the methods of treatment contained in our medical literature; but the western method of teaching the same is entirely different. They must begin with dissection of every limb of the body regardless altogether of the outward appearance or antecedents of that body. It appears that it is considered necessary by them to dissect our body politic in order to find out the disease from which that body is suffering. The process of dissection must go on unless and until that body is completely crushed and pounded into flour by the constitutional experts.

Sir, Miss Katherine Mayo in her notorious publication "Mother India" has taken us Indians to task for the existence amongst us of innumerable untouchables. She is quite right in regarding this as a slur on any civilized country. Her condemnation of us is justified. But then on whom does the responsibility for the existence of this state of affairs rest, on the Government or on the people? If the Government were genuinely anxious to remove untouchability, I sincerely believe we would be relieved of this scourge in no time. The institution of slavery so common in western countries some time back was in no sense a less disgrace for the humanity. The Governments of the countries, where this institution existed, passed very stringent laws against it, and the result was that it became a thing of the past in a very short time. If the Government of India were to act in a similar manner with reference to the institution in untouchability and were to pass a law removing all the disability at present resting on the so-called untouchables and conferring on them a status equal with the other people, will any untouchables be left in the country? The Government prohibited *Satti* by an enactment, and that baneful custom entirely disappeared in a few years time. Cannot the Government adopt the same attitude towards the question of untouchability? Let the Government pass a law, and if then there is any lack of support or sympathy on the part of patriotic Indians, there may be some ground for Miss Mayo to dam them as altogether unfit for Self-Government. The Turkish Government has, with the help of legislation removed all the social evils such as *Pardah* and polygamy in a fabulously short time; and the Government of Afghanistan is also following in its foot-steps. If we, too, enjoyed Self-Government and were in a position to have our influence felt in the Government circles, we would certainly have been able to uproot the greatest of these social evils by resorting to the same machinery. But we are absolutely helpless now. The untouchables are groping in the darkness of illiteracy. If proper arrangements are made for the spread of education amongst them, the problem of untouchability would find its own solution. What has the Government done in that direction? I would make a suggestion. Let the Government stop all further expenditure on the building of schools for Hindus and Muslims, zamindars or non-zamindars and devote all the money for the dissemination of knowledge amongst the untouchables. I cannot imagine that

there would be any patriotic Indian who would oppose the Government in its beneficial activity.

The Honourable Mian Sir Fazl-i-Husain : Sir, the untouchables will continue to exist even then.

The Honourable Mr. Manohar Lal : All Government schools are open to the untouchables.

Raizada Hans Raj : Some members have observed that the untouchables should take to sheep-breeding, beehive and poultry farms; but, Sir, have these untouchables lands to use for that purpose? So far from any land being available to them for this purpose they have not even houses which they may call their own. It is up to the Government which confers lands so lavishly on toadies and sycophants to discontinue that and in the future to grant all the lands available to the untouchables to enable them to follow the suggestion of the honourable member referred to before. Huge sums of money are spent on buying lands for hospitals and schools, why not for poor untouchables?

In passing I may refer to another matter of very considerable importance, viz., that of the rural sanitation of the province. No progress has so far been made in that direction. The dung-hills and pools of stagnant water exist as before. Malaria and other pestilence work as usual. The Government has been guilty of criminal negligence in this matter. Mr. Brayne of Gurgaon in a public speech at Lahore was pleased to observe the other day that the sanitation of the villages in his district had undergone a remarkable improvement, and had referred to the story of the resident of a village who came back after some years' absence and was in the darkness of the night unable to find his way because of the disappearance of the nasty smell of the dung-hills that in such villages usually guide the residents of the village in the night time in the absence of any public lights. I do not know what the condition of the villages in Mr. Brayne's district is. But in the villages in my part of the province, still the bad smell emitted by dung-hills continue to guide the villagers to the habitable *Abadi* in the darkness of the night. If Mr. Brayne has really been able to achieve what he claims, why could not the other district officers do the same thing, if they had a genuine desire to do it? I have a suggestion to make. Rural dispensaries have been started in some places. If the officials incharge of these dispensaries are also directed to look to the sanitation of the villages in the neighbourhood, that would certainly be a step in the right direction. This will very probably improve the sanitary condition of such villages and would provide work for these officials.

Some honourable members have made much of the few panchayats established in some villages by the Government. I think, Sir, that we would have been better off without these panchayats. Almost all the members of such panchayats are men who care only for officials' smiles and are the bond servants of the Deputy Commissioner. During the hey day of the non-co-operation movement, a net work of panchayats was started in my district. The panches were men of independent views and well-wishers of the zamindars. They were neither afraid of the Government nor of its toadies. They administered even-handed justice to all. The result was that a very large number of contested cases were easily compromised or settled through

[Raizada Hans Raj.]

their good wishes and the parties were saved from the ruinous expenses of litigation. The Government did not like this and tried to suppress these panchayats. One Roda, goldsmith of Rurka, committed a very serious cognizable offence. He voluntarily submitted himself to the jurisdiction of one of such panchayat in my presence, and it was directed that he should be punished for his offence by his face being coloured black, and he being made to ride an ass. He consented to this. The Government officials in their anxiety to suppress the panchayats got hold of this man and instigated him to bring a complaint against the *panches*. The latter were sentenced to undergo various terms of imprisonment after a very protracted trial. On appeal, however, the High Court found that the case was absolutely false and acquitted the members of the panchayat. The complainant, however, had been granted a reward of Rs. 500 by the Government, and a square of land was granted to one of his co-adjutors. The complainant thus receiving encouragement gave false information as to illicit distillation, and then in his anxiety to secure further rewards prepared a bomb with the object of implicating innocent persons. One bomb was thrown in the village, but the other burst in his house damaging his finger and ultimately resulting in his conviction with a four years' sentence. I believe that the same fate awaits all those who would support the Government for their personal end.

before concluding, I want to make few observations with regard to the police. There is no doubt that the remarks made by some of the honourable members with regard to the prevalence of corruption and other evils in the police force are quite justified. I, however, must bring to prominence the state of affairs existing in my own district where there does seem to be some improvement as the result of very vigilant attitude adopted by the higher police officers. The suspension and dismissal of a few officials and the prosecution of some has served as a strong deterrent to the others. As a result we find that generally the police officers in my district do their duty as they ought to do. They were quite polite at the time of the last *Hartal* and did not make any attempt to bring pressure to bear upon any shop-keeper. They are generally considerate, and there is much abatement in corruption. If, Sir, the other officers concerned also show the same vigilance, I have no doubt that considerable improvement can be effected. I am for higher salaries for the rank and file of the police department, because I think that the increase in their salaries is one of the ways in which corruption can be stopped.

Sardar Hira Singh [Lahore (Sikh), Rural] (Urdu) : Sir, I must at the outset of my speech, congratulate the Honourable the Finance Member on the great diligence and skill with which he has prepared the Budget. The Honourable the Revenue Member has remarked in his learned speech that almost all the resolutions passed by this Council during the last three years, have been accepted and given effect to, by the Government and he has been kind enough to include the resolution *re* "the release of Akali prisoners," also in that category.

But with due deference to the Revenue Member, I submit Sir, that the resolution *re* "the release of Akali prisoners," although passed

by the Council has not been practically accepted and given effect to, by the Government. The resolution asked for the release of all the Gurdwara prisoners convicted in the Gurdwara agitation, but the Government has only released Sardar Kharak Singh and Sardar Kartar Singh. The period of sentence of the former had nearly expired while the latter was seriously ill and therefore released on grounds of health, while others are still rotting in jails. As a natural consequence of the callousness and indifference of the Government, the Sikhs are very much disappointed and dissatisfied. When the provision of the Gurdwara Act was being complied with, the Government should have released all the Gurdwara prisoners. Even now, if the Government takes the desired step, the little dissatisfaction prevailing amongst the Sikhs would disappear.

Now the next point that I want to discuss is primary education. In my humble opinion primary education should be made compulsory in the country; for without education man is but an animal. But at the same time, it must be borne in mind that primary education to be fruitful must be given in the vernacular language—Punjabi. Nowhere in the world save in the Punjab the practice of imparting primary education in other than the vernacular language is prevalent. I hope the Government will realise the desirability of imparting primary education in the vernacular, no matter whether the script adopted is Urdu, Hindu, Gurmukhi or Sanskrit.

Last but not the least, I should like to say a few words on the conditions of the people living on the Upper Bari Doab Canal. This Canal is the oldest of the Punjab canals, and was constructed to supply work to the disbanded Sikh army. Now it ranks amongst the leading canals of the Province and the Government get lakhs of rupees out of it every year, but its administration has many defects which the Government should kindly take steps to remedy. In the first place the *wa's* of the fields are not straight. People have to travel miles to reach their destination. Secondly the system of Kala-bandi is conspicuous by its absence on this canal and the people are greatly inconvenienced by it. Thirdly *khalas* are also not straight with the result that the water does not reach the remotest corners of the field and most of the water is absorbed by the zigzag piece of land. Lastly the system of supplying water to the zamindar is very defective. The water is not supplied to the zamindars for a week at a stretch. Sometimes it is supplied for two days in a week, at others 3 days and last by 5 days in a week. The result is that some zamindars get two turns in a week, some 4 turns in a week, while others do not get a single turn in two months.

Mr. President: I think the honourable member has sufficiently discussed his point. He may now discuss his next point.

Sardar Hira Singh: Again the time is counted according to the sundial, a method as old as the Aryan's time. Since it is not possible to count the time correctly by means of a sundial, quarrels arise among the zamindars, which lead to criminal suits. I would therefore request the Government to supply water to the zamindars for a week at a stretch and secondly time of supplying water should be counted according to the fixed standard of time, namely hours and minutes, etc.

I also understand, Sir, that the Government propose to take away the water from the inhabitants of Rakh Bhotoga and supply it to other zamindars

[Sardar Hira Singh.]

In this connection I beg to submit Sir, that the inhabitants of the Rakhs have very small holdings. They can scarcely eke out a precarious living. If the supply of water is stopped, how would they make both ends meet? Again these zamindars use the water very economically. It is therefore, not just to stop their supply for the sake of big zamindars who use the water so lavishly. Next if their supply of water is discontinued milk in Lahore would become very dear.

Mr. President: May I ask the honourable member to confine his discussion to the general principles of the budget and not enter into details.

Sardar Hira Singh: The reason for the scarcity of milk is that the greater portion of the milk is supplied by the zamindars of this Rakh, and naturally if water supply is discontinued they would not grow enough to feed the cows and buffalos.

Lala Gopal Das Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural]: Sir, I have gone through the budget figures so ably presented by the Honourable the Finance Member. I shall confine my remarks only to a few departments in which I feel more interested.

The first thing that arrests attention is the construction of new roads and a very heavy expenditure thereon. The expenditure on Original Works—Communications in 1921, when the Reformed Government commenced was Rs. 13,59,000, and now in the present budget it has gone up to Rs. 40,46,000. That is a rise of 300 per cent. Similarly, Sir, for the same period the maintenance charges have risen from 81½ lakhs to 45½ lakhs. That means a rise of 50 per cent. This huge expenditure on roads alone amounting to about a crore of rupees or 9 per cent. of the total receipts is much too heavy, keeping in view the various developments that are yet to come into force in connection with education, sanitation and medical relief, agriculture and industries. Sir, I believe that arterial roads are not only of commercial importance, but they are of military importance as well. Then again road expenditure is an expenditure not of a temporary but of permanent utility, and this expenditure should be treated as capital expenditure and should be met by extraordinary receipts and not from the revenue. I am glad to find that for the last few years a portion of this expenditure has been met from the extraordinary receipts as well. I understand that in the present Budget out of Rs. 40,45,700 only Rs. 4,25,000 is to be met from the extraordinary receipts. In my humble opinion, Sir, the expenditure on the construction of new roads, which are for the benefit of not only the present generation but will also benefit the succeeding generations, should be treated as Capital Expenditure and should not be met from the ordinary revenue. It would thus release a good substantial sum from the revenue expenditure which can be spent on beneficent departments. While speaking in this connection I would suggest, Sir, that a separate loan should be raised to meet the construction charges of the new roads. The interest charges can be met from the motor taxation, the fees on motor vehicles plying on hire and road tolls. I find from this Budget that motor taxation is to bring Rs. 96,700 and fees on motor vehicles plying on hire 1 lakh and road tolls Rs. 1,28,000

making a total of Rs. 3,24,700, or say roughly Rs. 3,25,000. But Sir, I believe another 2 lakhs is collected on account of motor taxation which is received in the form of non-judicial stamps. I would in this connection request the Government to kindly devise some means to keep this income on motor taxation separate.—This total income from the motor taxation, fees on motor cars plying on hire and road tolls which is Rs. 5,25,000 per annum, on which I believe Government can easily raise a loan of a crore of rupees. Such a procedure will not only give relief to the revenue but will also expedite the road construction programme. The money thus released can be well spent towards the development of industries in the Province. At present we have only 14 industrial schools in the province, that is to say every second district in the province is without an industrial school. The only other institutions in the industrial education in the province are the Mayo School of Arts, Lahore, the Railway Technical School, Lahore, the Dyeing School at Shahdara, the Central Weaving Institute, Amritsar, the Hosiery Factory, Ludhiana and the Zenana Industrial School, Lahore. That is all, Sir, that we have about the industrial education in the province, and I am afraid we should not be very proud of this achievement. An addition of a sugar factory at Ambala next year will not add much to our glory. The total amount to be spent on industrial education this year is Rs. 7,40,700 out of the total revenues of Rs. 11,22,00,000, that is, something like .66 per cent. The expenditure on roads is 9 per cent. and expenditure on industrial education .7 per cent approximately. Does it not make a fine comparison?

Sir, I would invite the attention of the House to another very important matter. I find that the receipts from oil-fields and mines, oil-fields in particular, this year, are Rs. 1,09,000, while in 1923-24 they were Rs. 1,49,998. How is it, Sir, that there is a fall under this head? We know that a very big combine, a petroleum combine is working our Attock oil-fields, and it is also understood that the controlling company has the monopoly all over India in such oils. Their monopoly profits are supposed to be very huge and I cannot understand how the State is getting only a lakh out of them as royalty. Sir, mineral oil is one of the natural assets of this province. It is like water power, land and forests, out of which every tax-payer is entitled to a share.

4 P.M.

In the Irrigation Department the state recovers a good profit on agriculture in the shape of water rates and the forests also come to the relief of the ordinary tax-payer. Even the poor cultivators of ordinary agricultural land have to pay as much as half the net assets, whereas the exploiters of our mines unfortunately are being let off. They pay only a lakh of rupees towards the State as royalty. I would recommend that the Government in future should so draft the mining leases that they should see that they get a proportionate share in the profits of the oil miners and also put it in the lease that the miners are to sell their products at a certain maximum rate so that the public may not be the victims of the monopolist prices, as the case is at present. With these few remarks, Sir, I resume my seat.

Mr. Din Muhammad [East and West Central Towns (Muhammadian) Urban]: Sir, I cannot but appreciate the diligence and patience with which

[Mr. Din Muhammad.]

the figures of the present budget have been collected and arranged. It is not an easy task to so collect these figures as to ensure the smooth running of the administration. But the budget is not merely a matter of figures. Behind the budget lies clear indication as to how we are going to administer things next year. Judging by the results that the last expenditure has achieved or the present budget which has been designed on the same lines would achieve I would make bold to say that the budget as a whole is quite unsatisfactory. It is really a very bold assertion to make, but honourable members will see that the reason why it is so, is obvious. Neither the executive nor the public nor rather the representatives of the public unfortunately are discharging their respective duties in the same satisfactory manner as is necessary. I need not remind both the executive and the public as to how both sides of the House have come into existence. The reason why we are here and the reason why the honourable members of Government are there are fully set forth in detail in the Montford Report, that most valuable document that brought us all into existence and enabled us to occupy this House. Honourable members may know that our alien administrators considered it necessary even as far back as 1860 that it was absolutely necessary for the peaceful administration of the country that the Indian view should be placed before them. This is what Sir Bartle Frere said in 1860 :—

“The addition of the Indian element has, I think, become necessary owing to our diminished opportunities of learning through indirect channels what the Indians think of our measures, and how the Indian community will be affected by them It is a great evil of the present system that Government can rarely learn how its measures will be received or how they are likely to affect even its European subjects, till criticism takes the form of settled and often bitter opposition.”

Appreciating the difficulties of administration in this way Mr. Montagu and Lord Chelmsford drafted this report and gave us additional responsibilities remarking—

“We are agreed that our first object must be to invest the Indian element with responsibility. They must have real work to do ; and they must have real people to call them to account for their doing of it.”

Various speakers have put forward before the House various suggestions that they considered necessary.

Mr. President : Order, order. I may inform the honourable member who was not present this morning, that the time limit for speeches is fifteen minutes and that he has already spoken for six.

Mr. Din Muhammad : I am going to discuss the budget only as a whole. I am not offering criticisms on details. Now, we have to see whether the budget provisions are satisfactory and if not what methods can be employed to make them satisfactory. I was submitting before the honourable members of this House that every time the complaint of the non-official members is that the suggestions that they make and the resolutions that they pass are not received with the same sympathetic attitude that they deserve. I do not blame the executive alone. I blame the non-official section of the House

also. We are here to place well-informed opinion before the executive. We are not here to make haphazard proposals, to make preposterous suggestions, to give unsound advice. Behind us non-officials there must be a non-official secretariat to put us in possession of all the information that can be brought before the executive and it is then only that we can insist that our advice must be followed. In doing so, we will only be discharging the duties imposed upon us by this valuable document which as I have already told the House brought us into existence. Sir, the merits or demerits of the budget are to be judged by the results it achieves. In spite of the gratitude that I have expressed already to the Finance department, for the juxta position of these figures I would submit that unfortunately the results that ought to be achieved are not being achieved. Take for instance the education department. It cannot be denied even by the worst detractors of the Honourable the Education Minister that he is the right man in the right place. However dissatisfied my community may be with his policy, however disappointed I may be in him, whatever definite charges of favouritism or nepotism may be levelled against him, the fact remains that the Government could not have found a better man for the education portfolio than the present Minister. Yet what do we find? We find that he too is running in the old ruts created long before he came into office. If he would please refer to the remarks of our present Governor which he made on the occasion of the prize distribution at the Government College, Lahore, he would see what he said, "It is up to us to reorganise our system of Education." "The whole of our future," he remarked "depends on our now getting our procedure and policy right. It is one great need to-day." An eminent educationist came from abroad and what did he remark? (A voice: Who is that educationist)? Dr. Cousins Prish. He said that there was no system of education and in fact no education in the present day method of educating the people. These are his exact words:—

"The purpose of education is not to create a mob of mutually antagonistic individuals but a nation of co-operating individuals who realise the essential unity of human life and realise also that its purpose and the purpose of true education, is not merely equipment for a type of life a little higher than animals but for a type of life that has got to be raised; and education can do this."

I can therefore rightly question the Honourable Minister whether he is properly discharging his functions by discarding such eminent opinions and moving in the old grooves. It is no doubt true that 14½ lakhs have been allotted to us, more than what was allowed to us last year. But if the system is bad, whatever amount we may spend, it is sure to be wasted.

Similarly take the department of agriculture. With all the agricultural colleges that are being opened, with all the demonstration farms that are being experimented upon, with all the demonstration trains that are being run, what relief has the agricultural department given to the man at the plough? You go to his village and you will find that he has not imbibed the principles of any of the new contrivances that you are going to provide him with. Similarly in the department of public health whatever you do must be judged by the results that are being achieved, as is done in other

[Mr. Din Muhammad.]

civilized countries. You have to see whether you have actually eradicated the epidemics, whether you have made the villages more sanitary and so on. If you have not done that you have failed in your duty and your budget is unsatisfactory. It is therefore most necessary both in the interests of the executive and the public that we must look to the results that are being achieved by the lavish expenditure incurred and if the results are not satisfactory, the budget provisions cannot be called satisfactory. With these few remarks I resume my seat.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban]: Sir, I congratulate the Honourable Finance Member on the province having secured a sound financial position after having seen varying fortunes and vicissitudes during the last seven years. I also owe a duty to the Finance Secretary and his subordinates for the lucidity of manner in which they have compiled the figures of the budget, although to us situated as we are under the present constitution the whole budget appears to be nothing more than a financial jugglery. The budget was presented to us on the 25th February and we shall have finished with it in a few days time. Besides the statutory limitations that have been placed on our powers the Government members have passed orders and issued instructions to their employees not to see any of the honourable members of the Council and the honourable members cannot have access to any Government paper or record nor do they possess any materials or information so that they may be in a position to discuss the budget from all points of view and in full detail. The expenditure has gone from 5 or 6 crores to 11 or 12 crores of rupees.

With all that increase in expenditure no material contribution has been made to the general progress of the people. Education and sanitation are the needs of the day. We want more recreation grounds. We want preventive medicines, we do not want more highly paid officers. Every year much of the public revenue is being spent on highly paid officers and on palatial buildings that are constructed for the members of the Government and for the members of the staff. We see so many people in the country who want bread. They cannot earn their living with which to maintain themselves and their children. When the general masses of the people are in such a deplorable condition, we cannot afford to have high salaried officers, nor palatial buildings. These poor people are living in slums, and in thatched huts. Nothing has been done so far to meet the hard lot of these poor people. With an average income of Rs. 36 per year, we are required to contribute about Rs. 6 towards the revenues of this province, about the same amount towards the revenues of the central Government, besides local rates and taxes that we are required to pay towards the funds of municipal bodies and district boards.

We have seen budgets of prosperity as well as deficit budgets. In the years when the deficit budgets were presented to us, they were presented to us with a gloomy aspect. If we just have a look at the actual figures of the accounts for the years 1923-24, 1924-25, 1925-26, we find a different aspect. The Accountant-General and the members of the Public Accounts Committee had felt the necessity of drawing the attention of heads of departments to the growing tendency on their part of over-budgeting the

expenditure and to rush on the expenditure towards the close of the year. Although steps have been taken to remedy the latter evil, the first evil remains there all the same. I will just draw attention of the members of the House through you, Sir, to paragraph 18 of the report of the Committee on Public Accounts for the year 1924-25, wherein it is stated :—

“In considering the numerous cases given in paragraphs 73 and 74 of the Appropriation Report and mentioned in paragraph 7 of the Auditor-General's letter in which the estimates were in excess of expenditure, the Committee observed that over-budgetting during the year under review was almost general. The Committee hoped that the principles recommended by them in their report for 1923-24 and accepted by Government would do much to prevent such excessive estimates in future. They desired again to emphasise the great importance of accurate estimates and they recommended that the attention of all Heads of Departments should be invited to the instructions that were issued in this connection on the last report of the Committee. In particular, they desired that, so far as this was possible all departments should be constrained to give effect to the principle of providing in the estimates only for such expenditure in regard to which there was reasonable certainty that it would be incurred within the year. In the course of their examination of particular grants the committee observed several cases in which the observance of this principle would have obviated the necessity of lapses amounting to many lakhs. In several instances large provision had been made for schemes that were afterwards either abandoned or postponed.”

Those very remarks were endorsed and accepted by the Government and by the members of the Public Accounts Committee in the subsequent year. In spite of these instructions and warnings the heads of departments have still the same tendency to over-budget expenditure. As I stated in the very beginning of my speech, it is very difficult for us to discuss these figures in their full detail within a very short period of 10 or 12 days. Besides assurance has been given by the Finance Department as well as by members of the Public Accounts Committee to the heads of departments that they should budget only for as much expenditure as they would reasonably spend in the year, and if under any particular head the provision falls short of the funds required, they shall have no difficulty to come forward and have supplementary demands granted. I need not discuss the various limitations and restrictions under which we are working. The only power that has been given to us is that we can either reduce or omit grants that are placed before us for discussion. That, in my opinion, is no real power worth the name. From my experience of the working of this Council for the last four years, I can very well describe this as no power. In fact no real power is vested in this Council and the executive does not feel the same responsibility to the legislature as they ought to feel. As has already been expressed by several honourable members who have preceded me, judging from the results of the working of the administration we cannot congratulate either the Honourable the Finance Member or the other members of the Government

[Lala Bodh Raj.]

on the budget that has been presented, although attempts have been made by the Honourable the Revenue Member to state that they have taken every precaution to accept the wishes of the House. Several instances have been quoted, in which it has been clearly stated that the members of the Government have completely ignored the wishes of the House. I will just state one or two instances, where the Government have not acted in conformity with the wishes of the Council. What has been the policy of the Government towards the excise reform, towards the attainment of the goal of total prohibition? What has been the policy of the Government towards the industrial development of this province? Only a few lakhs of rupees would not save us, would not satisfy the growing demands of the people. As you are well aware, Sir, the problem of unemployment is a serious one and staring the young men of this province in their faces. It has been left by the Central Government to the provincial governments to be solved. No doubt a committee was formed to solve this problem, but so far as we are aware no steps have been taken in the direction of solving the problem. This problem is getting keener and keener every day. Judging from the results, we cannot give any credit to the Government and what we can say is that the administration of this Government has not proved a success, on the other hand it is a failure.

Another subject to which I want to divert is the appointment of the Royal Commission. The appointment of the Simon Commission in complete disregard of the almost unanimous protest of the people is another indication of the fact that the British Government want to keep the Indians under subjection, or to prolong their lease of life in India so long as it is possible for them to do, and on the point of the bayonet.....

Mr. Din Muhammad : What principle of the budget is the honourable member discussing at present?

Shaikh Muhammad Sadiq : Why is my honourable friend so touchy.

Lala Bodh Raj : My honourable friend has questioned as to what principle of the budget is being discussed when I have referred to the appointment of the Simon Commission. As non-official members of this House, as representatives of the people, as the representatives of the tax-payer, it is our duty to see whether we have got any control over the purse or not, whether the revenues of the country are spent according to our wishes or not, whether we have got any power in the administration of the country or not. As honourable members are doubtless aware, we are here simply as an advisory body. We are simply to offer advice on matters placed before us. It is left to the sweet will of the Government either to accept our advice or to reject it. The appointment of the Royal Commission is an illustration of the fact that the British Government does not feel any responsibility towards the people of this country. With these words, I would bring my remarks on the budget to a close.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, time is very short and I know that there are several other honourable members who wish to speak. Therefore I will not deal in platitudes. I only want to give just a few facts and figures to the Council, as to what has been done in the past and as to what is likely to be done

in future. The keen interest that the honourable members have evinced in matters of public health and rural sanitation have been a source of great encouragement and support to me and if they continue to evince the same interest in the same spirit in future, we shall be able to tackle this very difficult problem quite successfully. I will just place before the Council details as to what has been done so far, at least during the last few years, towards the uplift of the rural and other population of this province. In the year 1919, the total amount which was given away by Government by way of grants to the Urban Sanitary Board was something like Rs. 4,80,000. This year you are giving away a sum no less than Rs. 11,70,000. So within the past seven years, you notice that the expenditure has increased from, four lakhs, thirty thousand to eleven lakhs, seventy thousand which is a satisfactory advance. In the year 1919, in this province, you had a staff of one Sanitary Commissioner, two Deputy Sanitary Commissioners; to-day you have one Director, four Assistant Directors, 84 District Medical Officers of Health, and eight municipal medical officers of Health with a large number of Sanitary Inspectors, and so on. In this year's budget, you are providing for the salaries of the staff and so on, a sum no less than Rs. 18,00,000. Therefore the total amount that you are giving away for Public Health is Rs. 24,70,000. That sum includes a sum no less than Rs. 7,00,000 which is an increase on the last year's budget, which is an increase of nearly 80 per cent. Therefore if we go on advancing at the rate of 30 per cent. per annum, I think we have every reason to be satisfied with the progress that has been made in matters of Public Health.

Lala Bodh Raj : Is it for the establishment?

The Honourable Malik Firoz Khan, Noon : Evidently the honourable member seems to have been sleeping when I was saying that the money given away by way of grants in 1919 was Rs. 4,80,000 and that it did not include establishment. This year, the grant under this head is Rs. 11,70,000 and does not include establishment. You will notice, Sir, that members have paid a great deal of attention to the child welfare work in the rural areas.

Honourable members will be pleased to notice that in the year 1922 Government decided to give a grant of Rs. 9,000 to the Public Health School here. That was the year in which the Public Health Department was reorganised and called by that name, that is in Sir Fazl-i-Husain's time. From this year that Public Health School is going to be provincialised; that is that the Government are going to bear the whole expenditure and that school is going to be used for the training of lady health visitors who will go and work in urban and rural areas. As far as the maternity and child welfare work is concerned, all that is possible is being done and to-day we have 24 health visitors working in the province. Besides that, Government had accepted the scheme for a Medical School for women in Lahore. The site had been purchased and this year the House will be giving Rs. 50,000 for levelling up the ground and so on. We are getting the scheme prepared which is going to cost 80 lakhs and when that school gets going, as far as the medical relief to the female population is concerned, we shall be doing all that is desirable. Then you have the Rural Sanitary Board working for the rural sanitation of this province. Only recently we have transferred

[Hon. Malik Firoz Khan, Noon.]

to the Board the sanitation and water supply of villages and with the increasing number of panchayats that are coming into existence we hope we shall be able to do real work through the Board. I may inform the House that last year 66 new panchayats were brought into existence and in addition about 28 preliminary notices were issued. In November last we appointed 5 panchayat officers, in Gujrat, Multan, Rohtak, Gurdaspur and Hoshiarpur. These officers have done very useful work within the last few months. I held a meeting of these panchayat officers in Lahore a week ago and discussed important matters with them. The work they have been doing is very good and in Gujrat alone the total number of cases decided by the panchayats, during the last three years was about 400 and after this officer had been appointed 240 cases had been decided within 2½ months. These panchayat officers were experimental and if the experiment succeeds the panchayat officers will be given to other districts also. There is a complaint from the honourable member from Rohtak that panchayats were not being brought into existence rapidly enough. It was brought to my notice that in a district the panchayat officer sent up a proposal to create 11 panchayats but the proposals were not sent up by the Deputy Commissioner who was on the cautious side. Since then we have issued instructions to all the districts where there are panchayat officers, to send up all proposals submitted to them to the Ministry for its decision so that it will be for the Ministry to accept or reject the proposals. I hope this will satisfy the honourable member. At present the total number of panchayats in the province is 968; but if these panchayat officers continue working, I have no doubt that things will improve quickly. So far only civil powers have been given to most of the panchayats and there are not many panchayats enjoying criminal powers also. In course of time they will also be vested with criminal powers except in certain cases where it may not be possible to do so.

Some remarks have been made with regard to the prevention of epidemics in this province. With regard to this I may say that this year we have completed our scheme of having one medical officer in each district which was not the case in the past. In future we shall be able, therefore, to attack these epidemics more efficaciously than in the past. Honourable members will remember that this year there was a *Kumb* fair in Hardwar which takes place once in twelve years. On the previous occasion when it was held, there were 36,000 deaths from cholera and this year on account of the preventive measures the Public Health Department took, the deaths were only 8,000. (Hear, hear). Even those 8,000 deaths would not have taken place had it not been for the fact that the Kasur municipality had failed in their duty in not stopping the distribution of infected ice which had spread the disease. But we do hope that as our staff becomes expert, these epidemics will not be so frequent in future. With regard to malaria, also, every effort is being made to drain the places where the mosquitoes breed and I may bring to the notice of the House the special case of the Karnal District where there have been very serious epidemics in the past; but last year, I am glad to say that partly at least owing to the Sarasti drain that had been constructed, the disease was very mild. As far as plague is concerned we have provided Rs. 50,000 in the budget this year and we hope to be able

to spend it by way of grants to those districts which most need it and where there is the fear of plague occurring. Recently there was a danger of plague breaking in Multan and the Finance Department agreed to give Rs. 3,000 by way of grant-in-aid and I am glad to say although the plague broke out in the Cantonment area it has not been allowed to spread into the city and I hope that this satisfactory condition will continue.

As far as rural sanitation is concerned, at present I can only say that I hope to be able to work out a scheme in a form in which we will be able to give satisfactory help to the rural areas in order to put themselves right in this respect.

With regard to medical relief I only wish to point out that in the year 1919 there were Government and aided dispensaries in this province to the number of 494 and in the year 1928, that is to-day, you have dispensaries and hospitals no less than 891. That is a very remarkable progress during the last 7 years. (*Hear, hear*). In the year 1919 Government gave a sum of Rs. 2,26,000 by way of grant to local bodies for medical relief. In the year 1926 we had increased it to Rs. 18,23,000, that is, a rise of 900 per cent. and that is a fact for which the Council has every reason to be proud. This year we are going to have no less than Rs. 54,00,000 for the Medical department which includes an increase of 9 lakhs over the last year's budget. In the year 1927 we have provincialised 5 district hospitals and in the course of the year 1928-29 we hope to be able to provincialise 12 district headquarter hospitals and 12 tahsil headquarter hospitals. We have up-to-date constructed 179 rural dispensaries and 31 more are under construction, while last year we completed 28. Therefore as far as the expansion of medical relief is concerned—I will not take the Council to any more figures—the Council and the province has every reason to be satisfied with the advance so far made.

In regard to the administration of local self-government, several honourable members have recently pressed on me the necessity of extending the franchise in the district boards and I am glad to inform them that Government have decided to accept that principle. (*Hear, hear*). In pursuance of that decision we hope to be able to lower the franchise very considerably and I hope it will be nothing short of coming down from payers of local rate on Rs. 15 to Rs. 5 land revenue. It may take a little time because we have to issue notices and invite objections. When this proposal is actually put into force I hope that it will meet with the wishes of the House and the public.

We have recently issued a press *communiqué* which all honourable members must have read, that we have decided that all small town committees will have non-official presidents and as far as the notified area committees are concerned, excepting the special ones where Government are giving special grants-in-aid or where there are large areas of Government land in possession of the notified area committee those committees that wish to have non-official presidents may have them.

Honourable members have drawn attention to the *hasiat* tax. They are aware that the Government of India have recently agreed to the District Boards Tax Validating Bill with the result that the income derived from the district boards from this source in the past will not be refunded. As far

[Hon. Malik Firoz Khan, Noon.]

as future is concerned we are unable to do anything in the matter without the previous sanction of the Government of India because that is a question concerning taxation. But I can assure the House that I am doing all that can be done in this matter and I need not disclose here the steps that are being taken.

With regard to surcharge on income-tax, it is a thing that I certainly welcome, because the income of the district boards has come to a stand still. Every district board is levying the maximum rate of 2 annas in the rupee on land revenue and they cannot expand their income any more and they have to tap other sources of income and there cannot be any better way of adding to their income than by levying a surcharge on income-tax. But it is not a matter which is in our power; it rests entirely with the Government of India and they are very touchy about our touching their sources of income. But whatever can be done to improve the finances of the district boards and whatever lies in our power to do, we will do and try to carry out the wishes of the Council.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural]: Sir, I congratulate the Honourable Finance Member and the Finance Secretary on the very able way in which they have presented the budget to the Council. I take a special pride in congratulating them as they belong to Lyallpur which is my district. I also feel highly proud of the fact that the Honourable Finance Member has called us partners in the Government. As partners of Government we are also partners in the responsibilities of its finances. This is the first time when we have been honoured with such remarks, that we are considered as partners in the government, although we may be sleeping partners. As an illustration of this we can say we have standing committees and most of these standing committees are never called together for consultation with regard to the departments to which they relate. (*He-r, h-ar*). I am a member of one of such committees, i.e., Standing Committee on Canals, and I suppose only one meeting was called during this year, though I have heard nothing about it. My honourable friends now tell me that no meeting was called in the whole of the year. It was the practice before that the budget of each department went through the Standing Committee. I remember once or twice it passed through the Canal Standing Committee but that practice had now been given-up. I think this practice should again be revived so that all Standing Committees should be given an insight into the budgets of the different departments and when those members come here they can speak with some knowledge and information.

I now come to the question of taxation. Year after year taxation was increased in this Council for many years. The previous Finance Member, the Honourable Sir John Maynard, kept on telling us that the increase was only to make up the deficit and when we got prosperity and the contributions remitted by the Government of India, that taxation would be reduced. But except a very few lakhs of rupees, in the form of remission of *abiana*, not the slightest reduction has been made in any other taxation. High Stamps' duty particularly give a lot of trouble to the people. One feels that he has to spend a lot of money to get justice done. Court fees have

been reduced up to the amount of Rs. 500 only and that is not a great reduction. They should be brought down to the old level. The rate for sales and other conveyances in municipal towns and cantonments still continues to be 3 per cent. This is very high. Formerly the rate used to be 1 per cent. and I shall be very glad if it is now brought down to at least $1\frac{1}{2}$ per cent. It should be brought to the same old level—in municipal towns and cantonments it still continues to be 3 per cent. which is enormous. Simply because the stamp duty is so high people are not very keen either to do any buying or selling, and the fact is that they want to get out of it by some other means. One takes the house from another and only a receipt is registered and no sale deed is registered at all. So Government by raising the stamp duty in fact will lose in the end, and the people to escape this duty by not getting the deeds properly registered will not be able to get a good title. I submit that this duty may be brought down.

If there is a department which ought to be making money, it is the Forest Department. But year after year in the budgets we see that the Forest Department seldom shows any increase in income. Even in the present budget there is a deficit of 2 lakhs. If this department cannot pay, then there must be some reduction made either in the staff or some other means be devised by which the income in the Forest Department may be increased. I may submit one thing that if the Forest Department and the Railway combine, a good deal of money could be made by one department through another, instead of middlemen making millions for instance, the sale of sleepers should be done by the Forest Department to the Railway Department. By that means I am sure a good deal of money will come to the Forest Department, the money that goes now to the middlemen who are contractors.

Then under Irrigation I find that there is also some loss as mentioned on page 7 of the memorandum. I can realise the loss as regards the irrigation in the Sutlej Valley being delayed but I do not know why there should be more money spent in working this department. I can only submit that if some saving is made in maintenance and repairs, which amount to nearly 60 lakhs a year, some saving can be shown, because after all I do not think that maintenance and repair year after year should require so much money as 60 lakhs. Then another means by which the Irrigation Department can bring money is timber and plantations along the banks of canals. I do not see in the budget any income derived from this head. If the plantation on the banks of canals is handed over to the Forest Department instead of being kept in the charge of the Irrigation Department, I am sure the Forest Department will be able to make some money out of this as well.

One point that has already been touched by my zamindar friends is the question of abiana. While on the one hand abiana has been increased, water is being decreased everywhere, especially in the most prosperous colony of Lyallpur. I find that the value of land in Lyallpur has considerably gone down because outlets are being decreased everywhere. If Government have taken it in their head to reduce the outlets, then they should reduce the abiana as well. Now that the old system of kharaba, which is a pernicious system, is removed, water supply should not be decreased. People now do not get even half the amount of water. They have to pay

[Rai Bahadur Lala Sewak Ram.]

much more *abiana* and since the last settlement of the Lyallpur district under Mr. Penny the land revenue has been raised to Rs. 6 which is the highest land revenue. They cannot pay that and get only half the supply of water.

Then, Sir, the head General Administration has gone up from 105 to 112 lakhs. I find that expenditure under General Administration is increasing every year. We have been requesting Government in this Council that an experiment should be made in one or two places whether we could do without Commissioners. I hear that in the Madras Presidency there is no such officer as Commissioner. I do not want that this experiment should be tried wholesale in all the five divisions and all the five Commissioners be removed, but I heard rumours that Government intended to try the experiment. I may point out that on many an occasion has it been requested that this experiment may be tried.

It has been said by my friend from Sialkot (Muslim) that sufficient relief has not been given to the tahsildars. I fully agree with him, I once wanted to move a resolution to the effect that the pay of the tahsildars should be raised. Whatever increment has now been given to them is not sufficient, because their pay goes only up to the maximum of Rs. 375 with an annual increment of Rs. 7-8-0. I would like to see their salary raised to Rs. 400 with an annual increment of Rs. 10. If this is done I think they will be fairly satisfied for the present.

Then, Sir, I hear that this year some eight direct appointments of tahsildars have been made, and that not a single appointment has gone to my community. I do not wish to say to which community they have gone, but my information goes that not a single appointment has gone to my community. I would not have referred to this matter at all, but a certain member has complained against the Education Department and another member against the Agricultural Department, and I do not see any reason why I should not mention this point.

It is also mentioned in the speech of the Honourable the Finance Member that more money is required for criminal tribes. I am very glad that this is going to be done, because a much good has been done by Government to society by its taking up the cause of criminal tribes, and the more the money spent on this department the better it is.

Mr. President : The honourable member's time is over.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadan), Rural] : Sir, I envy the honourable members who have preceded me and congratulated the Government and the Honourable the Finance Member. I envy them for their proficiency in the art of blowing hot and cold in the same breath. The honourable members who began by congratulating the Finance Member ended by saying things which can by no means be considered complimentary to Government. Sir, I lack in that art and therefore will be excused if I do not begin by congratulating the Finance Member for the simple reason that in the course of my remarks I may have to say things which may not be very complimentary, though I will take good care that I do not do that either.

Sir, so far as the budget allotments are concerned, most of the things which I wanted to say and suggestions which I wanted to make have already been made by those who have preceded me, and I will not waste the time of the House by repeating what has already been said. Suffice to say that I whole-heartedly endorse what has been said by members on this side of the House in connection with the reduction of taxes and the extension of beneficent activities. Sir, with the remission from the Government of India I think both these things are possible and I am sure that Government will do both. There are, however, one or two things which have not been touched upon by my friends or at any rate which have not been sufficiently emphasised by my friends so far as the budget allotments are concerned. First of these is the policy of profiteering pursued by Government. My honourable friend Khan Bahadur Captain Sikandar Hayat Khan gave one instance of it and I will give another. Sir, last year during the budget discussion I had taken the opportunity of bringing to the notice of Government some of the more prominent needs of my district in the hope that the Government would be pleased to do something for that unfortunate district. My appeal has on the whole proved to be a cry in the wilderness. At the present moment, however, I wish to point out a particular item. I pointed out last year that the system of irrigation which is the sole source of prosperity to zamindars is very defective in Dera Ghazi Khan. I also pointed out that for some time past various schemes have been before Government for improving the system of irrigation in that district. Sir, it pains me to say that on the 25th of February when the three bulky volumes were placed before us I strained my eyes to see if anything had been provided for that purpose. I am sorry to say that nothing has been provided for converting the Manka canal into a perennial canal by hydro-electric pumping, nor has anything been provided for controlling the Sangarh torrent and other torrents which are causing a considerable damage to the landed property in that district. This is exactly what a very high official told me would be the case. He told me that as a matter of policy Government invests money in irrigation in only those districts which have vast areas of Government waste lands, so that Government can raise very high profits. This policy of profiteering is very bad, because it throws to the background the laudable object of affording relief to the poorer and backward districts. I strongly urge that this policy of profiteering should be abandoned in so far as the Dera Ghazi Khan and Muzaffargarh districts are concerned.

Another thing on which I wish to offer a few remarks is the policy of Government to allow higher sums of money for the districts which are all ready rich and altogether to ignore the districts which are poorer or at any rate to provide nominal sums for them. This is clearly indicated by the provisions which have been made for the Dera Ghazi Khan and Muzaffargarh districts.

5 P.M.

My submission in this connection is that allotment should be made according to the needs of the districts and unless this is done there is very little hope for us.

While talking on this subject I think it will not be out of place if I mention two other very serious grievances which my constituents have against the Government. These are the continuance of the *batai* system and the application of the Frontier Crimes Regulations. So far as the *batai* system is

[Shaikh Faiz Muhammad.]

concerned I wish to warn the Government that unless the system is immediately abolished the zamindars will resort to passive resistance. They are actually preparing for it and the results of the passive resistance will be very very serious in the Dera Ghazi Khan district. The zamindars have begun to defy the tumandars and large number of cases between the zamindars and tumandars are now pending in courts. As regards the Frontier Crimes Regulations, the grievance of the people of Dera Ghazi Khan is that the Government has not kept its faith with them. I will not go into the details of the regulation, but for the information of the House I may say that it is an extremely drastic enactment. The honourable non-official members of this House may be familiar with the Rowlatt Act and the Martial Law Regulations. I assure them that this regulation is worse than either of those two enactments. It was enacted at a time when the district was first annexed to the British territory. It is possible that at that time there might have been some very good reasons for enacting it. But, now there is absolutely no justification for continuing the application of the enactment in that district. In the year 1921 in the first reformed Council my friend Khan Bahadur Sardar Jamal Khan moved a resolution in this very Chamber to the effect that the Frontier Crimes Regulations be amended. In pursuance of the recommendation of the resolution a committee was appointed consisting of officials and non-officials to suggest amendments to the regulation. Six years have since elapsed and the committee has not yet made any recommendations. At any rate no report has so far been placed before the Council. This is highly unfair, I wish that the Honourable Revenue Member who was telling us that the Government sympathised with non-official resolutions had been here so that he might tell the Council what action the Government has taken in the course of six long years on that very important resolution, a resolution which the Government met half way.

Mr. President : Only five minutes remain.

Shaikh Faiz Muhammad : In regard to these regulations also I submit that the time has come when instead of amending it Government should think of ending it.

Some members pointed out yesterday that the franchise of district boards should be widened. I endorse that suggestion. I further, submit that not only the landholders, or the zamindars, but also the tenants should be enfranchised. There is absolutely no reason why tenants of the rural parts should not be enfranchised when their brethren in towns are.

I will be failing in my duty if I did not acknowledge the gratefulness of the province as a whole for the handsome and generous grant for education. But while doing so I cannot help pointing out to the Honourable Minister for Education that the majority party in this House and the majority community in the province are not at all satisfied with the policy which he is pursuing for the last year or so.

Before I sit down, I wish to answer some objections which have been raised by my friend Pandit Nanak Chand. He referred to what was pointed out by my friend Chaudhri Zafarullah Khan yesterday, in connection with the paucity of zamindars in the higher grades of police. As a matter of fact

Pandit Nanak Chand entirely misunderstood what Chaudhri Zafrullah Khan meant. He did not say that the Hindus or any other community should not be recruited to lower ranks of the service. What he said was that plums and stones should be equally distributed and the present policy of giving stones to one community and plums to another should be discontinued. If the Hindus are keen on entering police service they are certainly welcome, and I think Government will do well to ask my friend the Pandit to give two or three thousand recruits which he was offering. (*A voice: Orders have been given*).

Then again there was one remark as regards the Land Alienation Act. My friend Pandit Nanak Chand said that Hindus were debarred from purchasing land. That is wrong. Hindus are not barred from purchasing land. There are so many colonies and they can buy land there. But what the Hindus want, is to rob the poor zamindars and that is what the law prohibits. In that respect this healthy provision should be retained. If the Hindus are keen about buying lands they can go to the Nili Bar and so many other colonies and can get as much land as they like.

Reference was made yesterday and to-day about the inadvisability of holding a session in Simla. I am personally opposed to it as a matter of principle. A very brief Session at Simla causes considerable inconvenience to the members and particularly to me. I have to go there from Dera Ghazi Khan and have of course to cross the river Indus. It takes me four full days to go and four more days to come back and I stay at Simla for four days. That absolutely upsets my health. Besides there is absolutely no need for holding a session at Simla for the purpose of legislation. We can hold a session at Lahore in the beginning of May and so far as supplementary grants are concerned we can take them up in November. As a matter of constitution, supplementary grants should not be asked for till about the end of the year and excess grants should be asked for only after the year has elapsed. With these remarks I resume my seat.

The Honourable Mr. Manohar Lal (Minister for Education): Sir, Government's main proposals and plans so far as I am concerned have been set forth with marked stress in the speech of the Honourable the Finance Member that my task now is rendered easy. Honourable members who referred to education have done so in so kindly a manner that there is no criticism to answer. I shall therefore within the very few minutes at my disposal confine myself to the two or three of the salient matters that have been the subject of reference. Sir, in this House frequent eloquent and feeling appeals are made in support of the cause of advance of primary education and the need of compulsion to secure this object. With that we are in the utmost sympathy. I would with your permission state as evidence of this sympathy what has been achieved hitherto. On the 31st March 1926 there were under compulsion 451 rural areas. When I was speaking in the Council on the occasion of the last budget, that is on the 28th February 1927 the figure stood at 808. It had risen from 451 to 808. To-day that figure stands at practically 1,600. That is the rate at which progress has taken place in the recent past, and this is most gratifying. This rate of advance can obviously not be maintained but we have reached a point where one can see that there has been sufficient evidence in the province itself of

[Hon. Mr. Manohar Lal.]

people taking advantage of what has been offered in the way of advance of primary education, for the Government itself to take a definite and systematic step forward, and it has been a matter of encouragement to me that the step on which Government has decided has met with such frank and generous approval on the part of the members of this House. It was described by an honourable member whose views always command respect, as a well reasoned experiment. This experiment we are determined to make a success of (*hear, hear*) and as the Honourable Finance Member said in the course of his speech despite the limitations of local boards' finances and the difficulties that might later show themselves, Government recognise—I use the words of the Honourable Finance Member, very welcome words to us all—"it is our clear duty at the moment not to oppose but to come forward." That is most gratifying position, a declaration of the most far-reaching significance. Now, Sir, for the sweeping denunciation, in which one honourable member thought fit to indulge, I thought Sir, it was framed in language of extreme and unfortunate comprehensiveness remote from the realities of the position. It was said by the honourable member who spoke a little while ago that there is something totally wrong in the system as a whole, that we are getting into hopeless ruts and that we are drifting sadly. That is a bold statement to make in the case of a province whose vernacular system of education, in the primary school and the lower middle school and the upper middle school, and the way in which the teacher is trained and the vigilance with which the inspecting staff sees how this effort is effectively organised, has attained to marked, I was going to say, preeminent success. But not only that. The system in our province, one is proud to feel, has been the object of envy and marvel to other provinces in India. May I say in support of this statement and draw your attention to a most gratifying event? During this last year we have been visited by high educational officers from at least three provinces in India to study what they consider the remarkable and successful system that is obtaining in the province to-day. (*Hear, hear*). We have had visits from Bengal, we have had visits from Madras and we have had visits from the Central Provinces, and if I may say so, every one of these officers who have come to us and seen for themselves what is going on here have gone back with a definite expression of appreciation of the very fine effort that is being made in this matter in this province. (*Hear, hear*). One refers to it with great pleasure because in achieving any success in this matter the department of education is carrying out so loyally and whole-heartedly the particular wishes of this Council. Sir, Captain Sardar Sikandar Hayat Khan emphasised, and very rightly emphasised, the fact that we ought never to lose sight of the importance of the fact that we must produce literate boys, and he complained that the fourth primary class does not necessarily turn out a person who has attained a stable modicum of literacy. May I in this connection say this: not only is it most satisfactory that the number of boys in the top classes in these primary schools, is definitely and fast increasing, the fourth class is advancing very rapidly, but also there is a very very large increase indeed in the number of boys in our vernacular middle schools. And I would state one fact. During the last ten years enrolment in the vernacular middle schools that stood

at the low figure of 28,711 stands to-day at the comparatively high figure of 3,28,291. That is, it is more than ten-folded during the ten years. Therefore, it would be erroneous to judge of this vernacular system by the measure of success that it has achieved in this province, from merely the figures of the fourth primary classes. The Director of Public Instruction with the help of his Inspectors is steadily working forward to the time when by far the largest number of our young school boys would find themselves in a Lower Middle School, if not in a Higher Middle School. It is wrong, therefore, to think that in converting the old primary school of five class to the present school with only four classes, we have taken a retrograde step, because Sir, this fifth class is now incorporated into our Lower Middle School, and the incentive to move into the secondary department has been greatly strengthened. Our efforts towards general literacy have gained both in volume and efficacy.

Sir, reference was also made to the Multan division by my honourable friend from Shergarh. May I say this, that the Multan Division to-day boasts of three Government Intermediate Colleges? They have the largest number of Government High Schools in any division in the province, 21; this is with reference merely to higher education. I have been at some pains to analyse the figures of mass primary education and what I find is this: that about 74 per cent. of the compulsion age boys in urban areas are actually in schools and 68 per cent. similarly in rural areas. This, Sir, is by no means an unsatisfactory position. It is more gratifying because of the rate of advance. Should the honourable members only see our annual reports—I had our quinquennial report placed in the seats of each member—they would find that this division is advancing; that is a matter to be noted because consciousness of achievement leads to confidence in effort towards progress afterwards. But our friend hugs the idea backwards as if it was some blessing in itself, that discloses a pathological frame of mind. Be this as it may. When the Director of Public Instruction and myself had occasion to say a few words of encouragement on the extremely good work that has been done in the Multan Division in the Government High Schools, towards the end of our recent short tour together in the Division it was appreciated widely as a recognition of good work, not merely by the humble Minister, but by the Director of Public Instruction. The Inspector felt so, and the schools thus valued it. In those simple words of appreciation, in complimenting the schools of the Division obviously no insidious formulation of some nefarious policy was being attempted. There was no question of any new policy on the part of the Director of Public Instruction or for the matter of that on the part of the Minister in trying to say a word of encouragement or kindly appreciation where good work had been accomplished.

A few words, I must say also as regards this matter of fee concessions on which very properly emphasis has been laid by members in a certain part of the House. Sir, these fee concessions, as will be in your recollection were made for a definite term. That term came to an end sometime ago, but these concessions have been extended and in no case have they been actually put an end to. So far as I am concerned, the Standing Committee on Education in this Council, which I am glad to say is not a committee that does not

[Hon. Mr. Manohar Lal]

function, it has sat more than once during the last twelve months, have advised that these concessions should continue. My own sympathies are entirely in favour of the continuance of these concessions (*hear, h. ar*) and I can assure the House that so far as I am concerned, the Finance Department will be subject to the highest pressure on the part of the Education Minister for the continuance (*hear, hear*) of these concessions, but larger questions arise and in this House, on the floor of this House, I have heard, more than once in the shape of certain amendments that were put forward in connection with a resolution, that if certain concessions obtain in one place, at any rate similar concessions to equally less favourably situated people elsewhere should be granted. That is a matter which immediately enlarges the issue and is one that the House will understand exercises, and naturally exercises, the mind of the Finance Department. I do not wish to enlarge further on the fee question. But two words of passing reference to other important matters. We have placed in the seat of every honourable member a resolution which the Government has recently entered on the subject of female education. Very kind references have been made by honourable members with regard to what this resolution contains. I only wish to point out this that at the present moment there are ten Government High Schools for girls. In the present Budget, proposals are being made for three fresh High Schools. Training units are being attached in the case of most of these High Schools and we are glad to say that some of these High Schools already have become, if I may use the term, overpopulated. So far as the cause of female education is concerned, I would like to say, it is a matter of most anxious concern on the part of the department of Education. It will also be seen that a circular memorandum was issued by the Director of Public Instruction on the very important subject of physical training on which one honourable member took a very important part during the Simla Session. And, similarly, the House is undoubtedly aware that a committee, on which I am glad to see the Deputy President is serving, on agricultural education in this province, is in session. That is a subject which I have seen the House feel very strongly about, and it is also a matter which the department feels very strongly about. That is also a matter which is being carefully attended to. In the course of the observations on the activities of the Education department and the objects of education and the ideals that lie at the basis of it, it is very often said that a strong vocational bias ought to be somehow in some vague way given prominence to in education. We have in this quinquennial report which honourable members must have seen, expressed the considered opinion of a large number of experts on this very difficult topic May I, Sir, with your permission, read one sentence from an article of great value that recently appeared in the *London Times, Educational Supplement* on this matter? It was said, the article was concerned mainly with girls' education, it was said that "girls as well as boys need a thorough and liberal basis upon which to upbuild the technical knowledge, be it cookery or housewifery or any other skilled vocational occupation." That is a lesson that we cannot easily forget. On this side of the House very rightly again, emphasis was laid on the very urgent and important matter of the education of the depressed classes. We have seen a debate raised on the matter recently in the Legislative Assembly at Delhi. That

in itself is a sufficient indication, if I may say so, a sufficient direction as to what we ought to be doing. I may say this to the House through you, Sir, that I personally during the last two or three months have constantly agitated this matter and the Director of Public Instruction is kindly examining in the most careful manner possible every single device by which we can help forward the cause of education among the depressed classes (*hear, hear*). It is a matter that lies very near our heart, because it is recognised, we recognise it particularly, that democracy or genuine nationalism is not going to be built up in this country if on the one side you have not a wide basis of primary education, a fair measure of literacy, and on the other that in that measure of literacy every child of the Punjab does not fully share. Those, Sir, are our sentiments, that, Sir, is our attitude towards the various questions which have been referred to by the House.

One brief word more. We, at any rate, feel ourselves fully sensitive to the express desires on the part of this House. And, we bear carefully in mind the views of every single member, reasonably expressed (*Applause*).

Mr. President : As very many honourable members yet want to speak, with the permission of the House, I would like to prolong the debate for half an hour, if necessary.

Shaikh Muhammad Sadiq [Amritsar city (Muhammadan), Urban]: Sir, very many speeches have been made and various criticisms have been levelled against the Budget and it is perhaps impossible, at this far end of the day, to answer or even touch upon all the points. There is one point which the Honourable the Revenue Member touched upon and which I should like to refer to. He has told us that nearly eleven resolutions were passed in this House and out of them as many as nine were acted upon. Unfortunately the Honourable Revenue Member is at present absent from this House, if he were here, I would ask him, through you, Sir, to say how many good resolutions were defeated by the Government simply because they opposed them. The charge is not simply that the Government do not act upon the resolutions passed by the Council. The main charge is that the Government, with the votes of the official and the nominated block, defeat all the good resolutions brought forward by non-official members. Every important resolution, which is conducive to the speedy establishment of democracy, we find opposed tooth and nail by the Government. That is our chief complaint. So to say that out of 11 resolutions passed by the Council as many as nine were acted upon by the Government is really begging the question. Non-official members of the Council are afraid to table good and useful resolutions lest they should share the fate of being opposed by the Government and thus being defeated. If the Government were anxious to be fair to the interests of democracy and if they were fair to the interests of the non-official members of the House, I ask them to keep the official votes out of the field when non-official resolutions are brought forward. If the Government were to remain neutral on such non-official resolutions, and if those resolutions are carried, then we shall see how many of such resolutions are being acted upon by the Government. The Honourable Revenue Member has been priding himself on the fact that much progress has been made in every direction in the province. Here, I am reminded of the story that two snails were running a race together. After a whole hour, one of the snails said : look how much progress

[Shaikh Muhammad Sadiq.]

we have made, we have covered one inch in an hour. Similar is the progress made by the Government benches. The progress of Government is not by miles but by inches. The incessant cry of the poor of the province is not for one morsel of food, but full meal. When a poorman is starving, he does not want one morsel, but a regular meal. In fact, the country is demanding for more than a few morsels of food to satisfy their hunger. We want all-round progress in every branch of life. Look at America, look at Australia, look how rapidly they are progressing. We find that our progress is really that of a snail as mentioned already. Now, everybody stands up and congratulates the Honourable the Finance Member. Sir, I am not going to do that. I am not going to congratulate him in the beginning and then pull to pieces his budget later on. Sir, I have been a member of this Council for the last four years. I have been successively asking for the past several years whether beyond raising the pay of the tahsildars, or increasing the number of police officers, what has the Government done for the poor orphans in the country? Has the Government done a single act of justice towards the orphans of this country? Are there not in England orphanages where millions of pounds are spent in their upkeep? The English look after their own countrymen properly in England. What have they done for the poor Indians? Are there not orphanages in India for Europeans and Anglo-Indians paid out of the Indian taxpayer funds? Is there a single orphanage for the Indian boys and girls? Why should the Government grudge us this orphanage even when we are willing to pay for the same? Well, Sir, what about the old people? Is there old age pension as we have in every other civilised country? I see nothing has been done in these directions. The Government have been simply crying that they are maintaining peace and order, as if chaos and confusion will reign the moment they take off their hands. Is the maintenance of peace and order the only duty which a Government should care for? Look at the map of Europe, go to those countries, go to America and see whether peace and order is the only thing that is attended to by the Governments of those respective countries. Does not peace prevail in Afghanistan or in Russia? Is there any country in the world where there is no peace and order? When the Government congratulates it self on their fine work in the maintenance of peace and order, I say it does not deserve that praise. The Government must show something better to their credit if they want to pass for a civilised Government in this modern civilisation.

We find that more than the necessary amount of money is being spent on the erection of buildings after buildings and houses after houses. Rs. 50,000, Rs. 60,000 and Rs. 80,000 are spent on houses and really the house building programme must come to a full stop. After 5 or 6 years the Government has been pleased to grant a sum of 2 lakhs only for industries, for sugar works. But is that amount sufficient, I ask? I should have thought that one crore of rupees was to be set apart for helping the industries in the Punjab. But the Government in a niggardly way gives only 2 lakhs and asks us to be thankful to them for this generous grant.

Again, Sir, so many things have been said about the police service. I want to ask my honourable friend from Hoshiarpur why should he demand

more posts for his community in the higher services? Why should the other class alone supply all the constables? All classes should be proportionately represented, in the higher services, be it Hindu or Muhammadan or Sikh or sweeper in proportion to their numbers in the ranks. I do not agree that more posts of sub-inspectors should be reserved for the Hindus than their share warrants. I remember there was a young Hindu Matriculate who came to Dr. Gokul Chand, Narang, to get a recommendation for joining the Police service. Doctor said that there was no reason why this young man should not be taken in the police. That man was taken as a constable and after a few days of drill and other things he refused to work as constable, but wanted to become a munshi in thana, which is a prize job. If a community supplies people in the lower grade, it should be represented in the same proportion in the higher grades also.

Now, Sir, I found in day before yesterday's papers that there was some scandal in the Foreign Office in England. The Government at once appointed a committee to investigate the case, and that committee impartially came to the conclusion and censured the officers concerned. May I ask the Government here why they do not appoint similar committees here when there are so many complaints made against the different departments? Either in yesterday's or today's speeches one honourable member has suggested that corrupt officer, should be boycotted. But how can a poor zamindar afford to boycott a sub-inspector or a tahsildar or naib-tahsildar? I know a lot of these people get a Rai Bahadurship or a Khan Bahadurship. If a man is dishonest, you give him a title or an honorary magistracy or you make him a zilladar and then you come round and say 'boycott him,' and if a poor man will boycott him, it will be taken as an act of sedition, because he is supposed to be a loyal man having got all the titles. What I say is this, boycott must come from the top. Government is in a position to do everything necessary. As somebody said, a thief must be set to catch a thief. The Government has got to look into the affairs. If the Government were to appoint special police officers to look in to the affairs of corrupt officers, I think that a lot of corruption will cease at least in those departments.

Rai Bahadur Lala Rattan Chand : What about pleaders who are dishonest?

Shaikh Muhammad Sadiq : I would like corruption in all departments to disappear. There are dishonest pleaders also, no doubt. I have never concealed that fact from this House. But what I say is, has Government ever made any effort to stop corruption? You can stop dishonesty by stopping the system of touts. Government servants act as touts; petition-writers act as touts and you have to stop it. You cannot expect a man to reform himself. It is for the higher authorities to reform. Speeches are made in this House and honourable members forget them as soon as they leave this House. I request the Government, if they seriously want to stop corruption, to appoint vigilance committees in each district to help the District Magistrate. Such a proposal was made, but was not accepted by the Government. They say, 'we do not want any agency to assist the district and police officers.' It is in the hands of the Government to stop all these things and unless and until Government is prepared to take effective

[Sheikh Muhammad Sadiq.]

means to check these evils, it is no use lecturing to the members or lecturing to the general public to do this and to do that.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I wish to join my honourable colleagues in expressing my gratification to the honourable members of the Council for the very many useful suggestions which they have made during the course of the general debate both yesterday and to-day. Some of the honourable members have taken the trouble to review the whole scope of our administrative activities one by one and to give us their views on all points of importance. These observations have generally been made in a spirit of fair and temperate criticism and are of the utmost value to Government as indicating the views of the members in regard to those objects on which they consider that we are rather spending too much money or too little money and on those points in regard to which they consider the administrative arrangements of Government to be defective. I welcome especially many of the concrete schemes that have been put forward. It is always easy to criticise and to pick holes, but it requires courage to put forward constructive plans of any kind. I need hardly assure honourable members that their suggestions and criticisms will be examined and studied in the same spirit in which they are offered and will receive the most anxious consideration at the hands of Government.

Before I pass on to general considerations, there are certain points of purely financial criticism and of criticism as regards the structure of the budget on which I should like to dwell. The honourable member for the landowners from Attock took exception to the memoranda which form part of the budget. I am afraid his criticism on this point was legitimate criticism. I agree with him that the memoranda differed greatly in value. Some of them were too long and too diffuse; others were too elliptical and some did not bring out with sufficient clarity the new points on which it was desirable that the members should concentrate their attention. But, Sir, the budget, as honourable members are aware, was introduced somewhat earlier than usual this year and as a result, a number of memoranda had to be sent hurriedly to the press before the departments or the Finance Department had time to give them a final revision. I trust by next year we shall get these memoranda into more or less standardised forms which will show the normal state of affairs under each head and show up any new features or deviations with greater clarity, in a way by which honourable members may find it easier to use the memoranda to their advantage. (*Hear, hear*). The honourable member from Rohtak criticised some of our figures. I am afraid that I have not been able to trace the figures as actually set forth by him at the time of his speech. I may have got them down wrongly. But the figures to which he referred seem to me to run as follows: As regards revenue, the modified grant (excluding March supplementaries) in 1925-26 was 10,77 and the actuals that year were 11,39. That is, Government under-estimated the revenue by about 5.8 per cent. The next year the modified grant was 11,49 and the actuals were 10,87, a difference of -62; that is, that Government over-estimated the revenue and the revenue which accrued was actually less by 5.4 per

cent. The next year the modified grant is 11,08 and the revised budget figures—the actuals of course are not available for 1927-28—are 11,03; the difference is —5 and the percentage is .4. On the expenditure side I admit that expenditure has been, for various reasons, over-estimated. In 1925-26 the figure in the modified grant was 10,98 and the actuals were 10,26; that is, expenditure fell short of expectations by 72 or something over 6 per cent. In 1926-27 the figures were 11,68 in the modified grant, the actuals were 10,85 and the difference was —78, that is over-budgetting of nearly 8 per cent. In 1927-28 the modified grant was 11,08 and the revised estimate is 10,83 or —25, a difference of 2 per cent. I cannot admit that Government deliberately over-budget. Every care is taken to keep down budgets of expenditure; and besides the economies that the Standing Finance Committee advise us to make as regards new expenditure and the cuts the Executive Government make, the Finance Department make large lump cuts in the expectation that the department will not spend up to what they expect to spend. Sometimes we cut too much. I think in my budget speech I referred to two cuts, one was under Administration of Justice and perhaps the other, under Jails or Police, in which last year we made an over-cut.

The honourable member for Rohtak discussed the ordinary revenue account balance; he seemed to think that the money in the provincial loan account which has been advanced in the provincial loans should be added to the balance of the ordinary revenue account because it is an asset.

Sir, I freely admit that the money in the provincial loan account is an asset. It is an asset on which we are receiving interest and if we ever have to sell out the administration, it would figure as a very valuable asset among our assets. So too are our great canals and the bungalows for which we charge rent and other property of this kind. The ordinary revenue account, however, is money which is in the till now and which can be drawn out. Provincial loan account is money which is not immediately available and has been lent out and will come back after years.

Sir, a number of honourable members made the suggestion that the extraordinary receipts from sales of land will suffice for development, because the Sutlej Valley expenditure is on the downward grade and therefore these receipts can be used for development and we should begin to remit taxation at once without fear of any stagnation. The nature of these receipts and the object on which they may fittingly be spent has been explained so often in this House that I need hardly explain it again, but I may point out once more that these extraordinary receipts are not recurring receipts; they cannot take the place of ordinary recurring sources of revenue, nor can the ordinary recurring revenue expenditure be met from them. They are a source which will dry up; and if we decide that they are used to meet the ordinary revenue recurring expenditure, we shall be committing an act which would almost amount in criminality to issuing a false balance sheet and in the case of commercial and banking firms would be called by a very ugly name. The fact that these extraordinary receipts were once mixed up with our general revenue balance is one of the reasons why this Province fared so badly in the Meston settlement. We should not repeat that mistake again. Though the Sutlej Valley Project expenditure is on

[Hon. Sir Geoffrey deMontmorency.]

the downward grade, the expenditure on the Uhl Hydro-Electric Project is on the upward grade, and, as the honourable member for Sialkot reminded us, a number of districts in the Province are impatient to see the Bhakra Dam scheme taken up in hand at once. He also laid stress on what should be done for the relief of waterlogging. I can assure the Council that I can see a *vista* of urgent and necessary expenditure on which these very ephemeral source of income of extraordinary revenue which is of a quasi-capital nature can usefully be expended and which cannot be done otherwise without increasing our obligations and burdens as regards loans. One thing is certain that we hold these receipts on trust for posterity and we should spend them on some object which is going to benefit posterity. We can either spend them on capital projects which would bring income for our use and for the use of future generations, or we can use them in reduction of debt for our benefit, but the burden of which would partly fall on them.

Several honourable members thought that we spent too little on industries and one honourable member considered that we should borrow money freely from the Government of India and start a number of productive industries, and that this would, besides meeting unemployment, give enough income to reduce taxation and still go on with development. Sir, if honourable members will look at the figures both on revenue and capital side, they will see that between the years 1923-24 and 1925-26 the expenditure on industries varied between 8.14 and 8½ lakhs. In the present year our budget was 10.59, which went up in the revised estimates to 11.61 and in the budget for the coming year the provision is 14.61. The provision for industries is therefore substantially rising. No one would be more delighted than the Honourable Minister for Industries and myself if really sound and productive industries could be found to encourage. But these are difficult to discover partly because this Province has little mineral wealth. It is easy to make mistakes which prove very costly to the tax-payer, and the honourable members will remember that the Shahdara Tannery formed the subject of considerable criticism at one time in this House. We want to avoid mistakes in future and to back only sound schemes. The successful prosecution of industries postulates the existence of a certain number of persons to take part in the more technical processes. In that direction the Ministry is doing all they can in the way of technical, industrial and artizan schools and they are paying attention to higher technical and mechanical education in the MacLagan Engineering College. We believe in attracting capital to develop industries in the Punjab, but we do not believe in doing jobs of the capitalist at the expense of the tax-payer. The honourable member for land-holders thought the terms on which money was being offered to help the sugar mill scheme a little hard, but the whole project was fully considered and is based on sound data and really capital should invest in it without our help. If he had taken the Council a little further into the memorandum on the scheme they would have realised that the financial interest which Government is taking in it is mainly directed to bring the cultivators in touch with the manufacturers. In the memorandum it says:

“Further in order to secure a supply of cane and give the cane grower a financial interest in the success of the factory, Government proposes to

allot its shares to co-operative sugar-growing societies who guarantee for 5 years to grow and give the produce of some 200 acres of cane to the factory at an agreed price."

I strongly repudiate the suggestion of the honourable member for Hoshiarpur (Chaudhri Afzal Haq) that it is not Government's policy to encourage large industries in this country. If he can give me the name of an industry which is productive and sound and will benefit the masses, we will be quite prepared to look into it and take it up.

My honourable friend Sardar Ujjal Singh made one remark to which I think I must draw attention. He said, if I understood him correctly, that the increased expenditure under Civil Administration was so great that the higher rate of progress of expenditure under the beneficent departments was no comfort to his side of the House. Now, Sir, in 1921-22 Civil Administration occupied 27 per cent. of our total expenditure. It now occupies 28 per cent. That is, in seven years it has risen by 1 per cent. In the same period excluding the expenditure on Civil Works the beneficent departments have moved from 14.9 per cent. to 27.2 per cent., that is, expenditure has risen by very nearly 12½ per cent. Surely this remarkable phenomenon must be of some interest to the honourable member and the gentlemen on his side of the House. I believe the phenomenon is of very great interest to an entity, about which we often talk in this House, but whose views we cannot hear at first hand, that is the masses. The same honourable member pointed out the necessity of keeping a watch on the bill for civil buildings and for communications and their maintenance. As regards the latter, pace in the present budget is rather slower than before. I agree with the honourable member that this is a feature on which we must keep a watch, and that we must not let the construction of communications outrun our capacity to maintain them out of our ordinary revenues. The suggestion which the honourable member from Lahore made as regards new methods of financing roads and constructions will also receive careful consideration. I am not at present without further examination prepared to say how far the figures which he gave of the receipts which accrue to Government from the use of roads were correct.

The honourable member from Rohtak suggested that one other method of our removing the burden of taxation particularly from the poorer agriculturists would be to reduce what he called the calamitous rate of expenditure. Well, I do not altogether like his adjective, but I can assure him that the Finance Department devotes its entire energies to this object. Honourable members may have read in the papers of the electric hare which is constantly pursued by greyhounds. Expenditure is the electric hare for the Finance Member and Mr. Penny and Mr. Staig. They are constantly pursuing it, though not always successful in catching it, they never desist from the pursuit. The honourable member has spoken of unnecessarily and unjustifiably large increases in salaries and establishments. These cases are meticulously examined in the Finance Department and as far as they relate to new expenditure are also examined by the Standing Finance Committee and by the Executive Council. I should not like to give away the secrets of the Executive Council, so I cannot mention the large number

[Hon. Sir Geoffrey deMontmorency.]

of lakhs by which the Executive Council reduced the departments proposals of this year's budget. I think the Council can also trust the Standing Finance Committee which they elect themselves for this very advisory purpose. The honourable member can himself judge from the observations made by other honourable members during this debate what a dilemma has to be faced. Among other suggestions, we have had suggestions for more money for industries, more demonstration farms, more co-operative commission shops, more female education, more subordinate staff for public health, more technical education, more grants for Rural Sanitary Board, more money for compulsion, more money for Muzaffargarh (although there are five lakhs in the budget already) more money for uplift, more grants to local bodies, more panchayat officers, better rates for tahsildars and naib-tahsildars, better rates for constables, constables at provincial cost instead of chankidars, finding money yearly to make a fund to compensate for the abolition of land revenue on small holdings, and in connexion with corruption the honourable member for Sialkot advised us to treat

6 P.M.

all our establishments more generously. Honourable members have only to put all these points of view in juxta position to realise what are the difficulties of the situation. I may assure them that in giving advice on new schemes the finance department have been assiduous in criticising signs of extravagance and suggesting economies and in pointing out the luxuries and the limitations of what the province can afford. In spite of the despondency which their advice sometimes causes the departments and the Members and Ministers in charge of them, they will continue to offer advice from this angle of view to the best of their abilities. The multitude of suggestions which have been made by honourable members for new expenditure support the conclusion of Government which I announced that for the moment development should take precedence over remission.

The honourable member for Rohtak and the honourable member for Sialkot made very valuable suggestions as regards the methods by which we can add to our income. I am very grateful for those suggestions. Admittedly they are not in our power at present, but I heartily agree with them that these are methods which require very careful consideration. The whole of our financial position must be most clearly explained to the Commission, so that in the readjustment of the sources of revenue and powers of taxation we may secure more liberal treatment and more elastic scope of initiating taxation and taxing different classes when money is required than we did when the reforms were introduced. The latter honourable member also pointed out that while the money we spend on development increases the moral and material welfare of the people, nothing comes back to the local Government in solid cash, but that such advantages as we create go to fill the coffers of the Government of India either in the form of income-tax on fortunes made on the increased turnovers in the markets or in the form of increased railway receipts. This is a very important consideration which has always been present in my mind and it will be laid before the Commission as it is really a vital matter. (*Hear, hear*).

One or two speakers accused Government of having no sympathy with the masses or the poor agriculturists. Now, there seem to me to be

two kinds of sympathy. There is the specious showy sympathy which may be limited in scope, purely ephemeral and confined to the benefits conferred. There may also be practical, extensive and lasting sympathy. In the former class I would place a certain amount of remission of land revenue on small holdings, because that class of sympathy benefit only some small landholders in some villages. But the money only goes to those persons and only individual recipients are benefitted. More practical, more general and more lasting would appear to be the efforts which development is making to improve the produce of every man by giving him better kinds of selected seeds, giving a larger outturn from every bigha to secure by improvement of stock generally for the breeder better profits from his cattle, to improve communications so that the individual who has produce to sell may get it to the market easily and at less cost, to extend irrigation and make harvests secure where they are at present insecure, to improve rural health to bring relief of suffering and sickness within everybody's reach, to make education available for all and to broaden and brighten the intelligence and outlook of the growing generation. It is to these ends, to quote a few out of the many that Government has turned its attention: and Government believe that that entity to which I have already referred to, known as the masses, appreciate this all embracing sympathy which should leave in its wake in due course a more prosperous, a more happy and a more self-respecting country side.

As one or two honourable members have remarked Sir Basil Blackett announced yesterday at 5 p.m. that he had made provision in the budget by which he proposed to extinguish the provincial contributions for all time. (*Hear, hear*). I think that this House would like to express gratitude to Sir Basil Blackett for bringing the finances of the Government of India from the difficult and unstable position, which existed six years ago, to such a state of stability that provincial contributions have been completely wiped out and in perpetuity. As regards the method in which this recurring remission of provincial contribution will be employed by us, the whole position will have to be gone into again and no portion of that remission will be devoted to any recurring or non-recurring purposes till the Council has had an opportunity of discussing its use. It will probably not be possible for the Government to have that discussion until the examination into the state of the district board finances to which I have referred in my budget speech, has been completed.

There is one more observation which I wish to make. My honourable colleague, the Revenue Member, desired to say something about the Simla session, but on account of his time being up he was unable to say it. He asked me to say on his behalf that Government does not attach special importance to the holding of a session in Simla. Government first started holding a session in Simla, because the Council at that time expressed a wish to that effect. If the honourable members of the Council do not wish to have a session at Simla, I shall take the opportunity of informing my honourable colleague of the views of the House. There is one consideration and that is, if a session can be held early in May before Government go up to Simla, there will be some saving in cost. But if a session is held not at Simla, but at Lahore somewhere between May and October, there will be no saving

[Hon. Sir Geoffrey deMontmorency.]

of cost so far as one can see. From that point of view a session early in May may seem desirable to honourable members. But they must recollect the fact that there will be a considerable interval between May and October if there is to be no session during this period. I place these considerations before the House and I have no doubt honourable members will consider them carefully and if they wish to discuss the subject with my honourable colleague, they will certainly do so. (*Cheers*).

The Council then adjourned till 2 p.m. on Friday, the 2nd March, 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 2nd March 1928.

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

OATH OF OFFICE.

The following member was sworn in :—

RAM CHANDRA, Mr. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

AMBALA CITY MUNICIPAL COMMITTEE.

***1016. Lala Mohan Lal :** (a) Will the Honourable the Minister for Local Self-Government please state whether Government have decided that the Civil Surgeon of Ambala would cease to be an *ex-officio* member of the Ambala city municipal committee?

(b) Has Government received a representation from the Hindus of Ambala city requesting the Government to retain the increase from two to four in the number of nominated seats as was notified in the gazette and to fill up the fourth seat nominating the Civil Surgeon an *ex-officio* member of the committee as before?

(c) If so, what action has been taken by the Government on the representation?

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

(b) No.

(c) Does not arise.

AMBALA CITY MUNICIPAL COMMITTEE.

***1017. Lala Mohan Lal :** Will the Honourable the Minister for Local Self-Government please state—

(a) the amount of bills outstanding at the time of the preparation of the budget for the year 1927-28 of the Ambala city municipal committee;

(b) the reasons why these bills remained outstanding;

(c) whether a copy of the annual report of Government regarding the administration of the municipalities in the province for the year 1926 which drew the attention of the members of the municipal committee that "they were personally liable for any wastage or improper use of municipal funds" was sent to the Ambala city municipal committee?

The Honourable Malik Firoz Khan Noon : A report has been called for. As soon as the information is obtained, it will be communicated to the honourable member.

SERAI IN AMBALA CITY.

***1018. Lala Mohan Lal :** (a) Will the Honourable the Revenue Member please state whether the big *serai* situated in the heart of Ambala city is the *nazul* property of the Government and is set aside for the use of *musafirs* free of rent?

(b) Has it come to the notice of Government that a number of *Bhatias* have made encroachments upon the compound of the *serai* and have built certain constructions thereon?

(c) What steps does Government intend to take to remove these encroachments?

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

(b) and (c)—The Municipal Committee, Ambala, in December last allowed the construction of a house in this *serai*. The Committee's resolution No. 40, dated the 3rd December 1927, sanctioning the erection has been suspended by the Deputy Commissioner, Ambala, and the Committee has been asked to furnish an explanation.

LAND ROUND THE TOMB OF LAKHI SHAH IN THE ANAJ MANDI.

***1019. Lala Mohan Lal :** (a) Has it come to the notice of the Honourable the Revenue Member that Government (*nazul*) land around the tomb of Lakhi Shah situated in the Anaj Mandi, Ambala city, has been encroached upon by private persons?

(b) What steps does Government propose to take to remove the encroachments?

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

The land was encroached upon in 1925, and a civil suit was brought which was decreed in favour of Government.

(b) The Municipal Committee, Ambala, in their resolution No. 10, dated the 3rd December 1927, allowed an encroachment upon the land. This resolution has been suspended by the Deputy Commissioner, Ambala, and the committee has been asked to furnish an explanation of the circumstance of the case.

SUBSTITUTION OF THE SYSTEM OF PROVIDENT FUND AND GRATUITIES FOR PENSIONS.

***1020. Lala Bodh Raj :** With reference to the reply to question No. 1408¹ asked on 2nd March 1925, will the Honourable the Finance Member please state if any representation on the subject by any association of non-gazetted Government servants has since been received by the Local Government? If so, whether the Local Government has taken any steps in the matter and what are those steps?

The Honourable Sir Geoffrey deMontmorency : One representation has been received. Action will be taken when it is known what action the Government of India propose to take with reference to the resolution on the subject passed by the Council of State on the 18th February 1924 (Council of State Debates, Volume IV, page 244).

COMPULSORY RESIDENCE IN GOVERNMENT QUARTERS.

***1021. Lala Bodh Raj :** Will the Honourable the Minister for Agriculture please state whether there is any rule that provides compulsion for Government officials to occupy the quarters provided for them by the Government and to pay the rent whether they occupy the quarters or not ?

The Honourable Sardar Jogendra Singh : A Government servant to whom a residence is allotted is responsible for the rent recoverable under the rules for the period of allotment. If sufficient reason exists, a competent authority may sanction exemption from payment of rent. In the absence of such sanction rent is recovered from the Government servant even if he does not occupy the house.

SUBORDINATE EDUCATIONAL SERVICE.

***1022. Lala Bodh Raj :** With reference to reply to question No. 549 (b)¹ asked on 21st November 1927, will the Honourable the Minister for Education please state communitywise the number of promotions to the first and second class of Subordinate Educational Service in each of the different divisions ?

The Honourable Mr. Manohar Lal : The required information communitywise is placed on the table.

Grade.	Muslims.	Hindus.	Sikhs.	Christians.	Total.
Class I (Rs. 200—10—250) ..	9	5	1	..	15
Class II (Rs. 140—10—190) ..	6	2	2	..	10

HEADMASTERS IN THE RAWALPINDI AND MULTAN DIVISIONS.

***1023. Lala Bodh Raj :** (a) Will the Honourable the Minister for Education please state the number of Muslim and non-Muslim headmasters in the Rawalpindi and Multan divisions ?

(b) In case the number of non-Muslim incumbents is disproportionately small, what steps does the Honourable Minister propose to take to bring about equilibrium ?

The Honourable Mr. Manohar Lal : In view of answers to Council Questions² 1961—1975 given on 14th December, 1925, it is not proposed to collect the information.

¹ Vol. X-B, page 1085.

² Vol. VIII-B, pages 1187—1181 and page cxli, Appendix VIII.

PUBLICATION OF PROMOTIONS AND TRANSFERS OF TEACHERS.

***1024. Lala Bodh Raj :** Has the Honourable the Minister for Education received any representation protesting against the discontinuance of the practice of publishing promotions and transfers of teachers in the Subordinate Educational Service in the *Punjab Government Gazette*?

If so, what action was taken by the Honourable the Minister thereon?

The Honourable Mr. Manohar Lal : Yes. No action was considered necessary as the publication of promotions, etc., of teachers in the Subordinate Educational Service in the *Punjab Government Gazette* was discontinued as a measure of economy and the expense involved in reviving it would not be justified by any advantages to be gained thereby.

CONFIDENTIAL REPORTS RE TEACHERS.

***1025. Lala Bodh Raj :** (a) Will the Honourable the Minister for Education please state if there exists a system of confidential reports as to the work of teachers of which they remain quite ignorant?

(b) Has Government ever examined the question of providing the teachers with a copy of adverse reports concerning their work, confidential or otherwise, in order to provide them an opportunity for explanation?

The Honourable Mr. Manohar Lal : No. If the report is adverse the officer concerned is, under recent orders, to be allowed an opportunity of explanation.

STUDENTS IN TRAINING INSTITUTIONS.

***1026. Lala Bodh Raj :** Will the Honourable the Minister for Education please state the number of Muslim and non-Muslim students in different training institutions in the province?

The Honourable Mr. Manohar Lal : A statement giving such information as is available is laid on the table. The remaining information is being collected and will be supplied to the honourable member when ready.

Statement showing the number of Muslim and non-Muslim students in training institutions in the Punjab.

Serial No.	Name of the class or institution.	NUMBER OF STUDENTS UNDER TRAINING.	
		Muslims.	Non-Muslims.
1	B. T. Class	22	43
2	S. A.-V. Class	47	86
3	S. V. Classes	442	481
4	J. V. Classes (Government)	1,258	1,287
5	Gyani Training Class		24
6	O. T. Class	38	20
7	J. A.-V. Classes (Private)	113	90

ZILLADARS IN THE IRRIGATION DEPARTMENT.

***1027. Lala Bodh Raj :** Will the Honourable the Revenue Member please state—

- (i) the percentage strength of Muslims, Hindus and Sikhs who are working as zilladars in the Irrigation Department ;
- (ii) the percentage strength of agriculturists and non-agriculturists in the said service ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member has not mentioned the time, but if he refers 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 March 1927, he will get the information he seeks.

CANDIDATE ZILLADARS.

***1028. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) if any letter has been issued by the Chief Engineer, Irrigation Department, asking the Superintending Engineers to re-open the list of candidate zilladars to departmental men only ;
- (b) if it is a fact that recommendations which have been limited to two candidates per division have been called for ;
- (c) if it is a fact that instructions have been issued to recommend only the agriculturists and that one of the two candidates must be a Muhammadan ;
- (d) the special reasons for making the restrictions referred to in part (c) above ?

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

(b) } No.
(c) }

(d) Does not arise.

NAIB-ZILLADARS.

***1029. Lala Bodh Raj :** (a) Will the Honourable the Revenue Member please state if it is a fact that the scales of pay of naib-zilladars of the Irrigation Department were not revised along with the general revision of other departments of service of the Government after the Great War ?

(b) Is it a fact that several memorials were submitted to the Government by the members of the service of naib-zilladars for the revision of their scales and that they were informed that they are duly receiving the consideration of Government ? If so, what considerations have been given so far by the Government on the said memorials ?

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

(b) Two memorials have been received. The matter is still under consideration. Orders will issue shortly.

SERVICE BOOKS.

***1030. Lala Bodh Raj :** Will the Honourable the Finance Member please state if the service books of the Government servants in the several departments of the Government have been brought up-to-date on the lines indicated in paragraph 2 (d) of a letter No. P. Mis. 14/23/1481, dated the 18th July 1923, from the Accountant-General to all heads of departments, Civil and Public Works Departments?

The Honourable Sir Geoffrey deMontmorency : Government has no reason to assume that the orders of the Accountant-General are not being complied with, but the attention of Heads of Departments is again being drawn to the orders.

Lala Bodh Raj : Will the Honourable Member, please state whether he has made enquiries if the orders of the Accountant-General have been complied with or not?

The Honourable Sir Geoffrey deMontmorency : I have said that the attention of the Heads of Departments is again being drawn to the orders of the Accountant-General and they will report if the orders have been complied with or not.

CLERICAL ESTABLISHMENT IN THE PUBLIC WORKS DEPARTMENT, IRRIGATION BRANCH.

***1031. Lala Bodh Raj :** Will the Honourable the Revenue Member please state—

- (a) if it is a fact that in the year 1923 the Executive and Superintending Engineers in the Irrigation Branch represented that the overlapping scale of the clerical establishment on provincial scale mars the efficiency of the department and it may be revised;
- (b) if it is a fact that the Secretary, Irrigation Branch, recommended to the Government that the sub-divisional allowance of Rs. 15 per month granted to the sub-divisional clerks be absorbed in adjusting the overlapping scale of clerical establishment on provincial scale Irrigation Branch into a simple scale without putting an extra burden on the State;
- (c) what action has been taken by the Government thereon?

The Honourable Mian Sir Fazl-i-Hussain : (a) Superintending Engineers in the Irrigation Branch were asked by the Chief Engineer to submit their opinions and proposals.

(b) & (c) A report was made, duly considered, and the matter settled. It will serve no useful public purpose to state what views were urged by particular officers.

CLERICAL ESTABLISHMENT IN THE PUBLIC WORKS DEPARTMENT, IRRIGATION BRANCH.

***1032. Lala Bodh Raj :** (a) Will the Honourable the Revenue Member please state if it is a fact that the temporary services of all clerks on the provincial scale of Irrigation Branch who were made permanent before October 1920 have not been counted towards the pension?

(b) Is the Honourable Member aware that the temporary services of all clerks in the Irrigation Branch of the North-West Frontier Province who were transferred from the provincial scale of Irrigation Branch, Punjab have been counted towards pension?

(c) If replies to (a) and (b) be in the affirmative, will the Honourable Member please state the reasons for not counting the temporary services of clerks in the Irrigation Branch on provincial scale, Punjab, under Articles 370 and 371 of the Civil Service Regulations who were made permanent against the schedules of clerical establishment sanctioned for Lower Jhelum, Upper Jhelum, Upper Chenab and Lower Bari Doab Canals?

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

(b) No.

(c) The question of counting the temporary service of clerks towards pension is one for decision at the time of the retirement of each clerk,—vide Articles 915 and 916 of the Civil Service Regulations.

CLERKS IN THE PUBLIC WORKS DEPARTMENT, IRRIGATION BRANCH.

*1033. **Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that the clerks borne on provincial scale of Irrigation Branch are getting less rate of annual increment than those men who are employed in the Accountant-General's, Deputy Commissioners' and Secretariat offices of Irrigation Branch and are performing the duties of the same nature as is done by clerks in the above offices? If so, why?

The Honourable Sir Geoffrey deMontmorency : Scales of pay obtaining in the offices mentioned with the exception of the office of the Accountant-General the rates of pay sanctioned for which by the Government of India, are not on record in the Local Government's Secretariat, are as follows :—

	Irrigation Secretariat.	Deputy Commissioner's Office.	Public Works Department Circle Office.	Public Works Department Divisional Offices.
Superintendent ...	350-20-450-30-480-20-500	350-20-350.	...	...
Head Clerk ...	...	...	250-10-350	100-5-150 —3-300
Assistant ...	100-10-200-10-300	...	100-5-150— 8-300 (2nd clerk)	...
Clerks higher grade ...	75-5-100-5-150	75-5-100 —5-125	40-4-100-4-140	...
Clerks Lower grade ...	45-3-90-3-105	40-2-80-2-90	40-2-80-2-90	...

The duties and responsibilities devolving on the incumbents of the various posts in the above-mentioned offices vary so widely that it is difficult to compare in a general way their scales of pay. These are fixed with a view to secure suitably qualified men and with due regard to uniformity where the nature of the work done in the various offices is the same.

HEALTH OFFICER FOR AMBALA CITY.

***1034. Lala Mohan Lal :** (a) Has it come to the notice of the Honourable the Minister for Local Self-Government that the President of the Ambala City Municipal Committee adopted a wrong procedure in taking votes on the resolution of appointment of Health Officer and that the Hindu members present appended a note of dissent to that resolution?

(b) Will the Honourable the Minister please state whether the Government have approved of the resolution as passed by the Municipal Committee?

The Honourable Malik Firoz Khan, Noon : (a) The procedure adopted does not appear to have been irregular. No note of dissent appears to have been appended to the resolution in question.

(b) Government have approved the appointment of the Medical Officer of Health selected by the municipal committee.

SMALL TOWN COMMITTEE, KOT ADU.

***1035. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

(a) whether the local officers in charge of local self-government at Muzaffargarh made enquiries into the allegations made by more than 300 voters of Small Town Committee, Kot Adu, in the Muzaffargarh district in their memorial against the working of the Small Town Committee, Kot Adu;

(b) whether the said officer called upon any of the memorialists to substantiate the allegations made in the memorial?

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

(b) Yes.

MUNICIPAL COMMITTEE, KASUR.

***1036. Lala Bodh Raj :** (a) Will the Honourable the Minister for Local Self-Government please state—

(i) the date of notification of the constitution of the new municipal committee, Kasur;

(ii) the number of resolutions passed by the committee which have been suspended since the above date by the Deputy Commissioner, Lahore?

(b) Will the Honourable Minister lay copies of those resolutions on the table?

The Honourable Malik Firoz Khan, Noon : (a) (i) The names of five elected and three appointed members were published with Commissioner's notifications, dated 15th November 1927.

(ii) Eight. The Committee was not fully constituted when these resolutions were passed and as the matters to which they related were not of a routine nature but would have had serious effect on municipal administration specially the hurried and drastic reduction in the staff it was considered to be desirable that they should be disposed of when the remaining eight members had taken their seats on the committee.

(b) Copies are laid on the table.

1. Copy of Resolution No. 2 of the adjourned general meeting of the Kasur Municipal Committee held on 6th December 1927, at 4 p.m., in the Town Hall, Kasur.

Reduction of the Municipal Establishment—vide the Deputy Commissioner, Lahore's letter, No. 1504, dated the 10th November 1927.

Resolved.—Sardar Maula Dad Khan proposed that the Kasur Municipality is spending Rs. 84,540 annually for the upkeep of the establishment. The Committee's funds are insufficient to cope with such a heavy expenditure; reduction in the staff is imperative, specially so when the committee have received orders from the higher authorities to do so through the Sub-Divisional Officer, Kasur. It has been decided in the general meeting held on the 2nd December 1927 that this committee is unable to bear a heavy expense of Rs. 300 a month for the salary of Pandit Iqbal Narain, the Secretary and probably he will revert to his Government employment. On his reversion Sheikh Abdul Rahman will work as Secretary to the Committee. The services of the Reader should be dispensed with. Sheikh Abdul Rahman will do the Reader's work and prepare the proceedings book for the committee. In case Pandit Iqbal Narain does not revert then Sheikh Abdul Rahman will be in charge of the office and the octroi tax. No typist is required, the Head Clerk should do this work. The Accountant should remain as he is. The births and deaths copies and works and other Record work will be done by the Record Keeper. Lala Des Raj, Sub-Overseer, should be made permanent in his post. The Vernacular Office Ahlmad is not required. There should be only one Superintendent in the octroi department.

The Sanitary Inspectors should look after the lighting of the town.

The post of Light and Town Inspector should be brought in reduction, because the lighting work is on contract.

The work regarding the buildings of the town should be done by the Sub-Overseer of the committee.

The conservancy staff should be medically examined, those declared physically unfit should be brought under reduction. Half of the number of *Beldars* should be reduced. The waterman, temporarily employed should be dismissed.

The City Bench Court should be removed from Sheikh Rahim Bakhsh's house to the Municipal building near police station. The *chaukidar* of the Bench Court be also reduced. The Committee is at present paying Rs. 40 for the rent of the house and Rs. 20 per mensem as pay of the *chaukidar*, this expenditure is unnecessary. The Municipal employees who are 60 years old should be examined by the Assistant Surgeon, Kasur, those who are declared fit for further service may be retained in employment, the rest should be dismissed. The staff, who is thus reduced should be given one month's pay under section 45 of the Municipal Act and removed from service at once. This proposal was seconded by Khan Ghulam Haidar Khan. Lala Dhanpat Rai proposed the amendment that a reduction of 10 to 12 per cent. should be made in present salaries of the staff, and they should not be removed from the service. This was supported by Sayad Mubarak Ali Shah. On this the matter was put to vote, the amendment was supported by Sayad Mubarak Ali Shah and the Assistant Surgeon, Kasur; all other members opposed the amendment, hence it was dropped.

[Honble Malik Firoz Khan, Noon.]

Sardar Maula Dad Khan's proposal was supported by Dr. Bodh Raj, B. Peare Lal and Khan Ghulam Haider Khan, hence it was passed by the majority of votes.

Sardar Maula Dad Khan proposed that Allah Bakhsh, Octroi Superintendent's services should also be dispensed with, as on account of his past record, the committee has no confidence in him. L. Jessa Ram should be appointed as an Octroi Superintendent on his present pay. This was seconded by Khan Ghulam Haider Khan, no other member has opposed this, but B. Peare Lal has reserved his opinion.

NOTE.—Lala Dhanpat Rai and Sayed Mubarak Ali Shah left the House at this stage.

As no quorum is required for this meeting, the work was carried on. The proposal of Sardar Maula Dad Khan, was passed by majority of votes and should be carried out.

NOTE.—At this stage the Assistant Surgeon also left the meeting as he had to see some patient.

2. Copy of resolutions Nos. 3 and 4 of the adjourned general meeting of the Kasur Municipality held on 6th December 1927, at 4 P.M., in the Town Hall, Kasur.

(3) (a) Papers regarding the bicycle allowance of the overseer,—*vide* resolution No. 121, dated the 2nd December 1927, for decision of the committee.

Resolved.—No allowance can be sanctioned on account of the financial difficulties; this will be considered later on.

(b) Papers regarding the provident fund of Khalil, *Chaukidar*, for decision

Resolved.—Khalil's case has been decided in Resolution No. 1. He should be dismissed and a report should be made to this effect.

4. Papers regarding the complaint about the lighting of the town with Sub-Committees' recommendations for decision.

Resolved.—Dr. Bodh Raj's report which was unanimously supported by the members of the Sub-Committee was read out. The members agree to it. Some more complaints were received after Dr. Sahib's report. According to the recommendations of the Sanitary Sub-Committee, Rs. 500 should be deducted from the present bill of the light contractor as penalty. A sum of Rs. 200 per mensem should be further imposed upon him as penalty if the defects pointed out to the contractor be not removed, which should be supported by the recommendation of the Sub-Committee.

3. Copy of resolution No. 94, of the General Meeting of the Kasur Municipal Committee, held on 2nd December 1927, at 4 P.M., in the Town Hall, Kasur.

94. Report of the Secretary that the following miscellaneous accounts are put up for sanction :—

*	*	*	*	*
19.	Grant for zoological garden for the year 1927-28	..	Rs.	200
*	*	*	*	*

Resolved.—As regards No. 19 request be made that the contribution towards Zoo Garden be not taken this year on account of the poor financial condition of the Committee. Other accounts are sanctioned.

4. Copy of Resolution No. 95, of the general meeting of the Kasur Municipal Committee, held on 2nd December 1927, at 4 P. M., in the Town Hall, Kasur.

95. Letter No. 2358, dated the 30th May 1927, from the Inspectress of Schools, Lahore, that a sum of Rs. 150-4-0 is sanctioned as a monthly grant for the Mission Girls School at Kasur, with effect from 1st April 1927. Sanction be given.

Resolved.—The members have unanimously sanctioned that the grant for the current year be not given on account of the critical condition of the Municipality.

5. Copy of Resolution No. 97 of the general meeting of the Kasur Municipal Committee, held on 2nd December 1927, at 4 P. M., in the Town Hall, Kasur.

97. Report of the Secretary that—*vide* resolution No. 8 of meeting, dated 21st October 1927, it was decided that the payment of grant towards Mission Boys' School may be decided by the new committee. The School is situated outside the Municipal limits. The papers are put up for decision.

Resolved.—As the Mission Boys' School is situated outside the Municipal limits; the Committee, therefore, cannot give the grant.

6. Copy of resolution No. 100 of a general meeting of the Kasur Municipal Committee, held on 2nd December 1927, at 4 P. M., in the Town Hall, Kasur.

Letter No. 8429, dated the 6th August 1927, from the Inspector of Schools, Lahore, that a grant amounting to Rs. 68 per mensem for the year 1927-28 has been sanctioned for the primary education of the Islamiah Middle School.

Resolved.—As the pecuniary condition of the committee is in a very dangerous condition the members, therefore, unanimously reject the grant.

7. Copy of a resolution No. 1, passed at a special meeting of the Kasur Municipal Committee, held on 2nd December 1927, at 4 P. M., in the Town Hall, Kasur.

1. Report of the Secretary that—*vide* special meeting, dated the 21st October 1927, letter No. 1877/C., dated 17th October 1927, from the Deputy Commissioner, Lahore, as regards the extension of the period of the Secretary for one year is put up for decision.

Resolved.—As the pecuniary condition of the committee is weak as well as the higher authorities are drawing the attention of the Municipal Committee towards the reduction in expenditure the committee, therefore, is unable to bear a monthly expenditure of Rs. 300. A letter be written for the reversion of the Secretary to his Government post.

Lala Bodh Raj: Will the Honourable Minister for Local Self-Government please state if all the other resolutions passed by the same committee are to be suspended on that ground?

The Honourable Malik Firoz Khan Noon: Each resolution will get the treatment its merits deserve.

Lala Bodh Raj: Will the Honourable Minister please state if he is going to approve the proceedings of the committee, which as he has stated was not duly constituted?

The Honourable Malik Firoz Khan, Noon : It is not a question of my approving. I cannot answer a hypothetical question. If the facts come before me and if it is within my power, I will decide the question as seems proper to me.

Lala Bodh Raj : Is the Honourable Minister aware that besides eight resolutions, other proceedings have been transacted by the same committee?

The Honourable Malik Firoz Khan, Noon : I am not aware of the details that the honourable member seems to know.

MUNICIPAL COMMITTEE, KASUR.

***1037. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

- (a) the strength of the Kasur municipal committee communitywise, both elected and nominated ;
- (b) the reasons for not nominating any Hindu on the committee and for nominating both the Muhamniadans contrary to the previous practice ;
- (c) if it is a fact that the leading Hindus of the place have sent in representations on the subject ? If so, what action has been taken thereon ?

The Honourable Malik Firoz Khan, Noon : (a) Elected members—

9 Muslims.

8 Hindus.

1 Sikh.

Appointed members—

1 *ex-officio*.

2 Muslims.

(b) At the time when 2 Muslims were appointed the committee was not fully constituted, but contained only 8 Hindu members, 2 Muslim members and the *ex-officio* member. Two Muslims were accordingly appointed, as 7 out of the 8 members whose re-election the Commissioner had refused to notify were Muslims, and it did not appear right that the Muslim representatives should be in a minority pending fresh elections.

(c) A representation has been received and the action to be taken is under consideration.

MUNICIPAL COMMITTEE, KASUR.

***1038. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state whether it is a fact that the Deputy Commissioner, Lahore, sent an order to the municipal committee of Kasur to restrict itself to dealing with current business only ? If so, what led the Deputy Commissioner to pass such order and under what section of the Municipal Act ?

The Honourable Malik Firoz Khan, Noon : Yes, as the committee was not then fully constituted and it was desirable that more important

matters should not be disposed of when the committee was only half its sanctioned strength. The action of the Deputy Commissioner is covered by clause (d) of sub-section (1) of section 231 of the Punjab Municipal Act, 1911.

MUNICIPAL COMMITTEE, KASUR.

***1039. Lala Bodh Raj :** (a) Will the Honourable the Minister for Local Self-Government please state whether it is a fact that the Deputy Commissioner, Lahore, has suspended the resolution of the Kasur Municipal Committee which imposed a penalty of Rs. 500 on the light contractor according to the terms of the contract? If so, why?

(b) Did the light contractor prefer an appeal against the resolution of the committee?

The Honourable Malik Firoz Khan, Noon : (a) Yes, for the reason given in the reply to starred question No. 1036¹.

(b) No.

MUNICIPAL COMMITTEE, KASUR AND GRANT TO THE LOCAL MISSION SCHOOL.

***1040. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

(a) whether it is a fact that the municipal committee of Kasur passed a resolution discontinuing the grant to the local mission school on the ground that it was outside the municipal limits;

(b) whether it is a fact that the above resolution has been suspended by the Deputy Commissioner, Lahore? If so, why?

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

(b) Yes, for the reason given in the reply to starred question No. 1036¹.

MUNICIPAL COMMITTEE, KASUR, AND ELECTION OF OFFICE-BEARERS.

***1041. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

(a) if it is a fact that the newly constituted municipal committee of Kasur fixed a date for the election of its office-bearers;

(b) if it is a fact that the Honourable the Minister ordered the committee not to elect the president but only the vice-president;

(c) if so, under what section of the Municipal Act the said order was made?

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

(b) and (c) No such order was passed; but as I considered that it was not right that the president should be elected before the committee was fully constituted, under my instructions an intimation was sent to the committee that no president elected before the committee was fully constituted would be approved by the Commissioner.

Lala Bodh Raj : Will the Honourable Minister please give the section of the Act ?

The Honourable Malik Firoz Khan, Noon : There is no section to which I can refer on the subject.

MUNICIPAL COMMITTEE, KASUR.

***1042. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

- (a) if it is a fact that at the suggestion of the Deputy Commissioner, Lahore, the municipal committee of Kasur agreed to employ an official secretary for four months ;
- (b) if it is a fact that on the expiry of four months the Deputy Commissioner, Lahore, asked the committee to pass a resolution agreeing to employ the said official secretary for a further period of one year ;
- (c) if it is a fact that the municipal committee passed a resolution on or about the 2nd November 1927, requesting the authorities to order the reversion of the said official secretary to his substantive appointment under the Government ;
- (d) if it is a fact that the Deputy Commissioner, Lahore, has suspended the said resolution ? If so, why ?

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

(b) Yes, as the new secretary had effected much improvement in municipal administration which was in a deplorable condition before his arrival. The old committee, however, sanctioned retention of the services of the Secretary till the new committee recently elected, met and decided the matter.

(c) Such a resolution was passed on the 2nd December 1927 and not on the 2nd November 1927, and the matter has since been referred to the newly constituted committee.

(d) Yes, as the committee was not then fully constituted.

MUNICIPAL COMMITTEE, KASUR.

***1043. Lala Bodh Raj :** (i) Will the Honourable the Minister for Local Self-Government please state—

- (a) if it is a fact that the official secretary of the municipal committee of Kasur has been drawing his salary after the stipulated period of four months of his original appointment without the sanction of the Commissioner ? If so, why ?

(b) if it is a fact that the auditors have also objected to the above state of affairs ?

(ii) Will the Honourable the Minister please state why the official secretary is being forced upon the committee against the consent and willingness of its members and under what section of the Municipal Act ?

The Honourable Malik Firoz Khan, Noon : (i) (a) Yes, for the reasons specified in the reply to starred question No. 1042.¹

(b) Government are not aware of any such audit objection.

(ii) The Honourable Member is referred to the reply to starred question No. 1042.¹

MALIK LAL KHAN, MEMBER OF GUJRANWALA MUNICIPAL COMMITTEE.

***1044. Mr. Din Muhammad :** (a) Will the Honourable the Minister for Local Self-Government please state whether it has come to his notice that Malik Lal Khan, an elected member of Gujranwala municipal committee was convicted under section 420, I. P. C. (cheating) and twice dismissed from Government service before his election?

(b) If so, what action, if any, does he intend to take?

The Honourable Malik Firoz Khan Noon : (a) Government are aware that Malik Lal Khan was convicted of an offence under section 420, Indian Penal Code, about twenty years ago, that his name was removed from the list of candidates on the district staff of Gurdaspur and that he was subsequently dismissed from his appointment as copyist in Gujranwala.

(b) Government do not propose to take any action on account of these circumstances in respect of Malik Lal Khan's membership of the municipal committee of Gujranwala.

CIVIL APPEALS IN THE HIGH COURT.

***1045. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) the total number of civil appeals pending at the present time in the High Court ;

(b) the number of civil appeals pending in the High Court for the last seven years ; and

(c) the number of civil appeals pending in the High Court for the last twelve years which have not yet been disposed of ?

The Honourable Sir Geoffrey deMontmorency : (a) 3,139.

(b) 4 (three of these are connected).

(c) Nil.

GOVERNMENT'S DEMANDS FOR GRANTS.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : The various demands placed on the agenda are put forward on the recommendation of His Excellency the Governor.

LAND REVENUE GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to move.

"That a sum not exceeding Rs. 41,38,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929, in respect of Land Revenue."

Mr. President: The question is—

"That a sum not exceeding Rs. 41,38,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929, in respect of Land Revenue."

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 220—Increase in the pay of tahsildars (transferred from 22-G.-A.)."

I am not moving this cut in respect of the proposed increment in the pay of the tahsildars with a view to decrease their pay, but in my opinion the increment given is insufficient and inappropriate.

Mr. President: With what object is the honourable member moving the cut?

Sayad Muhammad Husain: With the object of showing that the pay ought to have been more.

Mr. President: If his object is merely to invite the attention of the Government to the insufficiency of the increase in the pay and not to suggest or propose an increase he may proceed.

Sayad Muhammad Husain: I thank the Chair for drawing my attention to this and really my object was to draw the attention of the Government to the fact that the increase in the pay of the tahsildars was insufficient and inappropriate. I quite agree with the remarks made by the Honourable Finance Member in his budget speech that the increment of the tahsildars has been long overdue and I congratulate him for recognising, though late, this class of servants who are loyal to the Government. I am thankful to the Government for the action they have so far taken. But the increment they have given to the tahsildars is quite insufficient as I shall explain and develop in my arguments. After the termination of the war, owing to the troubles which the war brought with it, economic and otherwise, Government had to overhaul most of the departments. They increased the pay of several classes of officials and in that revision some services received an increase of 20 per cent. while others, 40 per cent., 50 per cent., 55 per cent. and so on. Some of the services had an increment to the extent of even 125 per cent. While this was so, the tahsildars, one or two of whom were also killed in the war and who had also other troubles to undergo during the war, received an increase of only 8 per cent. in their pay. It is the tahsildar that is the pivot of the whole administration of the Government. He is a very important officer from the zamindars' point of view. He has so much to do with the welfare of the zamindars and unless he is highly paid just like other officers, there will not only be a tendency for his class to be corrupt but the people will suffer as well and the administration also will suffer. I hope every honourable member has got this document which I have with me and I will explain the same.

The Honourable Mian Sir Fazl-i-Husain : What is the document which the honourable member is referring to ? I have not got it.

Sayad Muhammad Husain : I can supply one to the Honourable Member. This is a printed document supplied by the Tahsildars' Association. It is not issued by a single individual person but by an association and I was told by the secretary of the association that it would be supplied to every honourable member. From this document I find that the Extra Assistant Commissioners have got an increment of 20 per cent., munsiffs, 7 per cent., Superintendents of Deputy Commissioner's office, 48 per cent., Public Works Department overseers and upper subordinates, 50 per cent., sub-engineers, 20 per cent., assistant surgeons, 125 per cent., sub-assistant surgeons 55 per cent., tahsildars 3 per cent. and naib-tahsildars 14 per cent. Thus it will be seen that the tahsildars of the revenue department upon whom the prosperity of the people so much depends and upon whose justice and equity the welfare of the people and the stability of the Government depends, have received after the war an increment of only 3 per cent. Before the war the tahsildars and the munsiffs were treated on the same level ; the pay was the same for both these classes of officers and during the war the tahsildars rendered greater service than the munsiffs, but their pay was not raised to the same level as that of the munsiffs. So the tahsildars submitted a memorial to the Government of His Excellency Sir Edward Maclagan and the Government of that day said that the matter could not then be considered owing to financial stringency but the matter would be one of the earliest to be taken when finances revived. Those were days of deficit and those were days of heavy taxation. In 1925 when the financial stringency was lessened the tahsildars again reminded the Government and requested that their case should be considered and they should be raised to the grade of the munsiffs. Thus after a long delay, in the course of this year they have got some increment for which I am thankful to the Government and for which the tahsildars also should be thankful. But what is the rate of increment ? Their initial pay has been raised from Rs. 180 to 200. People who are directly recruited will get the increment of Rs. 20. But what will be the arithmetical result in the case of those people who are already in service and who are not directly recruited ? Of course under the new rules the qualifications for the tahsildars have been raised and they can hope to become Extra Assistant Commissioners in course of time unless they are otherwise unfit. But the majority of the tahsildars, say 90 per cent. of them who are now in service have risen from naib-tahsildars. From the document that has been supplied to me I find that one becomes a tahsildar at the age of 44 on the average. This means that for the first eight years their annual increment will be only Rs. 7½ per year. But it may be stated that in the selection grade while they were originally getting only Rs. 275 they will now get Rs. 350. But how many people will get into that grade ? How many of the tahsildars who are recruited not directly, but who are promoted from the ranks of naib-tahsildars will be able to get the increment ? After a service of 8 years these tahsildars get an increase from 7½ to 10 and many of them will get no advantage at all. I may also point out that 12 men out of 114 which is the total strength of the cadre are in the selection grade. The people who will get the benefit of increased pay in the selection grade will be only 12 and most of the tahsildars, 90 per cent. or

[Sayad Muhammad Husain.]

even more, will retire on account of their age before they reach the selection grade.

If we compare the tahsildars with the munsifs or sub-judges, we find that their qualifications are in no way inferior to those of the munsiffs. In the case of tahsildars the minimum educational qualification has been raised from the Matriculation to the Intermediate standard and when more candidates are forthcoming their minimum qualification will be still further raised. At present the responsibilities of tahsildars are greater than those of sub-judges. Their honesty is in no way at a lower level than that of the civil sub-judges. In fact according to my experience the number of honest tahsildars is greater than the number of sub-judges. The sub-judges as a class are more corrupt than the tahsildars.

The Honourable Mian Sir Fazl-i-Husain : Is that an experience of honesty or of dishonesty?

Sayad Muhammad Husain : I repeat that the sub-judges are more corrupt than the tahsildars.

Mr. H. D. Craik : Sir, is the honourable member entitled to make a wide sweeping charge of that kind of corruption against a class of Government servants whose case is not under discussion?

Sayad Muhammad Husain : I beg to withdraw my words. I was speaking on honesty and not on dishonesty. I would be the last person to

Mr. President : May I ask the honourable member to enlighten the chair as to who distributed in this House the document which the honourable member is reading. How was this document placed in front of the seats of the members of the House?

The Honourable Mian Sir Fazl-i-Husain : The document has only been placed on the seats of non-official members. The official members have not got it.

Mr. President : If I find on enquiry that it has been distributed by an honourable member of this House, I may have to take action against him. It is not proper to distribute any papers in the Council Chamber without the permission of the Chair.

Sayad Muhammad Husain : Sir, this document was supplied to me by the Secretary of the Tahsildars' Association, and he told me that it will be laid on the benches of all the members of the Council.

Mr. President : Some one is responsible for placing the printed leaflet on the seats. If he is a member of the House, I hope he will rise and state that he placed it.

Sayad Muhammad Husain : I never did so.

Mr. President : Has the honourable member any knowledge as to who distributed it? Who gave it to the honourable member himself?

Sayad Muhammad Husain : The Secretary of the Tahsildar's Association.

Mr. President : In this room?

Sayad Muhammad Husain : No, outside, and he told me that he would lay it on each table.

Mr. President : Order, order. In view of the fact that the leaflet in question has been placed in front of the seats of non-official members of this House without reference to the Chair and without permission of the Secretary of the Council, I rule that it should not be referred to in speeches and that whatever has already been said on its basis may be expunged from the official proceedings.

Lala Bodh Raj : Sir, can the honourable member bring in the arguments already given by him?

Mr. President : I think he knows his rights.

Sayad Muhammad Husain : Sir, I will not refer to this document, but I believe that all the statements contained in it are true. Whatever I have read out from the document is true to the best of my knowledge and I take responsibility for all the statements made by me. May I re-iterate them with your permission?

Mr. President : The honourable member must know his rights and duties as a member of this House.

Sayad Muhammad Husain : Because the remarks already made by me will be expunged, may I now speak without referring to the leaflet? "After the war several departments of Government received increments, some 20 per cent....."

Mr. President : The honourable member is again reading the document, which according to the ruling of the Chair, he should not refer to. If he refers to it again, I will have to ask him to discontinue his speech.

Sayad Muhammad Husain : As I am not allowed to refer to any papers, I will place them all aside. The tahsildars ought to have received a more favourable treatment at the hands of Government than they have had. I have represented their case and I leave it to Government to take what action they like. These are men who are doing very responsible work, more responsible even than the work munsifs are doing. They ought to have been given more substantial increment and they ought to have been treated in the same way as the munsifs are treated. The annual increment of Rs. 7-8-0 is no increment at all.....

Mr. President : The honourable member is repeating his arguments.

Sayad Muhammad Husain : But, Sir, they have been expunged. (*Loud cheers*). Sir, it was proposed that the tahsildars should get throughout an annual increment of Rs. 7-8-0. Now it is proposed that for the first eight years they should get Rs. 7-8-0. After eight years the annual increment will be raised to Rs. 10. So, the tahsildars recruited from naib-tahsildars do not really reach the post of tahsildar before they have attained the age of 44. At the age of 44 they get an increment of Rs. 7-8-0 annually, and before they retire they do not reach the Rs. 10 increment stage. So Rs. 7-8-0 is no increment at all. I admit that those tahsildars who are directly recruited will certainly gain by the higher increment grade, but their number is very small. In the circumstances I appeal to Government and to the members that they should take a sympathetic view of these

[Sayad Muhammad Husain.]

hard-hit men. To treat them in the way they are being treated would mean that Government is not taking a very sympathetic view of them and that will be harmful to them, to the administration and to the public. With the remarks that Government should treat them in a more sympathetic way and give them something really substantial and not shadow, I leave their case in the hands of Government.

Mr. President : Demand under discussion, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 220—Increase in the pay of tahsildars (transferred from 22-G.-A.)."

The question is that that motion be adopted.

Mr. C. A. H. Townsend (Financial Commissioner): I rise at this early stage of the discussion to lay before the House some facts and figures which it is important should be before it in considering the motion. I will make no reference to the document which has been so commented on, and I have done my best to expunge from my memory everything I heard from the last speaker.

It is, Sir, with great pleasure that I personally, and, I imagine, most of the Government Members, have heard the laudatory remarks that fell from the supporter of the motion, on the good work of tahsildars. It is not usual, I am sorry to say, to hear much said in praise of Government officials: during the last two days we have heard a good deal of charges of corruption brought against them. So to-day it is particularly gratifying to find that the good work of an eminently deserving and worthy class of Government servants, whose work nobody appreciates more than Government, is also appreciated by the non-official members of this House.

Now, Sir, it may help the House in arriving at a fair decision if I give briefly the facts of the case. Till 1921 the pay of tahsildars was as follows:—They were divided into three grades, drawing Rs. 175, Rs. 200 and Rs. 250 per month respectively. In 1921 they were all put on a time-scale, starting on Rs. 180 per month, rising by annual increments of Rs. 7-8-0 to Rs. 285, and with twelve appointments in the selection grade of Rs. 300. The new scale starts from Rs. 200, and rises to Rs. 260 by annual increments of Rs. 7-8-0. There is then an efficiency bar, after that, the scale rises by Rs. 10 annually to Rs. 350. There are also twelve selection grade appointments of Rs. 375 per mensem. A careful examination of these figures will show that all the senior tahsildars will get a very considerable increase in pay, and the selection grade appointments which at present carry Rs. 300, in future will carry Rs. 375. (A voice: How many selection grade appointments?) Twelve. At present the maximum apart from the selection grade, is Rs. 285; in future it will be Rs. 350. I do not think that any fair-minded critic can maintain that these boons are slight. Comparisons, I submit, with the increments granted to other services are unfair. All the conditions of other services must be considered before such comparisons are of any value. In particular a comparison between tahsildars and sub-judges in this matter is unfair. It was on this point that my friend from Shergarh laid such stress. The services do not now stand on the same par. Sub-Judges now form part of the Punjab Civil Service and tahsildars do not.

Further, tahsildars are for the greater part promoted from naib-tahsildars: generally only two appointments a year are made direct. Sub-judges are all appointed, I understand, directly. And all sub-judges have to be in possession of two degrees, B.A. and LL.B. To obtain these two degrees takes at least six years of study. The few tahsildars who are appointed direct have only to be in possession of the B.A. degree. Most tahsildars are promoted from naib-tahsildars, and till very recently it was only necessary for these officers to have passed the Entrance Examination. I submit that the educational qualifications required for these two services are so entirely different that any comparison between them is unreasonable.

I have another aspect of the case to point out. There are various incentives to good work offered to tahsildars. If they are appointed to this office direct in their earlier years, they have the prospect of being selected for appointments in the Provincial Civil Service. After that, they have the incentive of passing the efficiency bar, and during the later years of their service they have the incentive of entering the selection grade.

Finally, Sir, on general considerations I desire to point out that, as has been shown by the debates in the present session, there is a keen desire on the part of many non-official members for economy by Government, and quite rightly. Here is a case in which Government is giving, after due consideration of all the relevant factors, what it considers a reasonable increase in the pay of some officers. Does the House desire to abandon the position it has taken up so persistently of asking the Government to pursue economy? Surely we should have consistency in the matter. I submit that the increases in pay proposed to tahsildars are reasonable, and I therefore ask the honourable mover of this cut to withdraw his motion.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] : Sir, I do not hold any brief on behalf of tahsildars or their association. But I still think that there is a case and I therefore beg to support the motion before the House. Notwithstanding what the Honourable the Financial Commissioner has said, I think that it is for the Government to think deeply over the matter and to decide the matter favourably. Tahsildar is a very important member of the district administration and if his pay is not sufficient enough, I think it would affect the zamindars of the district in some way or other. Sometime ago, as it has been admitted, tahsildars as regards their pay were on a par with the munsifs who now have become sub-judges with a decent start in salary of Rs. 300 and an increment of Rs. 30 or something like that per annum. Poor tahsildars have got to do much more than sub-judges. It is well-known that sub-judges only decide civil cases of some valuation, whereas tahsildars too have got to do a lot of judicial work, i.e., criminal cases, as second class magistrates, and revenue cases as Collectors 2nd grade. We have seen them doing judicial work from morning till evening and then attending to their other duties which are various and important and at the same time they are a very important agency for collecting all the revenue in the tahsil. Lot of revenue is collected through their efforts and it is a pity that they are being treated as very ordinary officials and they are not being given the same grade of pay and the same status as the sub-judges who were once on a par with them in all respects. I also see that although

[Sardar Harbakhsh Singh.]

something is being done as regards these tahsildars, nothing has been done to naib-tahsildars. I do not want to say.....

Mr. President: Order, order. The motion before the House relates to tahsildars. Therefore the pay of naib-tahsildars cannot be discussed.

Sardar Harbakhsh Singh: Sir, I only wanted to refer to it incidentally. I do not propose to press for an increase in their case. As regards the tahsildars, the Financial Commissioner remarked that their educational qualifications are lower. I have no objection if they raise the educational qualifications required of them. Of course there may be some few with lower qualifications than sub-judges, but it is best that their pay should be on a par with the sub-judges as it was in the past. They have to tour extensively in the tahsil and if they are not well paid, I wonder how they can make the two ends meet. They are supposed to be father of children (laughter), they have to give education to their children and then they have their own worldly aspirations and therefore their service must be made more attractive. If we want that better treatment should be meted out to the subjects in the district, better men should be placed in charge of these important posts and this can only be done if we made the pay of tahsildars compatible with their duties which, as I have already said, are various and very important in nature. It is therefore in the interest of zamindars and the public that the pay of the tahsildars should be raised. The question of economy was also raised, but I submit that this is not an affair in which economy should be practised. There are other ways of economising and I think that these are not the people on whom we should practise economy. Their grade is very poor, their rate of increment is also very poor being only Rs. 7½ per annum, or Rs. 10, per annum, which is the rate of increment of clerks.....

Mr. President: The honourable member is repeating the arguments of the previous speakers.

Sardar Harbakhsh Singh: I won't repeat the arguments. My submission is that one point, which is most vital, has not yet been considered. It is this that in previous years the post of tahsildars had an attraction in a way, and that was that the tahsildars had some prospects of becoming Extra Assistant Commissioners. Now I understand that there has been a circular issued by which an earlier age limit of tahsildars has been fixed after which age they cannot be eligible for Extra Assistant Commissionership and their nomination rolls are forbidden to be submitted. It is, therefore, all the more desirable that their pay should be much more increased than it has already been done. With these few remarks I beg to support the motion and I hope that the Government will consider this matter in their own interests with impassionate views and decide the matter favourably.

Mr. J. D. Penny (Finance Secretary): Sir, I have the fullest sympathy with the remarks made by the other side of the House in regard to the importance of the work of tahsildars. No one, who has worked in a district and particularly in the colony or settlement operations, would wish for one moment to minimise the loyal help which they have received from tahsildars. But we have to consider the interests of the administration as a whole, and to judge of the adequacy of their emoluments in relation to those of other Government employees. When we look back to the pay which tahsildars

received before the alterations of 1921 we find that they were receiving a pay on three grades of Rs. 175, Rs. 200 and Rs. 250, and the alterations that were then made involved the sweeping away of the old system and substituting for it the system of annual increments. One is apt to forget the immense benefit which this increment system has conferred upon tahsildars as on other classes of Government servants. Before 1921 these tahsildars had to remain for several years in their particular grades until a vacancy occurred which would enable them to be promoted to a higher one. I am unable to say off-hand what the increase in the pay of 1921 amounted to—it needs carefully working out—but at any rate it must have been very considerable. A small change was made in 1926 when the number of posts in the selection grades was adopted, and it is now proposed to have a further change which will give the tahsildars a starting pay of Rs. 200 and enable them to rise by increments to Rs. 350 with a selection grade of Rs. 375. I think the honourable member, who spoke first, was under some misapprehension when he said that tahsildars would reach the beginning of the scale at the age of approximately 44. I believe it is generally recognised that before a naib-tahsildar is promoted substantively to tahsildar he has ordinarily acted for a considerable time in a temporary vacancy, and under the rules he is allowed to count this officiating service for increments, so that when he is confirmed his pay will probably be considerably more than Rs. 200. When he becomes more senior in the scale and gets more than Rs. 300 he will be getting more than the lower grade of Extra Assistant Commissioners and sub-judges. They start at Rs. 300, whereas tahsildars will now rise to Rs. 350 quite apart from the selection grade of Rs. 375.

3 P.M.

Now, Sir, we must not only look at this scale of pay, but we must also consider the way in which tahsildars now on the cadre will be brought upon it. If instead of considering the figures under the Land Revenue, honourable members will also look at the Schedule of New Expenditure under the head of "General Administration," they will see the exact benefit which the new scale will confer upon the existing incumbents. I may say that the ordinary rule is that when a new scale of pay is sanctioned, each man is brought into it on the rung of the ladder just above the pay which he is now getting. This has not been done in the present case. A special concession is being given, and the tahsildars have been allowed to count their past service as tahsildars for increment in the new scale. The result of this concession has been shown in detail in the Schedule of New Expenditure. Twelve tahsildars will get an increase of Rs. 75 per mensem, one will get Rs. 50, one will get Rs. 37-8-0, two will get Rs. 35, two will get Rs. 32-8-0, four will get Rs. 27-8-0, eight will get Rs. 25, three will get Rs. 22-8-0 and 87 will get Rs. 20 per mensem each. None of them will get less than Rs. 20 per mensem. This amounts to a very considerable concession and the result is that in the whole year, the cost of this alteration in their pay will amount to Rs. 37,200 per annum. I do not know how the honourable member can call this a slight concession.

Now, Sir, we must consider further one thing, that is, the condition in which the tahsildars serve. They are not, as a rule, stationed in expensive places where the cost of living is high. A greater part of their service is spent in rural areas where the cost of living is normally low and it is not

[Mr. J. D. Penny.]

necessary, therefore, to give them the pay that would be necessary to persons who might be expected to spend the greater part of time in large towns like Lahore.

Sardar Harbakhsh Singh : The cost of living may be low or nil. Cost of living has gone up in rural areas.

Mr. J. D. Penny : It has not gone up as much in rural areas as it has in towns. We must, therefore, have regard to the requirements of economy in fixing the scale of pay for tahsildars as for other classes of Government servants. The present scale has been fixed very carefully. It gives the tahsildar a very considerable increase over the pay of the naib-tahsildar who at present rise to Rs. 150 per mensem. They also receive free quarters in tahsils which frees them from the danger of exorbitant rates of rent which many Government servants have to bear in large towns like Lahore. When they get near the top of the scale, that is, when they get Rs. 300 or more their pay compares very favourably with that on which the Provincial Civil Service starts. Any unnecessary concession at this end of the scale would inevitably result in a demand for alteration in the pay of the Provincial Civil Service.

Sir, it is our duty in dealing with all claims for increase of pay to consider very carefully what the effects of anything we sanction will be upon other classes of Government servants. The scale of each particular class has to be fixed with due consideration to the deserts of Government servants of every kind, and it would be a dereliction of duty on our part if we were to fix the scale of pay for tahsildars at something which we consider to be unnecessarily high. Therefore I would ask the House to oppose this amendment.

Mr. M. A. Ghani (Non-official, Nominated) : Sir, as a result of the great war the prices of food stuffs and other commodities of life rose very high. There was, therefore, a general agitation among the Government employees in 1918-19. It was in that year that I took a lead in the agitation of the patwaris for an increase in their salary and I assure this House that the tahsildars then put all sorts of obstacles in my way in the hope that by preventing the patwaris from getting an increase in their pay and by curbing the agitation of the patwaris, the Government will of their own accord increase the salary of the tahsildars. This was what the tahsildars thought then. After a sad experience the tahsildars learnt that the Government increased the salaries of patwaris, but did not increase the salaries of tahsildars. The Government at that time gave an increase of pay to almost all the Government employees. For instance, the Extra Assistant Commissioners got 20 per cent. increase, the munsifs got 71 per cent. increase, the superintendents of Deputy Commissioners' offices got 43 per cent. increase, the staff of the Public Works Department got an increase of 50 per cent.

Mr. President : Is the honourable member referring to the same document which, I ruled a little while ago, should not be referred to ?

Mr. M. A. Ghani : I was not then present here, and so I do not know which is the document that should not be referred to. This is a private note which I have prepared for my reference. I cannot carry all the figures in my head. Well, Sir, the tahsildars got only an increase of three per cent.

in their pay. I beg to bring to the notice of the House that the tahsildars are as much Government employees as the others to whom better increase of salary was given. The tahsildars do an important piece of work in the Government machinery of administration and they are entitled to ask for just the same kind of treatment as is meted out to other Government employees. One other point I shall put for the consideration of the House and it is this. These tahsildars are executive officers, they are judicial officers and they are administrative officers, all the duties are combined in them. They do a very important piece of work for the Government. They are, so to say, tahsil deputy commissioners in the district. The Deputy Commissioners get thousands and thousands of rupees per year, whereas the salary of the tahsildar is so small that he is scarcely able to make both ends meet and he cannot maintain his wife and children in a tolerably decent position. I would, therefore, submit that the present increase that has been sanctioned to the tahsildars is most meagre and most unfortunate. I am connected with an association of tahsildars. I have been authorised by the association to tell the Government that they do not want this paltry increase in their salary. They would much rather prefer to remain on their old scale of pay to getting this so-called increase, because they think that it is simply shameful to have this sort of increase in their pay. In the interest of economy which the Government have at heart and in the interest of the Government I would submit that the Government should not give this sort of increase in the pay of tahsildars. The tahsildars will carry on their agitation for an increase of their pay, but all the same as in duty bound they would serve the Government and help them as they have been doing hitherto.

Mr. President : Is the honourable member the Secretary of the Tahsildars' Association ?

Mr. M. A. Ghani : I am their adviser.

Mr. President : Had the honourable member seen this document before to-day ?

Mr. M. A. Ghani : This was given to me.

Mr. President : Was it prepared with his consultation ?

Mr. M. A. Ghani : I knew that this document was going to be prepared and this was put in my hands.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, in view of the statement made by the Secretary of the Tahsildar Association, I will not oppose the cut that is proposed by Sayad Muhammad Husain. Government will be prepared to let this cut being made and restore the previous pay and prospects of tahsildars if the House so desires.

Sayad Muhammad Husain : The cut was not intended to restore the old pay and prospects of the tahsildars. This was the only constitutional way of bringing before the Council the insufficiency of the increment which was given to them. It is not that the tahsildars do not like the increment that has already been sanctioned. They only want enhancement of the rate of increment.

The Honourable Mian Sir Fazl-i-Husain : I want to be quite clear on this point, that is, whether the honourable member is proceeding with the cut that has been placed before the House. I do not mind stating plainly

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

that it is a matter to which I attach considerable importance, firstly, because it raises a very important constitutional issue, and secondly, because it raises an extremely important administrative point. That is, if the non-official members of this House, in the matter of individual services are going to take up the position that they are just now taking, they are ever ready to do *sifarash* (recommendation) to the Government, and it is the Government that does not accept that *sipharash* and therefore the Government servants have to blame the Government, and not the innocent members of this House in the matter of increase in their pay : it is creating a position which the administration will find it hard to deal with unless it is dealt with firmly and seriously (*hear, hear*). Every day we hear Government being blamed for spending too much on the services. Every honourable member who takes up a point in order to improve either the conditions of particular departments of Government or in order to reduce the burden of taxation on the taxpayer of this province urges upon us and says 'we know you can reduce the expenditure here, there and everywhere.' When in the matter of giving an advance, Government proceeds cautiously, because an advance to any particular service will be followed by a demand from other services, if the House is going to support the claims of any and every service, here, there and everywhere, for an increase of pay, then I submit, Sir, that the House is taking upon itself a very grave and serious responsibility. I want the House to be quite clear about this in its own mind.

Pandit Nanak Chand : What is the constitutional issue ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member asks what is the constitutional issue involved. The constitutional issue involved in this as has been put by you Sir, already is that in the matter of a cut, undoubtedly the idea is of reduction of the budget provision and not its enhancement. It is a well understood constitutional matter that the privilege of presenting the budget, for making or increasing a demand entirely rests with the Government. The non-official members of the Council have no right to put a larger demand before the House for sanction than what the Government has put before the House. It is up to the House to reduce a demand, but not to increase it. The honourable member in passing this cut has not the right to say that he has had a decision obtained from this House that there should be advance instead of reduction. I assume that is a matter of considerable constitutional importance. I have made both points quite clear. There are several matters for decision. The first question is whether this House has a right, on a cut, to force upon Government a decision of this House not of reduction but of enhancement. Secondly, whether I am not right in saying that the motion, if carried—that also is subject to your ruling naturally—will avoid the necessity of giving the proposed advance on the past year's expenditure. Thirdly, an administrative point and a point of great importance, for the decision of the Council itself whether this Council has the right to lend itself to be used by any institution, in the present instance the tahsildar institution, for the purpose of *sifarash* (recommendation) and whether it is befitting the dignity of this Council to enter upon debates of this nature. These are the points on which I wish your ruling, Sir.

Mr. President : I might make it clear that such a motion can be moved only with the object of inviting the attention of the Government to the insufficiency of an estimate for a certain class of services ; but that it cannot be moved with the object of increasing a demand for grant as moved by one of its Ministers. That is a privilege which is not enjoyed even by the Ministers of the Crown. Therefore whether the motion before the house is carried or lost, its constitutional effect will only be that the attention of the Government has been drawn to the insufficiency of the increase in the pay of tahsildars.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammaddan), Rural] : Sir, I regret very much that the Honourable Revenue Member or in other words the Leader of the House should have adopted a threatening attitude towards the House on a motion like this (*hear, he.r*). When you, Sir, had given permission to the honourable member from Montgomery to move this motion, I do not think the Leader of the House had any right whatever to threaten the House in this way. For my part I feel it very much that he should talk in this way to the members of this House. After saying this, I beg to submit that I put forward a proposal in this House three years ago when Mr. King was the Financial Commissioner. I wanted to move a resolution with regard to the increase of the salary of the tahsildars. Mr. King at that time in an informal talk gave me to understand that he was dealing with the matter and hence I did not move that motion. I was also given to understand at that time that substantial benefit will accrue for this hard-working class and I did not expect that Government will give an increase of only Rs. 75 only which is really very little. I also understood from what he said that the name 'tahsildar' would be abolished and they would be called subordinate extra assistant commissioners. If Government accepts this suggestion it will be in the fitness of things because to call them tahsildars just like jamadars or thanedars or zilladars is hardly complimentary to this class of officers who are now gazetted officers. The hospital assistants are now called sub-assistant surgeons. So this class of officers may be called subordinate extra assistant commissioners. This was one of the suggestions made by me to Mr. King and he said he would consider this suggestion.

Mr. President : The motion before the House relates to insufficiency of pay and not to the change of the designation of tahsildars.

Rai Bahadur Lala Sewak Ram : This was only a suggestion with reference to the tahsildars. As regards their salary I want to make a very modest proposal which I hope Government will accept. After all what is the difference between Rs. 375 and 400 ? If they make the maximum Rs. 400.

Mr. President : I may point out that no honourable member of this House, including the Ministers of the Crown, has the right to propose an increase in the amount of a grant. Therefore, no such motion can be allowed to be made or entertained.

Shaikh Muhammad Sadiq : Does the restriction apply to the increase of taxation or to the increase of pay ? As far as I understand we cannot increase taxation under the law but we can make increase in pay.

Mr. President : An increase of even a pie beyond the sum specified in the estimate cannot be made whether by a Minister of the Crown or by any other member of the House.

Rai Bahadur Lala Sewak Ram : If you do not permit me, Sir, to make any suggestions, then I support my honourable friend from Montgomery and submit that a little more increase should be made in the salary of the tahsildars.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural] : Sir, I had no intention of taking part in this debate and I was going to adopt a neutral attitude. But the attitude adopted by the Leader of the House has compelled me to protest against the manner in which he wishes to carry the House with him (*hear, hear*). He has raised two objections to this proposal, one the constitutional one and the other the administrative. With regard to the constitutional point, Sir, you were pleased to give a ruling some time ago that so far as the question of increase or decrease of salary is concerned, we could discuss it by moving a one rupee cut or by moving a hundred rupee cut as is now done by my friend, the honourable member from Montgomery, and I do not think that the Leader of the House was justified, after having known that ruling, to make remarks of the kind he has made. He would have been quite in order if he had made those remarks when the honourable member from Montgomery was speaking.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : On a point of order, Sir. My remarks were made after the speech of the honourable member representing labour who claimed to be the adviser of the tahsildars' association and who said that his association did not want the increase we have given if no more increase than that provided for in the budget is to be given and that they would rather prefer going back to the old scale and I said that I was prepared to accept that position. Therefore I wanted to know from you what the voting on this amendment would amount to, whether I should accept the offer made by the legal adviser of the tahsildars' association or the other way. Still on that point we have to get the ruling of the Chair as soon as the discussion is over.

Pandit Nanak Chand : Even then my submission is that the position taken by the Leader of the House was not the proper position. He could have made a reply at the end of the discussion and not deliver a speech as he did in order to carry the House with him. That would have been the constitutional position if he merely wanted to reply to the arguments made by one of the honourable members of the House. Now my submission is, you have already ruled, Sir, that with regard to the one rupee cuts we are perfectly justified in criticising the policy of the Government whether what they are paying is adequate or inadequate for the various services working under them and I am thankful to the Chair for maintaining the privileges of the members of this House.

With regard to the second point, I think that the objection taken by the Leader of the House is simply absurd, because we are here representing the large population outside in the Punjab. Government may often be disturbed by the various resolutions which are passed in this House. Sometimes they do reflect a sort of discredit on the Government. If the Government

is disturbed or perturbed or if the administration is not pleased with the various resolutions passed by this House, I do not think that is a sufficient justification for the Leader of the House to say that we should not move cuts of this kind. The Leader of the House not only did this but in a way cast slur on the honesty of the members of this Council that in order to please certain officials or certain grades of public servants, we are bringing forward resolutions of this kind. I, as a member of this honourable House, protest against remarks of that kind. We come here at a great sacrifice of our time and money and at great trouble to represent the grievances of the various people, be they Government servants or otherwise and therefore for any Government official, howsoever high he may be, to suggest even in an indirect manner that we are bringing forward these motions here to serve our own personal needs is a reflection on the honourable members of this House which I hope honourable members of this House will not tolerate. We hold a responsible position in this Chamber and we are here to voice the grievances of the people whether they be Government servants or others. Whoever they may be, if they bring before us their grievances, we are entitled to place those grievances before this House. That is a perfectly legitimate and constitutional manner provided by law, and recognised by practice. It may be that the administration is disturbed by such things. The administration may be very much aggrieved against individual members who move these resolutions. But we have a duty to perform and if an association of Government servants or an association of other class of people come to us and we realise their difficulties and their grievances, it is our duty, as representing the population of the Punjab, to place them before the House for consideration by them. The Government has got the right of veto; it may not accept the resolutions passed by this House; but to cast slur in this way and to threaten us, so that the House may side with the Government, is, I submit, a thing to which I am not prepared to submit. (*Hear, hear*).

Shaikh Muhammad Sadiq [Amritsar City (Muhammadian); Urban]: Sir, the fact remains that the Leader of the House did threaten this House. He is the Leader of the House and not the dictator of this House. Any Government member whatever his position may be should speak in a constitutional manner and not threaten this House by raising so-called important questions of constitution and other things. We know the constitution, and if we go wrong in what we speak here, you are there, Sir, to put us on the right path. But to threaten us in this manner just like a Professor or schoolmaster threatens his students, is bad and we are not going to submit to it for one moment, whether it be from the Revenue Member or any other member of the Government. We are to represent here everybody, whether he is a tahsildar or a pauper. If we feel that the tahsildar gets less pay than he deserves and we feel that the administration of this country is going to suffer on account of the insufficiency of pay, we have an absolute right to come forward in this House and tell the Government that for the sake of good government they should increase the pay of the tahsildar. (*Hear, hear*). We have a right to move these one rupee cuts when we consider that these servants who are loyal to Government, who are doing administrative work, judicial work and revenue work get a very low pay and that their pay ought to be increased. It is for the Government to say that their work is not so important as to deserve an increase in their pay; but for the Government to come forward and threaten us for

[Shaikh Muhammad Sadiq.]

raising points of administration and constitution, is not the right way and I am afraid that the Leader of the House has made one great mistake during his administration in this Council as Revenue Member. Now we have this point before us. Is the position of the tahsildar to be the same as that of the sub-judge or is it the same as that of the inspector of police? It is a question of administrative policy. I wish Government instead of threatening us and telling us sarcastically as the Financial Commissioner did when he said he was glad we were paying a very great tribute to this service, should do something more substantial. What is the use of this attitude? We have not come here to sing the praise of the members of the different departments. We pay them and we expect good results from their work. We find members here rising and saying that such and such a department is doing very good work and if any service is doing good work it is our duty to praise them. I say these sarcastic remarks should not have been made by one of the official members of this House. It is for the Government to tell us whether they want the grade of the tahsildars to be the same as that of the inspectors of police. I understand that the inspectors of police who are also responsible officers get the same pay as the tahsildars. The next grade is that of the sub-judges and in the same grade are the medical officers and the Public Works Department officers. It is for the Government to say if they want to raise the grade of these tahsildars. The honourable mover has not told us whether he wants their pay should be increased to the same standard as that of the sub-judges or to something intermediate between the sub-judges and the police inspectors. If their grade is raised to that of the sub-judges it may become expensive because to-morrow the police inspectors will come forward and say 'we are not less important than tahsildars; we have got as much responsibility as tahsildars; so our pay also should be increased.' So it is for the Government to tell us whether they are in a position to raise the grade of the tahsildars to that of the sub-judges or to that of the inspectors of police. Unless and until we are sure about that, there is no use of passing the cut which will have no meaning. Under these circumstances I request my honourable friend to withdraw this motion for the present.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I am very sorry that my debate has assumed so serious a shape. I only wanted to bring the conditions of tahsildars to the notice of Government and I never meant to press my motion. My purpose has been served and the attention of Government has been drawn to it. It is for Government to decide what action to take in the matter. It is for them to find out the economic unrest prevailing amongst tahsildars, and to take action to remove that unrest. I represent the rural population, the Government servants as well as others, and it is my constitutional right to bring their grievances before Government in the form of a recommendation or in the form of a cut or in any other form. That is our constitutional right and we cannot waive it. With these remarks I beg leave to withdraw my amendment in the hope that Government will consider the case of servants, who have served their masters so well, in the way they deserve.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I hope you will afford me an opportunity to make a statement as regards the observations I made in my last speech.

Mr. President : Does the honourable member wish to give a reply or only a personal explanation ?

The Honourable Mian Sir Fazl-i-Husain : It is not as a matter of reply that I claim this opportunity of making this statement, but it is with reference to certain remarks made by my friend the member for Hoshiarpur and the honourable member sitting opposite, that I wish to make a few remarks.

Sir, the two honourable members of this House mentioned by me have taken up the position that in the statement I made a short while ago, I assumed, what they have been pleased to call, a threatening attitude, and it is stated that my object in adopting that threatening attitude was to take the House with me, that is to say they attribute to my speech the desire to carry the House with me by means of a threat. Well, Sir, when I try to analyse this allegation made about a member of this House, even though he may occupy the position of the Leader of the House, I find that to mean that in a Council of ninety-three the Leader of the House hopes by threats to carry the whole House with him. I think, Sir, the honourable member is attributing a mentality to the honourable members of this House which is most derogatory to them and he has no right to do so. On the other hand I can assure him that in my whole life not only as Leader of the House for the last two years but as a member of this House in the capacity of a Minister and also at the Bar, my strongest weapon has been not threat but forbearance, not quarrelling but patience even when I have felt that either my opponent or the judge did not understand me. Therefore it was really quite amusing when I listened to this tirade full of eloquence and perhaps a little bit of venom when the honourable member tried to show that I had been guilty actually of that very heinous offence of browbeating and threatening, because these two destroy the very object which a member has in view, that is to say, to convince his colleagues and to make them hold the same views as he himself does. Therefore I hope that the honourable member will realise that he erred grievously in judging me and my powers of persuasion, in my attempt to get the honourable members of this House to see the difficulties of the situation and the obligations they owe to the dignity of the House.

Sir, I have worked consistently in the interests of tahsildars during the period of five years when I held the position of Minister and lately as Revenue Member ; and realising that, can any one maintain that the interests of tahsildars, keeping in view the interests of all services as well, could possibly be in safer hands than mine ? So, Sir, having given this personal explanation, I beg you, Sir, to permit me to inform the honourable member from

Muslim Amritsar that when he was complaining of my threatening attitude he actually was threatening my Financial Commissioner.

Shaikh Muhammad Sadiq : Who, I ? I never threatened anyone.

The Honourable Mian Sir Fazl-i-Husain : As soon as you are told that you threatened the Financial Commissioner, you at once deny the statement, but I have not the slightest doubt that a large number of members will hold from the way you looked and from the way you banged the table and exhibited your fist that you did threaten. In my scrupulously controlled speech there was the anxiety that this Council should not swerve from the path of dignity and sobriety, but in the honourable member's case there

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

was hardly even this justification. Therefore, Sir, I just want to say in conclusion that nothing could be further from me than not to assume the spirit of conciliation and of the utmost cordiality towards every individual member of the House even when he has reached the topmost heat of his anger during the moment of his excitement.

The motion was by leave withdrawn.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I beg to move—

“ That the grant be reduced by Rs. 100 with respect to the item of Rs. 32,800,—Total (ii) Reafforestation (including Chos areas). ”

I am very glad, Sir, that my speech has had the desired effect and the speech which the Honourable Member for Revenue delivered just now was in the right key and in the right spirit, and therefore I also want to follow suit in moving this cut.

Sir, I do not wish to oppress the House by inflicting a long and detailed speech with regard to the *chos* or hill torrents which are doing the greatest possible damage to the cultivators, peasants and zamindars of the Hoshiarpur district. This I have been doing in the last Council and at great length, and I was pleased to find that the Government adopted a most sympathetic attitude towards the zamindars and the cultivators of the Hoshiarpur district. Mr. King, the then Financial Commissioner, visited the district and came to the conclusion that the grievances of these chos-stricken people of the Hoshiarpur district were real and that Government should do something in order to relieve their misery. He was pleased to announce a concession to those people who would reclaim the areas which had been destroyed by the hill torrents or *chos*. That concession he was pleased to announce to the number of people who came to see him in the district while he was touring. I wish now to ask his successor as to how far the scheme of granting remission to those who have reclaimed these *chos* areas been carried into operation. I understood that the Deputy Commissioner of Hoshiarpur was preparing a well-thought out scheme in order to lead the people to the direction of the reclamation of these various tracts of land which have been destroyed by the *chos*. I shall be obliged to the Financial Commissioner if he gives in detail the scheme adopted so far by the revenue authorities in this direction. That is the first point to which I wish the Honourable Financial Commissioner to reply.

The second point is with regard to a particular *chos* which is destroying the town or, should I call it, the village of Jaijon in Garhshanker tahsil. This particular town or village, I do not know what to call it and I will explain my difficulty with regard to this,—this place is threatened by a *cho* and part of the town or village has already been destroyed. A large number of people have lost their valuable property. Mr. Jenkins, the Deputy Commissioner, paid a visit to this town and he was very sympathetic. He realised the great danger of the town being washed away, and he submitted certain proposals to Government for consideration and finally for sanction. The Commissioner of the Jullundur Division also went and saw this village or town and he was pleased I understand,— I have not read his report—to commend to Govern-

ment favourably the need for building a *bund* for the protection of this particular place. The matter was discussed in the Rural Sanitary Board where some people were of the opinion that Jaijon was a village and others that it was a town. The view of the majority however was that it was a small town, and the Board very sympathetically recommended the case of the place to be dealt with by the Urban Board. Here is this very important place which requires protection and the files of Government are sometimes thrown to this department to be dealt with and sometimes to that. The report was written a very long time ago. In every rainy season a large number of houses are destroyed and there is a very serious danger of the town being entirely washed away. I want Government to take immediate action. It was promised by Mr. King that he would look into the matter and take the necessary steps, and then there is the recommendation of two very high officials, the Commissioner and the Deputy Commissioner, and I submit that Government should do something at once, otherwise great damage will be done to Jaijon.

Mr. President : Demand under discussion, motion moved—

“ That the grant be reduced by Rs. 100 with respect to the item of Rs. 32,800,—Total (ii) Reafforestation (including Chos areas).”

The question is that that motion be adopted.

Chaudhri Afzal Haq [Hoshiarpur-*ch*-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, it is not the first occasion on which the attention of the Government is being drawn to the difficulties from which the people of Hoshiarpur suffer on account of the presence of *chos* in that district. Many times before this these difficulties have been represented to the Government on the floor of this House by means of similar amendments. Sometime in 1926 my learned friend Pandit Nanak Chand submitted many proposals by which he thought these difficulties could be removed. On that occasion I also made certain suggestions. But in spite of all that nothing material has so far been done to give relief to the people of Hoshiarpur district. I feel that unless steps are taken to stop entirely the water that flows in these *chos*, these difficulties will continue to face us. Half measures will not do, and if therefore, you direct your attention to the question of afforestation and begin to preserve the forests, the residents in the areas under such forests are sure to suffer. And, if on the other hand, you clear away these forests, the people in the plains must suffer and villages must continue to be washed away by the water flowing in these *chos*. If you are able to give relief to one town or to one village that is certainly no solution of this problem. As I submitted once before I think that you can solve this problem by one way and that is that the whole of the water that comes into the *chos* should be accumulated at one place and utilised throughout the year for irrigation purposes. Not long ago we were told by the Financial Commissioner that as much as 800 square miles of land was being rendered useless by the action of these *chos*. I submit that if you are anxious to save such a vast area of land from further harm, the best way, in my opinion, is to give effect to the proposal I have submitted above. I have hazarded this suggestion in response to the invitation given by the Financial Commissioner last year who was pleased to say that if any sound and productive scheme were put forward by any member of the Council, it would be readily undertaken.

[Chaudhri Afzal Haq.]

I am of opinion that if steps are taken to accumulate the whole of the water at one place, we can save the people and the lands in the Hoshiarpur district from the damage that is done to them by the action of the *chos*. Not only that. We can further make use of that accumulated water for irrigating the vast area of 800 square miles of land lying waste at present. This scheme, if adopted, will further remove the anxiety of the Government on the score of the scarcity of water in the four tahsils of the Hoshiarpur District. In that case you will not be required to ask the zamindars to stop sinking wells in future or to close down some of the wells already working in order to make up the scarcity of water. The long and short of it is that my proposal, if adopted, will go a long way to put an end to the difficulties from which the people of Hoshiarpur are at present suffering. If need be you can borrow money from the Government of India to give effect to this scheme. You need not raise funds for the purpose by means of fresh taxation. It is no unsound principle of finance to borrow money for productive schemes. I am aware that this proposal comes from a layman and I therefore, do not insist that my proposal should necessarily be given effect to. If it does not sound practicable you can adopt any other scheme which your experts may advise you to adopt. Our object is that something must be done in this connection as soon as possible. No time should be lost to bring about this reform. The number of these *chos* is very large and not a few of them are about one mile in length. They are doing great harm to the Hoshiarpur district and I think that if for another twenty years no action is taken you will find most of the villages non-existent after that period. With these few observations I support the amendment under consideration.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) (Urdu): Sir, I am as much interested in this much vexed question of *ekos* as those two honourable members who represent Hoshiarpur. This question was thoroughly thrashed out and discussed by the Rural Sanitary Board in order to find out means by which it could give relief to the people of Hoshiarpur. The honourable member representing Hoshiarpur Non-Muhammadan constituency proposed in a meeting of the Board that because Jaijon village in the Hoshiarpur district was in danger of being washed away, a *bund* should be constructed to save it from that danger.

Pandit Nanak Chand: I did not make that proposal. It was proposed by Government.

The Honourable Malik Firoz Khan, Noon: Sir, I remember this much that my friend insisted on a *bund* being constructed. But the Board had got no money at its disposal at that time to give effect to that proposal. Sir, in fact the Rural Sanitary Board has no money at its disposal which it may spend at its own initiative whereas the Urban Sanitary Board has got 7 or 8 lakhs of rupees and can spend any amount out of it for sanitation, water-works and other allied purposes. Sir, whenever it is proposed to give effect to a scheme accepted by the Rural Sanitary Board, it is submitted to the Chief Engineer for sanction and the expenditure to be incurred thereon is met from the head 'Civil Works.' By stating all this I simply meant to show that Rural Sanitary Board had no apathy

towards the interests of the villagers. It is rather very much interested in the uplift of the villagers and if the proposed *bund* was not constructed, it was due to the fact that funds were not available.

Pandit Nanak Chand : The Honourable Minister said that this question was beyond the cognisance of the Board not that the money was not available.

The Honourable Malik Firoz Khan, Noon : Such was the decision of the Board. Now we have to see how it is possible to bring the water, that comes into the *chos*, under control. I am glad that the honourable member opposite has suggested a constructive proposal to-day in the course of his speech. He has proposed that the whole of the water should be accumulated at one place by the construction of a *bund* and the water so accumulated should be utilised for irrigation purposes throughout the year. May I point out that this proposal has already been thoroughly considered when it was intended to construct such a *bund* in the Sialkot district and that on consideration it was found to be impracticable. The *chos* are many in number. They are scattered over a large part of the Hoshiarpur district as was pointed out by the last speaker at the conclusion of his speech. If we make up our mind to give relief to one place and in consequence we construct a *bund* there, it goes without saying that the other portions of the district will have to be treated similarly and even this is difficult of achievement owing to many engineering difficulties. The *chos* are many and come down the hill all along its length with the result that an embankment will have to be built all along the hill side in its entire length in order to dam up the water from all *chos*.

(*A voice: That is not the opinion of an expert*). That is my opinion based on the opinion of the experts as expressed in the files on the subject. The water that comes down from the Shiwalik Range contains a large amount of silt. And if we were to construct an artificial lake to accumulate the water and a wall round it to prevent the water from flowing out, the lake will get silted up in the course of a few years and after that the water will begin to flow over the wall. I need not say what picture will it present if the state of affairs comes to such a pass. You can think for yourself how it is possible to bring under control the whole of the water that comes down rushing from the Shiwalik Range within a short period of one or two months of rainy season. Government is itself anxious to find a solution of this problem. If you can believe me I may assure you that Government entertains no such idea that unless some productive scheme is put forward, it is going to do nothing in this matter. It has got no selfish interest in view. The difficulty is that no sound proposal suggests itself to the Government which, if adopted, may bring the much needed relief. My point will become more clear if I tell you that sometime back it was proposed to construct a *bund* to save the lands from the action of *Dhol Wah*. But a strong protest was raised against such a step being taken by the people. The Engineers who were entrusted with the work also reported that it was not safe to undertake the construction of the proposed *bund* because the position of the villages that lie beyond it will become very dangerous. To make it doubly sure the Government deputed

[Hon. Malik Firoz Khan, Noon.]

the Chief Engineer to examine this question on the spot and see how far the previous report was true. The report of the Chief Engineer has now been received and he considers that a solution of the problem has not been found yet. In conclusion I wish to assure the House once again that Government is prepared to spend any amount for the purpose if only a practicable solution of this problem is found out. If any members have got any proposal to make, they can come to me at any time or they can make their proposals to the Chief Engineer. He will be prepared to discuss such proposals with them if they may so desire. Not only that. If any of them wishes to take with him one of our engineers to any of the villages concerned in order to examine this question on the spot, our engineer will readily accompany him to the village. We want some permanent solution of this problem and unless such a solution is found, it is not possible to take any step in this matter.

4 P.M.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural] Urdu : Sir, I represent a district of which Chaudhri Atzal Haq and Pandit Nanak Chand are also the representatives and of which Mr. Townsend has been a Commissioner for a number of years. He is thus perfectly acquainted with the conditions of the people and the soil of the district. Hoshiarpur is regarded as "the garden of the Punjab" but, Sir, the condition of the zamindars of this district is pitiable. The Government no doubt has tried to ameliorate their woeful plight by passing the *Katar Dhar* and the *Chos* Act and by resorting to other similar devices which instead of giving anything curtails the rights of the people. Unless strenuous and continuous efforts are made and a large amount of money is spent from the provincial revenues no improvement is possible.

I fail to understand Sir, why the honourable mover of the motion has drawn particular attention of the Government to the village of Jaijon, only whereas the conditions of all other villages of the Hoshiarpur district situated at the banks of the *chos* are equally bad and pitiable. The *chos* carry away the cultivated land and throw heaps of sand on the holdings of the zamindars thus rendering them unculturable. The zamindars can consequently eke out but a precarious living. The Government should, therefore, direct its attention first of all to the removal of these troubles.

Recently the Honourable Minister for Local Self-Government paid a visit to Hoshiarpur and attended the meeting of the district board. We placed our grievances before him and he very kindly assured us that a Government expert was coming in connection with some other district, probably Gurgaon, and that he would be sent to Hoshiarpur. But, Sir, several months have elapsed and no expert has come so far. The Government should, I submit Sir, appoint an expert exclusively for Hoshiarpur and send him without delay.

Sir, I do not claim to be an expert in engineering matters; the problem of *chos* can be tackled and solved by a specialist only. But, however, I venture to put forth a suggestion and leave it to the expert to decide how far it would be practicable and beneficial to give effect to it. In my humble opinion the best way to tackle the problem of *chos* would be to dig a long canal by removing sands from both sides of the fields of the zamindars where in the *chos* water should flow and at a distance of some miles a *bund* should be made to prevent the matter from going further. If this be not

practicable the water should be allowed to flow up the 'Soan' and there a big dam should be erected. The water so accumulated or formed in reservoirs can be used for irrigation purposes and it will also help to raise the water level of the wells that is going down gradually by the natural process of sub soil percolation.

This in short is my suggestion. Let the expert come and find out how far it is practicable and useful.

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, I welcome a discussion on the subject of *chos*. As the last two speakers have said, I am myself almost a resident of Hoshiarpur, and I have the greatest possible sympathy with the people of the Katar Dhar, and indeed the people of Hoshiarpur generally on account of their various troubles, such as the sinking of the water level in parts of the district, the damage done by *chos* and the like. I am, however, somewhat at a disadvantage in dealing with the motion initiated by Pandit Nanak Chand because he asks for information on various matters. He was courteous enough to tell me yesterday the exact information that he would require, and I have done my best to obtain from the office such information as is available. I will now give it. He will, quite possibly, not consider it sufficient. I shall, however, be very glad if he will meet me at any time in my office and I will very gladly get him any further information that I can. The most recent information that I have is contained in the last Annual Land Revenue Report written by the Deputy Commissioner of Hoshiarpur last autumn and of the *chos* he writes as follows :—

"During the year 1926-27 the scheme resulting from the Chos Committee's report was put into full operation so far as the Katar Dhar or hill area, was concerned. Forty-four Chaukidars have been entertained to replace the old guards and two deputy forest rangers joined the establishment in January last. The scheme for the remission of land revenue on areas voluntarily closed in the hills has hitherto met with no response, as the people are afraid that official inspections of particular closed areas may lead to extended official control. There are, however, signs that this prejudice is decreasing. Under the supervision of a keen and active tahsildar, who is accustomed to hill travel, supervision of the entire Katar Dhar has much improved, and plantings, especially of local species, have been undertaken in a large number of villages with fair success.

"Efforts have been made to administer the Act as sympathetically as possible having regard to its objects."

I may interject, here a remark, that nobody who knows the present Deputy Commissioner of Hoshiarpur, his ability, his industry, and his sympathy with the people (*hear, hear*) will have the least hesitation in agreeing with me that no better officer could be found to administer the Act than Mr. Jenkins. The report continues :

"An equally important part of the general scheme for the *chos* as a whole relating to reclamations in the plain areas has been held in abeyance. An attempt at a general survey has proved a regrettable failure and fresh proposals will, it is hoped, be submitted shortly."

[Mr. C. A. H. Townsend.]

The report then mentions the *Dolbaha chos* with which the Honourable Minister for Local Self-Government has dealt.

Sardar Harbakhsh Singh, the last speaker put forward various suggestions, and so did Chaudhri Afzal Haq. I shall be very glad when I receive printed copies of their speeches to send them to the Deputy Commissioner for consideration. As I have already said, I have entire sympathy with the people of Hoshiarpur. If I, as Financial Commissioner, can do anything to help them in their difficulties, I shall be very glad to do so. I have already told this to Pandit Nanak Chand, but, not unnaturally, he may perhaps regard the information that I have given as inadequate. But it is the best that I can give him at present. As I have already said I shall be very glad to give him any further information.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian) Rural] (Urdu): Sir, I am very glad to find that some honourable members of the House, who are fully conversant with the hardships of the zamindars of the Hoshiarpur district, have put forth two or three new suggestions for the solution of the problem of *chos*; and the Honourable the Minister for Local Self-Government have also in his lengthy speech suggested remedies for overcoming the ravages of *chos*. But, Sir, with due deference to the Minister, I beg to state that to become a Minister does not mean that he can also understand intricate problems of engineering. The problem of *chos* is such a difficult and a complicated problem that none but the expert can adequately tackle it. The opinions of the laymen like the Minister, Chaudhri Sahib and myself do not carry any weight.

The long and the short of the proposal of Chaudhri Afzal Haq is this: that an expert or a committee of experts be appointed with a view to determine whether it is feasible to make tanks or dams for storage of water, for collection of water in order to utilise it for cultivation purposes and thereby collect the *chos* water and utilize it for the purposes of cultivation. Sir, I like to tell the honourable member that his proposal has been tried in Mysore but it proved to be a failure. Again Hoshiarpur is different from other districts in the matter of *chos*. The *chos* of Hoshiarpur district are small ones and if *bunds* are made over them, they will not be carried by the *chos* and there is no ground to fear that the Punjab would be deluged by them.

In the last Session of the Council, the Government promised to take steps to alleviate the sufferings of the zamindars of the Hoshiarpur district. I request the Government to fulfil its promise. It would at least partially remove their hardships. I also request the Financial Commissioner to ask the Deputy Commissioner of Hoshiarpur that he should carry out his proposed scheme of remitting the land revenue. As the Financial Commissioner, and the Honourable Minister have promised to bear in their minds the zamindars of the Hoshiarpur district and have assured that all possible efforts would be made to control the *chos*, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Sayad Muhammad Husain [Montgomery (Muhammadian) Rural] Urdu: Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 3,16,100—Survey and Settlement Parties."

Sir, my object in moving this amendment is to draw the attention of the Government to the undesirability and futility of the settlement operations now in progress in the Montgomery district. I am inclined to hold this pessimistic belief for several reasons which I will discuss *seriatim*. In the first place the present settlement of the Montgomery district is unnecessary inasmuch as it is much too early. The last settlement took place as late as 1914, and since people come to settle there only gradually, some parts of the district, especially those occupied by *ex*-military men, have only been inhabited during the last three or four years. Again *kalibandi*, *wararibandi*, and *mustafil band*, wats and walls of the fields are in perfect order; nor have any serious quarrels about the rights of the villagers have arisen. In view of all these things, where is the necessity for the fresh measurement at all. Would it not be mere waste of time, money and energy to effect a fresh measurement? Secondly, if the fresh settlement is allowed to take effect the Government and the public would be put to untold expense and inconvenience. The survey and settlement departments of the Government would be called upon to survey the whole district and the inhabitants would be harassed by providing facilities to them in the performance of their work. But wherefrom would this money come? From the coffers of the Government which are replenished each year by the zamindars with the money earned by the sweat of their brow and paid in the shape of land revenue, water-tax and malkana. Since the present settlement is unnecessary being too early and would entail useless expenditure of lakhs of rupees, which the zamindars can scarcely afford to pay, the settlement should be abandoned. The Government committed a similar blunder some years back, in making the settlement of Dipalpur and Pakpattan, at a time when there was absolutely no necessity for it, inasmuch as colonisation had not started. People had lodged several representations against it. Three or four years later, a fresh measurement had to be made when colonisation began. Thus lakhs of rupees were wasted in the first settlement. I, therefore, request the Government not to commit this blunder again and waste the hard-earned money on remeasurement. In insisting upon the remeasurement being carried out, the Government is going contrary to the principles of settlement laid down by Colonel Wace. Lastly, another and the most harmful effect of the present settlement of the Montgomery district would be, that land revenue in all probability would be enhanced; and I will presently show that all the zamindars from the biggest to the smallest, would not be able to bear this.

The soil of the Montgomery district is poor and sandy, and the rainfall is scanty, with the result that a considerable quantity of the land remains uncultivated. During the "Rabi," 80 per cent. of the zamindars after paying the land revenue, water-tax and the *malkana* get hardly enough to make both ends meet. Their hopes are generally centred on the "kharif" when the cotton crop flourishes and the zamindars can earn enough to keep them living during the rest of the year. But prospects of the cotton crops are now not so brilliant as before, nor would it bring them sufficient money in future. The reasons are two fold. The cotton produced in the Montgomery district till last year could be sold at Rs. 12 or Rs. 10. But in future, it could be hardly sold at 6 rupees. The cotton would be supplied in large quantities from Sudan, Egypt, Nili Bar and many other places. Again middlemen mix good cotton with the bad one. The result is that it cannot

[Sayad Muhammad Husain.]

stand comparison with the cotton produced in other countries and places. Lastly an insect has made its appearance in the Montgomery district which destroys the cotton crop considerably. Thus it would appear that the incomes of the inhabitants of the district would be reduced, but they would be called upon to pay higher land revenue than before, whether they would be able to pay or not. I will discuss briefly its effects on each class of inhabitants.

The inhabitants of the Montgomery district comprise of three classes (a) big landlords; (b) tenant proprietors and Government grantees, and (c) ex-military men. What would be the effect of the enhancement of the land revenue on the big zamindars? I may simply quote the words of Major Vanrenan, a leading zamindar of the district, who when inquired about the effects of the enhancement of the land revenue said, "I won't be able to run the show." When a big zamindar like Major Vanrenan would not be able to stand the effects of enhancement of land revenue, what the conditions of other big zamindars would be. I think, it can be better imagined than described. Then comes the tenant proprietors and Government grantees. They consist of men who have come to Montgomery from other districts and cultivate land that belongs to others, or of men who have been temporarily given lands for purposes of cultivation. Their holdings hardly average about one square. Since soil is poor and rainfall scanty, they can scarce eke out a precarious living. Last come the ex-military men who have been granted lands in the Montgomery district for war services. They consist of full-fledged Captains, Lieutenants, Subedars and others. It is these men who sacrificed their lives for the safety of the British Empire, and it is on account of these men that this Council, these Ministers and members are in existence. Since they cannot cultivate lands with their own hands and have to live decently and educate their children, the produce of their lands must be enormous to enable them to comply with these necessities. But their expenses outrun the income. If the land revenue is enhanced their condition would become still worse. I, therefore, appeal to the Government to take notice of these facts and have pity on these men who have not shirked to shed their life blood for the Government. The strength of the Government lies in our strength. We are the roots and the Government is the tree. If the roots are in proper condition, only then the tree can flourish. The Government should therefore think twice before enhancing the land revenue.

Last year I was suffering from influenza or I would have then protested against the settlement of the Montgomery district.

Mr. President : Demand under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 3,16,100,—Survey and Settlement Parties."

The question is that that motion be adopted.

Sardar Ujjal Singh [Sikh (Urban)] : Sir, my honourable friend from Montgomery has dwelt at length on the subject under discussion. I shall not repeat what he has already said, but I will only take a few points that he has not been able to mention or that did not occur to him to mention. I endorse his view-point that the colony area of the Lower Bari Doab Canal

is an inferior area. Just look at the whole area from one end to the other, and with the exception of an area of Okara you will not find any really good land. A gentleman—I will not disclose his personality,—a Pathan gentleman happened to buy land in this colony. When asked how the land was like he said

بسیار خراب است کف دست میدان است

That is the sort of land that we usually find in the Lower Bari Doab Canal area.

The second point is that it does not cost much money to improve an ordinary land which is brought into cultivation, but it costs a lot to improve an average land and much more to improve an inferior land, and I know by experience what it cost in labour and money to improve that kind of land. Ordinarily a cultivator has to invest a lot of money on building huts, digging wells and water-courses and many other things for which money is necessary. Besides this on the improvement of land of this type it costs much more money.

Sir, my third point is that since this area was brought under cultivation the value of land and the value of commodities have a tendency to fall rather than to go up. Cotton prices were at their top in 1923 and the zamindars could sell the American *apars* at Rs. 25 to Rs. 28, a maund. The value of land in that area went up to Rs. 38,000 a square, and in these days one cannot sell even the best of land for more than Rs. 10,000 a square.

Another reason is that during this period water rates were increased which were not increased during the first colonisation period on other canals and this was an additional burden which was put on the cultivators of this Lower Bari Doab Canal area. Then again though water-rates were increased, the water supply was reduced. By that I mean, that in the beginning for one cubic foot of supply an area of ten squares or 250 acres was sufficient for irrigation. That is to say, the Irrigation Department would give one cubic foot for 250 acres, but on remodelling they generally allow one cubic foot for eleven squares, that is, the same supply for additional 25 acres.

Another reason is that during the last two years there have been miserable failures of cotton crops, more miserable on this area than anywhere else. Even this year although there has not been general failure of cotton crop in the Punjab, on the Lower Bari Doab I know some villages where the yield has not been more than 20 seers an acre. Still we did not get any remission.

Another reason for postponing this operation of settlement in the Montgomery district is that we are now considering the Land Revenue Amendment Bill. We should not proceed with any settlement until we decide on a policy whether the assessment ought to be based on considerations which prevailed before or whether we should revise our policy and base our assessments on some other principle, whether we should increase the assessment after a certain period or whether the settlement should be permanent, and so on. So, until this House decides upon the policy of Land Revenue Amendment Bill which is under consideration by the select committee, settlement operations ought to be postponed.

The last reason I should put forward before the Government is that in spite of the surplus, in spite of the financial improvement, Government has

[Sardar Ujjal Singh.]

not given us any remission. They have put forward certain reasons for doing so. But is there any reason for putting more burden on the zamindars in the way of additional taxation? If more money is not needed now where is the necessity for revision of settlements in order to enhance land revenue? This is just the time when the Government should revise its policy and postpone the operations of settlement of Montgomery.

Mian Ahmad Yar Khan, Daultana [Multan East (Muhammadan) Rural]: Sir, Khanewal tahsil, which is part of my constituency, is included in the Montgomery settlement. I know Khanewal is far from my home, but in the last election I have become familiar with it. I know the condition of that place very well. If the idea of the settlement is to reduce the present land revenue I welcome it. (Hear, hear). But if it is to enhance it in any way I strongly oppose it. (Hear, hear). There are many reasons for doing so, and all of them have been discussed by my friend from Montgomery. But the chief reason, the main reason on which I want to oppose the Settlement operations in Montgomery is this, that watersupply in that tahsil has been considerably reduced in the last three years. At present water supply in Khanewal tahsil is hardly adequate. In the beginning of December I was invited by some of my constituents to go and study the condition of irrigation in that part. I went and found that in about 17 chaks on 10-R. the supply of water had been reduced by at least 60 per cent. I can quote the names of many chaks which had two *mogas* of 12 inches each. But now the same chaks have got only one *moga* of 9 inches. The zamindars as a class consist of men who never grudge payment of their dues to Government as long as they can afford to do so. The other day I was reading the speech of a British Lord about land revenue in England, and I thought that we in this country were much better off than they were there. I shall read some extracts from that speech:—

“And that is the prosperous industry that the Government has set out by every means in its power and every principle it can distort to tax almost out of existence. Many land-owners will disappear, and all will be crippled under the cumulative taxation of a property that is already so affected. After all land owners are damned according to the spirit of the age by owning property, and they are doubly damned by owning property in land.”

If the land revenue is increased in Khanewal tahsil I will be justified in saying that we are in no way better than the man who uttered those words. (Hear, hear).

Mr. E. Mayadas [Non-official, nominated]: Sir, I have tried to pay attention to the arguments that have been put forward and to the extent that I could hear I have heard that the value of land has fallen and therefore these settlement operations should be postponed. Another reason given is that land is of inferior quality, and therefore cotton crop which is one of the most important crops does not grow well, and that it is always likely to be a failure. Yet another reason given is that water supply has been considerably decreased. If these reasons are correct then it is certainly a very serious matter. If the honourable gentlemen who have put forward these

arguments are convinced that these facts are such, then is it not time that the matter should be examined? Is that not in itself a reason why the settlement should take place? (Hear, hear). Why is it taken for granted that the rates will be increased when the land is inferior, and so bad that the land owner is unable to pay land revenue and other demands? I am afraid that the requests that are being pressed are not based on substantial grounds, and that those who put them forward are afraid of their position and of the truth being found out. That is why they put forward these arguments.

Risaldar Bahadur Nur Khan [Rawalpindi (Muhammadan), Rural] (Urdu): Sir, I cannot find words adequate enough to support the motion which has been so ably moved by my friend, the member for Montgomery. However, I will try to give expression to my thoughts as best as I can, and I hope that the Government will give their best consideration to the same. You are aware, Sir, that in the Montgomery district lands have been given to such of the retired military officers and soldiers, who shed their blood during the Great War not only in Europe, but also in Mesopotamia, Palestine and in good many other places too numerous to be mentioned here. These military grantees have been trying to enter upon their possessions since 1921, and during the period that has elapsed several of them have died and the grants of land have since passed into the hands of their widows and orphans. But they have not yet been able to derive the desired benefit from these lands, and the reasons for this are not far to seek. When these military grantees first entered upon their possessions they were inexperienced in the ways of agriculture, and consequently they lost heavily. Then again, owing to absentee landlordism, and owing to their ignorance of the conditions attached to these grants of land they were not in a position to derive the fullest benefit from the agricultural operations undertaken by them. Also in order to fulfil the *abadkari* conditions they have been obliged to construct houses for themselves, which has involved the expenditure of money. Besides that, they have spent large sums of money for filling up the holes, etc., in their lands so as to make it culturable, and as these people did not possess any money of their own they had to borrow it, and this they have not yet been able to repay. The net result of their labours is that at present they are unable to stand on their legs, and if the settlement operations are not discontinued they are sure to add to their misery. It is a pity, Sir, that the Government has not realised the disadvantages under which these people are labouring. Surely the services rendered by these people are worthy of greater consideration than has been so far shown to them. If the settlement operations are continued and land revenue is increased, as it is bound to be, I do not for a moment hesitate to say that the Government is not requiting their services in a manner, which we expected of them. These people, I repeat again, have shed their blood for the Government; they are the saviours of the British Empire, and it behoves the benign Government to show them the consideration, which is their due, and to which they are entitled by virtue of their yeomen services to the British Empire at a time when the destinies of the same hung in the balance. With these few words, I support the motion of my honourable friend, the member for Montgomery.

Sardar Harbakhsh Singh. [Hoshiarpur and Kangra (Sikh), Rural] (Urdu) : Sir, I wish to say a few words in support of the motion of my honourable friend, Sayad Muhammad Husain. As you are aware, Sir, the Montgomery district is the home of the military grantees, i.e., the people who have shed their life's blood for the Government, and, therefore, the question of carrying out settlement operations in this district is not a question which touches this district alone. This question, if I may be allowed to say, is a provincial question, inasmuch as it will closely affect the military grantees in other parts of the province as well. The history of previous settlement operations has brought home to us the lesson that land revenue is bound to be increased in this district, and people who entered upon the possession of their lands hardly four or five years ago will have to feel the brunt of this increased land revenue. This state of affairs may aptly be described in the form of a well-known Urdu proverb, viz. :

سر منڈا لے ہی اولے پڑے

or as a Punjabi proverb says :—

پڑ بچا نہیں تے اچکے اے ہی آن کھڑے

which means that the people had hardly had time to gather the fruits of their strenuous labours when the Government came down upon them with their demand for an increase of their share. I submit, Sir, that this state of affairs is not likely to prove conducive to the well-being of the people, and it would be in the best interests of the people as well as of the Government that the settlement operations in the Montgomery district should be discontinued. I would, if I may, go a step further and propose that for some years to come no settlement operations should be taken in hand throughout the length and breadth of the whole province. It is time the Government realised the fact that the peasantry and small farmers are very much discontented with the present policy of Government, viz., that of increasing the land revenue after every ten or twelve years. This policy is likely to embitter the feelings of the agriculturist population more and more, and it behoves the Government to listen to the advice of its well-wishers.

The first settlement operation was carried out about 75 years ago, and from that time onward the Government has consistently followed the policy of increasing the land revenue. This *bandobast* of land has in fact amounted to a *bandobast* of the zamindars, and Government should take it from me that if the zamindars come to learn a little more of their rights and privileges the day is not far off when they will think of doing the *bandobast* of the Government itself.

Sir, the land revenue is a tax, and it is imposed upon a wrong principle, and the fact that it is being increased every now and then shows the callousness of the Government. The Government has forged the bonds of slavery on the rural population, and by increasing the land revenue periodically it is strengthening those bonds. The zamindars are slaves, while the rest of the population are enjoying their liberty. The non-agriculturists may, if they like, contribute something towards the revenues of the province, but the zamindar is obliged to cultivate his land. He is obliged to pay the land revenue, and if he fails to do so, his land as well as his household effects are bound to be auctioned. This, Sir, is a state of affairs which no civilized Government can tolerate.

Then I wish to point out, Sir, that if the whole or the greater portion of this tax were used for the uplift of the zamindars, then there would be some justification for these periodical enhancements, but since the matters are otherwise and only an infinitesimal portion of the land revenue is being spent for the benefit of the zamindars, there is no justification for Government to increase the burden from time to time. I would, therefore, ask the Government to cry halt. Let these enhancements be put a stop to immediately, otherwise, I am dead certain that it will lead to such widespread agitation that it will cost the Government a good deal in money and men to suppress it.

Lala Mohan Lal [North East Towns (Non-Muhammadan) Urban] (Urdu) : Sir, I am not prepared at this stage to discuss the policy of settlement as a whole. I am not at present prepared to say as to whether the settlement should be permanent or periodical. This matter can conveniently be decided when the Land Revenue Bill comes up before the Council for consideration, and then the Council can make up its mind as to whether settlement should be taken in hand after a period of 20 years or 40 years or 50 years. This was, Sir, by way of preliminary remarks, and I will now address myself to the point at issue. The first question I would like to ask in this connection is "Is the Government entitled to a share of the produce of the land, if the income from the same has increased owing to the improvements made in the land."

To this question the answer must be in the affirmative, when the income-tax is increased with an increase in the income, why should not the same principle apply in the case of land revenue. I may also inform the members that the income-tax payers are bothered in the matter of the assessment of their income every year. If any income-tax payer fails to furnish the returns to the Income-tax department, then the department concerned can impose any amount of income-tax. This, however, is not the case so far as the zamindars are concerned; their net income is assessed by expert officials in accordance with established principles, and there is no fear of over assessment, and this is done after a fixed period. The small farmers have my entire sympathy, and I should be only too glad to lend my support to any measure likely to benefit them. But as far as the big zamindars are concerned I submit, Sir, that they are rolling in wealth.

Sayad Muhammad Husain : Question.

Lala Mohan Lal : It is a fact, Sir, that the big landlords are rolling in wealth and, therefore, I request the Government that in order to save the small holders it is incumbent upon them to devise means with a view to prevent the big zamindars from acquiring the lands of small landholders. I belong to the Kangra district, Sir, and I myself own a little of land, and so I am in a position to say with some authority that the smallest holders of my district are really in a bad way. They are selling their lands for next to nothing. My honourable friend, the representative of the Kangra district told me only the other day that if he had one lakh of rupees he would be able to purchase the greater portion of the Kangra district. In view of these facts I again repeat my request that big zamindars should not be allowed to purchase more lands and especially the lands belonging to small land-holders.

[Lala Mohan Lal.]

If the big zamindars are desirous of putting a stop to these ever-recurring settlements, they should put their own house in order, and desist from acquiring the lands of their poorer neighbours, and be prepared to part with their large incomes by sharing the State expense.

Now I come to the question of the condition of military grantees. I am not acquainted with the condition of military grantees in other parts of the province, but I know something about those who are owners of lands in my district, i.e., Kangra. The military grantees of the Kangra district are distinctly well-off. These people saved money during the great war and got Government grants of lands, and with their savings purchased lands, and have now become big zamindars and owners of large estates and houses, so much so that all the owners or almost all the owners of big houses in the district of Kangra are retired military officers.

In the end, I would again say that if owing to improvements made in the land, the income from the same increases, there is no reason why the Government should not share this increased income. If, however, the produce of land decreases owing to some circumstances, it would only be just and proper if the rate of land revenue is reduced. With these words I oppose the motion now before the House.

The Honourable Mian Sir Fazl-i-Husain: (Revenue Member) (Urdu): Sir, I had better speak in Urdu to make myself understood by all the non-official members of this House.

Sir, the honourable member (Muslim) for Montgomery has drawn my attention to a very important thing. He was pleased to remark in the course of his speech that in connection with the settlement operations now going on in the Montgomery district, the settlement department should not do certain things which are not likely to be of any use to the people or to the Government. I can assure the honourable member that his wishes in this respect will be carried out to the letter. Government should not spend a single penny on things which will benefit neither the Government nor the public. I am thankful to the honourable member for having drawn my attention to the possibility of this danger, and I again assure him and the Council also that Government will not undertake any work which is not really necessary and likely to be of use to the State.

The next thing to which he drew my attention was whether the settlement operations, now in progress in the Montgomery district should be continued or discontinued? Sir, the expenditure for this settlement was voted by the Council in its last budget session, and the actual operations were started in October 1927. If the honourable member had any objections to the starting of this settlement he could have put them before the Council in its last budget session. Now that the settlement operations have been taken in hand it is next door to impossible to order their discontinuance. Moreover, the honourable member has not put forward any cogent reasons for the discontinuance of the same, and I may point out to him that unless this is done I cannot see my way to order its suspension or complete discontinuance.

The next point to which I have to address myself is that the honourable member in the course of his extremely eloquent speech mentioned certain things which were relevant to the motion under discussion and he also mentioned many other things which were not relevant. For example he said that the area under cotton is increasing, but the produce is decreasing. He also mentioned the fact that the fertility of the soil is decreasing and that the amount of water supply is being reduced. These are things, Sir, which I dare not contradict, and I am sure that no honourable member of this Council would be prepared to say that they are baseless. Nor do I venture to say, Sir, that whatever the honourable member for Montgomery said was perfectly true. It is just possible that in some *mauza* or other the supply of water may have been reduced. It is just possible that in some village the produce of land may have fallen, but these are things, which require to be investigated, and it is for the investigation of these things that settlement operations are taken in hand.

I am very glad to note, Sir, that owing to the spread of education in rural areas, the rural people have begun to take greater interest in matters affecting their well being. It is a matter of great pleasure to me that the representatives of the zamindars are more well-informed and this in my humble opinion augurs well for their future welfare. But I very much regret to say that there is a tendency among certain speakers to hold out threats to the Government by saying that the zamindars are very much discontented and that the Government should be on the look-out for trouble and pay greater heed to what is happening in countries round about India. To this the only reply that I can make is that the Government is well aware of what is happening in the neighbouring countries, and I should like to remind my honourable friends that what is happening there amounts to the negation of the right of private property; that land does not belong to anybody in particular but is the property of all. Please do not think for a moment that the present Government or its Revenue Member is in the dark regarding these matters or that his successors will not take into consideration things happening in countries adjoining India. We are all very much on the alert. It should, however, be borne in mind that every Government has to carry on the administration of the country and for that money is needed. Either this money should be obtained from the pockets of the zamindars or from the pockets of non-zamindars. Anyhow money has got to be obtained, and, therefore, the threats which have been held out to Government cannot help us to solve the problem that is under consideration. The question at issue is whether the settlement of the Montgomery district was started earlier or later than the promised date? I am glad to inform the Council that the settlement was started after twelve years instead of ten years, i.e., two years after the promised period, and I think the land owners of Montgomery are thankful that the settlement operations were delayed for a couple of years. We should always say and do things which may ultimately result in something beneficial to us all collectively. I do not for a moment say that land revenue will be increased in every tahsil of the Montgomery district. It would be unsafe to predict anything of the sort at this juncture. The land revenue may or may not be increased.

Sayad Muhammad Husain: What is it that the honourable member is speaking of Sir?

The Honourable Mian Sir Fazl-i-Husain : If I were to believe all the things that have been said in this connection, then I am sure that not a pie will be added to the burden of land revenue; but if I were to put faith in the notices which are daily received and in which it is said that squares of land in Montgomery district can be leased out for Rs. 800 per annum, per square, then I incline to the view that such squares can pay more than Rs. 50 as land revenue. It is, therefore, not advisable to put forward this motion at the present time, because it is not likely to achieve the object which the honourable member has in view. As the Revenue Member of the Punjab Government I am not prepared to affirm that there will be no increase in the land revenue. Here are notices which say that a square of land can be leased out for Rs. 800, and an honourable friend of mine has just pointed out that Rs. 1,000 can be obtained by leasing out a square of land and that the zamindar members of this Council are putting forward this motion simply to harass the Government so that it may not increase the land revenue. Sir, if the motion is due to such a desire it is not likely to have the desired effect.

I may say once for all that the assessment of land revenue in the various tahsils of the Montgomery district will be taken in hand in accordance with the facts and figures collected by the settlement officials, and they will be the most competent persons to decide this matter. Government will, however, keep in view, the principle approved. I understand, by this council that the small land holders should be assessed comparatively lightly and the big zamindars a little heavily but what will please me most, Sir, will be that when settlement officials have fixed demands for a village or a group of villages the landholders of the said village or villages will themselves so distribute the demand as to assess the small landholders lightly and the big one to help in the matter. That will be a practical demonstration establishing in an unimpeachable way our fitness for self-government.

Sayad Muhammad Husain [Montgomery (Muhammadian), Rural] (Urdu) : Sir, with your permission I will attempt to give a reply to the arguments advanced by the Honourable Member for Revenue. In the course of his learned speech the Honourable Member was pleased to take into his confidence the members of the Council regarding the objects of the settlement of the Montgomery district. Sir, I am a believer in inductive logic. Whatever has happened in other districts of the province is likely to happen in Montgomery district also. In all the settlements that have recently taken place the burden of land revenue has been increased and it does not require much reasoning to arrive at the conclusion that in Montgomery also the land revenue will be increased. Can the Government give me a single instance in which land revenue has not been increased as the result of re-settlement? For example, take the case of Hafizabad tahsil in the Gujranwala district. This tahsil, as you are aware, Sir, is one of the worst tahsils so far as its lands are concerned owing to water-logging the produce of the land has fallen and in certain places the lands have become unculturable. The Government was well aware of the state of affairs in Hafizabad tahsil and they gave an assurance that land revenue will be reduced, and some 700 squares of land were distributed amongst the most deserving zamindars. May I, therefore, put the question whether the land revenue has actually been reduced?

The Honourable Mian Sir Fazl-i-Husain : Sir, with your permission I should like to give a reply to the question asked by the member for Montgomery whether any reduction was made in the land revenue of Gujranwala district at the time of its settlement. I hope, Sir, the honourable member is not unaware of the fact that land revenue for *barani* and *chahi* lands was actually reduced, while that for *nahri* lands was increased. Now as regards the distribution of squares of land to deserving zamindars I should like to say.....

Mr. President : I do not think the honourable member has any right to speak at this stage. He has a right of reply.

Sayad Muhammad Husain : Sir, I am prepared to admit that assessment has been reduced on one side and increased on the other, but the question is what was the sum total of increase and decrease ; it was decidedly increase.

Then Sir, Pandit Nanak Chand was pleased to remark that Rs. 1,000 annually can be obtained by leasing out a square of land. To this Sir, I wish to make a sporting offer. Is the honourable Pandit prepared to take over the whole of my land for Rs. 500 per square of land annually ? It is all very well to say that you can get Rs. 1,000 annually per square of land, but do you know Sir, how much we have to pay to Government and its petty officials. I have just now received a registered letter from the tahsildar of Jaranwala saying that if Rs. 4,000 is not paid by a certain date my property will be attached and auctioned. This letter speaks for itself and I need not go into the details of the expenditure which we have to bear. It is a pity, Sir, that the Honourable Revenue Member is making capital out of the remarks casually made by Pandit Nanak Chand. But I am glad to say Sir, that we have got amongst ourselves a number of European settlers who are of the same opinion as ourselves. I would, therefore, ask the Honourable Revenue Member not to take Pandit Nanak Chand's words for gospel truth.....

Mr. C. A. H. Townsend : Sir, I really cannot understand a word of what the honourable member is saying.

Sayad Muhammad Husain : I am speaking in plain Urdu.

Mr. C. A. H. Townsend : It is not the language, Sir, but it is the speed, to which I am referring.

Sayad Muhammad Husain : All that I wanted to say was that we have got amongst ourselves a number of European settlers, who are of the same opinion as ourselves.

Then Sir, Mr. Maya Das said that the only object of this motion seems to be that the zamindars are afraid of the fact that their large incomes will come to light if the settlement is proceeded with. I should like to tell my honourable friend that we zamindars are afraid of nothing, we do not wish to conceal anything. Everybody knows our expenses and our incomes, and therefore, we are not afraid of anything coming to light.

[Sayad Muhammad Husain.]

Now, I come to another point: the Honourable Revenue Member seemed to take a great deal of pride in the fact that the settlement of the Montgomery district has been taken in hand two years later than the promised period. But I should like to ask him Sir, what would happen to those people, who entered upon their lands only four or five years ago. Will they not be obliged to pay a larger amount of land revenue. Had my friend Pandit Nanak Chand been an owner of land in this district, he would have realised to some extent the disabilities under which we are labouring.....

Pandit Nanak Chand : Sir, I rise to a point of order. I have made no speech but only made one solitary remark, and the honourable member is going on criticising it. You should allow me Sir, to make a speech, and then I can give him solid arguments in support of that remark.

Mr. President : If the honourable member is keen to make a speech, I think, it will not be difficult to find time for him.

Sayad Muhammad Husain : Now, Sir, military grantees are closely connected with the people of the Montgomery district, and as you know Sir, hardly five or six years have elapsed since they took possession of their lands and it will be very hard upon them if they are asked to pay more when they have hardly settled in their possessions. Then Sir, the Honourable Revenue Member had something to say about the conditions prevailing in the neighbouring countries. To this I wish to reply that it is my heartfelt prayer to God to keep the Bolsheviks away from this country. But the Government should remember that if they set foot in this country they will first destroy the present administration and then will come our turn, and if the worst comes to the worst and they threaten to kill me I will give up my lands and become a cultivator myself. Let the big Maliks also remember that they too stand to lose their lands if once the Bolsheviks come to this country. I may also remind the big Hindu landlords that their big houses, their lands and their factories will not remain intact. Every thing will be confiscated and they will be reduced to the position of the poor zamindars. I am very sorry that the Honourable Revenue Member has obliged me to say these disagreeable things. I wish he had not made his unfortunate remarks.

Then I wish to express my regret for the fact that Lala Mohan Lal has thought it fit to attack me personally. I am proud of the fact that my forefathers served the Government faithfully and I am still more proud to say that Government has given me $8\frac{1}{2}$ squares of land in recognition of my war services. I am prepared to forego these squares of land if Lala Mohan Lal so likes. Have them auctioned if you like but please stop the settlement. My friend Lala Mohan Lal is as much entitled to purchase land as myself but he should purchase land at its market value. He has no right to give on loan Rs. 100 and turn it into Rs. 1,000 in five or six years' time and then purchase the land of the debtor for next to nothing.....

Lala Mohan Lal : How many squares of land have you taken on lease ?

Sayad Muhammad Husain : You can have these squares if you like and make yourself responsible for any profits or losses that may accrue to you. Sir, if men like Lala Mohan Lal or Pandit Nanak Chand say these things I do not mind them very much, but if the Honourable Revenue Member puts himself on a level with these gentlemen, then Sir I do take these things to heart. If the Honourable Revenue Member gives an undertaking that people who entered upon the possession of their lands less than ten years ago will not be called upon to pay a higher rate of land revenue after ten years, I am prepared to withdraw my motion, but if he is not willing to give this undertaking then I am afraid I shall have to press my motion.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, all the matters at issue have now been decided. The honourable mover of this motion has recognised the fact that the settlement of the Montgomery district cannot now be stopped. I will not, therefore, say anything about matters, which though mentioned by the honourable member were not relevant to the debate. Further I do not wish to enter into a discussion of things which exist only in the imagination of certain members.

Coming to the real issue the honourable mover of this motion wants that the settlement operations now in progress in the Montgomery district should be abandoned. My reply is this neither the mover himself nor any of his supporter has advanced arguments, which would enable me to accede to their wishes. I do not see any reason why a different procedure should be adopted in the case of Montgomery district, when Sheikhpura, Jhang and Attock have been recently settled? A good many members of this Council own lands in Montgomery, but that is no reason for abandoning the settlement operations now in progress there. The members of this House should keep in view the best interests of the province as a whole and they should not be led away by their love for one particular district to propose things which are contrary to practice, and which cannot be given effect to except by sacrificing the interests of the rest of the province. If the council is of opinion that Montgomery district is not so well-off as Sheikhpura, Attock and other such districts, even then I do not see my way to adopt a different procedure in the case of this district, however much I may wish to give effect to the wishes of the Council. But as I have already said no cogent reasons have been put forward to enable me to revise my decision. The incidence of land revenue in Montgomery district is only two rupees, while in Lyallpur it is five or six rupees per acre. Is it the pleasure of the honourable members of this Council that the settlement of *nahri* lands should be abandoned? Will that benefit the owners of *chahi* lands? Surely it will not do to sacrifice the land revenue on *nahri* land, if we were to help the *barani* land-owner. Other lands have been under three or four assessments, while in the case of the colony portion of Montgomery, why this is the first one. I would, therefore, request my honourable friends not to press me to do a thing, which I cannot conscientiously do. With these words, Sir, I leave the amendment in the hands of the Council.

Mr. President : Demand under discussion, motion moved—

“That the grant be reduced by Rs. 1 with respect to the item of Rs. 3,16,100,—Survey and Settlement Parties.”

The question is that that motion be adopted.

The Council divided : Ayes 25 ; Noes 84.

AYES.

Khan Bahadur Captain Sardar
Sikandar Hayat Khan.
Mian Ahmad Yar Khan, Daul-
tana.
Sardar Buta Singh.
Sayad Mubarik Ali Shah.
Mr. Din Muhammad.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Shaikh Faiz Muhammad.
Chaudhri Duli Chand.
Rai Shahadat Khan.
Sayad Muhammad Husain.
Khan Bahadur Malik Muham-
mad Amin Khan.

Risaldar Bahadur Nur Khan.
Malik Khan Muhammad Khan,
Wagha.
Chaudhri Umar Hayat.
Khan Muhammad Abdullah
Khan.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Atzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Habib Ullah.
Sardar Ujjal Singh.
Sardar Bishan Singh.

Sardar Bishan Singh.

NOES.

Col. C. A. Gill.
Mr. H. D. Craik.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. A. R. Astbury.
Mr. H. F. Ashton.
The Honourable Mr. Manohar
Lal.
The Honourable Sardar Jogendra
Singh.
The Honourable Sir Geoffrey
deMontmorency.
The Honourable Mian Sir Fazl-i-
Husain.
Mr. J. G. Beazley.
Mr. J. D. Penny.
Mr. Ram Chandra.

Mr. H. W. Emerson.
Dr. C. A. Owen.
Mr. M. M. L. Currie.
Mr. Labh Singh.
Lala Mohan Lal.
Chaudhri Ram Singh.
Pandit Nanak Chand.
Mr. Owen Roberts.
Rai Bahadur Pandit Daulat
Ram, Kalial.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Lala Joti Parshad.
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.
Sardar Sahib Sardar Fateh
Singh.
Mr. E. Maya Das.

The motion was lost.

The Council then adjourned till 2 p.m. on Saturday, the 3rd March 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 3rd March, 1928.

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

STARRED QUESTIONS AND ANSWERS.

C. I. D. OFFICERS AT THE LAHORE CENTRAL JAIL AND THE
BORSTAL INSTITUTION.

***1046. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether any Criminal Investigation Department officers are posted at the Lahore Central Jail and the Borstal Institution to watch the movements of criminals ;
- (b) the strength of this police force ; and
- (c) if it is a fact that even the interviews of political prisoners are sanctioned subject to the approval of these officers ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) No.

(c) No.

DAM ACROSS THE SUTLEJ AT BHAKRA.

***1047. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether the American expert has submitted his report about the feasibility of a dam across the Sutlej at Bhakra ;
- (b) whether this report is favourable ;
- (c) whether he inspected any other site on the Jumna, Beas and Ravi and whether any of these other sites was suitable for the construction of a dam ?

The Honourable Mian Sir Fazl-i-Hussain : (a) The report of the expert committee has been received and a copy has been placed in the Library.

(b) Yes.

(c) Yes. Details can be found in the report in the Library.

AREA UNDER IRRIGATED CROPS IN THE ROHTAK DISTRICT.

***1048. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) the area under irrigated crops for each of the years 1913, 1914, 1915, 1916, 1924, 1925, 1926 and 1927 at the tails of the Asan and Ismalia branches, respectively, of the Bhalot Distributary in the Rohtak district ;
- (b) whether, if there has been a decrease in the area under irrigated crops referred to in (a), he will state the causes leading to the decrease and the steps he is going to take for their removal ?

The Honourable Mian Sir Fazl-i-Husain : (a) The areas under irrigated crops were—

Years.		Tail Asan.	Tail Ismalia.
1912-13	.. ..	168	678
1913-14	.. ..	484	785
1914-15	.. ..	431	1,165
1915-16	.. ..	233	473
1923-24	.. ..	353	727
1924-25	.. ..	1,056	571
1925-26	.. ..	384	747
1926-27	.. ..	460	848

(b) There has been no decrease. The variations are due to the season and rainfall. Attention is being paid to the Bhalot Distributary which will further improve the supply to these tails.

LOWER BARI DOAB CANAL.

***1049. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) the number and length of canal closures on the Lower Bari Doab Canal in 1925-26, 1926-27, 1927-28 ;
- (b) the exact dates marking the commencement and end of each of these closures ;
- (c) whether these closures affected the sowing or maturing of cotton and wheat ;
- (d) whether it would be possible to avoid such closures in the future ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b). 1925-26 one closure of eleven days from 12th January, 1926. 1926-27 two closures ; 10 days from 26th November, 1926, and 82 days from 13th January, 1927. 1927-28, 3 closures ; 11 days from 22nd May, 1927, four days from 2nd December, 1927 and 30-days from 6th January, 1928.

(c) It is not considered that these closures affected the sowing or maturing of cotton and wheat. As regards cotton there was a general failure in

Kharif 1926 although there was no closure that could have affected the cotton crop in that year. The area under cotton shows a decline in 1927, but this is considered to be due to the general failure of the previous year and not to the small closure which occurred in this year.

2. As regards wheat, *Rabi* closures are simply part of the rotational closures necessitated by the supply in the rivers being less than the capacity of the canals, they represent no decrease in the total supply used on the canal during the season. Figures for the *Rabi* 1927-28 are not yet available. The area under wheat in 1926-27 shows a slight decline on the area 1925-26 but the total *Rabi* crops for the same year show an increase for the latter year.

(d) Government is unable to give an assurance on this point.

AREA OF WHEAT AND COTTON CROP IN THE MONTGOMERY DISTRICT.

***1050. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) the area under wheat and cotton crop, respectively, in 1922-23, 1923-24, 1924-25, 1926-27 and 1927-28 on G.R. in the Montgomery district ;
- (b) if there has been any shrinkage in the cultivated area owing to frequent and long closures or contracted supply of water and whether steps will be taken to remove these defects ?

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

Year.	Wheat.	Cotton.
1922-23	8,518	2,637
1923-24	7,947	4,212
1924-25	8,379	6,299
1925-26	6,224	6,777
1926-27	7,846	6,447
1927-28	6,865	4,701

(b) The shortage in cotton in 1927 is attributable to the general failure of cotton on the Lower Bari Doab Canal in 1926, the slight shortage in wheat in 1927-28 is due to river supplies at the sowing season being low in consequence of the early cessation of the monsoon.

BRIDGES FOR DRAIN NO. 8 BETWEEN GOHANA AND ROHTAK.

***1051. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Local Self-Government kindly state—

- (a) the number of bridges sanctioned for drain No. 8 between Gohana and Rohtak ;
- (b) whether he has received any representations from the zamindars of neighbouring villages such as Sanghi, Singhpura and Sundarpur for the early construction of bridges of sufficient width to allow of the passage of carts ;
- (c) what action has been taken on those representations ?

The Honourable Malik Firoz Khan, Noon : (a) There are already ten bridges on Drain No. 8 in a length of $21\frac{1}{2}$ miles, between Gohana and Rohtak, giving an average distance of 2.1 miles between each bridge.

Four more bridges are proposed so that there will be fourteen bridges in $21\frac{1}{2}$ miles. This is considered ample.

(b) Representations were received from Sundarpur and Singhi villages asking for cart bridges.

(c) The estimates for new bridges are under preparation and their construction will be undertaken this year.

DRAINAGE SUB-DIVISION FOR ROHTAK DISTRICT.

***1052. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Local Self-Government kindly state—

(a) the date on which a drainage sub-division was sanctioned for Rohtak district ;

(b) the amount and nature of work accomplished on drain No. 6 in that district ?

The Honourable Malik Firoz Khan, Noon : (a) The Drainage Sub-Division was opened at Rohtak on 1st March 1926.

(b) Drain No. 6 extends through the Karnal, Rohtak and Delhi districts, and was taken over from the district boards concerned towards the end of 1926. The whole drain, for a length of about 50 miles, has been surveyed. Work is actually in hand on the last sixteen miles for which an estimate amounting to Rs. 44,000 has been sanctioned, while one is being prepared for realigning the rest of the drain.

STANDING COMMITTEES ON AGRICULTURE AND CO-OPERATIVE SOCIETIES.

***1053. Chaudhri Zafrullah Khan :** Will the Honourable the Minister for Agriculture please state on how many occasions the meetings of (a) Standing Committee on Agriculture and (b) Standing Committee on Co-operative Societies were held during the year 1927 ?

The Honourable Sardar Jogendra Singh : (a) None.

(b) Once in July 1927.

WARDEN OF FISHERIES.

***1054. Chaudhri Zafrullah Khan :** Will the Honourable the Minister for Agriculture please state the duties of the Warden of Fisheries ?

The Honourable Sardar Jogendra Singh : (1) To draft rules and regulations for each district with a view to conserving the present stock of fish and preventing the wholesale depletion of the waters of the Punjab.

(2) To improve the lot of professional fishermen by carrying out experiments to discover the best means of breeding indigenous fish and by explaining the potential value of the Fisheries of the province.

(3) To settle amicably disputes between fishermen and zamindars.

(4) To erect fish ladders in canals in order to enable fish to reach their spawning grounds.

(5) To locate spawning areas and promote the artificial breeding of fish.

(6) To supervise the activities of the staff of the Department over an area of 17 districts, where the Department issues licenses and collects fees.

WARDEN OF FISHERIES.

***1055. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please state for what particular reasons the headquarters of the Warden of Fisheries were originally fixed at Dharamsala and whether those reasons continued to operate up to the present day? If those reasons have ceased to have any weight, is it proposed to transfer the headquarters to some more central place?

The Honourable Sardar Jogendra Singh: One of the main reasons for making Dharamsala the headquarters of the Fisheries Department was that it was decided to stock the hill streams with fish.

The experiment in Kangra district has been a success. It is an important spawning centre and has its trout hatcheries which need constant attention of the Warden.

ARTIFICIAL BREEDING OF FISH.

***1056. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please state whether the artificial breeding of fish has been undertaken by the department of Fisheries during recent years, and if so, with what results?

The Honourable Sardar Jogendra Singh: Artificial breeding of fish has been undertaken by the department since its inception. Trouts have been successfully bred and several rivers have now been stocked with them. The Department has also succeeded in breeding Murral and Golden Carp in Madhopur. Experiments are still being carried on with Carp—Rohu and Mori at Chhanawan. The breeding of Mahasir in confined waters was also taken up recently.

DEPARTMENT OF FISHERIES.

***1057. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please give the figures of expenditure and income of the department of Fisheries during the last five years?

The Honourable Sardar Jogendra Singh: The figures of expenditure and income of the department of Fisheries during the last five years are:—

	<i>Expenditure.</i>	<i>Income.</i>
	Rs.	Rs.
1922-23	47,906	38,898
1923-24	57,137	45,586
1924-25	58,713	39,789
1925-26	57,918	56,284
1926-27	70,200	50,908

LEASES IN RESPECT OF FISHERIES.

***1058. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please state whether leases in respect of fisheries are auctioned by the department of Fisheries or by the district authorities?

The Honourable Sardar Jogendra Singh: Leases in respect of Fisheries are auctioned by Deputy Commissioner.

LEASES OF FISHERIES.

***1059. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please state whether the lease money in respect of leases of Fisheries is collected by the Department of Fisheries or is realised through the ordinary revenue agency?

The Honourable Sardar Jogendra Singh: The lease money in respect of leases of Fisheries is collected by the Deputy Commissioners concerned.

CENTRAL CO-OPERATIVE BANK.

***1060. Chaudhri Zafrullah Khan:** Will the Honourable the Minister for Agriculture please state—

(a) when the system of direct lending from the Central Co-operative Bank was introduced in the Sialkot and Gujranwala districts and how long it has been in operation; and

(b) whether Sardar Iqbal Singh was in charge of these two districts as Circle Registrar during any portion of that period?

The Honourable Sardar Jogendra Singh: (a) The system was experimentally introduced in 1923 and was discontinued in November 1927, when it became clear that the experiment was not a success.

(b) The reply is in the affirmative: S. Iqbal Singh was in charge till May 1927.

CENTRAL CO-OPERATIVE BANK.

***1061. Chaudhri Zafrullah Khan:** Will the Honourable Minister for Agriculture please state whether the system of direct lending from the Central Co-operating Bank in the Sialkot and Gujranwala districts has not by affording facility of credit resulted in an enormous increase in the indebtedness of the members of the co-operative societies in those districts, and if so, where does the responsibility rest for this unfortunate state of circumstances?

The Honourable Sardar Jogendra Singh: The experiment appears to have resulted in an increase in indebtedness. For this the experiment itself is responsible, for it is of the nature of experiments that these results cannot be predicted.

CENTRAL CO-OPERATIVE BANK.

***1062. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state whether any enquiry has been held by the Co-operative Department into the working of the system of direct lending from the Central Co-operative Bank in the Sialkot and Gujranwala districts, and if so, what has been the result of such enquiry?

The Honourable Sardar Jogendra Singh : An enquiry was held in October 1927. The result of the enquiry was the discontinuance of the experiment which showed that the system was unsatisfactory.

SARDAR IQBAL SINGH.

***1063. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state whether the Registrar of Co-operative Societies is in favour of sending Sardar Iqbal Singh, Circle Registrar, for training to Europe and whether the Honourable Minister has agreed to allow the said Sardar Iqbal Singh to go to Europe for training?

The Honourable Sardar Jogendra Singh : Yes.

CO-OPERATIVE DEPARTMENT IN THE SIALKOT AND GUJRANWALA DISTRICTS.

***1064. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state—

- (a) the number of employees of the Co-operative Department in the Sialkot and Gujranwala districts whose services have been dispensed with during the years 1926 and 1927;
- (b) how many of those were Sikhs, Hindus and Muslims respectively; and
- (c) whether the Honourable Minister intends to restore any of these persons to their posts?

The Honourable Sardar Jogendra Singh : (a) Four;

(b) Sikhs 3.

Hindus 1.

Muslims Nil.

(c) No.

SAMBRIAL-DASKA-GUJRANWALA ROAD.

***1065. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Sambrial-Daska-Gujranwala Road has been taken over by the Public Works Department;
- (b) whether it is proposed to put the road in a proper state of repair, and if so, by what date?

The Honourable Sardar Jogendra Singh : (a) The Sambrial-Daska-Gujranwala Road is to be taken over by the Public Works Department.

(b) The transfer is in progress and as soon as it is completed a programme of work will be prepared ; until such a programme is ready definite dates for completion cannot be forecasted.

Sayad Muhammad Husain : Will the continuation of the road from Gujranwala to Hafizabad and Pindi Bhattian be taken up in conjunction with it or not ?

The Honourable Sardar Jogendra Singh : I require notice.

INAYAT ULLAH, SUB-INSPECTOR, SARGODHA.

***1066. Chaudhri Zafrullah Khan :** (1) Will the Honourable Finance Member please state whether it is a fact—

- (a) that certain bribery cases were instituted against Inayat Ullah, Sub-Inspector, Sargodha, at the instance of the District Magistrate, Sargodha, within the last four years ;
- (b) that those cases were transferred to the court of a magistrate at Jhang under the orders of the High Court ;
- (c) that the cases resulted either in the discharge or acquittal of Inayat Ullah, Sub-Inspector ;
- (d) that the trying magistrate at Jhang found that the cases were concocted and false and in one of those cases directed the prosecution of some of the prosecution witnesses for perjury in respect of the statements made by those witnesses in his court ;
- (e) that an appeal against this order of the trying magistrate was preferred on behalf of the prosecution witnesses at the expense or at the instance of the local Government ;
- (f) that this appeal was heard by the Sessions Judge, Lyallpur, and counsel on behalf of the appellants appeared in the court under the directions of the District Magistrate, Sargodha ;
- (g) that this position involved the awkward result that the Crown as represented by the trying magistrate at Jhang wanted to prosecute certain persons for perjury and the Crown as represented by counsel instructed by the District Magistrate, Sargodha, wanted to defend those persons ? If so, how does the Government justify this position ;
- (h) that after the said Inayat Ullah, Sub-Inspector, had been discharged or acquitted in the bribery cases a prosecution for perjury was started against him in respect of a statement made by him even before the bribery cases were instituted against him ;
- (i) that his perjury case was again transferred by the High Court for trial to Lyallpur ; and
- (j) that the said Inayat Ullah, Sub-Inspector, has been acquitted in this case also ?

(2) Will the Honourable the Finance Member please state whether the said Inayat Ullah, Sub-Inspector, has or has not been re-instated in his post and whether Government proposes to compensate him for the heavy expenses which he has incurred in defending himself against charges which have now been proved to be absolutely false and which were brought against him at the instance of the District Magistrate, Sargodha?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the answer to this question is not yet ready. The information asked for by the honourable member is being collected and will be communicated to him as soon as it is available.

STRICTURES BY THE HIGH COURT AGAINST THE DISTRICT MAGISTRATE, SARGODHA.

***1067. Chaudhri Zafrullah Khan :** Will the Honourable Finance Member please state—

- (a) whether the judgment of the High Court in the case Taj Muhammad *versus* Crown in which the High Court has passed severe strictures against the District Magistrate, Sargodha, has been brought to the notice of the Government;
- (b) what action does the Government propose to take?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Government has made enquiries on certain points. When the results of enquiries have been received Government will be in a position to come to conclusions.

MUHAMMADAN WAQF ACT OF 1923.

***1068. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Local Self-Government please state whether any statements have been furnished to any of the courts in the Punjab under sections 3 and 4 of the Muhammadan Waqf Act of 1923? If so, how many and for what districts? Will Government kindly lay copies of these statements on the table of the House?

The Honourable Malik Firoz Khan, Noon : It is reported that twenty-nine mutwallis in the districts of Ambala, Simla, Hoshiarpur, Amritsar and Multan have furnished the statements in question, copies of which are not available with Government. The courts to which such statements are submitted are however required to publish both locally and in the *Punjab Gazette*, notices of the furnishing of the statements and the honourable member could doubtless examine the statements in the courts concerned or obtain copies from them.

AIK NALLA AND DEK NALLA.

***1069. Chaudhri Zafrullah Khan :** Will the Honourable Member for Revenue please state what progress has so far been made—

- (a) in the training of the Aik Nalla in the Sialkot district;
- (b) in the protective measures taken to preserve the *abadi* of Sambrial in the Sialkot district from becoming waterlogged; and
- (c) in the training of the Dek Nalla in the Sialkot district.

The Honourable Mian Sir Fazl-i-Husain : (a) A complete system of drains and bunds for the control of Aik water between the Canal and the Pulkhu Nullah has been elaborated and sanctioned. Construction is at present in hand and it is hoped to have the system in operation before next monsoon.

(b) Arrangements have been made in connection with the above system, for the protection of Sambrial town and the drainage of its surroundings as far as is possible with a gravity outfall. Subsidiary drainage works with a pumping outfall are under investigation.

(c) Investigations to determine what measures for the control of the Deg spills are advisable and practicable are in hand. It is anticipated that these investigations will be completed shortly.

MOTOR SERVICE ON THE TALAGANG-INJRA ROAD.

***1070. Sardar Ujjal Singh :** Will the Honourable Revenue Member please state—

(a) whether any representations were made to the Deputy Commissioner, Attock, and the Commissioner, Rawalpindi Division, by the public of Talagang *ilaga* against the monopoly of motor service on the Talagang-Injra Road ;

(b) if so, whether any action was taken by the authorities concerned ?

The Honourable Mian Sir Fazl-i-Husain : The information asked for by the honourable member is being collected and will be communicated to him in due course.

LIQUOR SHOPS.

***1071. Khan Bahadur Mian Muhammad Hayat, Qureshi :** (a) Will the Honourable the Minister for Agriculture be pleased to state the present number of liquor shops in the rural areas in the Shahpur district ?

(b) Will the Honourable Member be pleased to state the number of such shops in 1920 ?

The Honourable Sardar Jogendra Singh : (a) Eleven.

(b) Six.

The number of shops in urban and rural areas was 14 in 1919-20 and is 15 in the year 1927-28.

SETTLEMENT FOR CHAK THAL.

***1072. Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable the Revenue Member be pleased to state—

(a) whether it is a fact that at the time of the last settlement of the Khushab Tahsil by Mr. M. S. Leigh the period of settlement for Chak Thal of the Tahsil was fixed at 15 years while for the rest of the tahsil it was fixed at 80 years ;

(b) whether it is a fact that one of the reasons for this low period in the case of Chak Thal was the proposed construction of the Sindh Sagar Canal;

(c) Why in view of the fact that there is no immediate chance of Sindh Sagar Canal being opened and the whole of this tract depends absolutely on rains, and the harvests are generally a failure, the period of 15 years should not be extended to thirty years, so that there may be a uniformity for the whole tahsil.

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

(c) The matter is engaging the attention of the Financial Commissioners.

AREA SOWN IN CHAK ARA.

***1073. Khan Bahadur Mian Muhammad Hayat, Qufeshi :** Will the Honourable the Revenue Member be pleased to state the area actually sown during the *rabi* 1927 and *rabi* 1928, respectively, in Chak Ara of the Shahpur district?

The Honourable Mian Sir Fazl-i-Husain : The reply to this question is not yet ready. It will be communicated to the honourable member when ready.

AGRICULTURIST STUDENTS.

***1074. Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable the Minister for Education be pleased to state whether it is a fact that the agriculturist students enjoyed the concession of half rate fees in the Rawalpindi division for the last thirteen years and that the concession has not been renewed since 1st October 1927? If so, why?

The Honourable Mr. Manohar Lal : The Honourable Member's attention is invited to answer to Council question No. 557¹.

ASSISTANT SURGEONS.

***1075. Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable the Minister for Local Self-Government be pleased to state the number of Muslim and non-Muslim Assistant Surgeons who have been granted study leave to proceed to United Kingdom so far?

The Honourable Malik Firoz Khan, Noon : Fifteen, of whom one was a Muslim.

GOVERNMENT'S DEMANDS FOR GRANTS.

LAND REVENUE GRANT—concluded.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]:
Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 7,920—Extra Assistant Colonization Officer in the Lower Bari Doab Colony—B.—Colonization operations."

Sir, my object in moving this amendment is to draw the attention of Government towards the conditions of the locals, and to discuss the delay in the grant of land to locals. Sir, I believe as the representative of the locals—and I will try to convince the Government benches and other members of the House to agree with me—that on any land, and in this case the Lower Bari Doab Canal Colony, which is going to be irrigated, precedence should be given to the claims of the sons of the soil. Sir, arguments have been adduced in the past to the effect that these people are not good cultivators, because they have just entered into the state of agricultural civilisation. It is always people who belong to some other part of the Punjab and who are considered to be good cultivators, that are given precedence over the locals. But I say that given equal opportunities these people will prove to be as good cultivators as anyone. Usually these men are given very bad land. Only give them good land and you will find that they will prove to be much better cultivators than any cultivators in the province.

Mr. President: May I ask the Honourable the Revenue Member: whether the Government had ever undertaken to give land to the locals?

The Honourable Mian Sir Fazl-i-Husain: He is in order in moving the motion.

Mr. President: That is for me to decide. What I want to know is whether Government had ever given an undertaking to give land to the locals, and whether the giving of land has been delayed through negligence or otherwise of the Government or its officers.

The Honourable Mian Sir Fazl-i-Husain: That is exactly why I submitted that he is in order.

Sayad Muhammad Husain: As I was saying, these poor locals have in the first place been always given very inferior land as compared with the land given to their more fortunate brothers the military grantees or the ordinary peasant grantees. How can you expect a man who is given inferior land to turn out the same results as those turned out by men who have got better land? Wherever these locals have been fortunate enough in getting good land, they have shown results as good, if not better than, those shown by any one else.

Sir, lately I have had the fortune of taking the Minister for Agriculture over the cattle farms owned by the locals, the *Janglis*. Ask him if he found the results produced by them in any way inferior to those produced by any one else, and if any honourable member has any doubts in his own mind, let him go and see things for himself, and I am sure that all his doubts as to their incapacity will be removed. Then, Sir, they have got another element in them which makes them even better cultivators than others.

They are in possession of a large number of cattle, and are therefore able to secure manure in large quantities. Their bullocks and cows which are bred at home are properly fed from the very beginning. They are themselves very strong people, and it is the strength of sinews which they possess which enables them to stand greater hardships than the others. Just examine their physique; they are much better built than others. Of course they are cattle-lifters, but they have imbibed the spirit of cattle-lifting from their forefathers. It is the duty of the State to ameliorate them, and by giving them education to kill their criminal propensities. It is education that they lack. Educate them, remove their disabilities, give them equal chances, and you will find that they will prove to be better tenants and better citizens than any in the province.

The third point is that the holdings given to them is very small. In the beginning an allotment was made to them, but unfortunately for them the war broke out and so only six acres of land were given to them. These people are strong and they are multiplying and so this area is not sufficient for them.

Mr. President: Order, order. As the honourable member is discussing the question of delay on the part of the Colonization Officer to give land to the locals, the quality and the quantity of land are irrelevant to the discussion.

Sayad Muhammad Husain: Very well, Sir. My point of discussion was this. Government had given an undertaking that their grants will be increased. Now, having given that undertaking, having promised that their grant will be increased from 6 to 12 acres, Government has not yet given effect to that undertaking.

Mr. President: The quality and quantity of land do not come in the discussion. That is my point.

Sayad Muhammad Husain: Then, I will not proceed with that point further. Now, in the very beginning when I was a member of the first reformed Council, myself and my honourable friend who represents the same constituency of Multan moved resolutions, and the Financial Commissioner and the Government gave us an undertaking that they would give lands to the locals. Again during the last two or three years we have been receiving answers in this Council to our questions to the effect that land will be given, but I am not able to see the cause of delay. I am thankful to the Government for treating the case sympathetically and appointing an officer to prepare lists. I am quite satisfied with the arrangements made for the grant of lands; the naib-tahsildars and revenue assistants are all good officers and there has been no case of corruption. But what is the use of all this if the people do not get possession of land in time. When I happened to see the Deputy Commissioner, he told me that the canal department refused to give water to J plot. If the Chief Engineer had been here he would have thrown some light as to the cause of delay in supplying water. I would ask in the first instance that water should be given to those lands which have been earmarked to the locals, because otherwise there is no use of accommodating them in that land. I understand that the whole channel is silted owing to its conversion of K into a flow channel. It was a mistake to have converted it into a flow channel because no benefit has accrued to

[Sayad Muhammad Husain.]

them. On account of the initial mistake of the canal department they have to cut off the irrigation *in toto*. Having set apart a fair part of the lands for the *jānglis* now the Government comes forward and says there is no water. That is one of the causes of delay.

The second point is that if the Government is unable to supply water from the Lower Bari Doab Canal then they should put matters right by giving them land in the Sutlej Valley Project which is under construction. If that is not possible there will be further delay.

Mr. President : I am afraid the honourable member is not speaking to the motion. He will please confine his remarks to the delay or its causes. What land should be given and in what colony, are matters which are irrelevant to the motion before the House.

Sayad Muhammad Husain : I am explaining the cause of delay. One main cause of delay is said to be that land is not available. I am going to show that land is available. It was adduced by Government that land was not available and that land had been earmarked for military grantees and such purposes. I am developing the point that land is available and I am going to prove it. These 7,000 acres of land on Wahab Distributary are surrounded by *Khatia* people. *Rakhs* are very small and it will not be wise policy of Government to have any other class of people there. I think the Honourable Finance Member is already aware of several riots among this class of people, several killed and wounded. If you are going to put in any other class of people in this tract there will be no homogeneity and the result will be identical riots, as they are now happening. So I want to draw the attention of the Government in the interest of administration and in the interest of the locals that it is advisable that these 7,000 acres should be set apart for the *jānglis* and not for any other class of people so that the population there may be homogeneous and not heterogeneous.

The canal department should be persuaded by the Government to extend irrigation perennially from the Lower Bari Doab Canal and if that is not possible this is the most opportune time to append it to the Sutlej Valley Canal. But Government should raise the unit for them, that is if the Government is giving half a square per family and if they cannot give adequate irrigation facilities then the quantity of land to be given to them should be made equal to that which under similar circumstances are offered to other people. If the Government does not allot the land early the result will be that these people without any other means of livelihood will revert to their criminal propensities who would otherwise have been good citizens. But if the Government put them in possession of land without any further delay I shall be the first person to congratulate the Government.

Mr. President : Demand under discussion, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 7,920, Extra Assistant Colonization Officer in the Lower Bari Doab Colony—B.—Colonization operations."

The question is that that motion be adopted.

Mr. H. D. Craik (Financial Commissioner): Sir, I have every sympathy with the honourable member's solicitude on behalf of his neigh-

hours and constituents and I have to admit that he has some cause for complaint on the ground of delay. But I hope he will accept the statement that this delay was really due to reasons which Government was unable to control. It was recognised in the early days in the first stage of colonization of the Lower Bari Doab that the local people should in fairness have a share in the new irrigation. But I may remark here that I cannot accept the honourable member's proposition that the local people have the *first* claim on the Crown waste that becomes available after colonization. Government are the trustees of this undeveloped wealth, which is the property of the province as a whole. The first consideration must be to get the land colonized by the best cultivators in the province. Local people of Montgomery and Multan are not, I am afraid, particularly famous as good cultivators. In fact many of them are really not cultivators at all. However, as I have stated Government did recognise that it was only fair that the local people should have a certain portion of land and as long ago as 1919 or early in 1914, at any rate before the war broke out, lists of local people who were qualified to get grants of land were drawn up and I should like the House to understand, though the honourable member has not brought this out in his speech, that an actual area of about 40,000 acres has been distributed to local peasants. That did not satisfy all those who were considered to have some right to such grants; and it was estimated that a further area of about 21,000 acres would be required to satisfy them. Then came the war and the undertaking of Government to provide land for the men who fought in the war and the heirs of those who died in the war. The Punjab Government agreed to set aside a very large area in this colony as reward grants to men who fought in the war and their heirs. I think it was 175,000 acres. So it became very difficult to meet the demands of the local people. Though a majority of these grants to soldiers and their heirs have now been made, there are still some of these grantees who complain that they have been given land of inferior quality and who have put in claims for better land and their claims to receive better land in exchange have been admitted by Government. Those claims have not yet entirely been met. We have still to keep in hand a certain area of land in this colony to meet further demands of this nature. It was this necessity of providing for soldier grantees and providing better land to these soldier grantees who were allotted very bad land that has delayed the grant of land to local peasants. But it is not the intention of Government to go back on their undertaking and within the last few months the Deputy Commissioner has sent up suggestions for providing a very large area of roughly 80,000 acres for immediate allotment to the local peasants. His proposals in this respect have been approved in principle (*hear, hear*). It is not possible to carry them out immediately because some tracts have not received irrigation yet. Within the last few days—within the last week or so—I received a letter from the Deputy Commissioner on the subject and as my own personal knowledge is not as close as I should like it to be, I have asked the Deputy Commissioner to come up here and discuss the subject personally with me and he is coming in a few days. I made this request before I received notice of the honourable member's motion. The honourable member referred to one or two—I think two—areas in which it is possible that local peasants may have grants. One of these he referred to as

[Mr. H. D. Craik.]

plot J. I do not suppose there are many honourable members of the House who recognise the land by that description, but it happens to be a considerable area below the high bank of the river close to Shergarh where the honourable member lives. The honourable member tells me that that plot will not now receive irrigation. I am very much surprised to hear that, and I hear it for the first time to-day. I will of course have enquiries made and I hope the honourable member is not right in what he says. Anyhow, that is a point which I quite agree has to be looked into. He has also referred to the extension on the Wahab minor where there is a small area of some six or seven thousand acres of Crown waste among the chaks inhabited by the Khatia tribe. The honourable member has suggested that the whole of that area should be reserved for local peasants. That happens to be particularly good land, I believe, and I am not quite sure that I can give any such undertaking. I think part of it will be required for those soldier grantees to whom I have already referred and who in equity and according to the undertaking of the Government have a prior claim. But if there is any balance left over after their claims have been satisfied, the local people will no doubt get a share in that land. I hope, Sir, that what I have said will reassure the honourable member that Government has no intention of going back upon any promise or undertaking that it has made in his constituency and though the Government regrets the delay that has taken place in implementing those undertakings, yet I have shown—and I hope the honourable member will accept this position—that the delay was due, as I have already said, to reasons beyond the control of the Government. I propose to do my best to obviate any further delays and I hope that without being too sanguine, the process of allotment to these people, lists of a number of whom have been prepared by an officer recently appointed on special duty for the purpose, will commence at a fairly early date. I hope, Sir, that after this explanation, the honourable member will agree to withdraw his motion.

Sayad Muhammad Husain : I have heard with satisfaction what has been said by the Financial Commissioner and I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I beg to move—

“That the grant be reduced by Rs. 1 with respect to the item of Rs. 13,440—Extra Assistant Colonization Officer—B.—Colonization operations.”

Sir, my object in moving this motion is to discuss the colonization policy of the Government. Colonization is now in progress and I would like to make some observation on this subject. I have raised this subject so that other honourable members may also make some observations on the colonization policy and also with a view to enable the Government to tell the House the line of policy which they wish to adopt on this question. In the first place, I want to press the claims of the sons of the soil in the matter of these grants. In spite of what has already been said by the Financial

Commissioner, still I am not satisfied with the way in which colonization operations are going on and I still stick to my old principles that the sons of the soil should get precedence over others in all claims for grants. These are the people who are born and bred there, these are the persons who have been earning their bread there and these are the people who have been living there from time immemorial, and now that the land is made irrigable, is it fair, is it just and is it equitable that these sons of the soil should be turned out of their holdings, that they should be turned out of their hearths and homes and that they should be sent to some remote corner, simply because they are not good cultivators? I ask is that a right principle for the Government to follow. It is not right, Sir, that the sons of the soil should be turned out from this place for facilitating people who are much advanced educationally, economically and morally, to receive their share in the colonies. Then, Sir, secondly, as has been rightly observed by the Financial Commissioner, this is the asset of the whole province—the colonies. Those people who are the most deserving, who are living in the most congested area should get precedence in the grant of land, so that the pressure of the population on the soil might be removed and their conditions might improve materially. Now, for that reason, Sir, I press forward the claims of Muzaffargarh district. That is the first district to be given relief. That is the most unfortunate district, where on account of the pressure of population on the soil, on account of their heavy indebtedness, on account of the floods of the Indus, on account of the prevalence of epidemics, on account of the people being exploited by several agencies—I would not mention the names of those agencies—on account of all these causes, the people of that district have reached a stage when they are not even able to eke out a living. In this connection, I submit that great weight should be given to the assessment report of the settlement officer of this district, I mean Mr. Anderson. He has written in his recent settlement report—I hope the Honourable the Revenue Member will correct me if I am wrong—he has written that the people of Muzaffargarh district, from the point of cultivation, are second to none in the province. This is the observation of Mr. Anderson in his assessment report of the Muzaffargarh district. Now, Sir, my submission is that the people, who, in the opinion of the settlement officer, who is the best judge of the situation, are the best cultivators, the people who are involved miserably in debt, the people whose holdings are very uneconomically small, it is these people that should have a first claim on any colonization operations. I would urge on the attention of the Honourable the Revenue Member the extreme necessity of a majority of the population of this district being taken away from those tracts and settled in the colony area, so that the real future of these people may be assured once for all. It was generally believed that no help could be rendered to these poor people. In addition to their being settled on the colony lands, these people should be put under the supervision of the Registrar of Co-operative Societies. That is my second point.

My third point is this. The next class of people whom I regard as the fittest class of people are those who live in water-logged areas. I am thankful to the Government that after all their attention has been drawn to this unfortunate class of people in the worst affected areas. They are the people

[Sayad Muhammad Husain.]

who have lost practically all their lands on account of the introduction of canals in the country. The worst affected water-logged areas are the Gujranwala, Sheikhupura and Sialkot districts. The Sialkot district is so unfortunate that most parts of the district have not yet received irrigation by the introduction of these canals. These people have lost villages after villages of lands. Last year, it was proposed that 75 per cent. of the area which the people lost in the Sialkot district through water-logging should be exchanged for lands in the Nili Bar. It is well understood that most of the people who suffered by water-logging in the Sialkot district are those who possess 2 acres, or 3 acres or 4 acres, I mean to say that most of them are petty holders of lands. Now, if these small landholders are asked to settle in the colony areas, what is the advantage for them? Do you seriously think that the Sialkot men would be able to earn a comfortable living in the colony areas? It must be understood that most of the people in the Sialkot district are at present under the well-irrigation system. They can do intensive cultivation there. There are big towns and cantonments nearby. These people can send their vegetables, etc., to the market and thereby they can get some living. They can increase their income in other ways if they remain in or near Sialkot. If they are taken away from that district and settled in some other districts, how can they earn a decent living? If these people are taken away from their usual surroundings and settled in the colony areas with 2 or 3 acres of land apiece, how can they earn their livelihood. I appeal to the Government, through you, Sir, that in the new colony area, in no case should a holding be less than an economic holding. You are transplanting a population from one part of the country to another. At present you are putting up 8 or 9 families in one square of land. What will be the result? I understand that in the case of the people of Sialkot district, it has been decided that their case should be treated on an equal footing with those of the people of Sheikhupura and Gujranwala. Even in the case of Gujranwala and Sheikhupura districts the holdings that have been allotted to the people are very uneconomic. I happened to be there at the time of the distribution of the lands. I noticed that three or four families from the worst affected villages were accommodated in one square of land. Now, what will be the result of that? Four families, married families with a number of children accommodated in one or two or even three squares of land. These people have left their home districts and have gone to far off places amidst strange surroundings. The lands that will be given to them are not as good as those given in Lyallpur district. Lands of inferior value will be given to them. To take these people from the water-logged areas and accommodate them in uneconomic holdings would be worsening their position. I invite the attention of the Honourable the Revenue Member to this aspect of the matter and appeal to him to reconsider the proposal at the time of granting peasant grants in Lower Bari Doab Colony. Those who originally got half a square of land in Lower Bari Doab Colony have now been given, on reconsideration, one square of land. I appeal to the Honourable the Revenue Member to issue orders that if any of the people of Sialkot, Gujranwala or Sheikhupura district should happen to be allotted at the rate of more than one family per one square of land, that grant should be enhanced immediately so that no single family is

allotted less than one square of land, or at least half-a-square of land. As it has been the case in Sargodha and Chenab Colony, the unit of holding should be one square per family. If you are unable to do so, it should in no case be less than half-a-square in the case of any single family.

Now, Sir, the second point to which I wish to draw the attention of the Government is that I understand that in these districts it is only the worst affected areas that have been given the land. But there are others who have been affected to the extent of 50 per cent. or more. You have no doubt given lands to some of the people; but along with that you have created a great heart-burning among their companions who are equally affected. It may be an error of judgment. The Deputy Commissioner may say that this man is affected worse than the other man and so on. But I know of people who have been affected very badly and they have not been given any relief. Rivers like Chenab, Sutlej and Ravi have been headed up by the construction of weirs and the sources of the income of the people have disappeared. Also the washing element of the floods and the deposit of the silt accompanied by the floods has ceased to exist. Thus the people have lost all their earnings. The people in the irrigated areas also are equally affected and their claims also should be considered. The lands of the people who have been living upon the banks of the rivers have also been washed away by chos, torrents and other things. I know from my personal experience of the Gujrat district that the land there has been washed away by the river and sand deposited on the land, making it unfit for cultivation. The Gujrat people are those who have rendered meritorious service in the war. There is no war now and they cannot find livelihood by enlisting in the military service and therefore some concession must be shown to these people of the Gujrat district who rendered meritorious service during the war.

The Honourable Mian Sir Fazl-i-Husain: Not Rawalpindi?

Sayad Muhammad Husain: I do not know much about Rawalpindi.

Mr. President: Demand under discussion, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 13,440,—Extra Assistant Colonization Officer—B.—Colonization operations."

The question is that that motion be adopted.

Lala Mohan Lal [North-East Towns (Non-Muhammdan), Urban]: Sir, from the speech made by the honourable member for Montgomery I presume that in the distribution of the land in the colony our voice too will be heard and this induces us to place our claims for the consideration of the Government. Sir, one of the classes whose claims I want to bring to the notice of the Government is what we call the depressed classes. I hope that the Government while distributing these lands will consider the claims of the so-called depressed classes in the Punjab. I say so-called depressed classes because personally I do not think anybody is depressed. At the same time I also draw the attention of the Government to the condition in the Kangra district where the holdings are the smallest. The district consists of 90 per cent. of zamindars and I hope that in the distribution

[Lala Mohan Lal.]

of lands the claims of these people in the Kangra district will also be considered. Then there is another class, the poor class, to which I belong. Government should also consider our claims and give us a chance of becoming zamindars. I also press on the committee that is now considering the Pre-emption Bill to make provision therein that it will not apply to non-agriculturists. With these remarks, I wish to bring the claims of the classes I have mentioned to the notice of the Government.

Pandit Nanak Chand [Hoshiarpur (non-Muhammadan), Rural]: Sir, we must all be thankful to the honourable member from Montgomery for giving us an opportunity for pressing the claims of the various tribes and classes and districts with regard to the distribution of the new Crown lands. I intended myself to speak on this and I have given notice of a cut with regard to the principles on which Government should grant the Crown lands to the depressed classes. I do not think that it would be necessary for me to speak again and move the cut because I will just now give some of the reasons why the Government should consider favourably the case of these depressed classes. Now these depressed classes, especially, the *Chamars*, are not dependent entirely on shoe-making or they do not deal entirely with skin. Most of them in the various districts are very good cultivators and they are generally utilised as tenants by landholders and zamindars. But unfortunately, on account of various circumstances, these people have not been able to purchase land or get the status which ordinarily in a civilised government any man would be able to get. Various causes happened by which these people were put down. The first is the social cause about which we hear a lot both in the press and on the platform and it need not be dilated upon here. There is one other important cause why these people, the *Chamars* and others, belonging to the depressed tribes, are put down and this is the customary practice which regulates the purchase of land and the purchase of houses in villages. We have got customary rules by which the village is practically governed by the zamindars or members of the proprietary body. If by some chance or other a member of this class purchases a house at once there are suits in the civil courts and the civil courts on the basis of the customary rights always decide the case in favour of the proprietary body.

Chaudhri Zafrullah Khan: What has that to do with the colonization policy of the Government?

Pandit Nanak Chand: I think the honourable member will understand that the people are depressed and he will not require an explanation.

Chaudhri Zafrullah Khan: Who depressed them?

Pandit Nanak Chand: That is an entirely different question. I was saying that the main factor in depressing these people was the proprietary body which consists of Hindus, Musalmans and Sikhs.

(A voice: Not Brahmans?)

Brahmans are included in the Hindu community; perhaps that is not known to the honourable member. However, one of the causes which contributed for the depression of these people is the set of customary rules which are recognised by courts of law. The result of this is that these people are never able to raise their status in the society. Another factor by which these people are depressed is the Land Alienation Act (*hear, hear*). I can understand the honourable member saying '*hear, hear*.' The money-lending classes are not allowed to purchase land; but as I submitted in my budget speech, I cannot for the life of me understand why these people who are agriculturists, who are cultivators since generations should under any law promulgated by Government not be allowed to purchase land. These *Chamars* number about 6 or 7 lakhs in this province and there are a number of other depressed classes also. The cultivating classes, both the non-agricultural landholders and the agricultural landholders, utilise them for cultivation purposes. They use them as tenants and whenever the question of purchase of land comes in these unfortunate men find that the law passed in 1900 with no representation of these people and with the help of members nominated by Government, stands in the way of making of any purchase. Thus we see how these various causes have put these members of the depressed classes down and how they have not been able to raise their status in society. We also know that these people are hardworking and are able to give a good account of themselves as cultivators. Therefore, I press upon the attention of the Government with all the emphasis I can command, the need of treating these people as human beings. So far as the social side of the question is concerned, various societies are trying their level best to give them education. I know there are many societies in Lahore where a Brahman and a member of the depressed classes dine together. No distinction of any sort is observed. The main object of these societies is to raise the status of the depressed classes and to bring them to the level of human beings. Similarly, it is the duty of the Government to remove the restrictions which stand in the way of their purchasing the land and to consider their claims for colonization favourably and in a generous manner (*hear, hear*), especially as they have been good cultivators since generations. A Rajput or a Jat, if he is a member of Government can purchase land of these unfortunate classes if they happen to possess but these people are not allowed to purchase land. This is a state of affairs which Government must put an end to if the Government wishes to put down these money-lenders, these usurers, who somehow take the land from the poor people. I have no doubt sympathy with them. I do not want that anybody should be exploited either by the lawyers or by the money-lenders or by the Government servants or by anybody else.

Then, Sir, I have to press the claims of the zamindars and the residents of the Hoshiarpur district. I have often stated in this Council that it is most unfortunate that this river which destroys the Hoshiarpur lands fertilises the lands of most other districts and yet these people do not get any compensation for the destruction of their property by way of land.

So far as this district is concerned it is a district of small peasant proprietors. If I remember aright, the average holding in the Hoshiarpur district is between four and eight acres. In this district there is not only the difficulty which was hinted at by the honourable member though not put

[Pandit Nanak Chand.]

in so many words, that is the destruction of cultivated lands by *chos*, but also the difficulty caused by well water receding, with the result that the prosperity which once belonged to the district has now disappeared. I submit that while making these grants Government will take into consideration their claims as well. I understand that the same problem of hill torrents prevails in Dera Ghazi Khan also and we are very grateful for the announcement which was made that the claims of those men whose lands had been destroyed by the action of hill torrents, for the grant of land will be considered. I submit that Government should take into consideration the claims of all these men.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir, it is more than once that this Council has given expression to its sympathy with the zamindars of the *barani* tracts. In order to give some practical form to this sympathy various suggestions have often been placed before the House for consideration. It was proposed at one time that Government should create a special fund for the purpose of affording relief to the poor zamindars. Again at another time they were asked to remit *chahi* rates. But, Sir, as I understand no action has so far been taken by the Government to give effect to any such proposal. This shows that Government is somewhat apathetic towards the claims of the zamindars and does not like to go beyond its lip sympathy. Sir, it ought to have taken some steps to relieve the zamindars of their miseries. For instance the construction of new canals should have been undertaken or tube wells should have been sunk by the Government in the *barani* tracts. But, Sir, apart from taking any such steps, it has, as I understand, placed certain restrictions even on the grant of *taccavi* loans in the Jullundur district. I do not think that after the completion of this project any other project of greater importance could be undertaken in the province. In my opinion, it is the last of its kind. (*Forces of "That Project"*). That, Sir, is comparatively of less importance, and bears no comparison with the Nili Bar project both in extent and quality of land. Sir, I take this occasion to invite the attention of the Government and especially of the Honourable the Member for Revenue to the fact that the miserable plight of the zamindars of the *barani* tracts calls for the assistance of the Government and that they should therefore, be given lands in the Nili Bar. Sir, there are two classes of zamindars, the landlords and the tenants. Even the landlords owning large areas of land in *barani* tracts cannot be sure as to the produce their lands may yield. The crops may fail for want of water or they may rot owing to abundance of water. Sometimes greater part of their lands consists of *kallar* or is washed away by rivers. Sir, I do not say that a particular community or the inhabitants of a particular district should be given lands in the Nili Bar. The case of every district and every class of people should be dealt with on its merits. Sir, I specially invite the attention of the Government to the claims of the Hoshiarpur district where the zamindars have incurred irreparable losses by the action of *chos*. There are two methods of giving relief to the zamindars, firstly, to send a considerable number of small cultivators to Nili Bar as tenants and secondly, lands should be sold to zamindars. An average price of each plot should be fixed and be declared payable within 20 or 25 years so that the

bidders may be able to pay up the price from income that they may derive out of the land they might have purchased. This would mean a considerable help to the zamindars, who would then be able to improve their lot. By acting on this suggestion the Government also would not suffer any loss. In the end I hope that Government would take time by the forelock and distribute lands in the Nili Bar in such a way as to afford adequate relief to the zamindars of the *barani* tracts.

Mr. H. D. Craik (Financial Commissioner): Sir, if this debate is indefinitely prolonged I am afraid there is hardly a class who will not find some champion of its claim to receive a share in the potential wealth of the Nili Bar Colony. For instance, my friend the member representing the labouring classes who gives legal advice to numerous trade unions may take up the cause of tongawalas.

Pandit Nanak Chand: But their claim has not been pressed.

Mr. H. D. Craik: Perhaps I myself might put forward the claims of a very deserving class, the retired European Government servants who cannot face the heavy taxation of England on an exiguous pension. However, those claims that have been put forward have convinced me that as a whole the colonization scheme that has been sanctioned by Government does go a very long way to meet the wishes of this House. My predecessor explained in a debate on this very question which took place exactly two years ago the basic principles on which colonists were to be selected, and honourable members will find that to a great extent the claims that they have put forward are already being met. I will begin with the honourable member who moved this cut. He was specially strong, and very naturally so, on the claims of the local people. I would tell him that nearly 250,000 or $\frac{1}{4}$ million of acres are being set aside for that claim, and I do not think that even that honourable member can deny that that is a generous concession to the claims of the locals. A great deal of the Nili Bar is very sparsely inhabited and some of it is not inhabited at all, and the local people who have any claims will, I am sure, be provided for on a very generous scale.

Next he has pressed the claims of the district which is always very close to his heart, district of Muzaffargarh. I feel that when the honourable member dies—and I hope it will be long before he does—the word “Muzaffargarh” will be found written on his heart like “Calais” was said to be written on the heart of Queen Mary—“Muzaffargarh” on one side and “Janglis” on the other, and perhaps “abiana” on third side. For Muzaffargarh he claims that the people of Muzaffargarh are second to none as cultivators, and he has quoted Mr. Anderson—who is perhaps among all serving officials the greatest authority—as his authority for that. I have read Mr. Anderson's report on the economic improvement of the district, and I cannot find anything in it to suggest that Mr. Anderson contemplated colonization on a large scale from Muzaffargarh; in fact he did not seem to think that such colonization was likely to be successful. In fact, I understand, there are large classes of zamindars of that district who do not cultivate with their own hands at all, and I confess to being somewhat sceptic of the success of colonization on a large scale from that district. However, we are making an experiment,

[Mr. H. D. Craik.]

though it will be an experiment on a a modest scale to start with, and we will try to select an area for colonists from Muzaffargarh who will be reasonably close to their homes. I hope the honourable member will be content with that.

Then he put forward the claims—and again I have great sympathy with him—of people who have suffered from water-logging. As my predecessor explained, the first essential for a man to be selected as a colonist is that he is likely to make a good colonist, and the second essential is that his land has suffered from water-logging or from certain other disabilities. We give water-logging a higher place than any other disability, and within the last few months, I am glad to say, it has been my duty, very soon after assumption of the office of Financial Commissioner, to give definite directions to the Deputy Commissioners of the three districts which the honourable member mentioned, to select colonists for the immediate grant of no less than 50,000 acres and to select them from the villages which have suffered worst from water-logging. That will be the first great instalment of peasant grantees for this new colony, and roughly speaking the cash value of these grants, when we make allowance for the difference between the prices the peasant grantee has to pay and the price that Government would get from auctioning the land, is somewhere in the neighbourhood of $1\frac{1}{2}$ or $1\frac{1}{4}$ crores of rupees. No one can deny that by giving assistance on that scale, Government is treating these people with the utmost generosity.

The honourable member referred to the fact that he himself saw something of the selection of colonists in the Gujranwala district. If I caught his words he said that in certain cases two or three families were being located in a single square. I think he must be under some misapprehension. The unit of allotment is one square of 25 acres.

Sayad Muhammad Husain : A word of explanation, Sir. I think I can say authoritatively that I have seen personally two or three married families incorporated in one square. I heard so from the officer who distributed the land. I saw it personally too.

Mr. H. D. Craik : That is perhaps in the case of those who have been given land as compensation for land acquired by Government.

Sayad Muhammad Husain : No. It is in the case of those whose lands have become water-logged.

Mr. H. D. Craik : The ordinary unit of allotment for peasant grantees, I assure the honourable member, is one square of 25 acres.

The same honourable member pressed the claims of people who have suffered from river action, or whose lands have been washed away by *chos*. I mentioned just now that in the selection of colonists, first come those whose lands have become water-logged, and second those whose lands have been damaged by river or *cho* action. Lala Mohan Lal and Pandit Nanak Chand have pressed the claims of quite a different class, the depressed class. Now there is always some difficulty in finding a satisfactory definition of the "depressed class." I think there is a great deal of difference of opinion as to who are and who are not depressed classes. I once tried to make an estimate of their numbers by the light of the census returns and I found

it extremely difficult to come to anything like a decision in which one could feel any sort of confidence. But this is an aspect of the colonisation problem which Government has most carefully considered. Quite a considerable area has been set aside for criminal tribe settlements. I think the whole House will agree that whatever may be the definition of the 'depressed classes' the criminal tribes, those unfortunate creatures who have been brought up to a life of theft and degradation, must come within that definition. A large area has been reserved for criminal tribe settlements, based on our experience in the Lower Bari Doab and other colonies which has been very encouraging. A further area has been set aside for a farm for boys from the Borstal Institution. Close by that a still larger area of 2,000 acres has been reserved for a farm for the reformation of adult prisoners. I am glad to say that I have had an opportunity of visiting those places within the last few weeks, and I was greatly struck by the successful start made and by the general air of contentment and prosperity which prevails at both farms. There has not been a single attempt on the part of any prisoner to escape though there is absolutely no form of restriction except that they are bound to answer roll-calls once or twice a day. There is a railway within a few miles and prisoners with a certain amount of money who wish to escape can very easily do so. But they do not wish to do so. They are, I think, happy and the experiment is one which offers every promise of success. But to go further than that, to attempt by means of grants of land to bring about the social or economic uplift of a whole section of the population is I fear the dream of the idealist not capable of being brought into actuality at any rate for many years to come. Even if we are to give grants of land on a large scale to *chamars*, as has been suggested by one speaker, I would ask the House to consider whether that would really solve their problem. It might mean their economic uplift, it might make them considerably better off than they are now. It will not mean their uplift in the social scale. I would ask the honourable member who particularly championed the *chamars*, I am sorry he is not in his place now, to search his own conscience and consider whether it is the social or the economic disability which weighs harder on that class. Personally I am inclined to think that it is the feeling of being outcastes. (*Hear, hear*). Anyhow, from the economic point of view I would ask the House to consider this, and it is a very important consideration from the economic point of view, that the development of these colonies offers a great field for the economic advancement of the depressed classes. After all it is not necessary to be a grantee to benefit by the colony. Any one can go there as a tenant, the *chamar*, the sweeper, and so on. They are all welcome and they can all find a living as tenants. Is not that the proper line for their advance rather than to allot a great portion of this huge undeveloped area, on which the prosperity of the province for generations to come depends, to these rather vague and undefined purposes? (*Interruption.*) I fear the honourable member has not appreciated my point. There is not enough land available to secure the economic uplift of large sections of the community. Besides there is no evidence that such people are competent or qualified to make the best use of it. Land must be put to the best economic use. These people have their place in the scheme of things and have their opportunities, and I think I can say that they take advantage

[Mr. H. D. Craik.]

very freely of those opportunities in the colonies. If the honourable member says that Government keeps them in a depressed economic position, I might retort by asking him who is responsible for their low social position.

Rana Firoz-ud-Din Khan spoke at some length of the claims of inhabitants of the *barani* tracts. There too I can say that the class he is championing has a place in the scheme of colonisation. One of the qualifications that the colonists must possess, apart from being good colonists, is that they must have suffered from one of these disabilities I have mentioned, that is water-logging or damage by action of river or *cho*, or he must be an inhabitant of a congested district where the holdings are below economic size or a resident of a tract which has so far received no canal irrigation. That last qualification is intended to cover the case of inhabitants of *barani* tracts. As I have said, we have only just made a start with the selection of peasant grantees on a large scale, and hitherto the "water-loggers" are the only people who have been dealt with. The turn of the other classes, those who have suffered from river action or inhabitants of congested districts or inhabitants of *barani* areas will come later. I hope all will share in the general increase of prosperity that is coming to the Punjab as the result of this great scheme. (*Heir, heir*).

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla (Non-Muhammadian) Rural], (Urdu): Sir, I have full sympathy with those zamindars who have suffered considerable losses from water-logging or from the action of *chos* or whose lands have been washed away by hill torrents. In order to give relief to such zamindars various steps can be taken, one being the grant of lands in the Nili Bar. Sir, the honourable mover of the resolution has confined his remarks to the claims of the zamindars of *barani* tracts and has asked the Government to grant them lands in the Nili Bar. Sir, if only such zamindars are given lands in the new colony, it would mean a grave injustice to zamindars of other areas whose case is quite similar to that of the zamindars of *barani* tracts. Therefore I would request the Government to make a fair and an equitable distribution of lands in the Nili Bar, and that this distribution should not be confined to only a few districts. The case of each district should be dealt with on its merits. Sir, I invite the attention of the Government to the claims of the Ambala district, especially to those of the Rupar tahsil, where the zamindars have suffered great losses on account of water-logging.....

Mr. President: Order, order. Water-logging has already been discussed by the honourable mover and some other speakers, and the Financial Commissioner has made a statement which has practically settled that question. But if the honourable member has any new points to put forward he may do so.

Rai Sahib Lala Ganga Ram: Very well, Sir, I only wanted to submit this that the case of each district should be considered on its merits, and that the district of Ambala also deserves favourable consideration at the hands of the Government.

Chaudhri Duli Chand [Karnal (Non-Muhammadan, (Rural) Urdu)]: Sir, I would consider the matter under consideration from another point of view. (*Hear, hear*). I think you would have seen the notification published in the local official gazette regarding the sale of land. The distribution of lands will be made according to various religions. Plots would be specified for Hindus, Muhammadans, Sikhs and Christians, respectively. That, Sir, is a good thing. I approve of that principle of distribution. Sir, if land be sold by open auction to all communities in common, the poorer classes of people would not be able to buy it. For instance, Muhammadans, being poor people as compared with Hindus, would have little chance of purchasing lands. Similarly poor Sikhs, the majority of whom consist of Jats, and poor Christians, would not be able to bid for lands. But at the same time the position of the Hindu Jats, Hindu Gujars and Hindu Rajputs and other Hindu zamindar tribes would become rather difficult because no distinction has been made between them and the capitalist Hindu non-agriculturists.

The Honourable Mian Sir Fazl-i-Husain: Sir, it seems that the honourable member is labouring under some misunderstanding. No such restrictions have been imposed on the sale of lands in the Nili Bar. These lands would be sold to all communities by open auction. The notification referred to by the honourable member pertains to such lands in the old colonies that have not so far been disposed of. The principle referred to by the honourable member was applied to sale of *baqaya* lands in the old colonies, but it has no application to the new colony auction sales. I believe the honourable member has in mind the advertisements issued by the Deputy Commissioner of Montgomery in respect of *baqaya* lands in the Montgomery district.

Chaudhri Duli Chand: Sir, it does not matter whether the principle referred to by me did apply to the old colonies or not. But, Sir, what I want to impress upon the Government is that the principle should be applied to the distribution of lands in all the colonies.

The Honourable Mian Sir Fazl-i-Husain: That is quite another point whether or not that principle should apply to the distribution of lands in the new colony.

Chaudhri Duli Chand: Sir, my submission is that that principle is sound, and it must be acted upon by the Government. I further request the Government that for the purpose of purchasing lands, Hindus may be sub-divided into two classes, that is, the cultivators and non-cultivators. And unless this is done the Hindu zamindars of the South-Eastern Punjab would be debarred from purchasing lands in the new colony. Sir, I know that we are already being treated in a step-motherly manner so far as the question of obtaining Government service is concerned. I hope that Government would not so treat us at least in the distribution of lands in the new colony. With these words, I submit that specified lots in the Nili Bar should be sold to each community by auction.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West, (Muhammadan, Rural) (Urdu)]: Sir, I would make one or two observations in connection with the matter under consideration. There can be no

[K. B. Mian Muhammad Hayat, Qureshi.]

two opinions on the question of affording relief to the zamindars of the *barani* tracts. Most of the honourable members, who have spoken on the amendment under consideration, have expressed their views on the sufferings of the zamindars of the *barani* tracts. Sir, the Government has also full sympathy with such zamindars, and I propose that they should be given peasant grants in the new colony. Sir, it is rightly observed by one of the members of the House that this project is last of its kind. But, Sir, contrary to the old practice most of the land in the new colony would be sold by open auction, and therefore the number of peasant grants would be very much limited. In the old colonies most of the land was given by way of peasant grants. The poor zamindars derived much benefit from such grants. But, Sir, in the new colony the zamindars would gain but little only because the number of peasant grants would be limited. Therefore, Sir, I would submit that the best way of helping the poor zamindars of the *barani* tracts and of the water-logged areas and riverain area is to give them peasant grants. With these words I resume my seat.

Chaudhri Afzal Haq : Sir, I move—

"That the question be now put."

The motion was carried.

Sayad Muhammad Husain : Sir, I have heard with great satisfaction the speech of the Financial Commissioner. I am quite satisfied with what he has said, but I wish only to add one word. I want to put on record, as a representative of the tract where colonisation operations are going on, my great appreciation of the great services rendered by the Colonisation Officer. All of us have seen on the spot the great work that the Colonisation Officer is doing. I take this opportunity to lay on record my appreciation of his services. One more point I wish to refer to before I beg leave to withdraw the motion. I wish to request the honourable the Financial Commissioner to ascertain the truth or otherwise of the statement that I have made that more than two or three families are settled on half a square or one square of land. This is the case in Gujranwala, Sheikhpura and Sialkot districts. If this is true, I hope the Financial Commissioner would issue instructions to the Colonisation Officer to enhance the holdings of the people. With these words, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Pandit Nanak Chand [Hoshiarpur, (Non-Muhammadan, Rural)] : Sir beg to move—

"That the grant be reduced by Rs. 100, with respect to the item of Rs. 33,41,500—Total District charges—Kanungo and Patwari establishment."

The object of my amendment is to discuss the question of the pay and provident fund or pensions of the patwaris. I do not want to say anything with regard to the pay or pensions, but sometime ago, on behalf of the Government a statement was made that so far as patwaris are concerned some sort of provident fund was going to be created. I wish that some information be given to the House as to what has become of the proposal, what is that provident fund and how that system is to be worked out.

Mr. President : Demand under discussion, motion moved :

"That the grant be reduced by Rs. 100 with respect to the item of Rs. 33,41,800—
Total District charges—Kazungo and Patwari establishment."

The question is that that motion be adopted.

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, I understand the honourable member asked for information. I shall be very glad to give it to him. As the House doubtless knows the question of the institution of a provident fund for patwaris has been before it not infrequently; for the delay of the institution of the fund, the Punjab Government is not to blame. I will not pursue that point further. However, I am glad to inform the House that a few months ago, sanction was received for the institution by this Government of a provident fund for patwaris. The honourable member will doubtless wish to know the details of that fund. Very roughly a reduction of $3\frac{1}{2}$ per cent. or half an anna per rupee is to be made from the salary of every patwari who joins the fund. All such monies are to be invested in the post office savings bank. To all the amounts that are contributed by the patwaris, Government is going to contribute an equal amount. That is, roughly the scheme: its details are at present being worked out. If the honourable member desires any further information, I shall be glad to give it to him if it is available.

Mr. M. A. Ghani (Nominated, non-official) : Sir, day before yesterday when the House was discussing the budget, I rose no less than six times to take part in the discussion, but it was my utter misfortune that every time I rose I failed to catch the eye of the Chair.....

Mr. President : Order, order. The honourable member is not in order in making the remark he has made, as it amounts to an aspersion on the impartiality of the Chair. If the honourable member failed to catch the eye of the Chair he could not have been called upon to speak.

(The honourable member resumed his seat.)

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan, Rural)] : Sir, I would only say that half an anna per rupee is a very small contribution by the Government. These patwaris are a very hard worked lot of people and they are regarded as very important part of the Government machinery. I hope the Government will try to increase the very small contribution that they at present make. But I do not want to press this motion to vote. I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : As regards the next motion, that is "to reduce the total grant by Re. 1 with a view to urge for permanent settlement," may I ask the Honourable the Revenue Member to enlighten the House whether it is possible for the Government, in the face of the Punjab Land Revenue Act, to introduce a system of permanent settlement. That is to say, whether it is possible for the Government to give effect to the policy of permanent settlement in the Punjab without repealing or modifying the Land Revenue Act.

The Honourable Mian Sir Fazl-i-Husain : If I may venture to point out, Sir, is that not a question which the Legal Remembrancer can answer ?

Mr. President : It may be the legal duty of the Legal Remembrancer to answer the question, but the Honourable Member being himself a sound lawyer and Revenue Member can answer it.

The Honourable Mian Sir Fazl-i-Husain : If that is your ruling, Sir, I am quite clear in my mind that unless the Land Revenue Act is amended, the introduction of permanent settlement is an impossibility.

Pandit Nanak Chand : On a point of order, Sir. May I submit that I once raised this question of permanent settlement with regard to Hoshiarpur and Kangra districts, and it was permitted by the Chair and the discussion took place. I only want to give this information.

Mr. President : So far as I can recollect the honourable member did not move any such motion in my time. But supposing he did, the occupant of this Chair, like other human beings, becomes wiser every day. They say 'live and learn.' My studies have made me a little bit wiser than I was when I may have permitted the honourable member to move the motion referred to by him. While administrative actions of Government and the acts of its officers, etc., are open to debate on motions for reductions, the necessity for legislation and matters involving legislation cannot be discussed, inasmuch as the Government is expected to carry on its administration according to the law as it exists and not as it ought to be. So long as the Punjab Land Revenue Act is in force, I think the Government has no power to introduce permanent settlement in the Province. Therefore, the right course for the advocates of permanent settlement is to take steps to have the Act amended, and not to criticise the Government for what it cannot possibly do under the law in force. So long as the Punjab Land Revenue Act is on the Statute Book, the duty of the Government is to administer the revenue department in accordance with that Act, and if it fails to do so, its acts are certainly open to criticism. The motion as it stands goes beyond the Act, and is, therefore, out of order and cannot be allowed to be moved.

Sayad Muhammad Husain : If this motion is out of order, do we understand that this House has no power in future to recommend to Government to change any law which it thinks is improper ?

Mr. President : Order, order. The honourable member knows as much as I do that there are several ways for changing the existing law. It is open to him to move a bill for that purpose. It is also open to him as well as to any member of the House to move a resolution recommending to Government the necessary modification of the law. It was open to any member to discuss this subject—though it would have been only an expression of his individual opinion—in general discussion of the budget.

Small reductions are generally moved with the object of—

- (1) examining the policy pursued by the Ministers of the Crown in carrying on the administration of several departments ;
- (2) criticising the acts of Government connected with the item in question ;
- (3) discussing some of the grievances of the services in question.

This is what is permissible, while grants for the carrying of the administration according to the law in force are moved by the Ministers of the Crown, and no motion, which directly or indirectly involves or requires a change in legislation, can be discussed.

Pandit Nanak Chand : Will an honourable member of this House be in order to oppose the demand as proposed on this ground ?

Mr. President : If he can do so without breaking through the spirit of my ruling.

Chaudhri Afzal Haq : Am I to understand that my amendment is out of order ?

Mr. President : I think the motion, as it stands, is out of order.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] : Sir, I beg to move—

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

The Honourable Mian Sir Fazl-i-Husain : Sir, the honourable member has already discussed this question under previous motion¹ (No. 5) when he talked of auction of Government lands and to whom they should be sold, and so on, and I thought he had finished what he had to say.

Mr. President : I think the honourable member did refer to his motion, if I remember aright, and therefore he anticipated the discussion. Is he very keen to move his motion ?

Chaudhri Duli Chand : Yes, Sir, I am very keen to move it.

Mr. President : I allowed the honourable member to violate the rule of anticipation on the understanding that he would not move this motion. The honourable member for Hoshiarpur also has tabled a motion, but he assured the Chair that he would not move it as he would discuss it incidentally in discussing the motion then under discussion. Similarly, I understood the honourable member for Rohtak to mean that he will not move his motion.

Chaudhri Duli Chand [Karnal (Non-Muhammadan, Rural), (Urdu)] : Sir, I am very keen about this matter because I wish that the distribution of lands in the Nili Bar should be made in such a way as to make it impossible for a few individuals to acquire all the lands reserved for sale. If you sell them by open auction, as is intended to be done, it is almost certain that many deserving classes of His Majesty's subjects will not be able to acquire any land. The non-agriculturists are known for their riches, and if no restriction is placed on the sale of lands, about 5 or 7 of them can purchase every inch of such lands. I, therefore, take this opportunity to propose that the lands reserved for sale should be divided into parts to be sold separately to Muslims, Sikhs, Christians and Hindus. The proposed division should be made on the basis of population of the different communities mentioned above. The portion set apart for the Hindus should be further divided into two parts to be sold separately to the agriculturists comprising of Gujars, Ahirs, Jats, Bors and Rajputs, etc. and non-agriculturists comprising of Baniyas, Aroras, Khatris and such other tribes of money-lenders. (A voice : what about the chamars and Indian-Christians ?)

Chaudhri Duli Chand : I have already proposed that a portion of such lands should be reserved for the Christians according to their population. As to the *chamars* and other depressed tribes you may shun them, but we do not. They bring *Gur* for us from sugar-cane pressing works. They mix with us. They served with us in the armies. I submit that if my proposal is accepted, no class or community will have any cause to complain. Mention has been made of *chamars* and the depressed classes, but no one appears to have ever thought of the soldiers who shed their blood in the Great War and who are always prepared to shed their blood in defence of their King and country. They are the most deserving people. At present you will find most of them on the verge of starvation. I wish that a list of all such soldiers should be prepared who live on lands and who may be desirous of purchasing lands in the Nili Bar, and sufficient lands should be reserved for them. This is all I have to say, and I hope that my request will receive favourable consideration.

Mr. President : Demand under discussion motion moved—

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

The question is that that motion be adopted.

Sardar Hira Singh [Lahore, Sikh, Rural], (Urdu) : Sir, I find that I cannot subscribe to the view given expression to by the honourable mover of the motion before the House. Why should we request the Government to sell the lands in the Nili Bar in separate plots separately to different communities? Will it not be better if these lands are sold to such persons only who live on lands and whose holdings have dwindled down on account of distribution and redistribution amongst the increasing number of the members of their families? I may point out that these persons do not know how to earn their living otherwise. They cannot take up industries. They have never entered into the world of trade or commerce. During war times they enlist themselves as soldiers, but before and after that it becomes very difficult for them to keep their bodies and souls together because their lands do not yield sufficient income. Therefore it is these persons to whom the lands should be sold whether they be Hindus, Muhammadans, Sikhs or others. With these words I resume my seat.

Syad Muhammad Husain [Montgomery (Muhammadan, Rural)] Urdu : Sir, may I propose a *via media* of the two proposals put forward by the honourable members who have preceded me? That *via media* is this that half of the lands reserved for sale in the Nili Bar should be sold in the first instance, as is proposed to be done, and by calculation of the prices so obtained an average price of the land should be found out. After this average price is known, the remaining lands should be sold by private negotiation to those who are prepared to till them by their own hands. If such persons are unable to pay the prices at once, these should be realised from them with interest by easy instalments to be spread over 10 or 12 years. During this period these persons will be able to raise sufficient income from their lands, of course by working hard over them, to pay the prices. If my proposal is adopted, neither the Government will lose anything financially, nor will it be possible for the absentee landlords to acquire all of these lands. It is a matter of common knowledge that the absentee landlords are the most

unsympathetic people and they do not mind as to what is happening and who is suffering so far as they go on getting a definite income every year from their lands all right. I hope that this proposal will be acceptable to the Government.

Rai Bahadur Lala Rattan Chand [Non-official, nominated] (Urdu): Sir, as I represent general interests in this Council I feel called upon to say a few words in regard to that class of people which my honourable friends want to be totally ignored. The people in the towns are as useful as other classes of His Majesty's subjects are. They are equally loyal and faithful to the Crown. If they were unable to serve as soldiers in the armies, they helped the Government in other ways according to their power and ability. Besides the question of unemployment is growing very acute. Those who are engaged in business have suffered heavy monetary losses during the last four or five years and their condition now deserves no less sympathy than that of the others.....

Mr. President: Order, order. The motion before the House is to raise discussion regarding the policy in connection with the sale by auction of Government waste lands. The honourable member is requested to speak to the motion.

Rai Bahadur Lala Rattan Chand: Sir, I was explaining all this to show that the people in the towns were in no way better off than the other classes and, therefore, they should also be provided facilities to purchase lands in the Nili Bar. At this time many graduates and under-graduates are wandering unemployed. They cannot get into service, there being no room for them. Business they cannot do because they have no funds to start with. I propose that these graduates be given lands on condition that they till them with their own hands. Try this experiment and you will see how they make these lands yield much more than that what they are at present doing under the care of uneducated persons. You know what wonders Sir Ganga Ram did as a zamindar. Who knew, when he was in service, that he would make large profits from lands? Before I sit down I request once again that the people in the towns, whether they be Hindus, Muhammadans or Sikhs, should be given opportunity to purchase lands on easy instalments like the other classes of His Majesty's subjects. Thus you will not only remove unemployment to a certain extent, but you will do a great economic good to the Province because the lands under the care of educated people are sure to yield better incomes.

Khan Bahadur Captain Sardar Sikandar Hayat Khan [Muhammadan, Land-holders] (Urdu): Sir, I had no intention to take part in this debate, but I am compelled to make one observation after what my honourable friend from Amritsar has said. I do not join issue with him so far as the other points are concerned which he has raised in his speech, but when he said that a certain portion of the lands in the Nili Bar should be set apart for graduates and under-graduates as such, I was a little alarmed.....

Mr. President: The question before the House is the sale of Government waste land by auction. I invited the attention of the previous speaker to the relevancy of his speech, yet he tried to inflict it upon the House, but I hope the honourable member will not follow his example.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Sir, I want to point out that if the honourable member's idea was that graduates should be allowed to get land by auction, he is welcome. But if he wants that land should be set apart to be given to them free, then I do not agree.

Pandit Nanak Chand : Sir, I want to explain what I have understood from his speech. He says that the price of these lands should be fixed and realised by means of instalments over a long period.

The Honourable Mian Sir Fazl-i-Husain [Revenue Member] (Urdu) : Sir, I thought this matter had already been disposed of and did not require any further discussion or explanation. However, Sir, as the honourable member from Karnal is very keen about it I will gladly explain it briefly. He has suggested that instead of selling certain lands in the Nili Bar by open auction, these should be divided into blocks, lands in each block to be sold only to the members professing one religion, and that in the case of the block allotted to Hindus it should be further divided into two parts to be sold separately to agriculturists and non-agriculturists. Such an idea, Sir, never occurred to me or to any officer of the Government before, and, therefore, I have not had the opportunity of having it examined by my officers.

Chaudhri Duli Chand : On a point of personal explanation Sir. I do not say that the lands should be sold to persons according to their creeds. I said that these should be sold to persons according to their professions.

The Honourable Mian Sir Fazl-i-Husain : That makes no difference in regard to what I was saying. It never struck me before that this way was also open to us for selling Government lands, otherwise we would have certainly examined this method and on its merits. From what the two honourable members, who had apparently risen to support the motion, have said, it appears that the proposal put forward by the honourable member is not practicable. The honourable member (Sikh) Hoshiarpur has said that it was not acceptable to him, and the honourable member (Muslim) from Montgomery did not approve of it.

As to the claims of the soldiers, may I inform the House again that 75,000 acres of land have been set apart for those who served in the armies? As regards sale of lands by open auction, it has been so arranged that some of the land reserved for sale will be auctioned in small plots so that men of moderate means may also be able to purchase them. Sale by auction is an institution not to be despised. It enables those belonging to non-agricultural tribes to own agricultural land, but our experience of the sales already completed in the Nili Bar shows that full advantage of this is not taken by the non-agricultural tribes. You will be surprised to learn, Sir, that more than half of the land already sold and sold without any kind of restriction, has been purchased by those who belong to the agricultural tribes in open competition with members of the non-agricultural tribes.

Sayad Muhammad Husain : Non-agriculturists desire to acquire lands free of cost.

The Honourable Mian Sir Fazl-i-Husain : From a careful study of the auction sales already held we find, that the auction purchasers belong to the middle class, and are not large capitalists. I believe

they will add to the peasant proprietor class. They are, it seems to me, likely to work hard on the lands purchased in order to raise as much income from them as possible. In some cases, several persons have proved together to purchase land jointly. It is a feature of our auction sales, which we should not discourage. It shows that such persons are anxious to acquire landed property and thereby raise their status. In all these cases we have got good prices, some people say the prices realised are too high. I am, however, sure they are market prices. I think this is on the whole quite satisfactory. The suggestion put forward by the honourable mover is not easy of adoption and I hope he will not press it after hearing this explanation. But if he still insists I have no other alternative but to oppose his motion.

Chaudhri Duli Chand : I am satisfied with what the Honourable Member for Revenue has explained and I, therefore, beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : The question is—

“That a sum not exceeding Rs. 41,38,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Land Revenue.”

The motion was carried.

EXCISE GRANT.

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

“That a sum not exceeding Rs. 14,42,500 be granted to the Punjab Government (Ministry of Agriculture), to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Excise.”

Mr. President : The question is—

“That a sum not exceeding Rs. 14,42,500 be granted to the Punjab Government (Ministry of Agriculture, to defray the charges that will come in course of payment for the year ending the 31st March, 1929, in respect of Excise.”

Mr. President : Before I allow the honourable member (Chaudhri Afzal Haq) to move his motion¹ may I ask the Honourable Minister for Agriculture whether under the Excise Act in force, it is possible for the Government to enforce a policy of either total or partial prohibition?

The Honourable Sardar Jogendra Singh : I am not quite sure whether prohibition is possible under the Act.

Mr. President : If the Honourable Minister is not in a position to state definitely that this cannot be done, I will give the benefit of the doubt to the honourable mover.

The Honourable Sardar Jogendra Singh : You can prohibit the import of anything under the Excise Act but unless you pass a Local Option Act there is nothing in the Act to enforce total prohibition.

Mr. President : I do not think I would be giving away a secret if I informed the House that it was two days ago that I asked the Honourable Minister for Agriculture to consult his legal adviser as to whether a policy of total prohibition could be discussed in the face of the Excise Act in force.

¹That the total grant be reduced by Re. 1.

[Mr. President.]

It appears that he was so busy otherwise that he could not consult the legal adviser and even now he is not prepared to say definitely, if not positively, that prohibition—partial or total—can be enforced in any form so long as the Excise Act is on the Statute Book. May I ask the Legal Remembrancer: whether he is prepared to throw light on the question?

Mr. M. M. L. Currie (Legal Remembrancer): Under the existing law Government can prohibit the import of excisable foreign articles and it can prohibit also the possession thereof.

Mr. President: What about prohibition of articles produced locally?

Pandit Nanak Chand: May I submit my views, Sir?

Mr. President: Certainly.

Pandit Nanak Chand: I submit, that unless there is any new legislation it is impossible to bring this grant under discussion for the simple reason that if there is to be total prohibition there must be a law by which a man drinking in the street or in his house can be arrested by the police and sent to jail. Total prohibition implies that no body shall have in his possession either for drinking purposes or for any other purposes what he under the present Act can legitimately possess. There seems to be a special enactment necessary in order to prohibit the possession of all sorts of wine except under a special licence. Under the present Act I will be justified in drinking wine. I submit that a new law is necessary or rather the present law should be altered in such a manner as will materially affect the existing law on the subject before prohibition can be enforced.

Mr. President: What has the honourable mover to say?

Chaudhri Afzal Haq: May I draw your attention, Sir, to the Honourable Minister's own speech where he advocates total prohibition. He said "If I may say so, I should like to declare that I have the goal of total prohibition in view."

Mr. President: May I ask whether total prohibition can be effected without forbidding the import, manufacture, possession and use of all kinds of liquor?

Lala Bodh Raj: Sir, the object of the amendment is that Government should announce that total prohibition is its declared policy and that they shall take steps to totally prohibit the sale or manufacture or the import of liquor. If that is the object of the amendment I do not see that there is any provision under the present law that stands in the way of the motion being moved. This motion was moved even last year. My honourable friend Pandit Nanak Chand is labouring under a wrong impression that we are going to frame a law at present. That is not the point. The question is whether my honourable friend who wants to move his amendment is within his rights to do so.

Mr. President: The question is whether without altering, amending or repealing partially or wholly the existing Excise law the policy of prohibition, partial or total can be adopted?

Pandit Nanak Chand: I want to correct my honourable friend. The amendment wants to pursue a policy of total prohibition. Government cannot pursue that policy without changing the law.

Lala Bodh Raj : There is no rule that debars a member from urging the Government to pursue this policy.

Sayad Muhammad Husain : If I may say a word, what I understand from Chaudhri Afzal Haq is that he is urging Government that they should chalk out for them a policy which need not be given effect to immediately. This will not be a hindrance to the existing law. It is only a policy which they should chalk out for themselves, it may be in the form, either partial or total prohibition. They can adopt this policy by curtailing the consumption of liquor in certain areas where they think it proper. This will not in any way infringe the present law. This will not be any legal check upon the people who wish to drink or who do not wish to drink. This is the way in which the policy should be exercised and I think the House has a right to impress on the Government to adopt this policy.

Mr. President : I wish to impress upon the House once more that under parliamentary practice it is not permissible to move a motion for reduction to suggest alteration in the law however desirable, nay necessary, it may be to amend, modify or repeal the Excise Act with a view to give effect to the policy of total prohibition. As already ruled, in connection with the motion regarding permanent settlement, I think no motion can be discussed, when grants are under discussion, which would involve the desirability or necessity of changing the law. There are other ways for effecting alterations or modifications of the law, e.g., by moving a resolution or a Bill to amend or repeal the Excise Act.

Sayad Muhammad Husain : May I finish my point? There is no idea of changing the law. The only idea in this motion is that the Government should announce that it is their declared policy to effect total prohibition without in the least changing the law.

Rai Bahadur Pandit Daulat Ram, Kalia : There are two enactments, the Local Option Act and the Excise Act. Neither of these gives power to prohibit liquor. Under the Local Option Act we can simply reduce the number of shops selling liquor and even remove them from towns altogether. But under the law as it now stands Government cannot prohibit the consumption of liquor. If this is to be done the law must be altered.

Shaikh Muhammad Sadiq : The Honourable Minister is the representative of this House and on several occasions it has been brought to his notice that he should change the law and he has not brought forward any motion to amend the law.

Mr. President : Certainly, a resolution would have been welcome. Any member may move a resolution recommending that a certain law may be altered or amended; he may also move a Bill for that purpose. All I say is that when the House is discussing a Budget grant the only thing it can do is to criticise the policy or acts of Government or emphasise some grievances with regard to certain items or services. The motion in question suggests a policy which cannot be introduced without changing the law in force; therefore, this is not the proper occasion to discuss the motion.

Rana Feroz-ud-Din Khan : May I submit, Sir, that the statutes are subject to policy and policy precedes statutes. It is the policy that brings

[Rana Firoz-ud-Din Khan.]

about these laws. There is the policy of the Government under which the excise law has been passed. What we want to be done at the present moment is the alteration or amendment of the excise law. If a change of policy is declared, then the excise law will be amended *ipso facto*.

Mr. President : That policy can be changed only by changing the law.

Rana Firoz-ud-Din Khan : Change of law follows, it does not precede enunciation of policy.

Mr. President : The honourable member is suggesting indirectly, if not directly, that the law may be altered with a view to give effect to the policy which the honourable mover of the motion wishes to advocate to-day.

Rana Firoz-ud-din Khan : The law will be amended in due course, *ipso facto*.

Mr. President : Anxious as I am to help this honourable House, I am afraid, I cannot allow the motion as it stands in the agenda.

Chaudhri Afzal Haq : Am I to understand that the next motion for the prohibition only is in order ?

Mr. President : Prohibition, be it partial or total, is prohibition. I am inclined to agree with the views expressed by the honourable Pandit Nanak Chand and Rai Bahadur Daulat Ram, Kalua.

Lala Bodh Raj : On a point of order. You were pleased a little while ago to give the benefit of doubt to the mover of the motion.

Mr. President : I was inclined, no doubt, to give him the benefit of doubt. But discussion was started and member after member rose in his place and addressed the Chair. As it was a discussion on an important point of order, I allowed the members to participate in it. I allowed some members to speak more than once. I wanted, light, which, I am glad to say, I have received, and as no doubt is left now in my mind, I must rule the motion as out of order.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, we have no other alternative but to bow before your ruling and although the Honourable Minister for Agriculture has sought shelter under this ruling to-day, I remember that on the last occasion, when I moved a cut in the demand for Excise, he declared that total prohibition was his policy. At that time Government also approved the attitude of the Council in passing the cut moved by me. But, Sir, to-day we find that opposition is being offered even at the first stage and I am not allowed to move my motion. Sir, with all the calmness and forbearance, which the Government officers claim to possess exclusively, and without being excited in the least I declare in the floor of this House that we have lost all confidence in the Transferred half of the Government as well. I have no hesitation in saying that like the Reserved half of the Government, the other half is also not faithfully discharging its duties. And that is clear from the fact that no regard has been paid to the unanimous decision of

the Council in regard to the adoption of the policy of total prohibition. If it was not possible for the Honourable Minister to act according to the wishes of the Council, he ought to have adopted some constitutional method open to him to show that he was with us. But he has done nothing of the sort. It is a pity that we are to-day divided into communities, otherwise I should have taken the first opportunity to move a vote of censure against the Honourable Minister. But expediency dictates, although my sense of honesty dictates otherwise, that I should not take such a step because in spite of our best attention dishonest motives are likely to be attributed to us. I feel that there is not the least difference between the Transferred half and Reserved half of the Government and I repeat that it is not the first occasion on which the public opinion is being flouted. I also feel that at heart the Honourable Minister is with us and last time he went so far as to announce that total prohibition was his goal. But it appears that he is helpless and cannot persuade the Government to change its decision already arrived at. This decision is published in the debates of the Council. It was Mr. Dobson who told us and quite frankly that the

5 P.M.

Government had decided to continue to act on the present policy and that inspite of all our arguments it was not going to budge an inch. Undoubtedly the Honourable Minister is helpless, but let me remind him that it is not in keeping with our honour and the honour of the nation to be always trying to win the favour of the Government even at the cost of public good. We know we will have nothing to do with the Simon Commission, but we are very much desirous of showing to the blind masses that we wield sufficient influence so far as the Transferred Departments are concerned. We do not mind the defeats that we suffer every day in regard to the Reserved Departments but we cannot tolerate such defeats where Transferred Departments are concerned.

Khan Bahadur Captain Sardar Sikendar Hayat Khan : How many victories have you won in the case of Transferred Departments ?

Chaudhri Afzal Haq : Sir, every time I have urged the Government to adopt the policy of total prohibition, every time I have received the same old reply that though this policy is very sound in theory, it is not practicable. Sir, I may point out that we will never countenance the expenditure of even one pie out of this grant unless the Government is prepared to give us an undertaking that it will adopt the policy of total prohibition as soon as possible. Sir, we are not prepared to maintain the Excise Department any longer. If it is a source of income to the Government it is by far a cause of ruin to the people of the Province. Government receives only an income of about 1½ crores of rupees, but many crores of public money are wasted on account of the existence of this very department. I will not go at this time into the details of this waste. But it is a fact and no one can deny it that drinking and commission of crimes go hand in hand. In a country where drinking is prohibited, the number of crimes is very very small. America has achieved wonderful results during the last 7 or 8 years since she has adopted the policy of total prohibition. Our Government may distort facts, as it pleases, but the version which we have had occasion to read, of the Principal of a college in the

[Chaudhri Afzal Haq.]

United States is that since the adoption of the policy of total prohibition by the American Government, the number of crimes has gone so low that some of the jails do not contain even a single prisoner and in the others the number has gone down to 14 where it was 150 before and that some of these jail buildings have been converted into either hospitals or into residential quarters. In the face of these facts how can any one dare say that the policy of total prohibition is not useful and practicable? Is it not a fact that nearly all the serious crimes that are committed every day are either the cause or effect of drinking? Ninety-five per cent. of the dacoities are committed under the influence of liquor. I admit that sometimes this evil of drinking helps in arresting the offenders, but we want to strike at the root so that we need not have to arrest the culprits. I repeat that almost all dangerous dacoities are committed after the dacoits have drunk hard and have ceased to think like human beings. Therefore it is not only advisable to adopt the policy of total prohibition, but it is also necessary to do so. I am sure that in case we adopt that policy and prohibit the use of liquor, the number of crimes will decrease at least by 33 per cent. if not by 95 per cent. As regards murders I can say without fear of contradiction that 50 per cent. of them are committed under the effect of liquor if the remaining 50 per cent. are committed under sudden provocation. Besides almost all the offences coming under sections 325 and 326 of the Indian Penal Code are often the result of drinking. It follows, therefore that if we prohibit the use of liquor, the number of crimes must need go down at least by 33 per cent. as I have already said. Now according to that calculation I am further sure that a saving of 1½ crores of rupees can be made from the Police department only. Then further saving can be effected in the Jails department if the number of crimes decreases. At present there are about 20 thousand prisoners confined in the jails of the Province and out of them the number of habitual offenders is not more than 2,000 in any case. All these 2,000 prisoners are confined in the Montgomery and Ambala jails, about 1,750 in the one and 250 in the other.

The Honourable Sir Geoffrey deMontmorency : Some of them are sent to the Multan District Jail as well.

Chaudhri Afzal Haq : I know that, but the number of habitual offenders in that jail is negligible in my opinion. But if I am wrong I stand subject to correction. However 5 per cent. of them are such who, it is said, are incorrigible. The rest can be reclaimed and reformed. Therefore barring this 5 per cent. you can reform all the prisoners if only you can see your way to adopt the policy of total prohibition.

Lala Kesho Ram, Sekhri : Is this discussion relevant to the demand under discussion? Is it a demand for expenditure to realise a certain amount? I would like to have a ruling on the subject.

Chaudhri Afzal Haq : Sir, the other objection which have often been raised by Government and some non-official members anxious to win the favour of the Government, is that it will amount to placing restriction on individual liberty if we were to totally prohibit

the use of liquor. But can you point out any civilised country where individual liberty has not been sacrificed at the altar of the good of the whole nation? Why is it that you do not permit people to commit suicide knowing all the time that it is their own life which they may preserve or take away? Similarly why has gambling been included in offences while individuals should have full liberty to use their money in any way they like? The answer to all these questions is that such restrictions have been placed on individual liberty because the greatest good of the greatest number was in view.

It is sometimes said that we have got Temperance Societies and social reform lecturers who are doing their best to root out the evil of drinking. We should, therefore, wait for some time more. But my contention is that these Temperance Societies and lecturers cannot help us so long as people have money in their pockets and your shops are open. I am here reminded of an appropriate verse:—

توبہ آئے زاهد کو تو توبہ میں اپنے وقت میں
یہ بار آئی ہوئی اس نے کھٹا چھائی ہوئی

You cannot stop this evil so long as people are not compelled to cease drinking. I take this opportunity to warn the House that if this present state of affairs is allowed to continue for a longer period, you will find no family or house in the Province which will be free from the presence of drunkards. Take time by the forelock before it is too late.

Sir, Government has often put forward this plea as well that in no other Province of India the policy of total prohibition has been adopted.

Mr. President: I have given sufficient latitude to the honourable member in making his speech against the grant, but I regret to observe that he is again advocating total prohibition. In doing so he is going against the ruling of the Chair; I hope he will not do so hereafter.

Chaudhri Afzal Haq: Sir, I am going to finish very soon. Government says that no other province has so far adopted this policy. I may state for its information that the Chief Minister in Madras has now expressed his willingness to try the policy of total prohibition in a few selected districts of the Presidency because, he said, he could not ignore the wishes of the Council. We cannot wait any longer particularly when we know that America has made wonderful progress both morally and economically on account of the adoption of the policy of total prohibition. Now the labourers in that country go to work in the lorries. They have been able to invest about £40,000,000 in the Insurance Companies during this short period. With these words I oppose the whole grant.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, it is with a very heavy heart that I am going to oppose the grant of my friend the Honourable Minister for Agriculture. I must make it clear that I am not doing so because the Minister is a Sikh, I would have done the same thing had the Minister been a Muhammadan? I would have opposed the grant even if Sir Fazl-i-Husain had been the Minister. I want to explain to the House that the Muhammadan community is the least affected by the consumption of liquor. It is probably known throughout the Punjab that in districts which are predominantly Muhammadan, for instance, Mianwali, Muzaffargarh and Attock, the consumption of liquor is the least.

[Sayad Muhammad Husain.]

In fact Government has to employ a much smaller staff in districts which are predominantly Muhammadan than in other districts. Nevertheless I would be failing in my duty if I did not take the responsibility of facing any extra taxation which will replace the excise taxation which comes from the pockets of the other communities.

Sir, India is a very religious country. If you want to make any improvements in the country, then proceed according to the religious sentiments of the country. By every religion in India, be it Hinduism, Muhammadanism or Buddhism, the drinking of liquor is prohibited; there is not a single religion in India which advocates the use of liquor. I think every religion will welcome and every temperance society will welcome total prohibition, and every man, be he a Hindu, Muhammadan or Sikh, will welcome any further taxation that Government may impose to counter-balance the loss in excise revenue due to total prohibition. We know our responsibility towards the transferred subjects. We would have been glad had this been a reserved subject. But transferred subject as it is, we feel it our duty to cut the whole grant, not with a view to reflect against the Honourable Minister in charge of the subject, but only with a view to uplift the depressed classes and to uplift the whole community. Look at America. It is a country where people were accustomed to drinking, and yet that civilised country has got total prohibition, and has achieved the brilliant effects which have been already mentioned by my honourable friend Chaudhri Afzal Haq.

Drinking is a great curse in this country. I have seen many families destroyed, I have seen a whole community destroyed as a result of this habit. I have seen many students of the Chiefs' College taking to drink and dying soon after as a result of this evil. India is a hot country, and it is absolutely necessary that we should avoid alcohol altogether, that we should use no charas, no opium and no liquor whatever. We want to uplift our community. That is our main object, and I hope that some of the other communities even if they suffer.....

Mr. President : Order, order, I have more than once tried to make it clear to the honourable members of the House that the grant can be opposed or criticised but the Council Chamber cannot be turned into a platform of temperance associations. So long as the Excise Act is on the statute book I am constrained to say that the speeches which have been made to-day are irrelevant to the motion now before the House.

Sayad Muhammad Husain : We are refusing the grant to the Excise Department because the use of liquor is detrimental to the country. We are trying to uplift the community morally and economically as far as it lies in our power, and as respectable members of the community we cannot sanction such a grant. Change the law or do anything you like.

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, I ask the House to pass the full grant. We have heard eloquent speeches from the last two speakers and I congratulate Chaudhri Afzal Haq on the zeal he always shows for prohibition. I have been through the debates which have taken place in the last few years on this matter of limitation of the consumption of Excise articles. I will not call it prohibition, and the

arguments both for and against the Excise grants have been frequently put before this House already. I do not desire at this late hour to waste the time of the House by arguments which may be held to be irrelevant, or which have been before it on previous occasions but I wish to mention one or two points which are new, and which have not been mentioned in previous debates on the subject.

The honourable member laid great stress on the experience of America. Opinions on the result of prohibition in America are not all the same as his. I will not, however, pursue this topic further as it is controversial, but I desire to say a few words on the experience of total prohibition in a Muhammadan State of India: I refer to the Bhopal State. The Secretary of the Finance Department of that State on the 24th November 1927 issued the following communication:—

“The sale and manufacture of liquor was prohibited in the State with effect from 1st October 1921 in the interests of its subjects at the sacrifice of an annual revenue of about three lakhs. Prohibition continued for five years and eight months and cost the Government nearly 17 lakhs, but it is extremely regretted that the experiment did not prove a success.

The State abounds in Mahwa trees from which it is easy to make liquor, and is surrounded by territory where no prohibition had been enforced by the authorities concerned. In the circumstances it was not difficult for people to obtain or manufacture liquor illicitly, and prohibition only resulted in the transfer of revenue from this Government to outside territory and in the people continuing the drink habit by illicit means.

There was, therefore, no alternative but regretfully to remove prohibition from 1st July 1927, till such time as the people are themselves prepared to abide by it and a similar measure is introduced in the neighbouring territories.”

I leave this for the House to consider.

Then, Sir, only in to-day's paper I read that in the Bombay Presidency, where a few years ago an area was selected for an experiment of partial prohibition, the district of Satara, the Bombay Government has declared that the experiment has proved a failure and will be immediately discontinued.

One other small point. I take the house back to the year 1310, when the Emperor Alauddin Khilji reigned in Delhi. He imposed a policy of prohibition on the city of Delhi, which was then a walled city. For that reason it was very much easier to enforce prohibition inside the city than it would be now. General prohibition was proclaimed. Distillation however continued and a considerable amount of liquor was imported into the city. (*A voice: who is the author of this history?*). This is a paraphrase from the *Tarikh-i-Firoz Shah*, which was written about 1356. The guards on the gates were doubled, and smugglers were very severely handled by the law; but the evil still continued and people resorted to villages at a safe distance to drink, or distilled in their own homes. Eventually the

[Mr. C. A. H. Townsend.]

Emperor was driven to permit distillation to be conducted privately and alcohol so distilled to be consumed in private.

I will not worry the House with any other matters of history. I ask them as practical men not to be led away in this matter by sentiment. If you pass a law of total prohibition, how are you going to enforce it? Are you going to have many hundreds, even thousands, of petty Government servants running all over the Province and worrying the people? Are you going to increase the opportunities of corruption among Government servants of which we hear so much in this Council? No, Sir, prohibition is not the ideal at which honourable members should aim. Increase temperance, do everything you can to raise the people by moral uplift, and then in time you will get what is better than prohibition, in that the people will of their own free will, and not as a result of a law, cease to consume liquor. I ask the House to pass the demand.

Sardar Ujjal Singh (Sikh, Urban): Sir, I want to make it clear that I am not at all addicted to drink. Nor am I in sympathy with the sentiments of those who indulge in the consumption of liquor. The only argument on which the opposition refuses this demand is that the policy of prohibition has not been accepted. That is no argument for refusing the demand asked for. In fact the demand is for stopping the illicit production of liquor. I do not know whether my honourable friend Chaudhri Afzal Haq, wants illicit production or consumption to continue. The question is whether if the policy of prohibition is adopted that will lead to the speedy solution of the liquor problem at all. We know in many villages in the vicinity of which there are no liquor shops people still indulge in the consumption of liquor and that liquor is produced by means which may be termed illicit. So by mere stopping of the sale of liquor you cannot stop the consumption of liquor. The result on the other hand would be that the great income of Government will be stopped, whereas the expenditure will be increased if the object is to stop illicit consumption or sale of liquor. The Government have been pursuing a policy of reducing the number of shops in which the sale of licit liquor is allowed. So far as I know the figures of the number of shops in 1906-07 was 1,300 and during the last year it has been reduced to 500. I am not sure about the correctness of the figures and I hope the Honourable Minister will correct me if I am wrong. Again, the opportunities have been provided by the Local Option Act for the people to prohibit the sale of liquor if they want it. So far only about 20 local bodies have applied for permission to avail themselves of the Act. I am not advocating at all that the increase in sale of liquor should continue. What I mean to say is that if the people are prepared for total prohibition they should avail themselves of the opportunity already provided for them. There is no use of coming forward and asking this House to refuse a grant which I think will result in the reduction of the staff of excise inspectors and sub-inspectors and of the executive officers in that department which will in its turn lead to more illicit production and sale of liquor. (*Hear, hear*).

Mr. E. Maya Das [Non-official, nominated]: Sir, I think the proposal really amounts to this, that means should be discovered to decrease the

consumption of liquor till it practically reaches zero point. If this position is taken up, I think everybody will feel inclined to say that he supports this view. But the suggestions made appear to me to be quite impracticable. For one thing, I think it is possible to decrease the consumption of liquor in about a period of 30 to 40 years; and I say so for this reason that if to-day we commence influencing the child mind by means of scientific temperance literature, by explaining the evils of drink, the children when they grow up will think differently and they will not drink liquor. That is one way in which, I think it is possible to do something in the direction of prohibition. Another possibility lies in bringing moral pressure to bear. If my brother drinks, let me cut him off. Let me not treat him in the same way as if he did not drink. If I want to get my daughter married and a man comes forward who is in everyway eligible, but if he is given to drink, let me refuse him. If we take up that position and if we bring pressure on our friends and relatives, there is no force that can stand against us. One cannot help feeling that we come here and make speeches against drink. But what happens when we go home? (*Hear, hear*) I do not mean that those gentlemen who have spoken to-day drink themselves, I do not mean that at all. But I do think it is possible that some of them do. (*Laughter*). In any case it is open to them to exercise moral pressure, then the country will change and who can stop that change?

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban]: Sir, As far as I know, when the reforms brought us into existence, we thought the Government would be a constitutional Government and the Ministers, who are in charge of one of the two halves, I won't say, the better half, would be responsible to this House. But after six years working of the reforms I still do not see any signs of the responsibility of the Ministers unless it is their sweet will to agree with the views of the House. Instead of acting on instructions of this House, they are as a rule acting in defiance of this House.

Sardar Jogendra Singh: Where are the instructions?

Shaikh Muhammad Sadiq: The Honourable Minister ought to know much better than anybody else that when he was appointed he was appointed for the transferred half and therefore he was forced to be responsible to this House. His pay is paid by us and not by Government. (*A Voice: Absolutely*) (*Another voice: No, no*). My honourable friend says that the Minister is not part and parcel of the House. Probably he thinks that the Minister is a nominee of the Government. It has been pointed out to us that we may boycott. It is impossible. If a father does not give his daughter to a drunkard the daughter may like the man who drinks. There is no prohibition for a daughter if she wishes to marry a man who drinks. There should be moral persuasion, there should be education; I admit that to have total prohibition is absolutely impossible. It won't do, it won't work. If you think that by passing an Act to-day and enforcing it to-morrow you can have complete prohibition in a year or two, it is impossible. But what is wanted is that the Minister who is responsible to this House should act according to the wishes of the House enforce the law and the rules and regulations existing at present which would achieve the desired result and there would be no need to resort to any new law. There

[Shaikh Muhammad Sadiq.]

are rules which demand that if 75 per cent. of the total electorate were to come forward and say 'we want prohibition' prohibition will be applied in that area. Even now we know that out of 100 persons 25 or 30 are bogus voters. About 10 or 15 per cent. are dead and the rest have shifted from one city to another. Here is a popular minister, a man who ought to act on the wishes of the House, he has not been able to change the rules which are within his power to change. Every person knows that even in an advanced democratic country like Australia where every man is legally bound to vote and if he does not vote he is punished, even there you never get 75 per cent. of voters to vote. How does the Minister expect the 75 per cent. of the voters in a municipality to come forward to demand prohibition? If there is to be a law it should be such that it can be acted upon. It is no use throwing sops to the nations.

I say, Sir, it is within the right of the Honourable Minister to change the law at once. Some people in Amritsar do like total prohibition. There is not a single man who does not desire to keep total prohibition as the goal. What is the use of a municipality spending hundreds and thousands of rupees on the voting regarding local option and then say that only 20 or 30 per cent. voted for it? My honourable friend the nominated member for Ferozepore spoke of the intentions of the Government. The Government makes ridiculous laws whenever they like. Why not change this excise law and introduce prohibition?

Khan Bahadur Nawab Muzaffar Khan : In the municipal election 65 per cent. voted.

Shaikh Muhammad Sadiq : That high percentage is obtained because each man has voted ten times and even thirty times. (*Voices: No, no.*) I am not going to be influenced by these cries of 'no, no.' I know how the whole show is managed. I shall repeat that each man votes ten times and even more, even though this admission of mine reflects badly on the honesty of my countrymen and they become liable to the charge of giving bogus votes. Unless you check this bad habit, it will continue. Why not take a lesson from France and America? If you pay some money you can purchase any number of votes.

Pandit Nanak Chand : Perhaps that is the case in Amritsar.

The Honourable Malik Firoz Khan, Noon : On a point of order. The honourable member is now discussing the question of votes at the municipal elections while the demand under discussion is 'excise.' I hope I will not be ruled out of order if I get up afterwards to reply to the points raised by my honourable friend.

Shaikh Muhammad Sadiq : The voters on the municipal list are the voters for the Local Option Act. That is why I am referring to it in this connection. I am not talking of municipal administration which is in the charge of my Honourable Friend. There is no man who would not vote for prohibition. Even though a man is a drunkard, yet he would desire to have prohibition. Simply because a man has fallen into this bad habit, he would not like to see that others fall into the same bad habit. If a man has fallen into a well, he would not like others also to fall therein. It is

only a drunkard that knows the evil effects of drink and he is the fittest person to offer advice to others. What we want the Government to do is this. The law provides the framing of rules by Government. The Government can change its present policy to one of prohibition, if not for total prohibition at least for a restricted use of these drinks. Even this would be welcome. The first thing that is necessary is to safeguard young boys against this evil. For this purpose you have to encourage temperance societies; you should make use of the Education department and distribute books and pamphlets and literature on temperance to young boys and thus save them from falling into this bad habit. The second thing that the Government have to do is to restrict the use of liquor by those who are addicted to it. If Government should make an effort, I am sure it would be crowned with success to a certain extent. If there are drunkards who have gone too far in their bad habit beyond redemption, such people should be segregated and ordinary people should not be allowed to come into contact with them. These are so many ways in which prohibition can be introduced in this province, but I am afraid the Honourable Minister has not taken any steps to change his present policy into one of prohibition. It should not be understood that I am attacking the Minister because he is a Sikh. I am only fighting on principle. My criticisms will remain all the same whether the Minister is a Muslim or a Hindu or a Sikh. I appeal to the Honourable Minister for Excise to make a real effort towards prohibition in spite of the pressure from the reserved half of Government. He should make stringent rules and regulations by which the use of liquor should be restricted, and its contamination should not spread to the younger generations. In Burma, I understand there is a system by which those who wish to drink have to get their names registered. I know it is rather difficult for some people to resist the temptation of whisky, wine, etc. By all means let them drink. My suggestion is that the Government should make the stuff so expensive as not to be within the reach of any and every person as it is now. At the same time it should not be made so expensive that people would resort to illicit distillation. We have to guard against the temptation of people resorting to illicit distillation on account of the fact that licit liquor is made very costly. On the other hand if you make it too cheap, then some people will say: 'Instead of taking fruit sharbat, let us take liquor.' It is for the Government to appoint a committee to find out a *via media* between making wine too dear or too cheap. You can leave this task to district boards. You should not institute a costly machinery for bringing about this reform. Instead of holding a separate election so far as local option is concerned, it would facilitate matters if during the time of a municipal election, the candidates are also asked to record their votes either in favour of prohibition or against. I understand this is done in countries like Australia and America. During election, each candidate is asked to note whether he wants to have local option or not. You know that it costs thousands of rupees to the candidates to bring the voters to the polling booth. How do you expect people to spend money out of their pockets and come all the way from the most interior parts of a district to record their vote simply when the sole question at issue is of local option. If the voters have to come for the municipal election or legislative council election or for any other election, then they would like

[Shaikh Muhammad Sadiq.]

incidentally also to record their votes either for or against local option. I would request the Honourable Minister to evolve a system by which by and by the sale of liquor will be restricted and the cost of liquor will also be made so expensive as not to be within the reach of any and every person. There must be fewer and fewer shops in certain areas, till a day will come when without repealing the law, the system of drinking will stop of its own accord.

Lala Kesho Ram Sekhri [Amritsar City, (Non-Muhammadian,) Urban]: Sir, at the present time, the only question before the House is whether the demand under 'Excise' should be granted or not. This demand has been opposed by certain honourable members because they are under the impression that the Chair would not rule out of order if they speak on prohibition. In fact, speeches after speeches that we heard till now have been dealing with only total prohibition or partial prohibition. By refusing to vote this demand, in fact they are helping the cause of drink. All that they say comes to this: the Government is allowed to grant license for liquor traffic, the Government is authorised to realise license fees, the Government is authorised to open shops, the Government is authorised to realise all the income from excise, but the Government is not authorised to check in any way or detect the offence relating to excise. This is what it amounts to. Because, if for the sake of argument this House now rejects this demand, it means that there shall be no check on those who sell liquor, there shall be no check on those who drink, there shall be no check on those who sell illicit liquor or who manufacture illicit drinks. In that sense, I suppose the honourable members will not be well advised in rejecting this demand. Of course it is not for me to say how far the speeches already made are permissible in conformity with the ruling of the Chair. In the present instance there was an amendment on the agenda intending to discuss the policy of total or partial prohibition and you, Sir, ruled that such a discussion would be out of order inasmuch such a discussion would involve the suggestion of change in the Statute or the provisions therein. Consequently I suppose the House was not within its rights in discussing the question of total prohibition. At the same time we should not discuss the question of local option as my honourable friend Mr. Sadiq was discussing, whether it was 65 or 75 per cent. that were bogus votes at these elections. All these discussions have nothing to do with the present demand. If we are within our rights, we might increase the demand so that there may be more check on illicit distillation, so that the offenders against excise law may be properly punished. My submission is that we should accept this demand, in view of the fact that we cannot increase it.

Pandit Nanak Chand: I move:

That the question be now put.

The motion was carried.

Mr. President: The question is:

"That a sum not exceeding Rs. 14,42,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1929, in respect of Excise."

The motion was carried.

APOLOGY BY A MEMBER.

Mr. President: I may inform the House, before adjourning it, that Mr. M. A. Ghani, who, as I understood him at the time, had challenged impartiality of the Chair in not calling him while Demand No. I was under discussion yesterday, has made a full and unreserved apology which I very gladly accept. I wish to assure the House that my task in satisfying the wishes of all gentlemen who wish to speak on a particular motion is a difficult one. Sometimes half a dozen, and even nine or ten of them, stand up simultaneously. I try to call upon members from either side alternately so that they may answer each other, but I don't think I can always succeed in meeting the wishes of all gentlemen who may wish to speak. However, I beg to assure the honourable members of the House that I always do my best to give opportunity to each and all of them.

The Council then adjourned till 2 P.M. on Monday, the 5th March 1928.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, TUNJAN.

812 PLC-290-22-428-SGPP Labors.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 5th March, 1928.

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

STARRED QUESTIONS AND ANSWERS.

ASSISTANT SURGEONS.

***1076. Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable the Minister for Local Self-Government be pleased to state the number of Muslim and non-Muslim Assistant Surgeons and Demonstrators in the King Edward Medical College, Lahore, and of Muslim and non-Muslim teachers in the Medical School at Amritsar ?

The Honourable Malik Firoz Khan, Noon :—

Medical College	..	..	2 Muslims and 15 non-Muslims.
Medical School	..	..	1 Muslim and 5 non-Muslims.

PUBLIC PROSECUTORS.

***1077. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

- how many persons were on the list of approved candidates for the post of Public Prosecutor for Rohtak district in 1927 ;
- whether any one of these has since been appointed a Public Prosecutor or has left the district or has given up practice ;
- whether the District Magistrate recently recommended a few more persons, including the names of two agriculturists to fill the vacancies ;
- whether the new names have been rejected ;
- the reasons for the rejection ;
- what is the average number of approved candidates on the list of each district ;
- what will be the number of approved candidates on the list for Rohtak after the elimination of those referred to in (b) ?

The Honourable Sir Geoffrey deMontmorency : (a) 5.

(b) One out of five has been appointed a Public Prosecutor and the name of another has been removed as he is not practising in the district.

(c) Yes.

(d) Yes.

[Hon. Sir Geoffrey deMontmorency.]

(e) Three did not possess the initial qualification of five-years' practice at the Bar—the recommendation of the fourth was not supported by the Sessions Judge. The fifth had no appellate practice.

(f) This depends on the importance of the district and the work in each district.

(g) Three.

PUBLIC PROSECUTORS.

***1078. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state—

(a) the total number of Public Prosecutors in the province ;

(b) the total number of approved candidates on the list of the province as a whole ;

(c) the total number of Public Prosecutors belonging to Jat (Hindu Sikh, Muslim), Gujar (Hindu or Muslim), Rajput (Hindu or Muslim), Ahir or Arain tribes of the Ambala division and the total number of candidates belonging to the above tribes of the same division on the approved list of the province ?

The Honourable Sir Geoffrey deMontmorency : (a) 27, excepting Public Prosecutor, High Court.

(b) 115.

(c) (i) One.

(ii) Two (one Jat, one Ahir).

EXTRA ASSISTANT COMMISSIONERS AND TAHSILDARS.

***1079. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

(a) whether the Government lately called for names for the posts of Extra Assistant Commissioners and Tahsildars ;

(b) whether any Deputy Commissioner of the Ambala division took any, and, if so, what steps to make this fact known in his district ;

(c) whether the Government has recently ruled that only graduates will be considered for direct appointment to the posts of Extra Assistant Commissioners and Tahsildars ;

(d) whether the Deputy Commissioners of any districts in the Ambala division have failed to send up the names of any graduates from their districts, and, if so, whether they will be asked to make fresh nominations ?

Mr. H. W. Emerson : (a) Yes.

(b) Government has no information on this point.

(c) Yes.

(d) Government has no information on the first part of the question, but it may be stated for the information of the honourable member that the prescribed nominating authorities are Commissioners of divisions and a limit is placed on the number of nominations which each may submit from time to time.

JAT NAIB-TAHSILDARS.

***1080. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state how many Hindu Jats have been nominated by the Commissioner of Ambala for direct appointment as Naib-Tahsildars during the last five years ?

The Honourable Mian Sir Fazl-i-Husain : Only 2, who were agriculturists ; but no Jats.

ZILLADARS.

***1081. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) the total number of Zilladars serving in the Ambala ;
- (b) the total number of men among these Zilladars who are not residents of the Ambala division ;
- (c) the total number of Jats among these Zilladars ;
- (d) whether any, and, if so, how many Jats (Hindu, Muslim or Sikh) and Rajputs (Hindu or Muslim) have been nominated for direct appointment as Zilladars during the last ten years.

The Honourable Mian Sir Fazl-i-Husain : (a) 20.

(b) 17.

(c) 2.

(d) 17 Sikh Jats, 3 Hindu Jats, 3 Hindu Rajputs and 3 Muhammadan Rajputs.

INSPECTORS OF CO-OPERATIVE SOCIETIES.

***1082. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Agriculture kindly state—

- (a) the number of co-operative societies in each division ;
- (b) the total number of Inspectors of Co-operative Societies in the province ;
- (c) the number of Inspectors to which each division is entitled on the basis of the number of societies in it ;
- (d) the number of Inspectors having their residence in each of the five divisions ;
- (e) the number of Inspectors belonging to places outside the division serving in the Ambala division ;
- (f) the number of Inspectors belonging to the Ambala division serving in other divisions of the province ?

The Honourable Sardar Jogendra Singh : (a) The number of co-operative societies in each division is—

Ambala	..	..	..	..	2,983
Jullundur	..	..	..	..	3,996
Lahore	..	..	..	..	5,335
Rawalpindi	..	..	..	..	2,813, and
Multan	..	..	..	..	2,225

(b) The total number of Inspectors in the Punjab is 109 (103 for Credit and Industrial work and 6 temporary for consolidation).

(c) In ratio to societies, each division would be entitled to the following number of Inspectors :—

Ambala	..	..	..	..	15
Jullundur	..	..	..	..	20
Lahore	..	..	..	..	27
Rawalpindi	..	..	..	..	14, and
Multan	..	..	..	..	11

(d) The number of Inspectors having their residence in each division is—

Ambala	..	..	..	..	8
Jullundur	..	..	..	..	36
Lahore	..	..	..	..	26
Rawalpindi	..	..	..	..	18, and
Multan	..	..	..	..	15

In addition one belongs to Delhi province and 3 to Kapurthala State.

(e) 12 Inspectors belonging to other divisions are serving in the Ambala division.

(f) No Inspector belonging to the Ambala* division is serving in any other division.

HINDU JATS IN THE SUBORDINATE EDUCATIONAL SERVICE.

***1083. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

(a) the number of Hindu Jats who joined the S. A.-V. and B. T. Classes, respectively, and passed out as successful candidates from these classes in 1925, 1926 and 1927 ;

(b) the number of Hindu Jats (with S. A.-V. diplomas or B. T. degree) appointed directly to posts carrying a pay of Rs. 80 per mensem or upwards in the Subordinate Educational Service in 1925, 1926 and 1927.

The Honourable Mr. Manohar Lal : The requisite statement is laid on the table—

- (a) Number of Hindu Jats who joined and number who passed the B. T. and S. A.-V. examinations in 1925, 1926 and 1927 :—

YEAR.	JOINED.		PASSED.	
	B. T.	S. A.-V.	B. T.	S. A.-V.
1924-25	1	..	..	..
1925-26	2	1	2	1
1926-27	1	4	1	2

- (b) Number of Hindu Jats with S. A.-V. or B. T. qualifications—appointed directly to posts carrying a pay of Rs. 80 per mensem or upwards in 1925, 1926 and 1927 :—

Year.	Number.
1925	None.
1926	Two.
1927	None.

APPOINTMENTS IN THE SUBORDINATE EDUCATIONAL SERVICE.

***1084. Rai Sahib Chauhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

- the number of appointments made in the Subordinate Educational Service in the Ambala division in 1925, 1926 and 1927 ;
- the number of men imported from outside the division for appointments referred to in (a) ;
- the number of men belonging to the Ambala division who qualified as teachers from the Central Training College in 1925, 1926 and 1927, and the number of those among them who received Government appointments in their own division ?

The Honourable Mr. Manohar Lal : The requisite statement is laid on the table—

	Year.	No.
(a) Number of appointments made in the Subordinate Educational Service, in the Ambala division in 1925, 1926 and 1927.	1925	82
	1926	54
	1927	22
(b) Number of men imported from outside the division for appointments shown in (a) above.	1925	2
	1926	4
	1927	4

[Hon. Mr. Manohar Lal.]

	Year	No.
(c) (i) Number of men belonging to Ambala division who qualified as teachers from the Central Training College, Lahore, in 1925, 1926 and 1927.	1925 1926 1927	12 15 25
(ii) Number of those among them who received Government appointments in their own division.	1925 1926 1927	7 7 4

GRANT-IN-AID TO SCHOOLS IN THE AMBALA DIVISION.

***1085. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state the names of schools which applied for a grant-in-aid from the Ambala division and obtained it and the names of those which applied without success ?

The Honourable Mr. Manohar Lal : The following schools applied to the Inspector of Schools, Ambala division, for grant-in-aid in the current financial year :—

- (1) Hindu A. S. Middle School, Sadhaura, district Ambala (for upper middle only).
- (2) A. S. High School, Pundri, district Karnal (for high department only).
- (3) S. D. High School, Pundri, district Karnal (for high department only).
- (4) Public Hindu High School, Rupar, district Ambala.
- (5) D. A. V. High School, Shahabad, district Karnal (for high department only).
- (6) Balakram High School, Panipat, district Karnal.
- (7) S. D. Middle School, Simla (for Upper Middle Department).

The schools Nos. 1, 2, 5 and 7 have been placed on the grant-in-aid list and the grant recommended by the Inspector has been given. The schools Nos. 4 and 6 have been given special grants. The S. D. High School, Pundri (No. 3) has not been given the grant applied for.

KHALSA HIGH SCHOOL, RUPAR.

***1086. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether a Khalsa High school was started in Rupar in 1926 ;
- (b) what was the total number of students in this school, and what was the percentage of agriculturists among them ;
- (c) whether as a result of the opening of this school there was any contraction in the number of scholars in any of the other local schools, and ; if so, what was the exact measure of this contraction ;
- (d) whether this school applied for and was refused recognition ?

The Honourable Mr. Manohar Lal : (a) No ; the school was started in April 1925.

- (b) 1. Enrolment 146
 2. Percentage of agriculturists.. .. 84 per cent.

(c) No contraction.

(d) Yes, it applied for recognition, which was refused.

TEACHERS.

***1087. Lala Bodh Raj :** Will the Honourable Minister for Education please state how many Hindu graduate trained teachers were superseded by Muhammadans of lower qualifications in the grade of Rs. 80—4—100 in the Subordinate Educational Service during the years 1924—1927 ?

The Honourable Mr. Manohar Lal : In view of answers to Council Questions Nos. 1961—1975¹ given on 14th December, 1925, it is not proposed to collect the information.

MUNSHI AHMAD BUX, ETC.

***1088. Lala Bodh Raj :** (i) Will the Honourable Minister for Education please state—

(a) if it is a fact that the District Inspector of Schools, Muzaffargarh, recorded a note in March 1927 complaining against Munshi Ahmad Bux, Headmaster, Munshi Pir Bux, Munshi Abdul Aziz, Munshi Muhammad Azam and Munshi Jamal Din for their misconduct ;

(b) if it is a fact that the chairman, district board, recommended the dismissal of some of the said teachers and the reduction of others ;

(c) if it is a fact that all the said teachers are being retained in the department ; if so, why ?

(ii) Will the Honourable Minister please lay the complaint against the said teachers on the table ?

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

(b) Yes.

(c) Yes, excepting Abdul Aziz whose services have been dispensed with. Others have been retained in service in accordance with the District Board's resolution.

(ii) Inquiries about the complaint are being made.

MAHTAMS (ORIGINAL INHABITANTS OF THE NILI BAR COLONY).

***1089. Sardar Ujjal Singh :** Will the Honourable Revenue Member please state whether the Government received a representation from the Mahtams (original inhabitants of the Nili Bar Colony) for the grants of land in that colony ? If so, what action has the Government taken on that representation ?

¹Vol. VIII-B, pages 1187-81 and Appendix VIII, page cxli.

The Honourable Mian Sir Fazl-i-Husain : 1. Yes.

2. Mahtams, who were original inhabitants of the Nili Bar, have been considered along with other tribes under the head of allotment "Janglis". They are reported to be very few in number.

ASSISTANT DIRECTOR OF PUBLIC HEALTH, RAWALPINDI.

***1090. Sardar Ujjal Singh :** Will the Honourable Minister for Local Self-Government please state—

- (a) the qualification and period of service in the public health department of the Assistant Director of Public Health, Rawalpindi Circle;
- (b) the names and period of service of District Medical Officers, Public Health, who have put in longer service in the department than the present Assistant Director of Public Health, Rawalpindi;
- (c) the reasons for ignoring the claims of the senior members of the department for the post of Assistant Director?

The Honourable Malik Firoz Khan, Noon : (a) M.B., B.S. (Punjab) and D.P.H. (London) : 18 years and 2 months.

(b) There is no such officer.

(c) does not arise.

ASSISTANT DIRECTOR OF PUBLIC HEALTH, RAWALPINDI.

***1091. Sardar Ujjal Singh :** (i) Will the Honourable Minister for Local Self-Government please state—

- (a) the period of probation for which the original appointment of the present Assistant Director of Public Health, Rawalpindi, was made;
- (b) whether the period of probation had expired when he was confirmed?
- (ii) Will the Honourable Minister state the reasons for confirming him before the expiry of the probationary period?

The Honourable Malik Firoz Khan, Noon : (i) (a) 6 months.

(b) Yes.

(ii) does not arise.

KIDNAPPING OF WOMEN.

***1092. Rai Sahib Lala Ganga Ram :** Will the Honourable Finance Member please state the number of persons recently arrested at Shikarpur for the offence of kidnapping women from the Punjab?

(b) Is it a fact that some of the women who were recovered stated that they had been kidnapped, and that their husbands were alive?

(c) What steps does the Government propose to take to stop the kidnapping of women?

The Honourable Sir Geoffrey deMontmorency : (a) and (b) This Government has no information.

(c) The honourable member is referred to the answer given to starred Council Question¹ No. 399 of 1927.

TOBACCO FACTORY.

***1093. Lala Bodh Raj :** Is the Honourable Minister for Local Self-Government aware of the fact that a representation was made to the municipal committee, Pind Dadan Khan, to remove the tobacco factory from the populated quarters about a year ago? If so, what action has been taken thereon?

The Honourable Malik Firoz Khan, Noon : A representation was received in respect of a tobacco shop where country tobacco is also pounded and mixed with *gur*. As this does not constitute a nuisance, no action was taken.

PATWAR CANDIDATES.

***1094. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

(a) the number of agriculturist, and

(b) the number of non-agriculturist

patwar candidates in the tahsil of Shujabad (Multan district) who have passed any standard higher than the Primary School standard?

The Honourable Mian Sir Fazl-i-Husain : (a) 10.

(b) 8.

PATWAR STAFF.

***1095. Lala Bodh Raj :** Will the Honourable Revenue Member please state if any representations have been made to the local authorities to equalise the number of agriculturist and non-agriculturist patwar staff in tahsil Shujabad (Multan district)? If so, what action has been taken thereon?

The Honourable Mian Sir Fazl-i-Husain : No such representations have been made.

SMALL TOWN COMMITTEE, JARANWALA.

***1096. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state whether it is a fact that the Deputy Commissioner, Lyallpur, issued an order to the authorities of small town committee, Jaranwala, to postpone the election of the president? If so, what are the reasons for such a step being taken in the case of this committee?

The Honourable Malik Firoz Khan, Noon : No. The new town committees in the district of Lyallpur were electing presidents apparently in the mistaken belief that official presidents ceased to hold office after the

[Hon. Malik Firoz Khan, Noon.]

recent elections of members. This is not so, as under sections 6 and 9 of the Punjab Small Towns Act, 1921, an official president continues to hold office so long as he is a member of the committee. The Deputy Commissioner, therefore, informed the town committee of Jaranwala, which had not by then held any election of a president that it was not necessary to elect a president. Government have, however, decided to remove official presidents of town committees which express a wish to have a non-official president and a press *communiqué* on the subject has been issued.

SMALL TOWN COMMITTEE, JARANWALA.

***1097. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that Sayad Muhammad Shah, Tahsildar, Jaranwala (Lyallpur district), has been acting as the president of the small town committee of Jaranwala without taking the necessary oath of allegiance? If so, why?

(b) Is it a fact that the Deputy Commissioner was requested to remove the said Tahsildar from the office as well as from membership because of the said illegality? If so, what action has been taken by the Deputy Commissioner?

The Honourable Malik Firoz Khan, Noon : (a) Yes, owing to the mistaken belief that an official member succeeding another such member by virtue of holding the office which entitles him to be a member need not take the oath.

(b) No.

INSPECTOR OF SCHOOLS, RAWALPINDI.

***1098. Lala Bodh Raj :** Will the Honourable Minister for Education please state—

(a) if it is a fact that on or about the 11th January 1928 the Inspector of Schools, Rawalpindi, went to Bhakkar;

(b) if it is a fact that he refused to see the deputation of the Hindus, while he saw the deputation of the Muhammadans? If so, what are the reasons for such distinction?

The Honourable Mr. Manohar Lal :

(a) Yes.

(b) No.

HYDRO-ELECTRIC BRANCH OF THE PUBLIC WORKS DEPARTMENT.

***1099. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

(a) the total strength of the staff in the Hydro-Electric Branch of the Public Works Department excepting the peons or other menial servants;

(ii) the number of Hindus on the said staff?

The Honourable Sardar Jogendra Singh : (i) Up to 31st January 1928 the total number of posts filled up in the Hydro-Electric Branch is 285.

(ii) Out of these, 80 posts are held by Hindus.

PICTURE HOUSE, AMRITSAR.

***1100. Shaikh Muhammad Sadiq :** (a) Will the Honourable Minister for Agriculture please state whether the license for the sale of liquor to public recently granted to the Picture House, Amritsar, has been granted according to the usual practice hitherto observed with regard to the other cinemas and theatres in Amritsar?

(b) (i) Is it a fact that despite a strong opposition from the Amritsar municipality and the public a license for the sale of liquor has been granted to a hotel?

(ii) Will the Honourable Minister please state whether the license to the hotel has been granted according to the usual local practice?

The Honourable Sardar Jogendra Singh : (a) A temporary license for 15 days was granted to a theatre which has now closed.

(b) (i) A license for one year was sanctioned after full and careful consideration.

(ii) These licenses are granted according to the rules laid down in the Excise Manual and not according to any local practice.

MILITARY SCHOLARSHIPS.

***1101. Honorary Captain Sardar Bahadur Sardar Dalpat Singh :** Will the Honourable Minister for Education kindly lay on the table a copy of rules for the award of military scholarships to college students and also state whether there are provisions for the award of a military scholarship to a graduate son of an Indian officer of the Punjab for study in a foreign country?

The Honourable Mr. Manohar Lal : A copy of the circular containing the rules relating to the award of military scholarships has been sent to the honourable member. Two scholarships are awarded annually by the Administrators of the Silver Wedding Fund to graduate or under-graduate sons of Indian officers and soldiers to study abroad, selection being made from among candidates from all provinces.

PEASANT GRANTS.

***1102. Honorary Captain Sardar Bahadur Sardar Dalpat Singh :** Will the Honourable Revenue Member kindly state—

(a) when the distribution of peasant grants will be made in the Nilt Bar;

(b) the principles on which these grants will be distributed;

(c) whether grants will be made districtwise to owners of small holdings in consideration of their services rendered to Government; and

(d) whether Indian soldiers owning small holdings will be given preference at the time of the distribution of peasant grants?

The Honourable Mian Sir Fazl-i-Husain : (a) The distribution of peasant grants in the Nili Bar will be spread over a considerable period. A beginning has been made in the present month.

(b) The provisional basis of selection is as follows :—

- (1) That a man is likely to make a good colonist ;
- (2) (a) that his land has been ruined by water-logging ; or
(b) that his land has been lost by *cho*, *nulla*, or river action ; or
(c) that he is an inhabitant of a congested area, or lastly
- (3) that he is a resident of a tract which has so far received little or no canal land, or is liable to famine, provided that he can make a good colonist and comes from a tract where there are a goodly proportion of men skilled in agriculture.

(c) No.

(d) No.

though they will not be in any way debarred from obtaining a grant if otherwise qualified.

RETIRED MILITARY OFFICERS.

***1103. Honorary Captain Sardar Bahadur Sardar Dalpat Singh :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that instructions have been issued to all the Heads of Departments to the effect that preferential treatment should be given to retired military officers in the matter of employment if they are otherwise qualified ;
- (b) whether it is a fact that under the orders of His Excellency the Governor instructions have again been issued recently in this connection urging the importance of preferential treatment to retired military officers ;
- (c) whether Government will be pleased to lay on the table copies of instructions issued on this subject from time to time ?

The Honourable Sir Geoffrey deMontmorency : (a) Preferential treatment in the matter of granting civil employment is not accorded to *ex*-soldiers as such but only to those who rendered approved service during the Great War, provided they are otherwise qualified.

(b) Yes, subject to the above.

(c) A copy of Order of the Governor in Council, dated the 27th June 1927, which contains the most recent instructions on the subject, is laid on the table.

Order of the Governor in Council.

The Governor in Council has recently had under consideration the orders issued from time to time regarding the grant of preferential treatment in the matter of civil employment to *ex*-soldiers and other persons who rendered approved service during the Great War, and is pleased to issue

the following orders, in supersession of all previous instructions on the subject, for the guidance of Heads of Departments and those who have appointments in their gift :—

(1) The following kinds of service shall be deemed to be service in the prosecution of the War :—

- (a) Service in the combatant ranks of the Army.
- (b) All other service involving subjection to Military Law under the Army Act or the India Army Act and service in the Indian Branch of the Indian Defence Force.
- (c) Clerical and other services under Military and Munition authorities (i) Overseas and (ii) in India.
- (d) Valuable service rendered to the Army in other ways, for example, by way of recruiting.

(2) Preferential treatment shall be given to the various kinds of service in the order indicated above, and persons who have rendered active service shall be given preference over those who have not. In order to make good a claim to preferential treatment based on the service described as (a), (b) or (c) in paragraph (1) above, an applicant must satisfy the authority making the appointment that the service rendered was wholtime service and was approved service. Generally, appointing officers will find little difficulty in establishing actual service in the Army. The safest test of the value of other services, e.g., services falling under category (1) (d), will be by reference to (a) *Sanads* and other rewards granted by Government or Government officials; (b) local knowledge of the officers in whose time the services were rendered; and (c) certificates granted by such officers.

(3) Many of the persons putting forward claims will be the relatives of those who have actually rendered services of the character described in paragraph (1) above. Save in exceptional cases, the claims of relatives will only be considered when the service on which they were based was service in the combatant ranks of the Army. In order to establish a claim to preferential treatment such persons should also prove that they were actually dependent on those in virtue of whose service they claim, and are not further removed from them than as sons or brothers, uncles or uncle's sons. The claims of such relatives shall be regarded as considerably weaker than those of individuals who have rendered personal service themselves.

(4) Notwithstanding any rules or executive orders prescribing educational, professional or technical qualifications any person who has rendered service of the character described as (a), (b) or (c) in paragraph (1) above and has been prevented thereby from acquiring such qualifications, may at the discretion of the authority competent to make an appointment for which such qualifications are required be admitted to such appointment, provided that the educational, professional or technical attainments which he possesses are deemed sufficient for the adequate performance of the duties of the appointment.

(5) In addition to the provisions of paragraph (4) governing the case of appointments to posts for which a minimum qualification is required, candidates who come within the scope of paragraph (2) will *ceteris paribus*

[Hon. Sir Geoffrey de Montmorency.]

be given preference over others possessing the same minimum qualifications. In fact they may even be given preference over others who have passed the next higher examination. For example, if a Matriculate with war services applies for an appointment for which only Matriculates are eligible, he should be given preference over other Matriculates who have rendered no such service and may also be appointed in preference to men without war services who have passed the F. A.

(6) The principles herein laid down are subject to the following general reservations which Heads of Departments and others who have appointments in their gift will apply at their discretion :—

- (a) the application of these principles must be consistent with the public interest ;
- (b) there must be no injustice to the claims of persons already in Government service who had no opportunity of rendering military service ; and
- (c) no person may be appointed to a post, the duties of which he is not competent to perform.

The principles are also subject to such other reservations as the local Government may deem proper to approve.

(7) Wherever time-scales are operative so that the recruitment of a man to a post carrying a salary of more than Rs. 25 per mensem would not bar the promotion of a man already employed on lower pay in the office, preference should be given to a military man, provided one can be found with the requisite qualifications. In particular, attention is invited to the desirability of filling the posts of copyists by such men. In the case of English copyists, a knowledge of typewriting is necessary, but this is not necessary with ordinary vernacular copyists whose posts, should any vacancy occur, may be offered to military men.

(8) Ordinarily the maximum age for majority of clerical posts is 25 years, but in the case of military men the limit shall be extended to 30 years.

(9) Prior entry in a register of candidates by itself confers no prior claim over applicants with war services, especially combatant services, who should always be considered to have a preferential claim, provided they possess the necessary qualifications in other respects.

(10) It is desirable that Recruiting Officers, in consultation, where necessary, with the District Soldiers' Boards, should supply all Deputy Commissioners in January each year with names of ex-soldiers of their districts who wish to be considered for civil employment, together with details of their qualifications. Such persons shall be brought on to the lists of candidates, if qualified, in preference to those candidates coming forward who have not served in the Army. On receipt of this information Deputy Commissioners should revise their lists of candidates by eliminating the names of persons who have found employment elsewhere or have become too old, and add new names to the lists. A like procedure may, with advantage, be adopted by all Heads of Departments to such extent as may be found practicable.

SUB-REGISTRAR, BATALA.

***1104. Honorary Captain Sardar Bahadur Sardar Dalpat Singh :** Will the Honourable Minister for Local Self-Government kindly state—

(a) the names with qualifications of the Indian officers and other applicants from the civil population who were candidates for the post of Sub-Registrar, Batala, which fell vacant recently ;

(b) the qualifications of the gentleman who has been appointed ?

The Honourable Malik Firoz Khan, Noon : (a) and (b) A list of the names forwarded to Government for consideration in connection with this appointment is laid on the table, but Government are not prepared to make any statement as to their qualifications or the qualifications of the gentleman who was appointed as they do not think it proper to subject the characters and careers of these gentlemen to public examination.

List showing the names of the candidates who applied for appointment as Sub-Registrar at Batala.

- (1) Sahibzada Bahadur Ali, Bukhari Mohalla, Batala.
- (2) Rasaldar Dalip Singh of Dera Baba Nanak.
- (3) Mehr Abdul Rahim, Municipal Commissioner, Batala.
- (4) Chaudhri Jowand Singh, Sarbarah Zaildar, Bhullar, Tahsil Batala.
- (5) Raja Bashir Ahmad Khan of Kalanaur, Tahsil Gurdaspur.
- (6) Sardar Shamsher Singh of Bhagowal, Tahsil Batala.
- (7) Sardar Bishan Singh, Zaildar of Marrar, Tahsil Batala.
- (8) Hafiz Abdul Aziz of Gurdaspur.
- (9) Badar Mohi-ud-din of Batala.
- (10) Bawa Indar Singh of Dharowali, Tahsil Batala.
- (11) Chaudhri Fateh Muhammad, Secretary, Municipal Committee, Batala.
- (12) Subedar S. Achhar Singh of village Ahmadabad, Tahsil Batala.
- (13) Rasaldar Kesar Singh, Zaildar of Dhaulpur, Tahsil Batala.
- (14) Rasaldar Indar Singh of Chahal, Tahsil Batala.
- (15) S. Indar Singh, Zaildar of Gurdasnangal, in the Gurdaspur Tahsil.
- (16) Sheikh Bashir Ahmad, Municipal Commissioner, Gurdaspur.
- (17) Sheikh Ghulam Akbar, retired Inspector of Police, Batala.
- (18) Rasaldar Ajit Singh of Talwandi Lal Singh, Tahsil Batala.
- (19) Pandit Kirpa Ram, retired Naib-Tahsildar, Batala.
- (20) Chaudhri Abdul Aziz, Military Pensioner Canal Overseer.
- (21) S. Zahid Hussain, Municipal Commissioner, Batala.
- (22) Chaudhri Khadim Hussain, B.A., of Parowal, Tahsil Batala.
- (23) Rasaldar Udharn Singh of Vila Teje, Tahsil Batala.

[Hon. Malik Firoz Khan Noon.]

- (24) Rasaldar Kartar Singh.
- (25) Rasaldar Jiwan Singh, I. D. S. M. of Bholeke, Tahsil Batala. Entrance passed.
- (26) S. Khushaid Mohiy-ud-din, brother of Khan Sahib Nazar Mohiy-ud-din of Batala. Studied up to F.Sc.

BATAI.

*1105. **Shaikh Faiz Muhammad** : Will the Honourable Revenue Member kindly state—

- (a) the number of cases instituted by the tumandars against zamindars under *batai* for realisation of *batai* or other dues during the years 1926 and 1927 in Dera Ghazi Khan district ;
- (b) the number of such cases at present pending in the various courts of the district ;
- (c) what steps Government propose to take to remove the tension between the tumandars and their tenants ?

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.

GOVERNMENT'S DEMANDS FOR GRANTS.

STAMPS GRANT.

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

"That a sum not exceeding Rs. 1,08,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Stamps."

Mr. President : The question is—

"That a sum not exceeding Rs. 1,08,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929, in respect of Stamps."

Rai Bahadur Lala Sewak Ram : May I move my¹ amendment, Sir ?

Mr. President : Is the honourable member sure that the ruling I gave the other day does not apply to his motion ?

Rai Bahadur Lala Sewak Ram : I was not here when the ruling was given as I went away rather early that evening. But I think such motion was used to be allowed last year.

Mr. President : The object of the honourable member's motion is to urge reduction of the stamp duty on sales and mortgages and of court-fees. In other words, the honourable member wishes to move the Government to alter the law relating to stamp duties and court-fees. Now, according to parliamentary practice necessity for legislation or matters involving legislation cannot be discussed while estimates are under discussion. Actions of the members of Government may be criticised if and so far as they have failed to administer their respective departments according to the law in force.

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

But if any honourable member wishes to urge that the Government should change any law, he might move a resolution to that effect or he might express his individual opinion to that effect when he discusses the budget as a whole; or he might move a Bill to modify or repeal the law which he does not wish to remain on the Statute Book. This is not the proper occasion or stage for urging the Government to change any law. The ruling I gave the other day was to this effect.

Rai Bahadur Lala Sewak Ram : I simply want to discuss the principle involved in it. I do not mean that by moving this reduction I can get the law altered at once. I want to discuss the principle involved in levying the duties if you will permit me.

Mr. President : A reduction in stamp duty or court-fees cannot be discussed in any form, directly or indirectly, when the demand relating to those duties is under consideration. There are other stages at and other ways in which this can be done. But the way now chosen by the honourable member to achieve his purpose is not in accord with parliamentary practice.

The question is—

“That a sum not exceeding Rs. 1,08,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Stamps.”

Those who are in favour of the motion please say ‘Aye’.

Rai Bahadur Lala Sewak Ram : Sir, I beg to oppose the motion.

Mr. President : If the honourable member is very keen to oppose the motion, he is welcome to do so.

Rai Bahadur Lala Sewak Ram : I wish simply to compare the duties imposed in this province with those in other provinces.

Mr. President : Anything relevant and short of suggesting or advocating a change in the law of stamps and court-fees he is welcome to speak on in opposing the grant under consideration.

Rai Bahadur Lala Sewak Ram : I do not want to oppose it, then, Sir. The motion was carried.

FORESTS GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

“That a sum not exceeding Rs. 22,45,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Forests.”

Mr. President : The question is—

“That a sum not exceeding Rs. 22,45,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Forests.”

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] Urdu : Sir, I beg to move—

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

[Chardhri Ram Singh.]

Sir, my object in making this motion is to draw the attention of the Government and the House to the grievances of the zamindars of the Kangra district in matters relating to forests and to the unjust and high-handed treatment meted out to them by the officials of the Forest department. The Kangra district abounds in forests, the bulk of which, i.e., $7\frac{1}{2}$ lakhs of acres belong to the people and only 88,000 acres are the property of the Government. The owners of these forests evidently have the right to graze their cattle and to cut wood for fuel and building purposes and enjoy other advantages and privileges that are the outcome of ownership. But strange to say these advantages are denied to these zamindars by the *rakhas* and the guards of the forests who catch hold of the zamindars carrying grass and charge them with having improperly cut the branches of the trees. In the meanwhile the superior officers, on receipt of the report from the *rakhas* and guards come to the spot and fine them as they like and threaten them with criminal proceedings into the bargain. As the zamindars of the Kangra district are poor and simple, and cannot bear the expenses of litigation they submit to the high-handedness of the guards who collect enormous sums from the zamindars in the form of penalties. Again, there is no fixed standard to judge the offence of the defaulter. Generally the real offenders escape scot-free and the innocent are made to pay the penalty.

Again, the zamindars are experiencing great hardships from the reserves which the Forest department is creating in thoroughfares or in places where their cattle graze. The zamindars of the district have given vent to their feelings on this matter in several ways but the Government seems to pay no heed to it. On the other hand I have heard that a representation is being prepared to show that the zamindars have no objection to reserve forests being created and for this purpose, signatures of large numbers of zamindars have been secured but the zamindars have no knowledge of the contents of the representation.

Sir, anybody who has a nodding acquaintance with forests knows that sometimes forests catch fire without any apparent cause. But the Forest department hold the zamindars of the Kangra district responsible for any such accidental fire and drag them into courts of law for incendiarism and start criminal prosecution against the zamindars of the neighbouring territories for not helping them in putting down the fire. This is injustice pure and simple, for nobody who is gifted with the meanest understanding can believe that the zamindars who are the owners of the forests would set them ablaze with their own hands. Again the Government is harassing the zamindars of the district by levying a tax on their sheep and goats. This is the strangest of all the taxes in the world. When the Government is asked the reason for its imposition it readily trots out the excuse that it is meant for the safety and maintenance of the forests. If there were, it says, no such tax the sheep and the goats of the zamindars would destroy these forests in no time, and I may mention here, Sir, that the imposition of the tax has not tended to increase or reduce the number of sheep and goats in the district. Sir, the levying of this tax is contrary to the unanimous decision of the committee of the officials and non-officials consisting of the Commissioner of the Jullundar division, the Deputy Commissioner of Kangra district, Conservator

of forests and the vice-president of the Kangra District Board who recommended certain changes in the imposition of the tax. Again there are 1,500 villages where there are no forests at all and therefore the question of their preservation does not arise; the levying of this tax is most improper and tyrannical and it gives me great pleasure to say that both the officials and non-officials agreed to exempt the aforesaid villages but it is unfortunate that this has not been acted upon. Another glaring injustice done to the zamindars is that the Government does not give them any share out of the income derived from the resin extracted from the trees growing in the shamilat forests. In the Simla session of the Council, a resolution protesting against this injustice was passed by an overwhelming majority, but it seems, that nothing can move the Government from its apathy towards the zamindars of the Kangra district. To other districts of the province, the Government is giving lands and providing them with other facilities but it is usurping the privileges and rights of the zamindars of the Kangra district, who did not shirk from laying down their very lives for the British Empire during the Great War and a large number of them are still serving in the army.

In view of the glorious services rendered during the Great war by the zamindars of the Kangra district and the legitimacy of their claims the Government and the Forests Department should take pity on them and try to redress their grievances.

Mr. President: Demand under discussion motion moved:—

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

The question is that that motion be adopted.

Khan Bahadur Captain Sardar Sikandar Hayat Khan [Muhammadan (Landholders)] (Urdu): Sir, most of the grievances of the zamindars of the Kangra district as ventilated by their representative Chaudhri Ram Singh seem to me just and well-founded. I am at one with the honourable member that the Government should take immediate steps to remove their legitimate grievances and to concede their just demands; and that other facilities should also be provided for them. I commend the proposal of the honourable member to Government for sympathetic and careful consideration. With these few remarks, I support the motion.

Sardar Buta Singh [Multan Division and Sheikhupura (Sikh) Rural] (Urdu): Sir, the grievances of the zamindars of the Kangra district as ventilated by their learned representative Chaudhri Ram Singh seem to be just and well-founded. Time out of number it was pointed out, Sir, that the Government turns a deaf ear to the wishes of the accredited representatives of the people inasmuch as it does not care to give effect to the resolutions passed by them. But the other day, the Honourable the Revenue Member protested against the correctness of this assertion and advised us to refrain from making such sweeping generalisations. Sir, the House will recollect that in the Simla Session of the Council a resolution asking for the removal of the grievances laid bare by Chaudhri Ram Singh to-day in his speech, was passed. Has the Government given effect to it so far? Again a resolution asking for the release of all the Gurdwara prisoners was passed by this council? Has the Government given effect to this resolution? Has it released any Gurdwara prisoner save Sardar Kharak Singh and that too not forthwith, but he was released after serving his substantial

[Sardar Buta Singh.]

term of imprisonment. Does the release of Sardar Kharak Singh mean the release of all Gurdwara prisoners? Can we by any stretch of imagination call it as tantamount to giving effect to the resolution? We are at present divided into hostile camps and the Government can and does flout our opinions. If we close our ranks and present a united front to the Government, the latter dare not usurp our rights and flout our wishes. With these few remarks, I extend my heartiest support to the motion before the House.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban] (Urdu): Sir, it is not with a view to discuss the merits or the demerits of the general policy of the Government relating to forests that I have risen to speak, but on the other hand my only object is to draw the attention of the House to the insult that has been heaped upon the heads of the members of the committee recently appointed by this House to inquire into the desirability of removing the tax levied on sheep and goats in the Kangra district. The committee unanimously decided that no tax should be levied on owners of four sheep and under; that on owners of 5 to 10 sheep the tax should not be enhanced but the former amount of tax should remain and 1,500 villages, which contained no forests were to be exempted *in toto* from the tax. But the Government has not cared to give effect to the unanimous verdict of the committee of officials and non-officials.

I even the unanimous decision of any committee consisting of officials and non-officials is not to be accepted by the Government it is no use appointing any such committees in future.

Again in the Simla session of the Council, the House passed the resolution of Chaudhri Ram Singh requesting the Government to give all the income derived from the resin trees in the Kangra district to the zamindars. But the Government has not given effect to this resolution at all and I do not see any reason why it should not have been given effect to. To impress upon the Government that the House resent its action in not giving due weight to the wishes of the accredited representatives of the people, I propose Sir, that the cut moved by my learned friend from Kangra should be passed unanimously. So far as Chaudhri Ram Singh's demand that money got from the resin trees of the Kangra district should be given to the zamindars of the district, is concerned, I heartily support it.

Risaldar Bahadur Nur Khan [Rawalpindi (Muhammadan) Rural] (Urdu): Sir, I rise to say a few words in support of the motion moved by my learned friend from Kangra and in this connection I propose to draw the attention of the Government and the Forest department to the grievances of the zamindars of the Rawalpindi district in matters relating to forests. The zamindars of the Rawalpindi district are very poor; their annual income hardly averages about 10 or 12 rupees. Agriculture and the keeping of cattle are their sole means of living. Their fields adjoin the forests on both sides. Occasionally a sheep trespasses the forest or eats a leaf of the tree of the forest. The guards and other petty officials of the Forest department come down upon the poor illiterate zamindars and haul them up before the Courts of law. As a natural consequence of this endless litigation, the zamindars living in close proximity to the forests are

head over ears in debt. When the Honourable the Revenue Member graciously toured through the Rawalpindi district, I and other people draw his attention to the state of affairs and he was kind enough to promise that he would alleviate their sufferings. Unless immediate steps are taken, the zamindars would either cease to keep cattle or they would be crushed under the intolerable burden of debt.

Again, formerly forests were meant for the benefit of the zamindars. But now these benefits are being taken away from them one by one. Formerly they enjoyed the privilege of grazing their cattle in these forests and cut trees for fuel; but now these concessions have been withdrawn. They are no longer allowed to graze their cattle and cut the wood which is now sold by auction to the highest bidder.

In summer, sometimes fire breaks out in these forests. The Forest department compels these zamindars to help it in putting down the fire. Sometimes they keep away from their families and fields for 6 or 7 days at a stretch and the remuneration given to them for their services is the threat or the actual hauling them up before the Courts of law, in case a sheep trespasses the forest or eats one leaf of the tree. The Government should therefore take steps to alleviate the miseries of the poor zamindars. With these few words, I heartily support the motion.

Mr. W. R. Wilson (Revenue Secretary): Sir, the honourable member for Kangra would have the House believe that the Forest Department is becoming even more ruthless and severe in its treatment of the people with whom the department is concerned. But as a matter of fact, I should like to just put one comparison before the House and that is to compare the income which that department with its ruthless proceedings in the discharge of its various functions extending over 6,600 square miles of forest, gets from the sale of grazing and grass with the estimated income that the right-holders and people who live in the vicinity of the State forests get from those forests. In the last year for which figures are available, the income to the Forest Department from grazing and grass was only 1½ lakhs whereas in the Eastern circle alone the estimated value of the minor produce that is, on grass and grazing that the right holders get from these forests which are managed by the Forest Department amounted to no less than 19 to 20 lakhs. So on that showing the Forest Department which by its activity has been able to put an estimated amount of 20 lakhs into the pockets of right holders and concessionairs can hardly be a burden on the people. I think the department ought to be classed as a beneficent department. (Hear, hear). That is one consideration that I would like to lay before the House in connection with the remarks made by the honourable member from Kangra. As a matter of fact perhaps the severity of the working of the Forest Department should be increased because I notice that in the last year the number of fires that have occurred in the Punjab has gone up to 320 whereas in the year 1925-26 the number of fires was only 180. At the same time the compensation the Forest Department collected in the last year for forest offences decreased from Rs. 60,000 in the previous year to Rs. 54,000. On these two sets of figures it does not seem that the Forest department is really importing more severity or more harshness in the treatment of the people with whom the department is concerned.

[Mr. W. R. Wilson.]

Thirdly, the honourable member for Kangra made reference to the Cattle Tax Committee which recently considered and made recommendations about the future working of the cattle tax in the Kangra district. As far as I remember that committee was appointed in 1926 and it submitted the recommendations last year, that is in 1927. That committee, Sir, did not recommend that the tax should be abolished. That committee, as far as I remember, recommended that the working of the tax should be further explored and considered after a period of three years.

Lala Mohan Lal : The committee recommended certain modifications and said that the question of the continuance of the tax might be considered again after three years.

Mr. W. R. Wilson : The period was three years and after the suggested modifications had been considered and put into effect, the position should be considered after three years. I think one of the suggestions was that there should be annual enumeration. Any enumeration is calculated to disturb the country side and as a matter of principle I do not think there should be any enumeration beyond necessity. The other modification suggested by the Cattle Tax Committee is, I think, that it objected to the present flat rate on cattle. The present rates are 9 pies per goat and one anna for a sheep. The committee recommend that there should be an exemption up to 5 animals in each household, and then the present rate should be applied to the number from 5 to 10, and above ten animals the rate should be doubled and even quadrupled. Well, Sir, at present the owner of 5 goats is only under the necessity of paying 4 annas and the owner of 5 sheep is only paying 5 annas and that in a year, and it is not a very serious impost upon the financial resources of the family, and if graduation is brought into this cattle tax, which by the way has been in force for over 10 years and against which there is not very much feeling at the present moment though there was when the cattle tax was originally introduced, and if you make the assessment of the tax and the realisation of the proceeds of the tax so very complicated, I think the dissatisfaction such as there is, instead of being allayed, will be considerably increased, and it was on account of considerations of that nature that it was decided that the question of the abolition of the tax should be examined after a period of 3 years as suggested by the committee itself and when the system has been in force for ten years, an additional three years is not a very long period after all in which to come to a conclusion as to the effect of the tax. Further it was imposed not with a view to getting income—the income incidently goes to the district board—but the tax was imposed in order to prevent the denudation of the Kangra forests which would affect not only Kangra but other districts as well, and it would affect the *chos* in Hoshiarpur and the *chos* problem will eventually become more serious if the tax were removed. Loss from denudation is apt to be devastating.

Another honourable member from Rawalpindi has stated that grazing facilities are very niggardly given ; but that is not a fact. The figures show that only 6 per cent. of the area of the State forests in the Punjab, reserved, protected, enclosed and leased, is entirely closed to grazing and of that area the whole area is open to grass cutting with the exception of only 1 per cent—

Five-sixths of the area is open to grazing. Out of 6,650 square miles, 6,256 square miles are open to grazing at least for some part of the year. I do not think in the interests of conserving its forests, the Forest department can really go beyond the limit which has now come to be fixed, and I would then oppose the motion for this cut.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, if we go through the budget we find that the Forest department is the costliest managed of all the departments under the Punjab Government. You will find, Sir, that we have got an immense amount of land on which we pay no interest and which is supplied with water by nature and yet you will find that the total estimated income is Rs. 37,50,000 and the expenditure, Rs. 26 lakhs. Considering the vast area of the forests, with no interest to pay, with no capital account to maintain, not a penny to spend on water which is supplied free by nature, we are only making a saving of about 11 lakhs of rupees. Let me give the detailed account.

The expenditure on conservancy and works is 14 lakhs. Establishment costs about 10 lakhs. That is, about 40 per cent. of the expenditure is spent on establishment alone. It is the general complaint in the Punjab that the staff in the Forest department is 8 times more than is ordinarily required in the other departments. It is a department which was filled up by many officers just when the reforms were introduced. The Government, thinking that when the reforms were introduced there would not be many chances for certain class of people to be recruited, were in a great hurry in filling up the jobs and so the department was very much overstaffed. I will be very glad if the Honourable Revenue Member will be good enough to pay attention to this aspect because my object is mainly to bring it to his notice. As I have stated already, about 40 per cent., is spent on the establishment. That is a very huge expenditure indeed. If you were to lease this land to the villagers for cultivation, I am sure you will charge heavy rent from those people. What is the matter with our forests? Why is there the grumbling going on in the Punjab that the forests are not properly managed and that the officers do not give the same care and attention in this department as they give to the other departments in the matter of the collection of revenue.

In fact the whole department is involved in a kind of mystery because nobody is allowed to penetrate into the forests to find out what is going on there.

The Honourable Mian Sir Fazl-i-Husain : That is not fair, you have a free permit.

Shaikh Muhammad Sadiq : Only goats and camels can go into the forests, but not men.

The Honourable Mian Sir Fazl-i-Husain : No, it is the other way about ; men can go but not goats and camels.

Shaikh Muhammad Sadiq : Let us see what is the actual amount spent on the improvement of forests. If you turn to page 78 of the Budget you will find under item No. VIII that there is a sum of Rs. 1,11,100 set apart for Organization, Improvement and Extension of Forests. The total sum

[Shaikh Muhammad Sadiq.]

which is spent on sowing and planting is only Rs. 48,500. That is the only extension which is done by that department. I ask when there is only Rs. 48,500 spent for sowing and planting, why is such a big sum spent on establishment? We find that the department sells timber to the extent of about 26 lakhs, and that it costs the department eight or nine lakhs to bring it to the river head. This is a very expensive system, for to sell timber for 26 lakhs you must pay to the extent of seven or eight lakhs for bringing the timber to the river and that is too much.

[We find that there are too many officers drawing big pay, and I have spoken to many Forest officers who know something about it. They have admitted before me that the Forest department has about three times the number of officers required by the department.]

The Honourable Mian Sir Fazl-i-Husain : Imperial Service men or Provincial?

Shaikh Muhammad Sadiq : Both, mostly Imperial. I should like my honourable friend the Revenue Member to tell us something about this; from the rumour one hears it appears that the department is not being properly managed.

(At this stage the Honourable Revenue Member rose to speak.)

Mr. President : Would not the Honourable Revenue Member wait and speak after Chaudhri Ram Singh has given his reply?

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, the appeal made directly for information is such that I feel I cannot refuse it. (Urdu): Sir, it is after a number of years that the Council has thought it fit to discuss the general policy governing the administration of forests. During the past two years or so the Council has not paid much attention to the administration of the Forest department, though before that the Council bestowed a good deal of attention upon this department with the result that the department was alert. The officers-in-charge tried their level best to run the department economically and worked hard to yield good revenue. If now the Council feel that the administration of this department is not what is desired then I am afraid that the council is to some extent to blame for it.

Now I will offer some information on the points raised during the course of this debate. Firstly I will be glad to investigate such matters as are definite enough for investigation. Secondly speaking generally I am prepared to admit that Forest administration is susceptible of improvement, and which one is not? Thirdly I will proceed to examine the definite problems which are discussed, and state what views Government holds about them. It will not be right on my part to say that the suggestions of the honourable members will be carried out to the letter, if I do not find myself in agreement with their views. To begin with I will try to explain why this department is not so paying as others. Why is it that this department is not so paying as the Irrigation department or the Revenue department? Why is it that the people have so many complaints against this department? How is it that neither the members of this Council nor myself

are so well-acquainted with the officers of this department as with others? I will attempt to answer these questions. The Forest department is not much of a paying department, because the way in which timber is brought to the plains is very costly and when we add to this the expenses of carriage of timber to the markets, the total expenditure becomes simply appalling and the result is that timber cannot be sold at any great profit. Then again, the price of timber has fallen down, it is not so dear as it used to be some seven or eight years ago, and this also has resulted in a lowering of the profits.

In the year 1919 a programme of development of the Forest Department was prepared and in pursuance of this programme a number of officers were entertained in 1921, but the great hopes of colossal profits were not fulfilled for the reasons mentioned above and consequently the activities of this department had to be curtailed. Perhaps the honourable member for Muslim Amritsar, in his hours of leisure happened to see much of an officer of this department also in his hours of leisure, but from this incident, it is not fair to infer that all the forest officials have nothing to do. This is not really so. Moreover, I can assure him that the inexorable law of nature is taking its usual course—a number of officers have retired from service while death has claimed one or two, while during the period that I have been in office not a single person has been recruited for serving in the Imperial or Provincial Services in the Punjab, and the inevitable result of this is that the Forest department is now ceasing to be over-staffed, and if you possess your souls in patience for another year or two the number of officers will go down still more. We cannot, like the municipalities, ask our officers to clear out at a moment's notice. This would be as unwise as unjust. It will not only bring odium to the Government but injure its best interests inasmuch as it will mean insecurity of tenure. Moreover, I can assure the House that every officer of the utilization section is trying his best to send timber to such of the markets, where it is needed, and where the rates attract it, but as I have already pointed out the supply of timber in the market is already considerable, and consequently it would be unwise to send more there. I believe, Sir, the Council would like to hear of the two enterprises that recently the Forest department has undertaken. The first is that the department has deputed an officer to devise ways and means for afforestation of the hills from which *chos* emerge. The *chos*, as the Council is aware are doing a lot of harm in Hoshiarpur, Ambala and Pabi and are a source of great anxiety to the Government and if the officer in question does succeed in his endeavours, I am sure that it will prove highly beneficial to the province in general and the affected districts in particular. Secondly, the Forest department has deputed an officer to deal with the question of growing plants in water-logged areas. This officer has made a useful report, with a view to discover as to what kind of plants will be suitable for water-logged lands, and if Government succeeds in this, suitable trees and plants will be grown in these lands and the province will be the richer for the same, inasmuch as they will bring in more income to the people and the State.

The honourable member for Kangra and the honourable member for Rawalpindi were pleased to remark that they live in the vicinity of forests

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

that the people living in these places do not possess extensive lands and they have got to rear sheep and goats in order to make both ends meet. I admit that this is perfectly true. I know that these sheep and goats just manage to enter the forests, and their owners have to suffer for their intrepidity for venturing into the forests without permission. I am told that the forest guards are proving themselves a great nuisance inasmuch as they persuade these people to part with a few annas. Let us for a moment assume that this is true. But may I ask these gentlemen, who is responsible for the dishonesty and corruption alleged to be prevailing amongst these forest guards? When the people do not allow these guards to act honestly how can you expect the Government or me to convert these corrupt forest guards into honest ones? Unfortunately I do not possess a charm for converting corrupt people into honest ones, and, however much I may wish to do so, I cannot do the needful in this matter immediately. Now, who are these forest guards? Are not they the very persons whom on your recommendation for service in this department we employ? Is it not a fact that we insist upon entertainment of only those persons, who are a bit educated, and in the case of Foresters preferably matriculates, people who come of families noted for their honesty. It is, therefore, useless to reproach the Government for the dishonesty and corruption of these forest guards. I would, therefore, suggest it to my honourable friends that it behoves all of us to put our heads together and find out ways and means of putting a stop to these malpractices.

The honourable members of this Council who live in the neighbourhood, of forests demand perfect liberty of action but I put it to them if it is possible for any body in this world to attain perfect liberty of action. Certainly not. Now the question arises if the cattle tax does not bring in a goodly amount to the coffers of Government, why does the Governments insist upon the imposition and realization of this tax? Where is the necessity for putting people to trouble for a paltry sum of one anna per goat or some such amount? To this my reply is that if all restrictions in the matter of grazing of sheep and goats in the forests were removed, Kangra and Murree will come to occupy the same position as Hoshiarpur did thirty years ago, and as it does even now. The hills of Kangra and Murree will become denuded of all forests growth; hill torrents will invade the plains and the land will be destroyed by the *choks*. I admit that these restrictions do not bring in much money to the Government but I cannot allow them to be removed. I am here for five years only and if I try to please some of my friends now what answer shall I make to my successors? It is, therefore, inadvisable to remove these restrictions. In my humble opinion the best interests of the province will be served by constituting committees, consisting of forest officers and the people of the *ilaka* concerned, whose duty it should be to receive the complaints of the public and to investigate the allegations made in them. It is thus that you can alleviate the misery of the people without jeopardising the interests of the future generations.

The honourable member of this Council who seconded the amendment in a few words himself asked the Forest department to help in afforestation

work on a hill above his beautiful orchard situated at the foot of that bleak and bare hill. This shows that the matter under discussion is not one over which there is any great difference of opinion between the Government and the people. The interests of the two are identical. The Government as well as the people should try to work together to achieve the common object, security of forests and benefit of the people who have rights in the forest. If the people themselves keep their real good in mind, the seeming conflict of interests would disappear.

The honourable member from Kangra complained that it is a matter of great regret that the Government does not act according to the recommendations of the committee appointed by it. I agree with him that Government attach very considerable importance to the reports of the committees appointed by it. But the question is—has the Government thrown this report into the waste paper basket—the report of the cattle tax committee? If not, what has become of it? May I ask, Sir, if any member of this Council has cared to read if not the whole, at least a portion of this important report. If no member has cared even to glance through this report, how can I tell you as to what portion of it has been given effect to and what portion has not been given effect to? An honourable member of this House has just made a remark that the report in question is lying in my pocket. But I wish to tell him that the report in question is not lying in my pocket, but a copy of it is lying in the Council library.

Chaudhri Afzal Haq : Are not reports supplied to members of Parliament?

The Honourable Mian Sir Fazl-i-Husain : Certainly, but I should like to ask you how many reports that are supplied to members are read by the honourable members of this Council and it will be readily admitted that a goodly number were supplied. As I have already stated the report in question is lying in the Council Library. It was received last summer and the Government gave it its most careful consideration. The cattle tax committee was of opinion that a graduated tax may be imposed in lieu of the existing one, so as to reduce very much the tax on those who had only a few, while increase it on those who had a flock or herd. But the Government, after careful consideration arrived at the conclusion that it would be unsafe to give effect to this recommendation, because it will not remove the burden of tax to any appreciable extent, and the people on whom greater burden will be laid were sure to raise a hue and cry against it. The committee's recommendation was theoretically and logically sound but from the practical point of view there were serious flaws in it. The Government naturally does not like dissatisfaction of the people for such a small thing, and consequently it agreed to refer the matter to a committee, and on its report came to this decision that it is not worth while to modify the incidence of this taxation, the income from which goes to the district board. Whether this tax should be abolished or not had to be decided, and the Government has not decided that it should not be abolished but it decided that the question be re-examined after three years—in 1931.

The honourable member for Kangra has also complained that Government has not given effect to the resolution regarding the distribution of income from resin to the zamindar proprietors of shamilat forests. May

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

I, Sir, remind the Council that about four years ago this Council held the view that certain forests which were being administered by the civil, be not so administered, with the result that they were handed over to the Forest Department? Two years later, resolutions began to be tabled that Forest department officers oppressed the poor and the civil administration be restored. I would ask the honourable members of this Council not to make a plaything of the administration. It is no use proposing one thing at one time and then going back upon it soon afterwards. I would, therefore, ask the Council to consider such matter, very carefully and not come to rash decisions. The honourable member from Simla has just now said that he would be satisfied if the Government gives up its share of the income derived from resin. Now, Sir, when this resolution was discussed in the Council, I was unfortunately not well, and therefore, was not present to take part in the debate. When I heard of the debate the argument of the honourable non-official members appealed to me that since the shamilat forests are the property of the people it follows that resin extracted from the trees of the forests is also the property of the proprietors. But when I studied the file I found that a thing which looked *prima facie* quite reasonable, when its exhaustive examination was not before me, assumed quite another aspect in the light of the disclosures made in Government papers. When Government has certain rights in trees, and permits their use by landowners, under certain conditions, why should not the small bye-product of resin belong to Government. Moreover, the Government's claim to the income derived from resin is not a new one. It is a very old right and has come down to the present Government from the hill rajas, and if the Council considers this matter in this light, they will also arrive at the same conclusion as myself, *viz.*, that the Government has not usurped any right of the people. Had it been so, I would have been the first man to have restored this right. There is one thing more which I wish to point out in this connection. If the demand made by the honourable members of this Council were pushed to its logical conclusion, then it would follow that all the *rakhs* in this province are local *rakhs* and not provincial *rakhs*; that the lands of the Nili Bar should be allotted to locals only and that the inhabitants of other parts of the province have no right to be allotted lands in this colony. Should the resin go to all the people or only to the people of the locality? To answer this question, is it not fair to consider the answer to the questions whether large *rakhs* should belong to the proprietors of the zail or the tahsil, or the district or the province? Should river water belong to the people whence canal cut is taken or to the province?

Sir, some members of this Council seem to labour under the impression that Government, members of the Government, and the people are three distinct entities. But this I submit, Sir, is based upon a very plain misunderstanding. As my honourable friend, Sir John Maynard, in his last speech before his departure from this country said Government consists of four or five members (kardars) responsible to this Council (cries of no, no). I would ask my honourable friends to remember that at least three of these are responsible to the Council and that these 'kardars' work

for you and the people you represent, and their acts or decisions relating to taxation, etc., bring revenues to you and for you. If Government takes a share from the income derived from resin, this goes to a fund from which not a penny can be spent without the permission of the Council. The income derived from resin does not amount to a very huge sum, and if the Government charges this tax, it is based upon a principle, which I have already stated.

In the end I wish to say, Sir, that whether this motion is accepted or rejected I have made up my mind to spare no pains in improving the administration of the Forest Department. As regards cattle tax, a period of two or three years is after all not a very long one and so before very long we shall get an opportunity of discussing the report of the cattle tax committee; and it is just possible that this tax may be abolished altogether rather than imposed more heavily upon some persons. The next thing which I wish to say is that the resolution regarding the distribution of income derived from resin was passed hardly a year ago, and it will not be desirable to ask the Government to revise its decision after the lapse of such a short period.

Lastly, I wish to say, Sir, that I am glad that to-day the council has realised its responsibilities once again to Forests and I trust that a great deal of good will come from to-day's debate, and with renewed energy we will set to our allotted task—serving the best interests of the Province.

Chaudhri Ram Singh [Kangra (Non-Muhammadian) Rural] (Urdu) : Sir, it is difficult to answer every word which the Honourable Revenue Member let fall in the course of his learned speech. I will, however, try to controvert some of his arguments as best as I can. The first thing which he said was that the income of the Forest department is very low because the way in which timber is brought to the plains costs a good deal and consequently the profits from the sale of the same are reduced proportionately. This I submit, Sir, is not a fact. I can give examples of a number of timber merchants who have earned lakhs of rupees in the timber trade and who have been bringing timber to the plains by the same means as the forest department. I may mention here the name of Bawa Dinga Singh, whose princely mansion on the Mall attracts the notice of every passerby. This gentleman was not a rich man at all, but now he is a millionaire, and he has made his pile by means of the timber trade. He is, however, not the only person who has thus become rich. I can give several other examples, if necessary.

Then the Revenue Member was pleased to remark that if the forests of the Kangra district are not protected, this district will be ruined by the *chos* as Hoshiarpur has been ruined. But I submit, Sir, that the two districts do not stand on the same footing. Kangra is a hilly tract, while the lands of Hoshiarpur district are sandy, and therefore the *chos* cannot do much damage to Kangra district. If the Kangra district is likely to be affected at all it is through the Beas, but this river is equally harmful to the Hoshiarpur and Gurdaspur districts. Also we must not lose sight of the fact that although Hoshiarpur is open to the action of the *chos*, yet no cattle tax has been imposed in that district. In view of these facts I am

[Chaudhri Ram Singh.]

constrained to say that whatever the Honourable Revenue Member said about Kangra district was not based upon facts.

Next he asked us to co-operate with the Government in the matter of the constitution of committees. I have been putting questions in the Council regarding the constitution of these committees from time to time, and the Government has always come out with the reply that their previous experience shows that these committees have proved simply useless in the past and are not likely to prove useful in the future.

Then, Sir, he made a mention of the Cattle Tax Committee Report and said that the committee had recommended that the tax on people who keep a large number of sheep and goats and other quadrupeds should be doubled. This recommendation, Sir, is based upon the opinion of the official members of the committee. The non-official members of the committee were of opinion that no tax should be levied upon people who keep five animals, and people who keep more than five should be called upon to pay the same rate of tax as they used to pay and are still paying. The non-official members of the committee also recommended that 1,500 villages should be exempted from the payment of the tax, because there are no forests in their vicinity. If, therefore, the recommendations of the committee are impracticable, the official members are to blame for it. The people heaved a sigh of relief when they heard that cattle tax had been reduced, but when orders were issued that cattle tax will be collected according to the old rates the people were very much dissatisfied. I submit, Sir, that this tax is an un-called for burden and is imposed nowhere in the world. Now comes the question of the distribution of the income derived from resin. The Honourable Revenue Member said that the income from resin cannot conveniently be distributed. I fail to understand this argument. When the income derived from the sale of forest trees in the Kangra district is being shared by Government and zamindar proprietors, there is no reason why the Government should experience any difficulty in the matter of the distribution of the income derived from resin. The shamilat forests are not the property of the Government, they belong to the zamindars. At the time of the first regular settlement the simple people of Kangra agreed to pay land revenue for the shamilat forests as well as other lands. Land revenue was assessed on both the forests as well as on the lands under cultivation, but the whole burden was thrown upon cultivated lands alone. Now these simple folk did not know that the Government would declare these forests as *kharij bachh* and trot out a claim for assessing the forests again.

Then, Sir, the Honourable Revenue Member said that about four years ago the Council passed a resolution asking the Government to hand over the charge of the forests to the Deputy Commissioner. But this is not correct. This matter was decided long before the inauguration of the reforms and it was not the result of a resolution either moved by my predecessor or myself. As a matter of fact the only resolution of my predecessor accepted by this Council was that which related to the increase in the halting allowance of the members.

Sir, in the August session of 1924-25, a demand was made for a sum of Rs. 18,000 for the pay of *rakhas*. This demand has already been rejected in the Budget session on the ground that these *rakhas* were not very desirable people, and this demand I may mention, Sir, was not supported even by Malik Firoz Khan, Noon, who was then not a Minister. This demand was rejected because the majority of the non-official members of the council were of opinion that the Kangra forests are the property of the zamindars and should, therefore, be returned to them, but as I have already said it was re-submitted for the consideration of the Council in the August session of 1924-25 and was rejected. But what has been the results of this? We are obliged to pay these *rakhas* out of our own pocket. Every person in the Kangra district has to give corn, etc., to these *rakhas*, and it is thus that Government is making us pay for their maintenance.

Sir, it has been said that the cattle tax does not bring in very much to the coffers of Government. If that is so, why is the Government committing a fruitless sin, why does it not give up the collection of this tax?

Sir, the people have all along been saying that these Councils are mere toys and playthings, and now I also have come to the same conclusion, and that is why I did not send in notice of any resolution or question except one which relates to the Cattle-Tax Committee. I do not see the advisability of moving resolutions, when the Government does not give effect to them even when they are passed, and I am not the only person, Sir, who holds this view, there are quite a number of people outside the Council, who hold similar views. With these words, Sir, I commend my motion again to the Council and I hope that this being a Council of the zamindars it will be accepted by an overwhelming majority.

4 P.M.

Mr. President: Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be made.

[On the President announcing that the motion was lost, a member asked for division.]

Mr. President: I may point out that according to Parliamentary practice motions for reductions which are made with the object of (i) examining the policy of the Government; (ii) criticising the administration of its Ministers; (iii) emphasising or discussing the grievances either of the services or of the public, are not motions for expressing the judgment or testing the opinion of the House on the matter in debate. Therefore, to take the decision of the House by division will not serve any useful purpose, but if the honourable member insists on the vote of the House being collected by division, I will do so.

[At this stage the division bell rang for three minutes. After the division bell ceased to ring]

Mr. President: I was prepared to hold a division but my attention has just been invited by the Secretary to a ruling which I gave last year while grants were under discussion. (Punjab Legislative Council Debates Volume X, pages 444, 445.) I would ask the honourable member to refer to the note which he has appended to his motion. The object of his motion,

[Mr. President.]

as stated in that note, is "to discuss the general policy governing the administration of forests." He will not deny that that object has already been achieved. According to the aforesaid ruling no vote, still less a division can be taken. Therefore, I proceed to put the grant to the House.

The question is—

"That a sum not exceeding Rs. 22,45,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March, 1929, in respect of Forests."

The motion was carried.

FORESTS (CAPITAL) GRANT.

The Honourable Mian Sir Fazl-i-Husain: (Revenue Member):
Sir, I beg to move—

"That a sum not exceeding Rs. 4,28,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929 in respect of Forests (Capital)."

The motion was carried.

REGISTRATION GRANT.

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

"That a sum not exceeding Rs. 1,07,800 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, 1929, in respect of Registration."

Mr. President: The question is—

"That a sum not exceeding Rs. 1,07,800 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 1929, in respect of Registration."

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban]: Sir, I do not want to make any lengthy speech on this subject, but I would like to urge on the Honourable Minister for Local Self-Government that persons appointed for the posts of Registrars should be properly selected. It has become a common thing that very often incompetent persons are recommended by the district authorities for this post for some political reason or other. The persons selected should be men who have some education and who know something about law. Recently some appointments have been made, I don't want to mention the names of those people here, but if the Honourable Minister would like I shall let him know later, that the persons selected are absolutely worthless people, people whose education does not extend beyond the lower primary or the primary school. Registration may be an ordinary subject in the eyes of the Honourable Minister or his Secretary, but big posts carrying big salary such as Rs. 500 or Rs. 600 or even sometimes Rs. 1,500 to Rs. 2,000 and where the incumbents have got to dispose of intricate cases involving matters of law should not be entrusted to such incompetent men. If persons who do not know anything about law are appointed then it would be very dangerous for people who want to send power of attorney to other parts of the country and so on. I would therefore urge upon the Honourable Minister that whenever names

are submitted to him for these posts, he should make himself sure that they are fit for the posts. The post of Registrar carries not only big salary or allowance, but it carries also big responsibility. It is not an office which can be thrown away to anybody, to any office hunter or office seeker at the sweet will of the officer who would be only too glad to give him the post because that person has paid him a visit half a dozen times or that he is a person who has not got lands or that he is a disappointed man or that he has not got any other job and so on.

Before I sit down I will add one more word and that is that when the question of making these officers permanent comes again I hope the Honourable Minister will see that the persons so appointed have been doing their work quite satisfactorily. I won't add anything more for the present, but I hope the Honourable Minister will keep these few remarks in mind for his future guidance.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,07,800 be granted to the Panjab 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, 1929, in respect of Registration."

The motion was carried.

IRRIGATION GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 1,97,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Irrigation."

Mr. President : The question is—

"That a sum not exceeding Rs. 1,97,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Irrigation."

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West, (Muhammadan), Rural] (Urdu): Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 35,000, Lower Jhelum Circle. XIII-A (2) Irrigation Works."

Sir, the object of this amendment is to draw the attention of the Government to the scarcity of water in the Lower Jhelum Canal and to the hardships of the zamindars consequent thereon. This canal is a perennial canal and scarcity of water in it is responsible for the usual failure of crops. . . .

Mr. H. F. Ashton (Chief Engineer): Sir, I rise to a point of order. The motion is—

"That the grant be reduced by Rs. 1, with respect to the item of Rs. 35,000, Lower Jhelum Circle."

If you turn to page 208 of the New Expenditure in the Budget you will find in item 18 that these Rs. 35,000 are for obtaining one Sentinel Locomotive for Rasul Division. The explanatory memorandum in regard to this item at page 212 of the same book will show that "the old locomotive was declared unsafe by the Boiler Inspector and was sold as it was very old and uneconomical to repair and work. The locomotive now proposed to be purchased is much more economical to work." I should like to know what this provision has got to do with the scarcity of water in the Lower Jhelum Canal.

Mr. President : What has the honourable member to say as to the objection of the Chief Engineer ?

Khan Bahadur Mian Muhammad Hayat Qureshi (in Urdu) : In view of the mistake pointed out by my honourable friend the Chief Engineer I do not wish to pursue with my motion any further.

(At this stage Mr. President paused to see whether any one of the other members who had tabled motions would rise to move his motion. But no member rose to move his motion).

Mr. President : There are several motions on the list but none of the honourable members, who had tabled them is now in the House. I must, therefore, put the grant to vote. The question is

Sayad Muhammad Husain : I am going to move my amendment.

Mr. President : Order, order. When the honourable member's motion on the agenda was reached he was not present in the House and he has no right to move it now. The question is—

"That a sum not exceeding Rs. 1,97,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Irrigation."

The motion was carried.

IRRIGATION (CAPITAL) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 88,34,500 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, 1929, in respect of Irrigation (Capital)."

Mr. President : The question is—

"That a sum not exceeding Rs. 88,34,500 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, 1929, in respect of Irrigation (Capital)."

Rai Sahib Chaudhri Chhotu Ram [South-East, Rohtak, (Non-Muhammadan), Rural] : Sir, I beg to move :

"That the total grant be reduced by Re. 1."

Sir, my object in putting forward this amendment is to draw the attention of the Government to the absence of any budget provision for undertaking the execution of the Bhakra dam scheme. This scheme has been under contemplation for a very long time. As long ago as 1919, an assurance was held out by the head of the province in an open Darbar that irrigation projects were under contemplation which when executed would turn the vast jungles of Hariana into *mangal*. These vast jungles are still crying for water and the promised *mangal* is still far out of sight. After that assurance had been held out, various difficulties seem to have presented themselves to Government. These difficulties require solution and I understand that one after another these difficulties have disappeared. The chief difficulty which stood in the way of Government undertaking this

project was that the site which was chosen for erecting the bund was regarded as impracticable. It was feared that the rock at the site where it was proposed to erect the bund was weak, that the rock was not sufficiently solid and strong to bear the pressure of water which will accumulate behind that dam. So far as my information goes a specialist was sent for from America who was asked, with the assistance of local officers, to inspect the site and come to a definite conclusion whether the site chosen for this dam was a practicable site, whether a bund could be erected there without any risk of water making fissures in the rock and devastating the districts around. I understand that this specialist has submitted the report to Government on the question which was referred to him. I further understand that the report that has been submitted is favourable so far as the nature and composition of the rock is concerned. With regard to other things, I do not know how matters stand. But the chief difficulty, which is according to my information only with regard to the bund, has disappeared, and after the disappearance of this difficulty, I feel it was the bounden duty of the Government to make some provision for putting the scheme in hand. The project when executed will bring the blessings of irrigation to a tract where mines recur so frequently that people lead a very miserable life. There is no security of harvests. Nobody can count upon any crop coming in hand. The only solution for this constant source of anxiety is to bring irrigation facilities within the reach of this tract. If on hearing the reply of the Honourable the Revenue Member, I come across any suggestions of any further difficulties which stand in the way of this project being proceeded with immediately I should like to make a reply suggesting these difficulties could be met. So far as my present information goes, the real difficulty has disappeared and the real difficulty having disappeared, the absence of any provision in the budget for undertaking this project is a great disappointment. It may be that the report was submitted too late to the Government and the Government was not in a position to make any provision in the present budget, but of course this is only my surmise. The Honourable the Revenue Member will be in a position to throw some light upon this subject and after that light has been thrown, I shall be in a position to judge what attitude to take. I shall press my motion if he hesitates to undertake the project. But if his reply is sympathetic, of course, I will not press my cut to a division.

Mr. President : Demand under discussion, motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Sayed Muhammad Husain (Montgomery, Muhammadan, Rural) :

Sir, several years back the question of Bhakra dam scheme was brought together with the Thal project. It was then fully discussed whether the Bhakra dam scheme should get precedence over the Thal project, that is, whether the Bhakra dam scheme should be proceeded with first or the Thal project should be commenced first. Since then difficulties arose in the way of the Thal project. Matters have not been settled with the Bombay Government; and the Secretary of State for India has, I think, kept in abeyance the prosecution of the Thal project. That scheme will be kept in abeyance, I do not know for how long. In the absence of the Thal scheme,

[Sayed Muhammad Husain,]

the Government is not right to keep back the Bhakra dam scheme without proceeding with the same at once. In fact at that time it was not fully discussed whether the Bhakra dam scheme should be taken first or the Thal project should be taken first. Opinion on this subject was divided. Some members thought rightly that the Thal project, being the most straightforward scheme, should be taken in hand at once, while others were of opinion that the Bhakra dam scheme should be taken in hand at once. There is no quarrel with the Bombay Government about the Bakhra dam scheme. It is only a question of storage of water and as soon as we get water stored there, we shall divert it to the main canals. The existing channels in the Hissar district are very poorly fed and this Bhakra dam will materially benefit those channels. The people of Hissar district spoke against the amalgamation of canal and revenue patwaris, the zaildars and the qanungoes. I take this opportunity to express my opinion that the canal department was mainly responsible for making that experiment a failure. The reason was that the supply of water in the canals was poor, it was meagre. The people could not get enough water. Instead of assigning that reason, the people attributed it to amalgamation of revenue and canal departments. If there was plenty of water in the canals and if attempts has been made to distribute the water equitably, I think that trouble would not have arisen and the experiment of amalgamation of the canal and revenue patwaris would not have proved a failure as it turned out to be. Under the circumstances I must recommend strongly to the Government to take in hand the starting of the Bakhra dam scheme as early as funds will permit.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): Sir, the Ferozepore district is adjacent to the Hissar district and if the Bhakra Dam scheme is given effect to, I am sure that the latter district would also be provided with irrigation facilities. Sir, a considerable number of people residing in the Hissar district are coming every now and then in search of their livelihood to the Ferozepore district and this shows how far their sufferings are due to the absence of irrigation facilities in the district. With the completion of the Bhakra dam scheme the zamindars of the Hissar district will be relieved of most of their sufferings. The land in this district is very fertile and it can yield much provided the irrigation facilities are brought within the reach of the people of the district. Moreover the district is well-known for cattle-breeding and for this reason also supply of sufficient quantity of water is essential. With these words I support the amendment under consideration.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I think last year this matter was urged upon the attention of the Government by the honourable member for Rohtak and I recollect very well that I gave him an assurance that every effort will be made to expedite the obtaining of the expert's report and taking suitable action on it. I am glad the honourable member realises that the promise I then made has been redeemed. The expert's report has arrived and it is on the whole for the prosecution of the scheme. That report was received only a short while ago and I should have expected the honourable member from Rohtak to remember

that the preparation of a scheme of that magnitude is not a very simple matter and budget provision can be made only after certain stages have been successfully accomplished. Firstly, rough estimates and secondly, the sanction of the Government of India are necessary. Could this Government put a scheme in the budget without the sanction of the Government of India and the Secretary of State. The honourable member must realise, no. Therefore at this stage, I am prepared to repeat what I said last year, undue delay will not be allowed to prevent the early prosecution of this scheme. His Excellency is most anxious that the scheme be expedited. Every effort will be made as I have said to run through all the preliminaries as quickly as it is possible for this Government to do. I am myself rather anxious that if the scheme cannot be completed, it at all events should be commenced when I am in office. I trust he will take my word for it, that on this side of the correspondence no time will be allowed to pass without suitable action being taken. We are already approaching the Government of India in the matter and in case we do not hear from them within reasonable time, we will not hesitate to remind them that we are waiting for a reply. That is all that I can say at this stage.

Rai Sahib Chaudhri Chhotu Ram : Sir, in view of the sympathetic answer of the Honourable the Revenue Member I beg leave to withdraw the motion.

Mr. President : The object of the honourable member in moving his cut was to draw the attention of the Government to the absence of any budget provision for executing the Bhakra dam scheme, that object he has achieved. According to the ruling, I gave a short while ago, such motions are not to be put to vote. But as the honourable member has asked for leave to withdraw his motion, I will take the pleasure of the House.

The motion was by leave withdrawn.

Khan Bahadur Nawab Muhammad Jamal Khan (Baloch Tumandars Landholders) : Sir, I rise to oppose the demand under consideration in order that I may get a handle to place before the Government some very useful suggestions towards the improvement of irrigation in the Dera Ghazi Khan District. It is very well known to you, Sir, that the districts of Muzaffargarh and Dera Ghazi Khan are in the matter of irrigation by means of canals, the worst districts in the province. Though there do exist inundation canals, their condition is so hopeless that they can safely be ignored for all practical purposes. In the first place these canals do not flow at the time of necessity which causes an undue delay in the sowing of crops. Secondly, these late harvests do not get enough water during the close of September and the beginning of October to help in their maturing with the result that half the crops are lost and the half that ripens even due to scarcity of water yields very little produce. This fact is amply borne out by the annual gir-dawari papers and the records of average produce per acre during the last settlement. In the circumstances, the cost of seed and labour, wood clearing and rent outgrows the amount of yield and the poor zamindar has to pay water rate and revenue out of his own pockets. That is why from the biggest landlord down to the petty tenant all are irrevocably caught in the clutches of the *bania*. It is, therefore, imperative that immediate steps

[K. B. Nawab Muhammad Jamal Khan.]

be taken to ameliorate their condition by improving the means of irrigation so that they may also benefit by the able brains of the modern engineers.

Sir, everybody who is acquainted with the present conditions in the districts of Muzaffargarh and Dera Ghazi Khan, can safely say that the river Sindh crosses the two districts lengthwise and destroys the harvests by floods. Twenty years back the river began changing its course towards the west with the result that the old town of Dera Ghazi Khan was drowned and destroyed while the main stream headed towards the west coast forming creeks in the Muzaffargarh district. Anyone who is conversant with irrigation by means of inundation canals knows how useful these creeks are. Building bunds on these creeks in winter causes a timely running of water in these canals, and you can be sure of good harvests. I, therefore, can say without fear of contradiction that in the present circumstances the irrigation facilities in the Muzaffargarh district are far better than those in Dera Ghazi Khan. Recently the Government has been pleased to sanction a sum of Rs. 5 lakhs only for surveying the river for the improvement of the means of irrigation in Muzaffargarh and I am sure Government will have to spend lakhs more in the completion of these schemes. Is it not time that Government also kindly extends its helping hand towards Dera Ghazi Khan which depends for its irrigation only on hill torrents and inundation canals? I am not an engineer and it is very difficult for me to make a cut-and-dry proposal for the improvement of irrigation in Dera Ghazi Khan, however, I venture to put before the Government whatever I think will be practicable and will result in the betterment of irrigation in Dera Ghazi Khan, and I pray that that may be given due care and thought and if found practicable be translated into action. Manka is the northern most and the oldest canal in the district and it is the biggest too. Besides this there is a large number of other canals in the south which irrigate the east and the south of the district. All the canals have their heads in the area extending over 60 miles from Kalla to Jampore. My first proposal is that 5 lakhs should be set apart in the present year's budget for the improvement of these canals so that a protective bund against floods be created from Kalla to Jampore the earth for the bund to be dug from the eastern side. This will result in an automatic excavation of a big channel on the eastern side. The bund will work as a protection against floods which always destroy so much of crops extending over miles. Moreover the area between the river and the bund will on account of river spil and the silt, grow excellent wheat. The heads of all the canals should take out from this channel which should act as a feeder to all the canals. There should also be a regulator with each head of the canal so that the flow of water in the canal may be regulated according to needs and the remaining surplus water may be allowed to go along the feeder to serve other canals. This main feeder should not be dependent for its supply on flood water alone. Every creek should be closed by means of a bund and a channel from it be dug into the feeder so that it may supply water to the feeder by means of canals, in order that during the scarcity of water in the river the feeder may have a constant supply of water whereby all the canals of the district may have water for 6 months from 15th March to 15th October. By the execution of my plan

all the canals excepting the Manka canal can be made to run with full supply for 6 months and it is probable that they may run like the Nur Dhundhi canal in certain good years even during the winter season. I like to bring it to the notice of the Government that even at present there are bunds for the protection of flood and flow of canals at the head of each canal. But these are situated unconnectedly at the head of each canal and run in different places and directions. The Government is spending about 1 lakh annually on the maintenance of these. By the spending of 5 lakhs on the adoption of my proposal the necessity for the upkeep of the other existing bunds will be done away with and there will in fact be an annual expenditure of Rs. 50,000 only left to maintain the proposed bund and hence a saving of as much amount. In other words in ten years time the Government will have got in return the amount of 5 lakhs, originally spent on this proposal. Then there will be only Manka canal left to be provided for, which the Feeder on account of the "Saropa," north most canal will not be in a position to help. By the working out of the hydro-electric pumping scheme which is already under consideration this difficulty will, however, be obviated and I hope the Government will bring that scheme to completion soon. With the carrying out of this proposal of mine along with the hydro-electric pumping scheme of Manka canal the district of Dera Ghazi Khan will have almost perennial irrigation. I hope the Government will take immediate steps to rid this district of the present difficulties.

Sardar Partap Singh (Jullundur, Sikh, Rural) (Urdu): Sir, the miserable plight of the zamindars of the Jullundur Doab has already been brought to the notice of the Government. In the Doab there are no canals and rains are also precarious. Except wells there are no other means of irrigation available to the zamindars in that area. But it is a pity that they are being deprived of that means of irrigation as well. It is known to everyone that the level of water in the wells is going down ever since the Sirhind canal has been dug from the Sutlej river. Now the water surface is reached after sinking the wells as deep as 50 or 60 feet whereas it used to appear at a depth of 30 or 40 feet before. Government also knows it well and sometime back it deputed some engineers to investigate this matter and to report as to how the situation could be brought under control. I understand that they proposed, in their report, that if wells then in existence were to continue to work, no new wells should be allowed to be sunk or if that was not possible, canals should be opened to supply water to this *ilaga* for irrigation purposes. None of these two proposals appear to have met with the approval of the Government. It has not forbidden the sinking of new wells perhaps it was afraid of agitation by the people or perhaps it did not like to lose its revenue and canals have not been opened perhaps they cost a good deal of money. The zamindars of the Jullundur district are very much disappointed, but their disappointment knew no bounds when, contrary to their expectations, they were not given an opportunity to represent their grievances to the Royal Agricultural Commission. The members of the Commission were shown only those parts of the district which are well off while they should have been taken to those parts which needed their advice and help, and instead of exhibiting the wounded necks of bullocks caused by drawing heavy persian wheels and blood-stained yokes, what was done was this that a collection of "Phulkari"—Country made

[Sardar Partap Singh.]

silk embroidered clothes—was made to make a show, so that the Commission may infer that the district is prosperous.

But all this belongs to the past. I avail of this opportunity to make one suggestion for the consideration of the Government and that is that Government should do boring operations and should supply pipes free of charge for irrigation wells in the Jullundur district. No doubt it will cost the Government some money to give effect to my proposal. But the people of the Jullundur district have got a right to that money in as much as the water of the Sutlej river, which used to feed their wells, is being used to irrigate other parts of the province from which the Government is receiving large income. I do not insist that my proposal should be given effect to at once. I will not mind if it takes one, two or three years to materialise my proposal. What I want is that the Government should favourably consider it.

5. P.M.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, in opposing the grant my intention is to draw the attention of the House and of the Government to certain troubles which people on the canals are experiencing, and I want to take this opportunity of expressing my views on the subject. It has been said from every platform throughout India that the Punjab is a very rich country, that streams of wealth are flowing in the canals, that people are just rolling in wealth, and so on. But I will tell you what is the real condition of the people here. Let us see what is the condition of the canal irrigated areas. I will first take the Lower Chenab Canal. My friend representing that part of the country has told me that throughout the winter they have not had even the first watering from the canal. Wheat has been sown but the fields have not been watered at all. That is the condition of the Lower Chenab Canal. Now let us take my own constituency—the Lower Bari Doab Canal. What is the condition there. We have had a closure there for about two months. Besides there has been no rain. In the circumstances when there is a closure in the winter for about two months, what can people do but gamble on rain? If there is rain, well and good, but if there is no rain they are simply dependent on the canal water. If that is not gambling.....

The Honourable Mian Sir Fazl-i-Husain : May I rise to a point of order. The demand No. 7 (Irrigation) has been considered and passed, and the amendments of the honourable member for Montgomery were not taken up through no fault of mine. Now we are dealing with demand No. 8—Irrigation Capital. The honourable member is, in opposing the motion, making speeches which he had prepared for his amendment on the Irrigation demand No. 7. I have no objection to listening to those speeches—and I have no doubt I will benefit greatly by listening to them whether they are relevant or not—but if it is possible in the discussion of this demand to secure immunity from irrelevancy, then I trust you will grant it.

Mr. President : I myself was going to point out to the honourable member, now in possession of the House, that he was not speaking to the motion before the House.

Sayad Muhammad Husain : I was speaking to the motion.

Mr. President : Order, order.

Sayad Muhammad Husain : I am speaking to the motion inasmuch as the capital expenditure upon the canals comes from the pockets of the people, so the representatives of the people have every right to discuss that grant.

Ultimately the burden for the better management of the canals will fall upon them. It was with a view to that that I am making these remarks.

Mr. President : May I understand the honourable member to say that he is opposed to the grant now under discussion, because the already existing canals in the province are so unsatisfactory that no more public money should be spent on extending the irrigation system in the Punjab ?

Sayad Muhammad Husain : That is not my object. My point is this that money spent on canals comes from the pockets of the public and therefore they have a right to draw the attention of Government to certain considerations.

Mr. President : What points does the honourable member wish the Government to take into consideration in constructing the newly proposed canals ?

Sayad Muhammad Husain : I am drawing the attention of Government to this fact that when they are constructing new canals, when they are spending crores of rupees, they should first make sure that they will not result in more closures which are detrimental to the interests of the public. If the water was not sufficient for the needs of the province, what was the use of constructing these canals and taking the water to Bahawalpur and Bikaner. I would strongly urge the necessity of Government only constructing those canals for which there is sufficient water available. It is no use constructing new canals when there is not sufficient water available for them, and which results in closures.

Mr. President : Is the honourable member of the opinion that there is not sufficient water for the proposed canals and that, therefore, Government ought not to take them in hand ? He is, if I understand him aright, leaving it to the Government to judge whether there is sufficient water for the extension of irrigation or not. If he is really opposed to the grant he should state definitely that water is insufficient and that, therefore, no extension should be undertaken at all. But he appears to be undecided and wavering.

Sayad Muhammad Husain : I am quite certain that there is not enough water. I am convinced and I hope Government will be convinced that in the Sutlej Valley Project water is not enough for all the schemes and that they have wasted a lot of money by mistake or by misjudging the amount of water. The result is closure and the waste of crores of rupees which come from the pockets of the public. Government will have themselves to blame if after they have constructed the new canals they find that the water available is not sufficient. All I am asking is that Government should spend the public money properly.

Mr. President : I would again ask the honourable member whether he is, as he apparently is, prepared to leave it to the judgment of the Canal Engineers to judge whether there is or is not sufficient water and that if they are satisfied that there is sufficient water they may proceed with the proposed extensions ; or that he is definitely of the opinion that there is no more water and that, therefore, no money should be spent on extensions ?

Sayad Muhammad Husain : I leave this point and go on to another one.

Mr. President : Then he is not opposing the motion on that ground.

Sayad Muhammad Husain : I am not. My second point on which I oppose this grant is that in the distribution of water from these canals when they are constructed.....

Mr. President : That question will arise when canals are constructed and opened ; till then, it does not arise.

The Honourable Mian Sir Fazl-i-Husain : If they are working then they cannot be entailing a good deal of expenditure.

Mr. President : I know that the honourable member is very anxious to protect the interests of the public but a discussion of such questions of detail is rather premature. He will have ample opportunity to discuss such questions when they actually arise.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, may I say a few words to those who have interested themselves in the administration of the Irrigation Department ? The honourable member from Dera Ghazi Khan told us why he was opposing this motion. I knew perfectly well that he did not intend opposing this grant ? The reason why he was opposing it was that he did not take the trouble to send in his amendment with reference to the point that he really wished to raise. Had he frankly said so, he would not have been any the worse off than he is now. However I am keen that Dera Ghazi Khan irrigation should be improved as far as it lies within the power of the Punjab engineers to improve it. The particular scheme, the Manka Canal Hydro-Electric Scheme, which he mentioned has not yet been before Government. I have no doubt that it is either with the Irrigation Secretariat or with the Superintending Engineer, and I can assure the House that as soon as it reaches Government, it will receive the most sympathetic consideration that can be given to it. Then he outlined for the benefit of the House a scheme of a canal running along the river and feeding some other canals. I must admit, Sir, that that was beyond me, but I have no doubt that his speech will be referred to the Engineer concerned who will see what possibilities there are in the suggestion. It is the practice of Government that the speeches made in this House by the honourable members are perused with the utmost care by the heads of departments with a view to see whether the suggestions made and the criticisms levelled against administration contain material which can be of help in effecting such improvements as may be needed. The honourable member representing zamindars also said that effort should be made to protect Dera Ghazi Khan from the ravages of the Indus. The way in which the Punjab Government have been spending money on Dera Ghazi Khan for a large number of years now has been criticised adversely

in some quarters and the criticism has amounted to saying that Government has perhaps too soft a heart for that district. I do not mean to say that Government has changed its point of view or does not try to do as much for Dera Ghazi Khan as it ever did before. I can say frankly that as a matter of fact the treatment meted out to Dera Ghazi Khan has always been one pre-eminently sympathetic.

We had another speech from the honourable member from (Sikh) Jullundur who again seemed to me to be speaking not to the motion, if I may say so. He was explaining that Government did not sink tube wells in the Jullundur district. Had he gone through the budget he would have discovered that there is a branch of the Agricultural department which has a special section of tube well-borers under it and they get a lot of money from Government and they spend a lot of money every year and if he were to turn his attention in that direction I have not the slightest doubt that he will find that there are great possibilities of good in that direction. But if he wishes to oppose this grant for Irrigation (Capital), because he does not know that there is a well-boring department in the department of agriculture, I am afraid I cannot help him.

Sardar Partap Singh (Urdu): That department charges fees, while we want to be supplied with pipes free of cost.

The Honourable Mian Sir Fazl-i-Husain (Urdu): Then, does he suppose that I am the one to supply things free of cost?

Sir, I have to make a few observations with reference to the words of wisdom which fell from the lips of the honourable member from Shergarh, the honourable member for Montgomery. While speaking on the Bhakra dam he took upon himself to make some very unfair remarks on the Irrigation department saying that the failure of the experiment of the Western Jumna Canal was due to the Irrigation department.

Sayad Muhammad Husain: That opinion is shared by one of your own departments.

The Honourable Mian Sir Fazl-i-Husain: It seems that the honourable member takes great delight in making unfavourable remarks even when there is no particular occasion for doing so. I cannot understand when discussing the question of taking up the Bhakra dam expeditiously what relevancy there is to bring the question of the amalgamation scheme which on the advice of this Council was tried on one canal. I myself and my predecessor visited that place more than once and in pursuance of the wishes of the public, having tried the experiment for two or three years, again in obedience to the wishes of the public and the wishes of all the members of this Council coming from that part of the Punjab, that scheme had to be abandoned. The matter was settled. The honourable member chose here to reopen the matter and passed strictures on the department. The honourable member says that in any case one of my departments holds this view. Is it really right for the honourable member to take advantage of the difference of opinion that exists between two departments and to express in the Council the views of one department against the views of the other? What is to be gained thereby? If the Council were to gain anything by observations of that sort none would be happier than myself.

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

to hear them and to profit by them. I venture to submit there is nothing to be gained by such observations. I would really not have taken any notice of it, but my silence would have been interpreted as an agreement with the views that the honourable member expressed concerning one department against another.

I will leave the matter at that and proceed to make one or two observations in connection with what the honourable member said about the Sutlej Valley Project. I really feel it my duty to mention it with all the emphasis at my command that the honourable member's observations about the shortage of water in the Sutlej Valley Project are absolutely unjustified and recklessly made. A member who is responsible to this House for his remarks.....

Sayad Muhammad Husain : I rise to offer a word of explanation.

The Honourable Mian Sir Fazl-i-Husain : There is no question of personal explanation. Here is a big scheme with which Government is proceeding apace. The honourable member knows perfectly well that there are thousands and thousands of acres of land to be sold by public auction. For an honourable member of the House to say that there will be no water there, that statement is likely to prejudice the people in the auction mart.

Sayad Muhammad Husain : On a point of explanation.....

The Honourable Mian Sir Fazl-i-Husain : I hope he will contradict himself.

Sayad Muhammad Husain : I did not say that there was no water. I said there was insufficient water to cope with all these schemes. I never said this will prejudice the sale in auction.

The Honourable Mian Sir Fazl-i-Husain : I leave the honourable members to judge for themselves what would be the effect of such a statement. The honourable member takes upon himself to say that the water for that area will be insufficient, long before that area is to come under cultivation. If the honourable member were to sell his own land, will he advertise the fact that the irrigation for that land is inadequate? Does he not realise my position? Does he not realise that it is my duty to the province to contradict him? Is it not my duty to request him to correct himself and say that he did not mean what he said and that it was only in the excitement of the moment that he ventured his general statement? I am sure he has the best interests of the province at heart quite as much as I have. But he must realise that his statement is bound to be recorded in the proceedings of the Council.

Sayad Muhammad Husain : Mine is a fully merited statement.

The Honourable Mian Sir Fazl-i-Husain : When this budget demand is going to be voted upon, this House will show whether there is another member in the House who sides with the honourable member in holding the view that the water for the Nili Bar is insufficient.

Sayad Muhammad Husain : I am not opposing the item at all.

The Honourable Mian Sir Fazl-i-Husain : You said you were opposing it.

Mr. President : The question is—

"That a sum not exceeding Rs. 88,34,500 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, 1929, in respect of Irrigation (Capital)."

The motion was carried.

DEBT SERVICES GRANT.

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

"That a sum not exceeding Rs. 5,600 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, 1929, in respect of Debt Services."

The motion was carried.

GENERAL ADMINISTRATION (RESERVED) GRANT.

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

"That a sum not exceeding Rs. 83,47,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of General Administration (Reserved)."

Mr. President : The question is—

"That a sum not exceeding Rs. 83,47,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of General Administration (Reserved)."

(At this stage Rai Sahib Chaudhri Chhotu Ram rose to move his motion).

Mr. President : Is the honourable member sure that his motion is in order in view of my ruling that a change or repeal of legislation cannot be discussed when grants are under consideration? Can the Commissioners be abolished without modifying the Punjab Land Revenue Act? If this can be done the motion is in order.

Mr. C. A. H. Townsend : This motion if adopted will involve the amendment of the Punjab Land Revenue Act.

Mr. President : Is the Governor or the Governor in Council bound under the Act to appoint one or more Commissioners, or is it in his powers to abolish some or all of the posts? If it is imperative under the Act for the Governor to appoint the Commissioners, it is not open to the House to discuss the abolition of their posts.

The Honourable Malik Firoz Khan, Noon : At present there is right of appeal to the Commissioners under the Land Revenue Act and if there are no Commissioners there will be no appeal.

Mr. President : That argument is rather inconclusive.

The Honourable Mian Sir Fazl-i-Husain : The Land Revenue Act talks of Commissioners, the Punjab Tenancy Act talks of Commissioners, the Punjab Municipal Act talks of Commissioners, of course the Land Alienation Act talks of Commissioners. The Punjab District Boards Act, the Excise

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,88,000,—D—Commissioners."

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

Act and various other Acts talk of Commissioners. The village Panchayat Act and the Small Towns Act also speak of Commissioners. All these Acts assign certain functions to the Commissioners; in some cases these functions are of an appellate nature.

Mr. President : Will the honourable member, who wishes to move the motion, or any other member throw some light on the question.

Pandit Nanak Chand : I submit, Sir, it is not at all necessary to amend the Land Revenue Act for discussing this grant. In the first place the Governor can confer all these powers on the Deputy Commissioners by a notification and the Deputy Commissioner can hear all the appeals that are now heard by the Commissioners. In the second place my contention is that no Act, neither the Punjab Tenancy Act nor the Land Revenue Act makes mention that there should be five Commissioners. One or two Commissioners can attend to all the work at present transacted by the five Commissioners. All these things can be discussed under this cut. I submit that there is absolutely no reason to repeal or alter or modify the existing law on the subject of Commissioners.

The Honourable Malik Firoz Khan, Noon : The Municipal Act gives certain functions to the Commissioners which the Deputy Commissioners cannot undertake. The Deputy Commissioners have their own functions under the Municipal Act. You cannot combine the two functions in one officer.

Rai Sahib Chaudhri Chhotu Ram : I beg to submit, Sir, that none of the Acts make it obligatory on the Government to appoint Commissioners. None of the Acts to which reference has been made says that there shall be one or more Commissioners appointed in the Punjab. If there is any Statute which makes the appointment of Commissioners in the Punjab imperative then my amendment will be out of order. But the Land Revenue Act does not make any provision which renders it obligatory for the Government to appoint Commissioners and therefore my motion is in order.

Chaudhri Afzal Haq : May I invite your attention, Sir, to the ruling of Mr. Casson, former President of the Council reported in the Punjab Debates, Vol. VI, page 771?

Mr. President : That is a very old ruling.

Mr. C. A. H. Townsend : May I point out, Sir, that the motion of Rai Sahib Chaudhri Chhotu Ram urges the total abolition of Commissioners, it does not talk of reduction in their number.

Pir Akbar Ali : May I submit a few words, Sir? Under the Land Revenue Act, there are certain revenue officers holding courts. There will be so many officers, assistant collectors, first grade and second grade, and Collectors and arrangements are made for the appeals to go up to Financial Commissioners. Under the Act, there are only certain revenue courts. There is nowhere stated in the Act that Commissioners shall be appointed under the Act. I submit, Sir, since there is no specific mention of the appointment of Commissioners in any of the Acts, the present motion is in order.

Mr. H. W. Emerson : May I read out section 6 of the Land Revenue Act ? It says, there shall be the following classes of revenue officers, namely, (a) Financial Commissioner, (b) Commissioners, (c) Collector, etc., etc.

Mr. President : According to the provisions of Sections 6 and 8 of the Land Revenue Act, the Commissioners are statutory officers and their appointment by Government is imperative. Therefore, the abolition of all divisional Commissioners in the Punjab cannot be allowed to be discussed, while a grant in respect of General Administration is under discussion.

Mr. Labh Singh : Can the honourable member move reduction in the number of Commissioners. He can certainly move for the partial abolition of the divisional Commissioners.

Mr. President : He is welcome to do so and if for that purpose he is inclined to alter the wording of the motion without changing its substance, the Chair will have no objection.

Rai Sahib Chaudhri Chhotu Ram : So far as the underlying principle of my amendment is concerned if I amend the motion in a way so as to make it read that so many Commissioners shall be abolished, that principle will be impaired because in that case the motion would proceed on the ground of economy and it will not be consistent with the underlying principle of my amendment. I am not going to move my amendment as a motion for economy.

Pandit Nanak Chand : Then I move :—

"That the grant be reduced by Rs. 100 with respect to the item of Rs. 1,86,000—Divisional Commissioners."

My object in moving this amendment is to urge upon the Government the necessity of abolishing the establishment of the divisional Commissioners.

The Honourable Mian Sir Fazl-i-Husain : Sir, there was a ruling of one of your predecessors to the effect that what you cannot attack directly you cannot do indirectly.

Mr. President : I am of the opinion that the motion is in order. I ruled so last year and my predecessors also had taken the same view. There is nothing in the Punjab Land Revenue Act or any other Acts which prohibits the appointment of Commissioners without any establishment. The Commissioners might be able to work without establishment.

Mr. H. D. Craik : May I point out, Sir, that Pandit Nanak Chand's amendment purports to attack a non-voted item under the guise of attacking a voted item. Your predecessor ruled that the Council cannot attack non-voted items indirectly by attacking votable items.

Chaudhri Afzal Haq : May I again invite your attention to the following passages in your predecessor's ruling reported at page 771 of the Punjab Debates, Vol. VI ? It says ;

"Not only was discussion of the position of necessity for non-voted officers out of order but the motion itself ought to be ruled out, if the object was by cutting establishment to necessitate reduction of the number of such officers or to render it impossible for such officers to function by cutting their establishment."

The Honourable Malik Firoz Khan, Noon : If this motion is allowed to be moved, it will mean the abolition of the Commissioners, for the Commissioners cannot carry on their duties without an establishment. If there is no establishment, who will put up papers before the Commissioners in appeal cases. If the Commissioner is deprived of his establishment, it means he cannot carry on his statutory duties.

Pandit Nanak Chand : May I move my amendment, Sir ?

Mr. President : I would like to hear the arguments of gentlemen who wish to further discuss this important point of law.

The Honourable Malik Firoz Khan, Noon : I was submitting, Sir, that the Commissioners who are to be appointed under the Statute have to discharge certain duties allotted to them under the various Acts. In order to carry out those duties, the Commissioners have got to have certain staff to attend to routine duties. The clerks get up files and prepare other things and make ready the cases to be heard by the Commissioners. If you abolish the staff, you are in a way creating a position in which the Commissioners cannot carry out their statutory duties. That would bring the administrative machinery to a stand still.

Rai Sahib Chaudhri Chhotu Ram : I submit, Sir, that during the last sittings of the Council you gave a ruling in response to the contention put forward by the Honourable the Revenue Member that all rules and Standing Orders should be so construed as to be liberal and not so as to restrict the privileges of this House. Unless there is a definite rule which bars any amendment as out of order, the interpretation should be such as to extend and not to restrict the privileges of the House. As there is no definite bar as in the case of the Commissioners, therefore, so far as the subordinate staff is concerned, I beg to submit that the ruling should be liberal and not restrictive.

Mr. President : I will be the last to curtail the privileges of this Honourable House. *Prima facie* the motion is in order. But there is one point which is yet lurking in my mind. The hon'ble member proposed to move abolition of the divisional Commissioners in the Punjab. That motion was ruled out of order. The next motion is that the staff of the Commissioners should be abolished. Now, if this motion is resolved in the affirmative, will it not necessitate the abolition of divisional Commissioners ? I wish to obtain light on this point. If the abolition of Commissioners is going to be achieved indirectly, then I am afraid, I must rule the motion out of order. If without necessitating that result the motion can be moved, then I am prepared to hold it in order.

Mr. Labh Singh : May I point out, Sir, that the line of argument taken by your good self assumes that the two amendments are linked together and that one is being moved because the other has been ruled out of order. These two motions are *prima facie* independent and were not put on the agenda paper in concert with each other. The second point is this. The line of argument placed before us assumes further that there are no sinecures either in the services of this province or elsewhere. We know there are a

number of posts which carry no proper functions and no duties and the incumbents are being handsomely paid simply because the people of the country are helpless in the matter. In any event, Sir, the presumption should be in favour of the right to proceed.

Mr. President : This point was raised in 1926 and the ruling on that occasion was as follows :—

I have taken into consideration my predecessor's ruling. I am yet of the opinion that the Council is within its rights in discussing a motion to reduce the voted portion of the Budget which consists of provision for the establishment of Commissioners and to urge the abolition of Commissioners whose salary is not a votable item."

This is the ruling I gave in 1926. But the rule of parliamentary practice, which prohibits the discussion of any change in law, attracted my attention in 1927 and formed the basis of the ruling which I gave on 16th March 1927 when the motion *re* total prohibition was moved in the last Budget Session. (Punjab Legislative Council Debates, Vol. X, pages 488, 489, 490).

Pandit Nanak Chand : Honourable members have practically not heard my argument on this point. I am not going to say that these posts should be abolished. My argument is that their work is absolutely of such a character that it can be done by the officers alone without the help of any establishment (*Laughter*). There was a time when these Commissioners had to perform a large number of functions and they required a certain establishment to carry through their work. Now with the separation of the civil appeal courts they have not got much work to do. As far as revenue appeal is concerned the Commissioners often merely say "rejected." Considering all these things the work which is done at the present time by the Commissioners can be done by these officers without the help of any establishment. That is the point which I want to place before the honourable members of the House at some length and I submit that this can be done by my motion.

In the second place I submit that this House has not got full powers which the British Parliament has got in all such matters. The privileges of the members should not be restricted but should be liberalised so that the conventions we have already formed may be preserved. In view of the fact that new rules are going to be framed and certain privileges are going to be extended these conventions also should be taken into consideration. I submit that this House has established a convention and that has been done after your good self had taken into consideration the ruling of your predecessor. I may submit in this connection that this matter has been dealt with in other provincial councils and this matter has been allowed to be discussed. On these grounds I submit I may be allowed to move my motion.

The Honourable Mr. Manohar Lal (Minister for Education) : May I say a few words. I do so with some hesitation. The rule of parliamentary practice which has been invoked to exclude certain motions for reduction, I take it, refers to the practice of the House of Commons when the House sits as a Committee of supply, to discuss demands for grants and the Speaker has left the Chair. It is well known that this technical rule is the result of a long course of development and the procedure, as it obtains in the House of Commons, is mainly a rule of convenience. It is not a rule that has the

[Hon. Mr. Manohar Lal.]

force of a standing order or something that binds the House as such. The whole House goes into Committee of supply, the Speaker leaves the Chair, and a very technical procedural rule obtains as a result of a long period of development. The question now is this, whether a rule merely of conveniences as evolved in the course of ages in the House of Commons should be imported and applied here in all its rigour particularly when the immediate result of that rule would be to interfere with the general right of discussion of grievances before voting supplies. No similar rule prevails, so far as my information goes, in any other council in India, and the immediate result of such a rule is to impose restrictions on the general right of debates as was pointed out by the honourable member from Rohtak. Further, Sir, right up to last year, till fourteen or fifteen months back, that is in 1926, you yourself were pleased to rule that whatever may be the position with respect to the services the salary of which is non-voted, that would not apply in the case of voted services. May I, in this connection, say this, there may be an artificial rule of convenience so far as a particular service is concerned, but then to carry it further because the effect of this may be this or the effect of it may be otherwise by a process of logical reasoning, and may possibly impinge on a non-voted service is to carry the principle to the point of repugnancy; as a lawyer would say we must not graft one fiction upon another fiction. It is entirely in your hands to rule that because a particular logical result may follow from a particular position, therefore, certain thing should also be not within the purview of this House. The practice in this House and the practice in other similar Houses in India does not seem to warrant the literal importation of a highly technical, artificial rule which prevails in the Committee of Supplies in the House of Commons. (*Hear hear*).

Mr. President : I have taken into consideration the arguments advanced by the mover of the motion as well as the very able speech delivered by the Honourable Minister for Education. As said by the last speaker the rule may be a technical one. But our standing orders and rules are entirely silent on the powers and the privileges of this House in the matter of (i) discussing the grievances of the services or of the public; (ii) examining the policy of ministers; (iii) criticising the actions of the officers of the Government, etc., etc. Our right to deal with such matters is based on parliamentary practice; and when we adopt a parliamentary practice, we should not adopt it only in part, that is to say, we should not borrow a rule of practice without its exceptions. We need not take it at all; but if we decide to take it we should take it in its entirety. I do not think it fair to take what is sweet and to reject what is bitter. (*Hear, hear*). I am perfectly clear that the exception under discussion is an integral part of the parliamentary rule or practice and that therefore it cannot be ignored. As regards the argument of the honourable Pandit Nanak Chand that even if this motion is carried, the abolition of divisional Commissioners' posts shall not become inevitable, I think that argument is sound. (*Hear hear*). Therefore, I rule that the motion, as it stands, is in order, inasmuch as it does not follow that the abolition of the staff of the Commissioners shall inevitably necessitate the abolition of their own posts. The motion being in order the honourable member may move it.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural]:
Sir, I beg to move.

“That the grant be reduced by Rs. 100 with respect to the item of Rs. 1,86,000—D.—Commissioners.”

Let me, Sir, before discussing this motion, thank you cordially for allowing this motion to be discussed on the floor of this House, because whatever opinions we may hold in regard to this service, so far as the Commissioners are concerned we are of opinion that they can do their work themselves without the help of the establishment. There are five divisional Commissioners in the Punjab. Formerly when these Commissioners were appointed in the Punjab they had to perform a number of functions. First of all they had to deal with civil cases. They were Superintendents over Deputy Commissioners, they had to deal with revenue matters and certain other onerous duties had to be performed by them. The province at that time was not fully developed as it is to-day. Most of their functions are now performed by various civil courts and by various other officers. There are three main functions which the Commissioners have now to perform. They are to decide appeals, and act as judicial courts in revenue cases; they have to supervise the work of Deputy Commissioners and other revenue staff who work under them; and thirdly, they have to advise people on various matters which are connected with the administration of municipalities and district boards. In regard to these various important matters I find that so far as the Commissioners are concerned, most of their time is taken up in seeing the zaildars and lambardars and going about here and there and mixing with people at large. This work, I submit, is nothing and as most of their time is taken up in this kind of work I submit that there is no necessity for them to have an establishment. This work can easily be carried on without the help of any establishment. (*A voice: No chaprasis even?*) I think they can have one or two *chaprasis* and pay them from out of their own pockets.

Another point is that they are working as judicial courts. With regard to that I have occasions to deal with a large number of appeals that come from these Commissioners and I find that generally the word “rejected” is written on their cases. I do not think that is the proper judicial decision they should give to the various revenue appeals and revenue matters that come before them.

Mr. President: The honourable member is again discussing the abolition of Commissioners.

Pandit Nanak Chand: I submit that that work can be done without the help of any establishment. They have merely to write the word “rejected.” It does not take much time to write that word. Even 200 or 300 appeals can be discussed in a day like that without the help of any stenographers or clerks, or they can have a rubber stamp with which they can stamp the word “rejected.” (*Interruption.*) What is the good of even summons when merely the word “rejected” is going to be written on the appeal? There is no necessity even to serve summons.

At this stage the Council adjourned till 2 p.m. on Wednesday, the 7th March 1928.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUSHPUR.

312 PLC-390-26-3-28-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 7th March, 1928.

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

STARRED QUESTIONS AND ANSWERS.

CHAHI-NAHRI.

*1106. **Shaikh Faiz Muhammad :** (i) Will the Honourable Revenue Member be pleased to state —

(a) the total area declared to be *chahi-nahri* at the last settlement of Dera Ghazi Khan district and assessed to land revenue on that basis ;

(b) the area included in the above which has never been touched by the canal irrigation so far ?

(ii) Is the Government going to treat the area referred to in (b) above differently from the *chahi-nahri* area in the matter of assessment of land revenue ? If the answer to this is in the negative, will the Honourable Revenue Member state his reasons ?

The Honourable Mian Sir Fazl-i-Husain : (i) (a) 228,058 acres.

(b) Nil.

(ii) Does not arise.

ZAMINDARS IN DERA GHAZI KHAN DISTRICT.

*1107. **Shaikh Faiz Muhammad :** What steps does Government propose to take to improve the economic condition of the zamindars in the Dera Ghazi Khan district ?

The Honourable Sir Mian Fazl-i-Husain : Government will be very pleased to hear the suggestions of the representatives of Dera Ghazi Khan and give them their best consideration.

MORTGAGE BANKS.

*1108. **Shaikh Faiz Muhammad :** (a) Will the Honourable Minister for Agriculture kindly state if it is a fact that it is proposed to open two mortgage banks every year in the province ?

(b) Has Government prepared any programme for locating these banks ?

(c) If the answer to (b) above is in the affirmative, is Dera Ghazi Khan included in the programme, and, if so, what is its number ?

The Honourable Sardar Jogendra Singh : (a) For the present it is proposed not to open more than two banks a year.

(b) Preliminary enquiries are being made in a number of different areas. Till these are completed no formal programme can be prepared.

(c) No bank is at present contemplated for Dera Ghazi Khan as effort is being concentrated upon the organization of village credit societies, of which there are fewer in this district than in any other in the province. The claims of Dera Ghazi Khan will receive my consideration in due course.

BOAT BRIDGE AT QURESHI FERRY.

***1109. Shaikh Faiz Muhammad :** (a) Is the Honourable Minister for Agriculture aware that passengers crossing the boat bridge at Qureshi Ferry in Dera Ghazi Khan by motor lorries are made to walk on foot?

(b) When was this practice started and why?

(c) What is the aggregate length of the three bridges?

(d) Is it a fact that bullock carts and motor lorries carrying much heavier load than 10 to 15 passengers are allowed to pass without restriction?

(e) What steps does the Honourable Minister propose to take to remove this grievance of the people?

The Honourable Sardar Jogendra Singh : (a) Yes. The Civil officials on duty at the boat bridge act on the following order issued by the Deputy Commissioner :—

“In future all 14-seated lorries must be made to dismount the passengers before they cross the main boat bridge.” The boat bridge is designed to carry loads not exceeding 2 tons.

(b) This restriction has been in force since passenger-carrying lorries began running over the boat bridge. Its object is to ensure the safety of passengers by not allowing loads over the bridge in excess of those which the bridge is designed to carry.

(c) On the 18th February 1928, there were six bridges of an aggregate length of 8,470 feet.

(d) The limit of 2 tons is applicable to all classes of traffic.

(e) Government cannot agree to sacrifice safety for convenience.

TOLL AT QURESHI FERRY.

***1110. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state whether it is a fact—

(a) that all motor vehicles crossing the river at Qureshi Ferry are made to pay a toll of Rs. 2 each irrespective of their carrying capacity;

(b) that motor lorries and motor cars are treated on the same footing in this respect? If so, why?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes, because at the time when the rates were fixed there were few, if any, motor lorries crossing the ferry. The question of differentiating between lorries and cars is now being taken up.

SMALL TOWN COMMITTEES AND NON-OFFICIAL PRESIDENTS.

***1111. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state, whether it is a fact that the Commissioner, Multan division, recently issued instructions to the Deputy Commissioner, Lyallpur, to ask the small town committees in the district to pass a resolution if they want to have a non-official president of theirs? If so, which of the small town committees have passed the required resolution?

The Honourable Malik Firoz Khan, Noon : No such instructions were issued, so the latter part of the question does not arise, but orders have now been issued that town committees should be permitted to elect non-official presidents if they wish to do so.

NORMAL GIRLS' SCHOOL, MULTAN.

***1112. Lala Bodh Raj :** Will the Honourable Minister for Education please state—

- (i) the number of Hindu and Muhammadan girls, respectively, admitted to the Normal Girls' School, Multan, last year;
- (ii) the number of such girls receiving scholarships?

The Honourable Mr. Manohar Lal : A statement giving the required information is laid on the table.

Statement showing the number of girls admitted to the Junior Vernacular Class of the Government High and Normal School for Women, Multan, during the School year 1926-27.

	Hindus.	Muham- madans.
Number of girls admitted ..	12	7
Number of girls getting Government stipends of Rs. 10 each ..	11	7
Number of girls getting district Board stipends of Rs. 5 each ..	5	5
Number of girls getting municipal board stipends of Rs. 5 each ..	N7.	1

ASSISTANT AND DEPUTY SUPERINTENDENTS OF JAILS.

***1113. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the Punjab Jails Committee recommended that graduates be recruited for the posts of Assistant and Deputy Superintendents of Jails in the Punjab;

[Lala Bodh Raj.]

- (b) how many graduates have been recruited to such posts since the introduction of reforms in Jail administration according to the report of the Punjab Jails Committee;
- (c) how many head vernacular clerks of the civil department and qanungos and naib-tahsildars of the revenue department have been recruited to the said posts?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) None as yet, but some cases are under consideration.

(c) Head Vernacular clerks	..	..	..	8
Qanungos	..	..	..	4
Naib-Tahsildars	..	..	..	5

PUNJAB JAILS COMMITTEE.

***1114. Lala Bodh Raj :** With reference to the reply to question No. 799¹, asked on the 23rd November 1927, will the Honourable Member for Finance please state—

- (a) whether the officers of the Punjab Jails Committee were drawing their pay at the rate of Rs. 400 per month;
- (b) the period for which those officers worked on the committee;
- (c) the amount spent on account of witnesses that appeared before the committee?

The Honourable Sir Geoffrey deMontmorency : (a) No. They were paid at Rs. 4,000 per mensem.

(b) 23rd November 1925 to 31st January 1926.

(c) The attention of the honourable member is invited to the reply given to Council question No. 799¹. It is not possible to give separate details of witness money.

RAILWAY LINE FROM REWARI TO ROHTAK *via* JHAJJAR.

***1115. Lala Joti Parshad :** Will the Honourable the Revenue Member please state whether the Government has received any recommendation from the Communications Board for the extension of a railway line connecting Rewari with Rohtak *via* Jhajjar? If so, what action does the Government propose to take in the matter?

The Honourable Mian Sir Fazl-i-Husain : Such an extension was considered, but the Communications Board found itself unable to support the proposal.

INCREASE OF WATER SUPPLY IN THE SIRSA BRANCH.

***1116. Lala Joti Parshad :** Will the Honourable the Revenue Member please state whether it is under the consideration of the Government to increase the supply of water in the Sirsa Branch in the near future?

The Honourable Mian Sir Fazl-i-Husain : Extensions depend on the construction of the Bhakra Dam Project. As supply in the Jumna River is already fully utilised, no increase in supply in the Sirsa Branch is possible from this source.

SIRSA BRANCH OF THE WESTERN JUMNA CANAL.

***1117. Lala Joti Parshad :** Will the Honourable the Revenue Member please state the budgetted capacity in cusecs of the Sirsa Branch of the Western Jumna Canal for the last five years and the annual output for the same period ?

The Honourable Mian Sir Fazl-i-Husain : The authorized full supply discharge of the Sirsa Branch is 1,790 cusecs. It has not been altered for the last five years. The average discharge of this Branch during this period was 895 cusecs.

BROAD-GAUGE LINE BETWEEN JAKHAL AND SIRSA.

***1118. Lala Joti Parshad :** Will the Honourable the Revenue Member please state what action the Government has taken on the recommendation of the Communications Board to connect the area between Jakhal and Sirsa in the Hissar district by a broad-gauge line ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer to Council question No. 959¹ from which it will be seen that the Traffic Survey Report of the Bhattu-Jakhal Railway was about to be submitted by the Bombay-Baroda and Central India Railway to the Railway Board. A broad-gauge connection has been recommended by the Local Government to the Railway Board, and the Board have promised to consider this recommendation before a final decision is made.

RAILWAY PROJECTS IN THE AMBALA DIVISION.

***1119. Lala Joti Parshad :** Will the Honourable the Revenue Member please state whether there are any railway projects in the Ambala division ? If so, which are to be taken up next year ?

The Honourable Mian Sir Fazl-i-Husain : (1) A line has been constructed by the agency of the Patiala Darbar from Sirhind to Rupar. This has recently been opened.

(2) Reconnaissances for an extension of the above line from Rupar to Una are being undertaken at the present time. Details and reports are not yet available.

(3) A line has been investigated from Thanesar in Karnal to Jagadhri in Ambala. This project is at present with the Railway Board who have been asked to define the form of guarantee that would be required.

(4) A continuation of the above line from Jagadhri to Bilaspur was investigated, but as it held out no prospects of commercial success, it was, therefore, dropped.

No other lines are contemplated in this area, and there is no prospect of immediate construction of No. 2.

**COMMUNAL REPRESENTATION IN THE GOVERNMENT CATTLE FARM,
HISSAR.**

***1120. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

(a) the total number of employees of the Government Cattle Farm, Hissar ;

(b) how many of them are Hindus, how many Muhammadans and how many others :

(c) the reasons for the preponderance of one community ?

The Honourable Sardar Jogendra Singh : (a) Total number of employees is 427.

(b) The distribution of 427 employees is :—

		Gazetted.	Non- Gazetted.	Menials.
1. Hindus ..	296	1	11	284
2. Muhammadans ..	128	1	12	115
3. Others ..	3	2	1	..
	427	4	24	399

(c) among the menial staff the Hindus preponderate, the reason being that the tract is largely Hindu. Regarding other establishment the question does not arise.

IMPROVEMENT OF AGRICULTURE.

***1121. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

(a) what steps have been taken in the districts of Hissar, Gurgaon, Karnal and Rohtak for the improvement of agriculture during the last three years :

(b) whether any farms have been opened ? If so, at what places and of what help they are to the zamindars ?

The Honourable Sardar Jogendra Singh : I regret the answer to this question is not yet ready. A reference has been made to the Director of Agriculture, Punjab.

HISSAR GOVERNMENT CATTLE FARM.

***1122. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state whether Government proposes to transfer the Hissar Government Cattle Farm from the Veterinary to the Agriculture Department ? If so, when ?

The Honourable Sardar Jogendra Singh : No such proposal is at present under consideration.

GOVERNMENT CATTLE FARM, HISSAR.

***1123. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

- (a) (i) the number of officers belonging to the Provincial and Imperial Services attached to the Government Cattle Farm, Hissar ;
- (ii) their qualifications ;
- (iii) duties performed by them ;
- (b) whether it is a fact that the annual income derived from the Government Cattle Farm, Hissar, is much less than the expenditure ;
- (c) of what benefit this Farm is to the public ?

The Honourable Sardar Jogendra Singh : (a) (i) One Imperial Service Officer and three Provincial Service Officers are attached to the Government Cattle Farm, Hissar ;

(ii) The Superintendent and one Assistant Superintendent are Members of the Royal College of Veterinary Surgeons, while the Deputy Superintendent has passed the Post Diploma Course ;

(iii) The Superintendent is incharge of the Farm and also carries on in addition the duties of Live Stock Officer. One Assistant Superintendent is incharge of stock and the other of fodder, while the Deputy Superintendent supervises the live stock and breeding operations generally ;

(b) No. The figures of receipts and expenditure for the years 1924-25 and 1925-26 available at present are as follows :—

			<i>Receipts.</i>			<i>Expenditure.</i>		
			Rs.	A.	P.	Rs.	A.	P.
1924-25	..	..	2,42,315	12	8	2,07,880	11	0
1925-26	..	..	3,01,001	12	4	2,43,756	12	2

(c) The Farm is of great benefit to the public in producing bulls for the improvement of the Haryana Cattle in the province.

FIRST GRADE COLLEGE IN THE AMBALA DIVISION.

***1124. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- (a) what steps have been taken by the Government to improve the collegiate and secondary teaching in the Ambala Division ;
- (b) whether it is a fact that there is not a single first grade college in the whole of the Ambala Division ?

The Honourable Mr. Manchar Lal : (a) (1) An Intermediate College has been started at Rohtak and the proposal to start a similar college at Hissar is under consideration.

(2) Eleven schools have been provincialised since 1921 the year in which provincialisation scheme was first started.

(b) Yes, that is so.

LAND ALIENATION ACT.

***1125. Lala Joti Parshad :** Will the Honourable Revenue Member please state whether the Government has received any public petitions praying for the modification of the Punjab Land Alienation Act? If so, what action does the Government propose to take in the matter?

The Honourable Mian Sir Fazl-i-Husain : Such petitions as are received are dealt with and the decision communicated to the petitioners.

PATWARIS.

***1126. Lala Bodh Raj :** (a) Will the Honourable the Revenue Member please state the number of non-agriculturists and agriculturists, respectively, amongst the patwaris in the tahsil of Shujabad, Multan district?

(b) Is it a fact that lately the three non-agriculturist patwaris have been made to retire while the agriculturist patwaris are being given extensions?

The Honourable Mian Sir Fazl-i-Husain :

(a) Non-agriculturists	..	25
Agriculturists	..	44

(b) Yes. Three non-agriculturist patwaris were retired as they had completed 55 years and there were no special reasons to retain them in service.

An extension was granted to one agriculturist patwari who had War services to his credit.

MUZAFFARGARH JAIL.

***1127. Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that a complaint was made to the Deputy Commissioner, Muzaffargarh, recently against the administration of Muzaffargarh Jail, and that on receipt of the complaint he along with the Superintendent visited the jail and made certain enquiries?

If so, will the Honourable Member please state the nature of the complaint and the result of the enquiry of the Deputy Commissioner?

The Honourable Sir Geoffrey deMontmorency : Two warder made a complaint against the Assistant Jailor and Head Warder of Muzaffargarh Jail for maltreating them and for corruption. The Deputy Commissioner and the Superintendent of the Jail held an enquiry and found that the complaints were baseless.

JAIL OFFICIALS.

***1128. Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that at the time of the last visit of the Deputy Inspector-General of Prisons to Muzaffargarh sub-jail a complaint was made against a number of jail officials? If so, what was the nature of the complaint and what action has been taken thereon?

The Honourable Sir Geoffrey deMontmorency : A complaint of corruption was made against the Head Warder of the sub-jail and is still under investigation.

LAMBARDARS.

***1129. Chaudhri Duli Chand :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that the lambardars of Thanas Gulah and Pehowa have offered to resign lambardarship on account of difficulties felt in realizing land revenue from poor agriculturists ;
- (b) how many lambardars of the Karnal district paid their land revenue after the prescribed time during the last two years ;
- (c) how many lambardars in the Karnal district had their *panchotra* forfeited wholly or partially or were fined during the last two years ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) There were 2,515 cases of payment after due date.

(c) Fifty-eight, but none were fined.

INDIAN ARMS ACT.

***1130. Chaudhri Duli Chand :** With reference to the answer to Council question No. 7891, asked on the 23rd November 1927, will the Honourable the Revenue Member kindly state the classes of certain responsible sections of the population in Rohtak and Karnal districts which are exempt from the provisions of sections 18 and 15 of the Indian Arms Act ?

The Honourable Mian Sir Fazl-i-Husain : In the districts of Rohtak and Karnal swords possessed by the following classes of persons are exempt from the provisions of sections 18 and 15 of the Arms Act :—

- (a) Jagirdars enjoying a jagir of Rs. 50 or more per annum ;
- (b) Persons paying Rs. 50 or more per annum as land revenue ;
- (c) Income-tax payers ;
- (d) Title-holders, and
- (e) Retired military officers of and above the rank of Jemadar.

URLANA POLICE STATION.

***1131. Chaudhri Duli Chand :** Will the Honourable the Finance Member kindly state—

- (a) whether the headquarters of Urlana police station are situated at one extremity of the *ilaga* under its jurisdiction ;
- (b) the distance of villages at the other extremity from the headquarters of the thana ;
- (c) whether the situation of the headquarters is water-logged, malarious and cut off from railway station in the *ilaga* ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, but there is a reporting post in the centre of the *ilaga*.

(b) An average of twenty miles.

(c) It is alongside the canal bank but is no more water-logged or malarious than many other police stations in the district. Railway Station Karsindu is about 2½ miles distant.

HEAD CONSTABLES.

***1132. Chaudhri Duli Chand :** Will the Honourable the Finance Member kindly state—

- (a) the number of persons recruited direct as head constables in the police department in the district of Karnal since 1921 ;
- (b) the number of Hindus, Muslims, Sikhs and others respectively among them ; and
- (c) the number of members of notified agricultural tribes among the Hindus ?

The Honourable Sir Geoffrey deMontmorency : It is regretted that a reply to this question is not yet ready. The information asked for by the honourable member is being collected, and a reply will be communicated to him in due course.

LANDS WASHED AWAY BY FLOODS.

***1133. Chaudhri Duli Chand :** Will the Honourable the Revenue Member be pleased to state—

- (a) the names of the villages in the Karnal district whose lands have been totally or partially washed away by floods ;
- (b) whether the Government has given any grant of crown lands to the zamindars of such villages ?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated certain enquiries from the local officers which are not yet complete. An answer will be communicated to the honourable member when it is ready.

SCHOOL FEE CONCESSIONS.

***1134. Chaudhri Duli Chand :** Will the Honourable the Minister for Education kindly state—

- (a) the names of districts in which the concession of half fees to the sons of agriculturists in the secondary department is allowed ;
- (b) the names of the two most backward districts in the Ambala Division ?

The Honourable Mr. Manohar Lal : (a) Rawalpindi, Jhelum, Campbellpur, Gujrat, Mianwali, Shahpur, Dera Ghazi Khan, Muzaffargarh and Montgomery.

(b) Simla and Gurgaon are usually considered the two most backward districts educationally in the division.

ZILLADARS.

***1135. Chaudhri Duli Chand :** Will the Honourable the Revenue Member kindly state the number of Hindus, Muslims, Sikhs and others among the zilladars on the Western Jumna Canal and the communitywise number of statutory agriculturists among them ?

The Honourable Mian Sir Fazl-i-Husain :

	<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>
Agriculturists	5	..	1
Non-Agriculturists	8	9	2
Total	8	9	3

GOVERNMENT'S DEMANDS FOR GRANTS.**GENERAL ADMINISTRATION (RESERVED) GRANT.**

Mr. President : Pandit Nanak Chand will now continue his speech on his motion 1.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural] : Sir, last time when I was speaking on my amendment, I drew the attention of the House that the establishment for the Commissioners was not needed, because the only work that the Commissioners do is to receive visitors, make a tour and inspect the various districts under their control. In the first place with regard to this my submission is that these tours are not needed. It is not necessary to go about from place to place and receive visitors. We have got a large number of people who are already doing this work, for example, the Tahsildars, the Revenue Assistants and the Deputy Commissioners, and the ordinary zamindars find it an extremely hard work to satisfy the various demands made by the various establishments of the various officers, and I submit that if these Commissioners were to give up this touring work, the efficiency of administration will not suffer in the least. On the other hand, the zamindars would be thankful for this concession. Now, Sir, with regard to the revenue appeals and the revenue work, I have already submitted that we generally find that when these appeals come up before the Commissioner for disposal he simply writes either the word 'rejected' or 'accepted.'

The Honourable Sir Geoffrey deMontmorency : I fancy that in the case of all appeals either the word "rejected" or "accepted" is written in some portion of the order.

Pandit Nanak Chand : Generally you find that the disposal takes place by merely writing one of these words, and nothing else. That is the kind of work for which you do not require such a large establishment as the Commissioners are provided with in the budget. This is a thing which is known to almost every lawyer who has got anything to do with the appeals which come to his hands, and I challenge an enquiry on this point—if Government is satisfied with what I say then that is a different matter,—but I challenge an enquiry into the matter, and I am sure it will be seen that in very many cases the required attention is not given, probably due to the fact that Deputy Commissioners deal with their cases so fully that nothing remains to be done by the Commissioners. They are obliged to write the word 'rejected' or 'accepted' because they cannot deal with the point at length as it has been fully dealt with by the Deputy Commissioner, and they can add nothing to the decision given therein, but in very few

[Pandit Nanak Chand.]

cases you will find a regular judgment required by law written by the Commissioners. Such cases as I have said are very few, and when the work can be done by Deputy Commissioners, I do not think there is any necessity to employ so many clerks for the Commissioner's establishment. There are various kinds of clerks needed for the Commissioner's establishment—one is in Rs. 350—550 grade, one is in Rs. 250—300 grade, two in 100—200 grade, one on Rs. 175, one in Rs. 100—150 grade, three in Rs. 75—125 grade, and then there are clerks in Rs. 40—90 grade and in Rs. 30—70 grade, and then other large establishments for this kind of work. Sir, I have had an experience of one case myself. I was taken from Lahore to argue an appeal before a Commissioner. I went there along with two or three other lawyers. We sat from morning till evening while the Commissioner was receiving lambardars and zaildars. When the day was drawing to a close in the evening about half an hour was devoted to twelve or thirteen appeals which came before this learned Commissioner, and it was a great favour to me that I got five minutes to argue my appeal. Such is the experience of various lawyers and of those who engage them. The litigants take pleaders at great expense, and the cases are disposed of in a few seconds. The Commissioners only serve as post offices, and I do not think it is necessary to have such large establishments, for them.

Then we find that a large amount of work which these Commissioners used to do and for which the establishment was needed is now being done by the various Secretaries and the Ministers who are present in this Council Chamber. There was a general impression that so far as the Secretaries were concerned—Home Secretary and Chief Secretary—they did not do much work. We find, Sir, that they are very hard-worked officers, and every one of us appreciates their industry, the amount of work they have to do is enormous. But, Sir, you cannot say the same thing of Commissioners. It is not that we are not prepared to appreciate the good work of officers, but, Sir, it is because we really feel that there is no need for the large establishment as the Commissioners do not do that work which they used to do before. Most of the work that they used to do is now being done by Secretaries and Ministers.

Then, Sir, there is another important point which I heard some time ago which requires an answer, that is, that sometimes Commissioners advise the Deputy Commissioners and other junior officers. I submit that for that no establishment is needed. A Deputy Commissioner can easily go to the Commissioner and get the advice that he needs. That is a sort of work which does not require a large establishment, or any establishment for the matter of that. Moreover, this work can be lessened by appointing as Deputy Commissioners those who have gathered sufficient experience, and this work can be reduced, and if there is any need for an establishment for that work that need can be removed. On these various grounds I submit that such a large establishment is not needed and that a change is necessary in this direction.

Mr. President : Demand under discussion, motion moved—

"That the grant be reduced by Rs. 100, with respect to the item of Rs. 1,83,000—Deputy Commissioners."

The question is that that motion be adopted.

Rai Bahadur Lala Rattan Chand [Non-official, nominated] (Urdu) : Sir, though I am not a lawyer, yet having been in touch with Commissioners and their work, I beg your permission to state what I know from my personal experience. Sir, the one great merit of our Government is that its administration is not entrusted to one officer. The work done by one officer is revised by one or more superior officers so that any mistakes committed by one may be remedied by the others. Sir, I am a member of a municipal committee for a long time past, and from my personal experience I know that if on any occasion our committee has made mistakes, these mistakes have been invariably pointed out either by the Deputy Commissioner or, if he happened to overlook them sometime, by the Commissioner.....

Mr. President : Order, order. The motion before the House does not relate to the abolition of Divisional Commissioners in the province. It relates to the abolition of the staff of those officers.

Rai Bahadur Lala Rattan Chand : Sir, I am trying to show that the Commissioners have got so many duties to perform that it is impossible for them to cope with the work without the assistance of establishment. If you take into consideration the work of municipalities alone, you will find that a large number of resolutions and of reports are submitted every day to the Commissioners for their consideration and sanction. Do you think that all this can be done by the Commissioners single-handed? Then they have to hold courts to decide cases that are filed there. For the disposal of such cases they require the assistance of readers, clerks and chaprasis. Otherwise they cannot be expected to go out of the court-rooms to shout for the parties.

Then it has been argued that the Commissioners have nothing to do but to write the words 'rejected' or 'accepted', and therefore no establishment is required for them. That I say is totally wrong. In the year 1919, I had an opportunity to work with all the Commissioners of the Punjab as a member of the Tribunal to hear Wheat Appeals, when our present Financial Commissioner was also one of the members. I know full discussion was allowed, and all arguments and pleas were recorded by the Commissioners with regard to the cases before the tribunal.

Raizada Hans Raj : Were you getting any pay as a member of the tribunal or were you doing the work without any remuneration?

Rai Bahadur Lala Rattan Chand (continued in Urdu) : I am never fond of remunerations. I worked honorarily. God has very kindly enabled me to do so. Sir, I am of opinion that the Commissioners cannot do without the establishment sanctioned for them.

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West (Muhammadan), Rural] (Urdu) : Sir, I think that the proposal now before the House is one to which the honourable mover himself cannot agree (hear, hear). If it had been proposed that the posts of the Commissioners should be abolished, then it would have been a different matter, but so long as they are there, it is next to impossible to abolish the staff sanctioned for them. In connection with the work of their courts summons are to be issued and processes are to be served, and this work must be done by one or the other clerk. In some cases the decisions of the Commissioners are final

[Khan Bahadur Mian Muhammad Hayat Qureshi.]

and many a file are kept in their offices. There is one record-room attached to the offices of each of these officers. Who is to take care of all these things? Commissioners cannot be expected to keep these files and records. They must have some staff to look after this work. I, therefore, oppose this motion.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan), Urban] (Urdu): Sir, the proposal put forward by the honourable mover is quite impracticable, and, if I may say so, we are wasting the time of the Council in discussing it. Can the honourable member point out any department which is being run by the officers without the help of any establishment? As far as I know there is no such department in existence. If you want the Commissioners to do some work in return for the handsome pay they are allowed, they must have some staff to help them. Of course if you like that they may not do any work and may go on getting their pay all the time I have nothing to say against it. The Commissioners will certainly welcome that proposal. But I do not think even the proposer is prepared to agree to this. As I have already said the proposal is impractical and absurd on the face of it. I, therefore, strongly oppose the motion moved by my honourable friend Pandit Nanak Chand.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] (Urdu): Sir, I knew that Government would not reply to my speech. It has thought it advisable to make others reply on its behalf. However, I find that none of the members, who have opposed my motion, has cared to reply to the arguments advanced by me. All of them have taken their stand on one ground, and that is that because the Commissioners are to be retained, they must have some establishment as well. If that is the only argument against my motion I think that the case of the Government is very weak. I should have very much liked to know the percentage of cases in which the Commissioners only confirm the decisions of the Deputy Commissioners and of those in which they differ from them and give their own and better decision. But that has not been done. Sir, I omitted to mention one thing while moving my motion, and all those, who have opposed it, have taken advantage of that omission. I forgot to say that to call the parties into the court-room and to serve processes the services of the staff of the Deputy Commissioners could be utilised. I do not want the Commissioners to go out of the court-rooms to call in the parties to the cases filed in their court, but these arguments, I know, will not avail. I therefore beg leave to withdraw my motion (laughter).

The motion was by leave withdrawn.

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

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

Sir, this honourable House has, on several occasions, unanimously expressed its opinion that unless and until judicial and executive functions are separated, there is no hope of absolute justice being done to the parties in criminal cases. But Government has always found one or the other plea to evade this issue. I was surprised to hear the Honourable Member for

Revenue professing loudly the other day that every suggestion made by the members of the Council received very careful consideration by the Government. I can guess what sort of consideration is given to our suggestion otherwise where lay the difficulty in introducing this much-needed and salutary reform of separating the judicial and executive functions as urged by the Council on almost all occasions. Sometime back Government pleaded that because it had not got sufficient funds at its disposal, it was not possible for it to give effect to this proposal. At that time we thought that as soon as funds would be available, Government would lose no time in taking steps for the separation of judicial and executive functions. Since then many budget sessions have passed, and we have seen surplus budgets too, but our proposal stands where it started.

Government is denying us full justice. It aggravates its offence, if I may say so, by laying claim to dispensing absolute justice in India. It goes a step further in this direction and talks deprecatingly of the ways in which justice was done before the advent of British Government. I do not know much about the Hindu period, but about Muhammadan period I know full well that judicial and executive functions were entrusted to different officers of the Crown. While Qazi represented the judicial side of the administration the Kotwal was the executive or you can call prosecuting officer. Our Government may say that even now judicial and executive functions are not combined in one officer, and if one were to judge by a cursory glance at the state of things, one is likely to be misled and to say that certainly the District Magistrates are judicial officers and they have nothing to do with the prosecution side. But looking a little deeper you cannot fail to see that the District Magistrate is both a judicial officer and also a prosecuting officer. I know from personal experience that the police officers are tutored to regard the Deputy Commissioner as their superior officer. If I do not mistake there is a provision in the Police Manual to that effect. There is no doubt about it that the two functions are combined in one officer, and this state of thing offends against the elementary principle of justice as has been recently pointed out in a judgment of our High Court. I think I should read the relevant sentence in this connection which is as follows :—

'The proceedings taken by him (District Magistrate) betray his ignorance of the elementary principle of justice that a person cannot simultaneously perform the functions of a prosecutor and a judge in a criminal case.'

It is certainly a fundamental principle of justice, and I do not know why a departure was made from it by our Government and why that departure is being maintained now in the teeth of opposition.

In 1925, when this very question came up before the Council, Government denied the charge that District Magistrates dictated judgments, in part or in whole, to the subordinate magistrates. If further told us that magistrates were independent of police and the latter could not and did not influence the former. But the events of the last year that happened in Lahore have proved to the hilt that private consultations are held by the trying magistrates with the prosecuting agency. If judicial and executive functions had not been combined in one person and if in consequence the

[Chaudhri Afzal Haq.]

District Magistrate, Lahore, had adjudicated upon the guilt or otherwise of Sayad Habib and Inayat Ullah Shah with the detachment of a judicial officer, Mr. Tapp had not had the occasion to remark in disposing the appeal filed in his court that the sentence passed by the District Magistrate, in the case against the gentlemen mentioned above, was not only monstrous but had the appearance of being vindictive. With your permission, Sir, I read one sentence from the judgment referred to, and that is as follows—

“The learned Magistrate seems to have quite failed to remember a cardinal point in the matter of sentences that the measure of guilt is the measure of punishment which latter should fit the crime. Punishment of crime being now a function of the State is more preventive than retributive. The learned Government Advocate who appeared for the Crown very properly conceded the severity of the sentence and intimated that he had been authorised not to oppose a plea for reduction.”

You know, Sir, that Sayad Habib had been writing articles in his news-paper criticising the administration generally and the acts of the District Magistrate, Lahore, particularly, and consequently their relations had become strained. I will not say that Sayad Habib would not have been hauled up in the court under section 358 if he had not incurred the displeasure of the Deputy Commissioner, Lahore, but there is no room for doubt that he was awarded a sentence by the court of first instance which had the appearance of being vindictive. Government is at liberty to dub us extremists. It may not even act according to our suggestions. We do not mind that. But when its own officers point out serious defects in the administration of justice they ought to open the eyes of the Government. If Government has not determined to keep its eyes closed, it should take warning from what an Honourable Judge of the High Court has remarked while reviewing the case that came up before him in appeal. The case briefly is that about 9 years ago, a Tahsildar was killed by the residents of a certain village while he was busy in his campaign of recruiting soldiers for the armies. The Tahsildar was accompanied by one Taj Mahmud, a zaildar of another village. He also received many injuries at that time and escaped death by concealing himself in a mosque. Some of the persons alleged to have assaulted the Tahsildar were arrested there and then. They were tried and sentenced to different punishments. But the others absconded. These others were arrested in 1925, and Taj Mahmud, who was one of the eye-witnesses, was called upon to identify them. Taj Mahmud very naturally expressed his inability to say definitely, after this long period, whether he knew the persons arrested before or not. This expression of inability appears to have displeased the District Magistrate, and Taj Mahmud was consequently challaned under section 193, Indian Penal Code. From the judgment of the Honourable Chief Justice in this case in appeal we know what irregularities were committed by the trying magistrate, how many unjudicial acts he did and how he started with a bias against the accused. We know, too, that no facilities were afforded to the accused to properly defend himself, although it was his right to get such facilities. The magistrate went so far as to disregard the direction of the High Court in this connection, and instead of holding the trial of the case at the headquarters or at a place near the railway station, held it at a place nine miles farther off from the place which was not already easily accessible. Climax was reached when at one o'clock in the night judgment was pronounced, and the accused was taken in custody there and

then. It will not be out of place to quote another very instructive sentence from the same judgment, and it is as follows :—

"The Magistrate does not realise that he ceases to be an executive officer when he is sitting in court to try a criminal case ;"

But what do the magistrates actually do ? They hold private conferences with police officers for hours together before the commencement of the hearing of the cases before them. Even the boys in the street know that magistrates cannot dare go against the wishes of the police officers. Ask a villager and you will receive the same reply. I know from my personal experience that if any magistrate happens to be of independent views and does not act according as desired by the prosecuting officers, complaints are made against him to his superiors, and he is not allowed to remain posted at one place for more than two or three months at the most at a time. Under the circumstances how can you expect the magistrates to do justice unless they are answerable to higher judicial authorities alone ?

To recapitulate what I have said above, I may submit that this Council has been asking the Government for the last seven years for introducing this reform. I remember that a committee was also appointed by the Government in response to our request in order to investigate and report on this matter. But the report of that committee has never seen the light of the day. Granted that we are extremists and we hold extreme views, but with regard to the separation of judicial and executive functions even the most moderate men and the truest friends of the British Government, who, like some others, are not anxious to turn the Britishers out bag and baggage, have been making this demand by means of resolutions passed at the annual sessions of the Congress since the last 70 years. That Congress of the moderates is now dead and gone, but the the judicial and executive functions still remain combined in one officer. From our experience of the last 7 or 8 years we can safely conclude that Government is prepared to do only such things which suit its purpose. It cares more for its own interests than for those of the public. Before I close my remarks I would again emphasise the fact that if it is intended to do real justice, the judicial and executive functions must be separated. So long these functions continue to be performed by one and the same officer, it is but natural that he should fail to discharge his duties as a judicial officer properly. According to the Persian verse :—

در میان قهر دریا تخته بادم کرده ای باز می گوئی که دامن تر من هوشتار باش

you cannot expect an ordinary human being to keep clear of the temptations after you have thrown him into the midst of the raging river of temptations. Similar executive officers, being ordinary human beings, cannot be expected to disabuse their minds of all prejudices, when sitting in courts, which they may have come to form in the capacity of executive officers. It is, therefore, a matter of urgent necessity to separate these two functions. It will not cost the Government more than a few lakhs of rupees to introduce this reform, and I do not see any reason why Government should hesitate to spend that amount for this purpose. Let the Government know that we will not take rest until we have seen this reform introduced. With these observations I commend my motion for the acceptance of the House.

Mr. President : Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, my friend who has just sat down told us that from the national point of view we have been pressing for the separation of the executive and judicial functions for the last seven or eight years. It is not for seven or eight years but for seventy years that the whole of India has been crying for this reform, the reform of judicial and executive functions being separated. In no part of the world, not even in backward countries like the Frontier and Afghanistan, do we find that both the functions are combined in one and the same officer. It is against the law of justice that both the functions should be performed by one and the same officer. How can you think of him as a judicial officer in one moment and as an executive officer in another moment? Whenever there is a political agitation, you find that the District Magistrate, who is responsible for the good government of the district, gets hold of certain people and sends them on to a magistrate for trial. There is an uneasiness in the mind of that magistrate who has always to work under the orders of the District Magistrate, who in turn receives his orders from Government above. If a magistrate works under the orders of the District Magistrate, he has to obey the orders of his superior. He has to convict the men he is trying whether they are guilty or not, for if he does not, he earns the displeasure of his officer, the District Magistrate. Sir, I have been urging for this reform for the last four or five years, and Mr. Craik, the then Chief Secretary, told us that Government was in favour of this reform, but that it could not take any action for want of funds, and that as soon as funds permitted of it, Government would introduce the reform. Since that time many budgets have come and surplus budgets too, yet no action has been taken. I do not know why Government is not coming in line with the views of the public throughout India. The matter has been given so much importance that questions have been asked in the Parliament and in the Assembly as to the separation of executive functions from the judicial, and in spite of the fact that there is the universal demand all over India for the separation of the two functions, nothing has been done by Government. It is not that there is no money. We have had so many surplus budgets, and Government is this year asking for a further grant of ten lakhs for police. If there is enough money for police, why is not there any for the separation of these functions? If Government is honest, it should tell us what are the reasons why it is not acting on the recommendations of the Committee of which one of our leading members, Sir Abdul Qadir, was a member. I am told that the Report has not seen the light of the day. That sort of thing is done in all cases where the report is against the wishes of Government. When the report of a committee goes against the popular wishes, it is published without delay, but when a report is in favour of the popular views, then Government uses obstructive methods. We do not say that district magistrates should be dismissed, we do not say that police officers should be dismissed; all that we say is that district magistrates should cease to act both as executive officers and judicial officers. As an executive officer he is the head of the police, he is the collector, he is

the head of this department and that. You will find that from the moment a child is born up to the time he grows to be a man, the district magistrate has practically to do all functions which Government has to perform during the life-time of a man. You will find that he is the registrar of births as well. He possesses all the powers that were possessed by the Czar of Russia. He possesses the executive functions as well as the judicial functions, and I urge that those of functions should be separated.

Last time Government told us that in order to separate the two functions, we will have to get a number of Extra Assistant Commissioners. The number of Extra Assistant Commissioners has already increased by about two scores. There was a demand in this budget, there was a demand in the last year's budget and there was a demand in the previous year's budget also. During these three we have increased the number of Extra Assistant Commissioners by 36 or 34, and yet we find that with all that increase Government has not done anything to separate the two functions.

My learned friend has drawn the attention of the House to the judgments of the High Court to show the evils of keeping the two functions together. As an ordinary citizen of this country, who has to deal with officials, I know that hardly anybody can go against the authority exercised by the Deputy Commissioner. Nobody can dare raise his finger against the order of the Deputy Commissioner, not even a political leader nor even municipal committees, simply because everybody is afraid of the Deputy Commissioner. In the backward districts the very personality of the Deputy Commissioner is greater than that of the Czar of Russia. The Deputy Commissioner is the distributor of honour, distributor of land, distributor of everything, in fact he is the creator of everything. How can a poor man dare raise his finger against the order of such a Deputy Commissioner? The District Magistrate can openly flout the orders of the High Court. You will find from the judgment that the High Court demanded that cases should not be tried outside the courts. How was that order of the highest judicial authority in the province answered? It was flouted by the District Magistrate. That is an eye-opener to Government. I know Indian Civil Service officers in this country are very honest and hard working. I don't want to condemn the service as a whole and many of them are above board. But there are some bad men in this service also. We can not be sure of the liberty of this country, unless and until these two functions are separated once and for all. I ask the Honourable the Finance Member, how it is possible for the small Kapurthala State to separate the two functions. Has the separation of the two functions disturbed the power or rule of the Maharaja? If the two functions can be separated in such a small State as Kapurthala, if they can be separated in Hyderabad, if they can be separated in Baroda, if they can be separated in so many other States, what has happened to British Government with all the forces and armies at their back that they cannot have the separation of the two functions? The only reason for not effecting the separation is that the prestige of the services depends upon these two functions being together. It is nothing but a question of prestige. I am sure the Government of this country has as much at heart the desire to do justice as any other government. But it is the question of prestige, the question of white *versus* black which like a nightmare is keeping them from

[Shaikh Muhammad Sadiq.]

separating the two functions. If the Government will take the people into their confidence and separate the two services, I am sure a lot of agitation will cease, because after all good government is essential for every country, whether the people there are black, brown or white. We know people who have given their life blood for the Government, people who are loyalists and yet when their turn comes they are not treated any better than those people who are supposed to be seditionists. The position is often worse in the case of loyalists. A man who is an agitator, a man who gets his case in the papers, a man who gets to the platform can save himself in some way. But poor loyalists who have always helped the Government in difficulties have no chance. I want the loyalists to get as good a treatment at least as the one who does propaganda against the Government. If that is done, then as far as the present circumstances go, they will never be seditionists.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu): Sir, I have not risen to deliver a speech but simply to ask one question from the Honourable the Finance Member. Some honourable members of the House have made particular mention of the three magistrates of Lahore, Shabpur and Ambala, whom the Lahore High Court have adjudged to be incompetent and incapable of performing the duties entrusted to them. Their case, however, is not a solitary exception. If the law reports are thoroughly ransacked, many more well be found to be equally inefficient, and it is by a mere chance that the cases decided by them came to the notice of the High Court and it passed the strictures referred above. But what I want to enquire is this, whether these magistrates have been promoted or reverted, whether their rights have been enhanced or curtailed, and I hope the Honourable the Finance Member will be kind enough to answer this query. With these few words, I support the motion.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), Urban]: Sir, I beg to support the motion and I do not think the honourable members of the Government even would oppose it. In all civilised countries we see that the judiciary is kept separate from the executive. Now that the Government wishes to introduce self-government here, now that the Government wishes to develop the country towards self-government, I think this is the first step that the Government should take. Instances have been cited before you as to how the members of the executive government behave towards the subjects. I admit this is a sad commentary upon the Indian magistracy, upon the Indian members of the service, but we cannot help bringing before this House the extremely deplorable condition of the magistracy, the way in which they are pressed under the thumb of the chief executive officer and the way in which justice is being mutilated outside in the mufassil towns as well as in the presidency towns. As a lawyer I have personal experience as to how the members of the executive service behave. In all criminal cases our heart is cut to the quick when we see a magistrate, a responsible gentleman, a man of light and learning, a man of education being afraid of the District Magistrate who is occupying the room next door. He does not release the accused persons on bail simply because he considers that the District Magistrate would be offended, that the police would be offended, that the sub-court inspector would take it into his head to complain

against him to the District Superintendent of Police. Imagine the condition of an additional District Magistrate, a post-graduate of the Punjab University, a man getting one thousand rupees per month being afraid of a head constable or the naib-court inspector who is attached to his court and gets Rs. 20 per month. Sir, one of the chief functions of every civilised government is the administration of justice. This is, in my humble judgment, far more important than even the maintenance of peace within the country. It is only in this way that peace is maintained. If the members of the subject race sincerely believe that no justice could be obtained, that would be sowing the seed of disaffection in their hearts, that would be one thing which would discredit the Government in their minds, and when all these things are collected together, then out of that seed will grow that strong tree which cannot be shaken. In my humble judgment it is such cases, such instances that bring the Government in disrepute. If we make these statements before the honourable members of the Government it is in their interest, it is out of sympathy with the present administration and it is not in a spirit of opposition. Honourable members who have seen the issues of the *Tribune* dealing with the *Siyasat* case would remember that in each and every issue some sort of complaint is being made against the magistracy. I do not advocate the cause of that paper. I do not hold that it is justified in all its attacks. But I do insist upon this, that after all this man's faith in the justice of the executive has been shaken on account of the doings of the magistrates. If every accused goes to the court with this belief, I submit that this would be the most lamentable day for the country. The accused person is as much entitled to the sympathy of the executive government as the most innocent person living on the face of the earth, because his guilt has yet to be determined and if his guilt is to be prejudged, if the magistrate who tries the case is preoccupied against him, then there is no safety for even the most innocent man on earth. I have already submitted before this House that the principle advocated by us would even be recognised by the honourable members of the Government. Almost all of them who have occupied executive offices, know for themselves what restrictions they were imposing upon their subordinates when they occupied those offices. They know for themselves what feelings of submissions they found among their subordinates when they occupied that chair. I am of the firm opinion that backed by the personal experience of theirs they would be bold enough to support this motion which seeks to separate the administration of the judiciary from the executive. Expenditure cannot be an excuse for not accepting a motion that is being made by the non-official members of the House. You can find several avenues of income, you can effect savings in several items of expenditure. When a reform is being urged it should not be shelved aside simply because the honourable members of Government find it inconvenient to reduce the expenditure in some lavish or extravagant department or they do not find it convenient otherwise to introduce the reform which is highly necessary. With these remarks I beg to support the motion of the honourable mover.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, the honourable member from Amritsar has asked me frankly to state why the recommendations of the committee which was appointed after the passing of the resolution in 1921 have not been acted upon. I will attempt to let him know the facts to the best of my ability. But before I do

[Hon. Sir Geoffrey deMontmorency.]

so I should like to speak just for a moment on the special cases which were quoted by the honourable mover of the cut. He quoted some observations of the Sessions Judge of Lahore. He did not, I think, if I heard him accurately, quote them correctly. He said that the Judge wrote that the sentence was vindictive. The actual words of the Judge's orders are, I think, that "the sentence has the appearance of being vindictive". The judge was more judicially minded I think than the honourable mover of the cut. (*Hear, hear*). I agree that the Sessions Judge's observations had sound basis and should be communicated to the magistrate and as far as I am aware they have been communicated to him through the District Magistrate.

In the second case, the Taj Mahmood case, the animadversions of the High Court on the action of the District Magistrate have been communicated officially to the latter through the Commissioner and his explanation has been sought on several points. When his explanation has been received Government will come to their conclusions (*Hear, hear*).

As regards the Ambala case, the honourable mover of the cut mentioned the judgment of the Honourable Justice Tek Chand regarding the action of an Ambala magistrate, but he did not read out extracts from the judgment nor did he say who were the parties and therefore I am uncertain as to the case to which he referred or what particular strictures or animadversions he had in his mind. He will perhaps give me further information on that point.

Pandit Nanak Chand : It is Crown *versus* Chiranji Lal.

The Honourable Sir Geoffrey deMontmorency : I seek my information from the gentleman who actually mentioned the case to tell me what case he had in mind. Well, Sir, that is how it stands as regards the three cases. Now, Sir, I will attempt to reply both to some of the observations made by the honourable member who moved the cut and to the honourable member for Amritsar. The honourable member for Amritsar asks me why no action was taken on the recommendations of the committee which was appointed in accordance with the resolution passed in this House in 1921 and which made the recommendations about the separation of judicial and executive functions. I may say at once that why no action was taken at the time (that is immediately after the recommendations were received) was because in the first place there was great financial stringency at the time and in the second place the province was suffering at the time from a serious wave of crime and it was considered inadvisable to weaken any power which the Government had at the moment for checking this extraordinary wave of crime. There were subsequent debates in 1925, 1926 and there was a debate last year too—I think the mover of the later motion was Sardar Ujjal Singh—the motion on that occasion being withdrawn by leave of the House. Meanwhile recommendations of the committee had been carefully examined by the Government. Government, quite apart from any financial questions, did not consider that the actual scheme put forward by the committee was a very practical or a comprehensive scheme. Nor, which is

much more important, did they think that it would really put into practice the principle of separation of executive from judicial functions. In order to explain this conclusion, I may refer to a few portions of the actual report of the committee.

The committee in one portion of their report said that they were of opinion that "the control exercised over the subordinate magistracy by the District Magistrate should be transferred to an officer who might be styled Senior Magistrate". Then, they went on to say in another place "My committee consider it important that the Chief Executive Officer in each district should retain most of the preventive functions of the District Magistrate and he should be styled District Officer or Chief Executive Officer of the district".

The report goes on to say :—

"He (that is, the Chief Executive Officer of the district) would not be in any way subordinate to the Senior Magistrate, but he would retain all the powers with which he is invested by the Code of Criminal Procedure for the preservation of law and order and for the promotion of enquiry into crime."

And he added :—

"We take it that in times of stress, the District Officer, in his capacity as chief of the police, must have power to direct the movement of the subordinate magistrates."

Well, Sir, the Government felt that this was a somewhat mixed up plan. We ought to have a Senior Magistrate and at the same time we were told that the senior executive officer though he was not to be the Senior Magistrate must continue to be invested with practically all the preventive powers under the Code of Criminal Procedure which the District Magistrate now possesses and that he must have the power of directing the movement of subordinate magistrates in times of stress. It was also considered that the state of crime in the province did not render the adoption of the particular cure advisable. I will return to that later, though the scheme as a whole could not be adopted. Some of the matters on which the committee made recommendations have, however, been carried out. One step was the separation of the Provincial Civil Service (Judicial) from the Provincial Civil Service (Executive). That has now been completed. The trial of civil cases is now in the hands of an agency that has no connection by recruitment or training or working with the executive side. I may here observe that I have noticed that in some quarters of this House, at any rate, as far as recruitment is concerned, some members do not appear to consider this an altogether satisfactory plan.

The second step was the withdrawal of magisterial powers from departmental officers, such as officers of the Irrigation department, officers of the Forest department, etc. This has been done. We have also, as this House has no doubt learnt from the lengthy answer to a question which I read out the other day, divided off in the districts the P. C. S. officers who do executive work from those who do magisterial work. I do not claim that this is a very effective step in the separation of executive and judicial functions, but I do claim that it provides in each district a number

[Hon. Sir Geoffrey deMontmorency.]

of magistrates who specialise in trying magisterial cases and who are not disturbed in the trying of them by any executive duty; and from that point of view this arrangement is of great convenience to the litigants and witnesses and those concerned in criminal cases and tends towards efficiency in criminal work.

Government has no preconceived bias against the principle of separation of judicial and executive functions (*Hear, hear*). It is obviously right in principle. Government retain an open mind on the subject as to how far it can be given effect to. There are very strong theoretical arguments in giving effect to it as far as possible, but before Government commits itself whole-heartedly to the introduction of the principle it must be satisfied that in practice the conditions of the province at the present time warrant an unbridled application of the theory. We have to face facts; and it is not sufficient merely to concern ourselves with comfortable theories, however sound they may appear. Government is responsible for law and order. It is responsible for the protection of life and property; and for the discharge of those responsibilities in existing conditions the present system on the whole works with considerable degree of expedition and efficiency and success. If crime were a negligible factor in the Punjab, we might perhaps at once experiment more fully with the theory and let the criminal administration proceed on rather slower and more strictly judicialised lines. But crime is not a negligible factor in the Punjab. We have been through a quinquennium in which there has been an unprecedented wave of serious crime. Omitting petty crimes, the figures for classes 1 to 5 of cognisable crimes in the police annual report show that since the year 1921 there have always been more than 30,000 cases in these five classes a year. In 1922, these cases reached a very high figure of 37,000. There were 30,000 odd cases in 1926, which is the lowest year of the quinquennium. Now, Sir, true cases of murder have varied from 748 in 1923 to 600, the figure for 1926. Dacoities touched a total of 349 in 1922 and were reduced to 168 in 1926. Burglaries in 1926, the best year of the quinquennium, still stand at about 15,000 cases. Although recently the efforts of the administration had a marked effect in reducing crime, yet crime has not reached those conditions of normality where we can afford to experiment with abstract principle, however, excellent it may be. I am afraid that we must come to the conclusion for the present at any rate that the time has not come to declare—and this is really what separation means—that the District Magistrate should no longer exercise any judicial functions, appellate or original, and that he should not have that measure of control over the courts which he has under the Criminal Procedure Code at present.

Shaikh Muhammad Sadiq : What is the use of appointing the Simon Commission?

The Honourable Sir Geoffrey deMontmorency : There is another unfortunate feature, to which I would like to refer, in recent conditions, and that is the communal disturbances. If we had any general ground for thinking that the latter were merely isolated, infrequent or localised, it would be unnecessary to mention it, but unfortunately, I think we must consider them as a chain of phenomenon which has been troubling the peace of the

province for some time past. The wave of disturbance began in Multan in 1922, in Muharram riots, in which seven persons were killed, 49 wounded and damage to property was caused, amounting to three lakhs of rupees. Serious disturbances followed in Amritsar in 1923 which had an echo in another crop of disturbances in Multan. In July of the same year, communal disturbances followed in Panipat, resulting in injuries to a large number of persons. In the following year at the time of *Holi* there were outbreaks at Chiniot in which 64 persons received injuries. The year after, Panipat again gained the unenviable notoriety with 40 cases injured.

Next, early in 1926, the scene shifted to Rewari where the toll was one death and 12 cases of wounded. More serious still, there was an outbreak in July of the same year in Rawalpindi, resulting in 16 deaths and a large number of wounded and very extensive damage to property. The Lahore riots of May 1927 are still fresh in our minds with their terrible record of 27 killed, 272 wounded, followed by communal agitation in July during the Muharram at Multan, resulting in 13 deaths and 24 persons wounded. Assaults went on in Lahore during the remainder of the hot weather and at many other places in the province tension was at boiling point. Activity on the part of one community or the other with counter activity in retaliation kept on producing a situation which only the most incessant, vigilant and prompt action on the part of the District Magistrate and the co-ordination by him of the efforts of officials and non-officials prevented from developing into a holocaust. I am not exaggerating when I refer to these episodes in which there were no actual clash. I need not give many instances in detail: but among other instances are the finding of the head of a calf in a *shisala* in Gurdaspur, of a mutilated Muslim corpse floating in the tank at Amritsar and of the desecrated Granth Sahib in a village in Jhang. These are the circumstances in which a year of anxiety came to a close. I would ask whether this is the time for making a change and abolishing a system which can unify action, issue prohibitory orders, and direct preventive action, which can at times of necessity call on the military or send for police reserve and which can direct a magistrate to accompany a procession and allot other necessary duties to the magistracy. We have had enough cases of actual disturbances but far more important perhaps are the very numerous cases in which arrangements under the present procedure actually prevent disturbances (*Hear, hear*). Now, I think for the present, we must face the facts and hold that as conditions stand in the Punjab at present the situation is not ripe for a more universal or more extensive application of the theory of separation.

Shaikh Muhammad Sadiq: Sir, I want to know whether the report from which the Honourable Finance Member has quoted has ever been made public.

The Honourable Sir Geoffrey deMontmorency: I cannot tell you whether it has been published, but copious extracts from it have been quoted in this House at different times. Please see the debates of the 20th of March 1925.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, the Honourable Member for Government, Sir Geoffrey deMontmorency, has accepted the principle of separation of judicial and executive functions.

[Lala Mohan Lal.]

We are told that Government believes in it, but all that I can say is that the arguments which have been put forward by Government Member are like a pill coated with sugar. Sir, we are told that Government cannot separate the judicial and executive functions because crime in the Punjab has not decreased and because those who have to judge whether the time is ripe or not for the separation of the functions are of the opinion that the separation cannot be done as time is not yet ripe for it. Sir, the fact is that nobody likes to lose his powers. I personally feel that to keep district magistrates as the heads of districts and also to keep them in charge of the police is incompatible with the first principles of justice. Sir, I cannot believe that magistrates who are subordinate to District Magistrates and whose whole career depends upon their pleasing them, can be free from bias and do not take seriously into consideration what the wishes of the head of the district are. Can Government say that it is not a fact that in certain cases the District Magistrates themselves have not prejudiced the magistrates against certain local people? Is it not a fact that those very people are challaned by the police? In my opinion, crime will decrease if these functions are separated and the District Magistrates are deprived of the present powers. Once the powers are taken away from the District Magistrates, the magistrates will begin to feel that the District Magistrates are not their *mán báp*, and they will become more independent and do better justice than they do at present. I am of opinion that if the judicial and executive functions are separated, their position will remain the same and the feelings which exist at present in their mind will vanish.

Then I want to say a few words about crime. In my opinion, you can never remove crime altogether from any country. It will remain for some reason or other. If there is a famine in a country and people are economically affected, I believe there is crime. In the Punjab, where there is a scarcity of women, on that account sometimes crimes are committed. Then there is the evil of drinking. The other day I was reading an account of the arrest of well known dacoits who were captured in Sheikhpura or Kasur. I forget their names (A voice: *Malan, a and Udho, Brahman*). They were captured because they were dead drunk. Had they not been drinking they would not have committed offences and the police would not have been able to get hold of them. When we come to this Council and tell Government that excise policy is not sound and there should be prohibition, then Government says it is not possible. When we refer to crime and we ask that the judicial and executive functions should be separated, we are told that there is crime and therefore it cannot be done. With regard to communal disturbances I am ashamed to say that Hindus and Muhammadans are breaking each other's heads, more in the Punjab than in any other part of the country. In my opinion, this also is a temporary phase and I have got a firm conviction that after we have broken each others' heads for some time and have committed crime for say even five or ten years, we will come to our senses and we shall seriously think as to what we should do for the national good, we shall then put our heads together and find out a solution for good government.

We are told by Government that because all these things are happening, the separation of the functions cannot take place. I do not believe in

that. I want to submit to Government that it should try the experiment of separating the functions in any one apart of the province where crime is less, and see how far the new system works. If after a trial has been given, Government finds it impracticable, we will be convinced of our mistake. Try the experiment in one particular part of the province and wait for the results. If the system is successful, then extend it to the whole province. If it is not successful, drop it. It is no use just saying that crime is on the increase or that it has not decreased and that time is not ripe for the new system of separate functions to be given a trial.

Then the Honourable Member for Finance cited various instances in which riots took place in Multan, in Chiniot, in Lahore and in other places. As I submitted in the last session also, I think Government is also partly to blame in the sense that they do not take immediate steps to see that agitation over a certain matter is checked in time. I believe that as soon as an agitation is set on foot, Government should take hold of the big heads and take them to task. But what does Government do? It watches one meeting and takes no action against those who are holding the meeting. People are encouraged and there is another meeting held and another soon after, and it is only then that Government begins to think that the disease is spreading and that, therefore, it should take some action. By that time the mischief is already done and then, as I submitted last time, those who are responsible for the mischief go scot-free while poor people, who are excited at the moment and who commit certain offences, are challaned by the police and sentenced. I submit again that Government should give a trial to the system of the separation of the executive functions from the judicial in a part of the province where there is less crime. If the experiment is found to be successful, it can be introduced into the rest of the province. With these words I support the motion moved by my honourable friend.

Sardar Buta Singh [Multan division and Sheikhpura (Sikh) Rural] (Urdu): Sir, it is a matter of great pleasure to me that to-day all the non-official members of this Council irrespective of their religious and political creeds have decided to close their ranks and present a united front to the Government on the motion before the House. I tender them my heartiest congratulation on this unity and trust their ranks will remain closed despite the best endeavours of their opponents to the contrary. Sir, the question of the separation of the executive from the judicial has agitated our leaders from the beginning of the British rule in India, and they have always striven to bring about the separation but their efforts in this direction have always been frustrated by the British. This is exactly similar to the case of a person who happened to go to a certain fair. When other people inquired from him as to what did he see there he said—

میرے دیکھنے سے یہو رے کہیں

and when they asked him as to what befell him, he remarked that blows were given and blankets were forcibly snatched away in the very first instance. Now, Sir, the question arises 'why does the Government oppose the separation of the executive from the judicial.' The answer to this query is not far to seek. Whenever the Government seeks to crush the public opinion and give full sentences to the wellwishers of the Motherland, it resorts to these officers who are given

[Sardar Buta Singh.]

both executive and judicial powers. For example, take the cases of congress volunteers and of the akali movement. They were declared members of an unlawful association and full sentences were awarded to them. Similarly during the Guru-ka-Bagh movement the Jathas were awarded full sentences against the dictates of justice and equity. The magistrates had been ordered by the executive to give full dose of punishment to any and everybody brought before them and they dared not go contrary to the wishes of their superiors in whose hands their promotions and future careers rested.

The Honourable the Finance Member has conceded that the principle underlying the motion is a sound one, but he cannot accept the motion because in that case there will be more rioting and bloodshed in the province and as they are to keep law and order in the province, they cannot in consequence subscribe to it. But, Sir, this is a mere eyewash. When the Government admits the soundness of the principle why should it not give effect to it? I was a student of History myself. I know from personal knowledge that no communal strikes disfigured the fair name of India during the Hindu and the Moghul periods. These communal disturbances have come in the wake of the British rule in India, and in fact it is due to their and their agent's activities that rioting and communal quarrels have become a feature of India. If another testimony is needed to corroborate my statement, I draw the attention of the House to Professor Seeley's "Expansion of England" in which it is expressly laid down that "divide and rule" is the only principle, by acting on which we, the English, can maintain our grip on India. Hindus, Sikhs and Musalmans are brothers. If the agents of the Government do not provoke these communal fights, we will never hear of them. The Government should realise its duty and give effect to the motion and the question of financial stringency should not deter them. I, for one, would gladly pay any tax levied on this account, and the people will be grateful to the Government for the same.

The Government, it seems is anxious to eradicate crimes in the province but as the honourable member from Simla has remarked, it does not subscribe to the policy of total prohibition as being impracticable, which is in fact the root-cause of crimes. Can we, therefore, say with any justice that Government desires to promote the welfare of the people and have no ulterior ends of its own to satisfy.

Again, Sir, it is a fundamental principle of administration of justice that the complainant and the dispenser of justice should not be dependent upon one another and even a slight contravention of this principle leads to a grave miscarriage of justice. As a lawyer I daily see such instances and know from personal experience that a mere Head Constable of police can twist the magistrate round his little finger and the latter dare not bail out the accused without the concurrence of the Deputy Commissioner and the police officials. In my own district at least one meeting is held every month attended by the Deputy Commissioner, Superintendent of Police and the magistracy of the district, and in that meeting the policy to be followed is chalked out and all the magistrates especially those who have risen from Tahsildarship or are on probation, carry it out to the letter. Only recently I requested a magistrate to take up my case as I had to go to the Council, but he refused.

to do so because he had to consult the Superintendent of Police in another case. Under these circumstances, can we expect independence from the magistracy which is so essential for the administration of justice. The Simon Commission has come to India, what it would give us, we can realise from past experience. It is high time for the Government to listen and redress our grievances and we are ready to lay them before it. With these remarks, I extend my heartiest support to the motion and associate myself with all that has been said by my predecessors.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan) Rural]: Sir, it is a fundamental principle of good administration that every effort must be made to maintain the confidence of the people in the courts to which the administration of justice is committed or entrusted. That is a principle which must never be lost sight of. The complaint which has been made unanimously, so far at any rate, by the non-official members of the House is that by continuing the administration of judicial and executive functions in the same hands Government contravenes this principle to a very serious extent. The mischief pointed out is that whatever may be the administrative advantages of the present system or the policy underlying it, to a lay man it is a source of dissatisfaction that the same officer should be the head of the prosecuting agency and should also sit in judgment in order to decide whether the prosecution should or should not be upheld. So far as the pleas which have been put forward with regard to suppression of crime and the prevention of crime are concerned if it were demonstrated to this House that any powers were legitimately and *bona fide* required by the Government in order to enable it to prevent or suppress crime, I am perfectly certain that everybody on this side of the House would be willing to entrust Government with such powers. But merely to say that because there is crime, therefore, certain evils should continue appeals to nobody. For the purpose of suppression and prevention the House would be willing to support Government, but if in the remedies suggested by Government there is the least apprehension of oppression, injustice, unfairness or high-handedness Government cannot expect this House to support it. Instances have been cited before the House by honourable members who have spoken in support of this motion of what District Magistrates themselves conceive to be their duties and what they regard to be their position. Those are not pointed out as isolated or exceptional incidents. If that were all, the plain answer to that would be that mistakes are made by everybody, judicial officers as well as executive officers. But the complaint is this that District Magistrates have duties to perform as heads of the prosecuting agency which very often put them in a false position with regard to their judicial duties; that their duties as heads of the prosecuting agency are in conflict with their duties as heads of the magistracy. That is the complaint. The famous judgment of the High Court in *Taj Mahmood versus Crown* has been cited to point out in what manner a certain District Magistrate acted in his judicial capacity. The point which I wish to emphasise with regard to that judgment is this: not as to what irregularities that particular District Magistrate committed, but what did that Magistrate consider his own duties to be. Government might assure us that there is no sort of pressure brought to bear by the prosecuting agency upon the magistracy, but if the magistracy themselves consider that there is such pressure and not only

[Chaudhri Zafrullah Khan.]

that there is such pressure but that it is their duty to convict as the result of such pressure, that argument of the Government falls to the ground.

4 P.M. Now, in answer to certain allegations made by the appellant in that case against the District Magistrate, the District Magistrate was given by the High Court an opportunity of submitting his explanation.

With regard to the complaint that this District Magistrate used to hold consultations in his private room with the Public Prosecutor, and the Court Inspector before taking up the case in court and also that on certain occasions he held consultations even with prosecution witnesses before they were examined in court as witnesses, the answer given by the District Magistrate was "Yes. I did so. I am the head of the prosecuting agency. It is my business to see that the case is properly put before me by the prosecuting agency, in order that my time may not be wasted in recording unnecessary depositions, I used to hold consultations with the prosecuting agency and with witnesses in order to see that the evidence was properly placed before me." He did not add, what he could have very validly added, "in order that the evidence should be properly placed before me to enable me to arrive at a conviction." He was not trying that the evidence should be placed before him in order to enable him to come to a fair conclusion. The whole of his judgment shows that the conclusion he had already arrived at was that the accused should be convicted. He did not want that his time should be wasted in the course of the trial by anything said which was not relevant to his purpose, namely, to convict the accused. Now, Sir, this is the case of a European gentleman, a member of the sacersanet service, a senior officer of many years' judicial experience, and this was what he conceived to be his duty. There is no question of an enquiry on this point. His explanation is there. It has been quoted by the Honourable the Chief Justice in his judgment. The District Magistrate says that as head of the prosecuting agency it was his duty, even in a case which he was himself trying to consult the witnesses.

The Honourable Sir Geoffrey deMontmorency : His explanation was not there.

Chaudhri Zafrullah Khan : His explanation is on the judicial file. On this point, I have been quoting only from the judgment. The purport of Mr. Macnabb's explanation is that as head of the prosecuting agency it was his business to see that the case was properly worked up, and that evidence was placed before him in a manner which should not waste his time. I again repeat that that is so. Another instance which I am going to narrate would perhaps convince the Government as to what their senior magistrates conceive their duties to be. Some years ago a Sub-Inspector of Police—and lest the Honourable the Finance Member should say that particulars are not given, I may inform him that his name is Inayat Ullah and he is at present posted in the police lines at Dera Ghazi Khan—some years ago that unfortunate Sub-Inspector of Police was prosecuted for bribery. Two cases of bribery were instituted against him in the Shahpur District. Mr. Macnabb was the District Magistrate there. Certain incidents occurred in the trying magistrate's court which raised an apprehension in the mind of the accused that he would not get justice in the Shahpur District and he

therefore made an application to the High Court that his cases may be transferred for trial to some other district. The cases were accordingly transferred to the neighbouring district of Jhang. Now, on the surface at any rate, the police in these cases was prosecuting a member of their own force for corruption and bribery. Very good. The District Magistrate, ordinarily, would not concern himself with it. The Magistrate at Jhang who tried the two cases discharged the Sub-Inspector in one case, so that with regard to that case we understand that not even a *prima facie* case was made out against him. In the other case, a charge was framed but the accused was acquitted and the trying magistrate issued notice to the prosecution witnesses in that case, who had given evidence against the Sub-Inspector, to show cause why they should not be prosecuted for perjury for having given false evidence. I would ask the Government whether it is not a fact that the District Magistrate of Shahpur, Mr. Macnabb, sent a telegram to the District Magistrate of Jhang asking him to request the Magistrate to stay his hand with regard to the prosecution of these witnesses, because the District Magistrate of Shahpur wanted to move the Government to arrange to defend these witnesses, who had given false evidence, according to the Magistrate who tried the case. I would ask the Government whether it is not further a fact that either because the telegram arrived too late or for some other reason the Magistrate nevertheless passed orders for the prosecution of these witnesses, and an appeal was preferred on behalf of these witnesses, whom the Crown, as represented by the District Magistrate of Jhang, wanted to prosecute for perjury, at the expense, certainly at the instance, of the Local Government through the District Magistrate of Sargodha. That appeal was heard by the Sessions Judge of Lyallpur and there was this curious spectacle before him, that whereas the Public Prosecutor wanted to uphold the order for prosecution of these witnesses, private Counsel instructed by the District Magistrate of Sargodha opposed this order and wanted that these witnesses should not be prosecuted. That was done at Government expense. That appeal was accepted and those witnesses were not prosecuted. What particular interest did the District Magistrate of Sargodha have to prevent these witnesses from being prosecuted? It may or may not have been the business of the Superintendent of Police who may have procured these witnesses to give evidence, according to him, true evidence, in the magistrate's court at Jhang. The point is this. The District Magistrate of Sargodha made himself practically a party to these cases and when he found that the bribery cases against the Sub-Inspector had failed he was anxious, and he went out of his way, to prevent the prosecution of these false witnesses for perjury. But, Sir, the matter did not end there. Immediately after the Sub-Inspector was acquitted a case was instituted against him for perjury, for having made a statement, an alleged false statement, in a case long prior to the institution of those two bribery cases. Why was he prosecuted in respect of this statement of which neither the District Magistrate nor the Superintendent of Police had taken any notice for over two years or even for a longer period? Was it because this particular District Magistrate was upset over the fact that the bribery cases had failed, and therefore something else must be brought against the Sub-Inspector? It was in pursuance of this that the trial for perjury started. That case, again, fortunately for the Sub-Inspector, was transferred by the High Court for trial from

[Chaudhri Zafrullah Khan.]

Shahpur district to the Lyallpur district. The Sub-Inspector has again been acquitted. This is the sort of thing that happens with a Senior Magistrate experienced in law who is expected to be unbiassed. Why does it happen? It may be one of the instances of that "expedition, efficiency and success" with which crime is, according to the Honourable the Finance Member, prevented or suppressed. If that is an instance of efficiency, expedition and success, I am afraid I cannot congratulate either the Honourable Member or the Government on such "expedition, efficiency and success."

As to the subordinate magistracy, is it not a fact that the police have to report as to whether they should or should not get higher powers? Will the Government deny that the Superintendent of Police has to make remarks with regard to the judicial work of magistrates in his district and that these remarks are taken into consideration when the question comes up whether any particular magistrate should or should not be invested with higher powers? Does not the Superintendent of Police sometimes remark, "weak in convictions" against a Magistrate and sometimes "lenient in sentences" and if that is so, would it not stand to reason that however honest a magistrate may be, however impartial and however independent he may wish to be, he has got to propitiate the Superintendent of Police of his district before he can obtain from third class to second class, or from second class to first class or from first class to section 30 powers? I have nothing to say against the police as members of the police or against the magistrates as magistrates, but my complaint is that this mixed system brings these two distinct, entirely distinct, separate and conflicting kinds of duties into opposition with each other and it becomes an extremely difficult matter even for the most honest and most upright man to decide at a particular moment as to which duties he shall give preference to, his duties as head of the prosecuting agency or his duties as head of the magistracy.

Sir, I am very glad to find in the Honourable Finance Member's speech to-day that he does not plead the inability of the Government to give effect to this reform on the score of expense. All that he said in that connection was that immediately after the committee's report, there was financial stringency implying thereby that that is no longer so. As a matter of fact that is correct. In the first instance, the Government could not have said that while they have asked this House—and the House will very probably agree to it—for an eventual sum of Rs. 16 lakhs more and in the current year Rs. 9 lakhs more for the reform of the police, the House would not have been willing to vote and the Province would not have been able to afford a few more lakhs for the absolutely necessary reform of the separation of judicial and executive functions. That could not have been said. Therefore I am very glad that it has not been said. But even if that plea had been put forward, I fail to understand why extra expense should be incurred in separating judicial and executive functions. If the duties to be performed, if the work to be done, shall continue to be the same, the mere fact that certain classes of officers shall not do a certain class of work should involve no extra expenditure at all. Even if it does involve any extra expenditure, that should be scarcely felt by the revenues of the province. Why the Government is not prepared immediately to give effect to this reform is,

in the words of the Honourable Member himself, that "it would weaken those powers that Government have to check the extraordinary wave of crime which is running through the Province." Now, Sir, that was a very damaging admission for the Honourable Member to have made. The whole series of statistics which followed merely made that statement worse. As I understand it, the position of Government is this: There is a good deal of serious crime in the province at present. It is not contended that the present system prevents such crimes.

The Honourable Sir Geoffrey deMontmorency: It does.

Chaudhri Zafrullah Khan: Or checks them. That is the business of the police. But it is claimed that when crimes are committed, the present procedure is such and the present system is such that it enables the Government to punish the offenders with greater expedition and greater success that is to say, put in plain language, the Government is able to obtain a larger number of convictions more easily and more rapidly and is able to obtain the infliction of severer sentences than it would be possible for the Government to do if judicial and executive functions were separated.

If that is the argument, then it is the strongest argument in support of the plea that the two functions should be separated. In what other way, Sir, is it claimed that crime would increase or that the procedure would be slower? Why should it be supposed that when the District Magistrate is the head of the prosecution agency, there are more rapid convictions and the procedure is faster than would be the case when magistracy would be entirely independent? Why should the procedure be slower in the latter case? If that is the plea of Government that it would be slower, there are many ways of expediting the procedure even when there is an independent magistracy. In England the procedure is much more rapid than in this country and yet nobody has ever heard that the head of police magistrates in London is the Commissioner of Police, nor has anybody ever heard that in order to have larger powers a police magistrate has to obtain the approval of Scotland Yard, and yet there is no complaint that the administration of criminal justice is not expeditious or effective. The whole of the argument of the Honourable Member in this part of his speech in itself constituted a strong condemnation of the present system and is a plea for the speedy introduction of reforms. In what way the present system enables the Government to combat serious crime or communal disturbances has not been explained except this that it enables the district magistrate to depute magistrates to attend processions. If magistrates attend processions for the purpose of seeing that certain persons are creating a disturbance and that thereafter they should sit down and perform the functions of the prosecutor, witness and judge, that is an abuse which ought to be remedied and not a matter on which Government should congratulate itself. If magistrates are required in order to direct unlawful assemblies to disperse or in order to read out the Riot Act or in order to requisition the Police to open fire upon unruly crowds, those duties could still be performed when the magistracy is independent, and I have not the slightest doubt that in all such cases the services of the magistrates would be available as they are available in all other countries where the magistracy is independent.

[Chaudhri Zafrullah Khan.]

Before I sit down, Sir, I wish to correct a remark which was made by the honourable member who spoke before me. He quoted Professor Seeley as having attributed to the British the policy of divided and rule, and as having stated in his book "The Expansion of England" that as long as they can manage to keep the Hindus and Muhammadans fighting together, they can rule in India, and that therefore they should go on trying to keep the two communities fighting with each other. I do not know whether that is the policy of Government, though it is very often alleged that it is and even Latin maxims are quoted in support of it; but Professor Seeley said nothing of the sort in his book. I happen to have read the book too, although it was nearly twenty years ago, and my recollection of that part of the book is this: Professor Seeley says that Indians have got into the habit of treating the British as their friends and of treating each other as enemies. So long as they continue to adopt that attitude they will never be independent; so long as they do not learn to treat each other as brothers and to treat the British as outsiders, they will continue to be subordinate to the British. I do not know whether that again is a correct doctrine or not but as I understood that a statement was being attributed to an author which certainly in that book I never found to have been made by him, I considered it my duty, having had some recollection of the matter, to correct the honourable member who made that statement.

With these remarks, Sir, I support the motion before the House.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir, the Honourable the Finance Member has admitted that in principle the separation of judicial and executive functions is sound and the scope of discussion has, therefore, been narrowed. Now the question remains why it has not been given effect to. The Honourable the Finance Member advanced a number of arguments in support of his contention that the separation of judicial and executive functions is not desirable from the practical point of view. But I submit, Sir, that these arguments have not appealed to me. To my mind they do not appear to be well-founded, and I am glad that the honourable member for Sialkot threw a flood of light on these arguments and proved them to be untenable. He has, thereby, lightened my burden and now I will confine myself to making only a few observations.

It has been said, Sir, that when the report of the committee appointed to consider the question of the separation of judicial and executive functions was placed before the Government for its consideration, the Government could not see its way to give effect to its recommendations because there was financial stringency in the province. In other words it means that had there been no financial stringency in the province the Government would have seen its way to giving effect to the recommendations of the said committee. Now, Sir, when the financial condition of the province is on the whole quite satisfactory, where is the hitch in giving effect to the recommendations of the committee, and especially when the Government recognises the fact that this demand is based upon a sound principle.

The Honourable the Finance Member said in the course of his speech that the increase in the number of crimes cannot be ignored and the time

has not yet come to deprive the district magistrates of their judicial powers. Then he went on with his speech and traced the history of the communal riots that have taken place during the past five years in this unhappy province. But Sir, I should like to ask him whether the existing system has succeeded in putting down communal riots. Has it succeeded in putting down crime? If not, where is the necessity for maintaining a system which has signally failed to achieve the object aimed at by the Government. Probably the Honourable Finance Member is aware of the fact that these communal riots are the result of extraneous circumstances. There was a riot in Multan about five or six years ago, did this system succeed in preventing it or putting it down in time and saving the lives of innocent people? Hardly a year ago there was another communal riot in Multan. Was not the Government aware that the atmosphere of Multan was surcharged with electricity? Did not the Government receive any reports from the Criminal Investigation Department that communal tension in Multan was assuming dangerous proportions. If in spite of all these reports, if in spite of the fact that the district magistrate possesses judicial as well as executive powers, the communal riot at Multan could not be averted, does it stand to reason to insist upon maintaining a system which has failed to achieve the desired end. I am constrained to say, Sir, that the Government tries to put down riots and disturbances, after they have worked havoc. Can the Government give me a single instance in which they have succeeded by virtue of these powers to prevent communal riots in time.

I am prepared to admit that it is the duty of Government to maintain law and order in the province and to put down crime with a heavy hand, but there is another duty, which the Government has to perform, and which in my opinion is far more important than the suppression of crime. This important duty consists in doing justice to the aggrieved party, and if the Government fails to do that, then I am afraid the prestige of Government receives such a severe shock, which years of agitation fail to accomplish. One instance of miscarriage of justice is enough to brand the Government as incompetent to administer even-handed justice between man and man. It is undoubtedly true that crime must be suppressed at all costs, but it is even more important to administer even-handed justice to all and sundry, and it is in the interests of government to see that it is done.

Sir, a number of instances have been cited to show that the district magistrates are in the habit of using their extensive powers in the most merciless manner, and a friend of mine was pleased to remark that Indian district magistrates use these powers even more ruthlessly than the European district magistrates. But I submit Sir, that in this connection the question of European or Indian does not arise at all. Every magistrate, European or Indian, who is tied down to the existing system, is obliged to use his powers in a manner in which he is asked to exercise them by the powers that be. Every magistrate has got to carry out the orders of the executive authorities and the police. He cannot but suppress the voice of his conscience if he is to remain in service. He cannot but sacrifice justice to the demands of the Police and the executive authorities, otherwise he is sure to be transferred from one place to another, and is certain of not getting more powers.

[Rana Firoz-ud Din Khan.]

Sir, one of the honourable members of this council mentioned a case, which came up for hearing in one of the Ambala Courts. I am referring to the case *Crown versus Chiranji Lal*. When the trying magistrate was asked by the defence counsel to bail out the accused, the magistrate replied that he could not do it, until he had consulted the District Magistrate and obtained his permission to do so. What a sad commentary upon the helplessness of the magistrate ! I can say, on the strength of my own experience that not only first class magistrates, but even section 30 magistrates are as clay in the hands of the police. Unless the prosecuting Sub-Inspector, or Inspector consents, even a section 30 magistrate cannot release an accused on bail in the case of a non-bailable offence. The condition of magistrates is indeed pitiable. They are powerless indeed under the existing system. The Honourable Member for Finance was pleased to say that Government keeps an open mind in this respect, and if that is so, why does it not take steps to release the magistracy from the Police thralldom.

Now I come to another point. In the Administration Report of 1925-26 it is mentioned that the number of crimes is going down, and the reason for this decrease is not far to seek. The Government has itself mentioned that it was pointed out to the magistrates that they are not merely judicial officers, they are responsible for the maintenance of law and order also, it is thus that the Government succeeds in securing a large number of convictions. The magistrates are advised by Government itself not to follow the law, they are asked in so many words to keep in view expediency. The Government prevents the magistrates from acting according to their belief and the dictates of their conscience.

Now what does the police do under the existing system. It is the police which investigates. It is the police which challans and it is the police which prosecutes. The proceedings of every case are watched by a representative of the police, viz., the Court Sub-Inspector or Court Inspector or Court Deputy Superintendent of Police. He watches every movement of the magistrate and attends to every word that falls from the lips of the magistrate, and keeps the Superintendent of Police and the District Magistrate well-posted as to what is happening in a court of law. Under these circumstances can you expect a magistrate to administer justice impartially ? Surely not. If the prosecuting agency were not to consist of police officials, I am sure that the matters will improve a good deal. If the prosecuting agency were recruited from amongst the lawyers, they are sure to conduct the cases entrusted to them in an unprejudiced spirit. If my suggestion is given effect to, you will be creating an independent body of prosecutors, who will be directly under the Legal Remembrancer, and you will thereby restore to the magistrates at least one-third of their liberty.

The Honourable the Finance Member was pleased to say that the existing system cannot be done away with because there has been an increase in the number of crimes. There would have been some force in this argument, if he had said that crime is on the decrease, and therefore, it is advisable to retain the present system. As a matter of fact there has been a gradual increase in crime since the year 1904, and when the

existing system has not succeeded in eradicating crime there seems no reason as to why it should be retained any longer. When you know and admit a thing to be pernicious, when you know a thing to be unsound in principle and unprofitable in practice, when you know a thing to be creating a spirit of disaffection among the public, where is the sense in retaining it? Why not do away with it immediately? With these words, Sir, I support the motion of my honourable friend Chaudhri Afzal Haq.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] (Urdu): Sir, a good deal has been said on the subject under discussion, and I will not take much time of the Council in making a few observations. Sir, it is an admitted fact that the fountain of justice should not be allowed to get polluted, and that it is the duty of the Government to see that even-handed justice is administered in the country, or in other words the judiciary should sift the good or the true from the bad or the false and should exercise absolute and faultless justice. But under the existing circumstances can the Government say that the axiom quoted above is being given effect to. Certainly not. Crime is on the increase in the country, and the courts fail to administer faultless justice because of the evil influence of the existing system. The courts are paying more attention to expediency rather than to the administration of impartial justice, and if the Government insists upon saying that crime is on the increase, I would ask them to double the figures of crime, because a magistrate who convicts a person on the score of expediency is as much an offender as any other criminal who receives his desserts at the hands of the judiciary. It is, therefore, no use maintaining hypocritical courts in the province. It would be much better if the Government were to proclaim martial law in the province and resort to the system of summary trials and convictions. I am sure this will release the Government from a good deal of responsibility, and it will cost them much less too. The Government has made a disappointing reply to a reasonable demand of this Council, and one is led to believe that the Government will put only the dark side of the picture before the Simon Commission. It will never say that there has been an increase in crime. It will never say that the Government took several years to pass the Gurdwara Act. It will never say that thousands of Akalis were sent to prison first and then the Government at last made up its mind to concede to their demands. It will never say that the Hindus and the Muhammadans do not understand the intricacies of the reform scheme and are breaking each other's heads. It will never explain to the Simon Commission the real reason why there have been so many communal riots and disturbances. It will simply say that the Indians are incapable of shouldering greater responsibilities and that it is not desirable to give them a further instalment of reforms. When such is the state of affairs, it would be better, as my honourable friend Sardar Buta Singh said, to ask the Simon Commission to go back to England. We do not expect anything from them and the sooner they left India the better it would be for us.

Mr. H. W. Emerson (Chief Secretary): Sir, I understand from the speech of the honourable member for Sialkot that he at least, and probably other members of the House also, admit the necessity that the person who is responsible for law and order in a district, whether he be called Deputy

[Mr. H. W. Emerson.]

Commissioner or District Magistrate, should have at his disposal at least in a time of crisis, a staff of magistrates who will be able to carry out by means of the powers they possess certain functions in order to prevent the outbreak of crime or to prevent its recurrence when once it has broken out.

The honourable member for Sialkot, however, while admitting this gave it as his view that it would not be difficult to obtain those magistrates since they could be deputed for duty as occasion arose. He did not I think contemplate that they should be put specifically under the orders of the Deputy Commissioner for the time being because if he did contemplate such a step then obviously there could be no complete separation of the judicial and executive functions. I think he contemplated that the magistrates should still remain under some judicial authority and I presume that authority would be the District and Sessions Judge. He had apparently in his mind the District Magistrate calling on the District and Sessions Judge as each occasion arose, or rather requesting the District and Sessions Judge as each occasion arose, to pass an order to one of his Magistrates to do one or the other of the acts which required to be done. In theory that seems a practical proposition, and after listening to his speech, I have given serious thought to the suggestion and tried to imagine how it would work in practice. Turning back to the days, not very far distant, when I was myself Deputy Commissioner, and trying to apply this new system to certain crises I had to meet, I was trying to picture how it would work in practice. I am thinking of three occasions, firstly the Multan riots of 1922, secondly the Akali agitation and thirdly the Lahore riots of May last when for a very short time, I was the Additional District Magistrate of Lahore. I was wondering how if I had had to request the District and Sessions Judge every time a Magistrate was required to pass an order to one of his Magistrates, it would have been possible to obtain control of a situation which at times was one of extreme danger. As far as I recollect, both at Lahore and at Multan it was not a question of the Deputy Commissioner having leisure to write a note—a polite note—to the District and Sessions Judge (who might or might not have been accessible at the time) it was a question of the Deputy Commissioner remaining at the end of the telephone listening to messages coming in of a mob gathering here or a crowd collecting there and of succession of incidents in regard to many of which an order had to be given in the telephone or dictated immediately to the stenographer deputing a magistrate to deal with particular emergencies. That state of affairs continued not for an hour but for many days and if the Deputy Commissioner had not been in a position to give those orders and to exercise control over the magistrates, so that there would be no hesitation or delay in carrying out the orders he had to give, then it would have been impossible for the Deputy Commissioner to deal with the situation. Even if it were possible to comply with the system formulated by the honourable member for Sialkot, by arranging for the District and Sessions Judge to sit side by side with the Deputy Commissioner the result would be to make the Sessions Judge an executive officer and so revert to the old evil which you all deplore, namely combining in one person the functions of judicial and executive officer.

(At this stage Mr. President vacated the Chair and the Deputy President occupied it.)

Now we all hope that communal and other disturbances are a thing of the past, but we know situations of this kind occurred in 1919 and almost continuously from 1922 to 1927. The Akali agitation and many other sudden waves of crime, either communal or anti-Government that passed over the province in the past are not unlikely to occur again and occur at very short notice. If you are going to keep the Deputy Commissioner still responsible for law and order, you must give him the agents through whom he can carry out his functions. It is not only when a disturbance is in being that the necessity of a trusted and experienced agent is necessary; not infrequently a period of disturbance is followed by a much longer period of unrest, of excitement and of uncertainty that may extend over many months. Such a period occurred in Lahore after the Lahore riots and continued over the whole of last hot weather. Honourable members seem to me to assume that the only use the District Magistrate makes of his magistrates is to get accused persons convicted or to get them given a higher punishment than they would otherwise get. They seem to forget that there are cases which occur almost every day in the province in which the magistrates are able to use their influence to prevent the commission of crime and riots. Honourable members forget the work that the magistrates did in Lahore the whole of the last hot weather, when most of the magistrates on the district staff spent day after day on duty for at least 12 hours attending meetings, escorting processions and going at a moment's notice to some part of the city where some trivial incident had occurred endangering the public peace.

Chaudhri Afzal Haq : They are doing the police officer's duty.

Mr. H. W. Emerson : I can only say that I appeal to the experience of members of this House. They have known many magistrates, I have known many magistrates. Does it not often happen that magistrates, because of their experience, because of the fact that they are not a part of the police force, are able to exercise a restraining influence and are able to smooth over difficulties and dangers which, if no magistrates were there to meet them would often lead to serious trouble. If you transfer all your magistrates to an authority other than the Deputy Commissioner, it may well be that that authority will not allow those magistrates to do, as they now have to do, 12 hours or 14 hours work continuously, often on successive days. Further, if those magistrates are only concerned with judicial functions, when the time comes to demand their services in order to assist the executive, you will find that they have not individually got the influence or the authority that they had when they were part of the executive. We may deplore a combination of their functions, but the fact still remains that this combination of executive and judicial functions does give them experience and confidence in dealing with crises which they will never have, if you convert them into judicial officers who do nothing but sit on a bench and try cases (Applause).

Deputy President : Demand under discussion motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was carried.

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

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

Sir, it is more than once that this subject has been discussed on the floor of this House. As you perhaps know there are two kinds of newspapers published in this province, first those whose policy is to support the Government in season and out of season and secondly those whose policy is to criticise, if necessary, the actions of the Government. Sir, the Government has prepared a black list of the newspapers of the second kind. The patronage of the Government extends to the newspapers of the first kind even though their circulation may be much less than that of the papers included in the first kind. Sir, there are newspapers which have the largest circulation and which have been in existence for the last many years, but they do not get Government advertisements only because they never hesitate to make honest criticism on the administration of the country. Sir, there are also two kinds of criticism, one that is allowed by the law and the other which is not allowed by it. Those newspapers, which, while making criticism against the Government, digress the limits of the law are not at all spared by the Government. They are at once brought to the book. Therefore, Sir, I am constrained to think that to deprive those newspapers from the benefit of Government advertisements which command the largest circulation means nothing except that the Government is anxious to suppress honest criticism. Of course some newspapers do criticise the actions of the public servants in the most irresponsible manner. Their sources of information being defective are not so reliable as those of the Government. For this reason also they should not be debarred from getting Government advertisements and whenever they criticise the actions of a public servant in an irresponsible manner the best method to contradict them and to avoid the impression created by them on the minds of the public is to issue a press *communiqué* on behalf of the Government stating that such and such writing which has appeared in such and such newspaper is misleading and contrary to facts.

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

So far as I understood my honourable friend the Director of Information Bureau is doing the same. Previously we had certain doubts as to the real object of this Information Bureau. We had thought that its object was perhaps political. But, Sir, our suspicions have since been removed and now I can say that the Information Bureau is doing very useful work. I am glad to remark that none of the newspaper published in this province ever declines to publish any press *communiqué* issued by the Director of Information Bureau. On the other hand every newspaper gladly receives it for publication. Sir, when this is the real state of affairs I am at a loss to understand why the Government should make invidious distinction between the above-mentioned two kinds of newspapers. Sir, it seems that the Government like a chess player directs all the force at its command towards one end. But this policy of the Government is in my opinion neither conducive to good administration nor necessary for the maintenance of the Government's prestige. Those newspapers which command the largest circulation and which have been in existence for the last one or two decades, are not given Government advertisements and only those newspapers are given such advertisements which are either weeklies or if they are dailies at all

(RESERVED) GRANT.

their circulation is less than one thousand. Unfortunately the people of this province are backward and the public servants serving therein have happened to be very much strict. Sir, look at the administration of the Delhi Province. Most unfair criticism is being made on the administration but in spite of that an extremist paper like "the Hamdard" is getting Government advertisements. Here even the moderate papers do not get such advertisements. Sir, look at the *Partap* and the *Milap*. They fulfil both the conditions that is those regarding the circulation and the duration, but even they are included in the black list. Only weeklies or dailies having a circulation of one thousand or twelve hundred or so get such advertisements. There is a general complaint that these papers have not a circulation of one thousand even. But I take that complaint to be unfounded because I believe that before giving them Government advertisements the Government would have satisfied themselves as to their circulation. This also does not change my position. My objection still remains. I ask the Government why they give Government advertisements to the newspapers having a very limited circulation of course ignoring the claims of the papers having the largest circulation. Sir, you may take me as an extremist but I can say without fear that from the facts stated by me every sane person would be constrained to conclude that the Government patronises only such papers as are co-operating with it and discourages those which makes honest criticism on the administration. Sir, there are certain public servants in this province who have instituted suits against some newspapers. But Sir, the semi-official papers of this province do not spare the public servants and make the most unfair and dishonest criticism even on the members of this House. In spite of that they are still and ever at large. The Government has brought the law in motion against the *Zamindar*, the *Bande-matram*. Severe penalties have been inflicted on the *Si,asat*. There are pending in courts of law two suits claiming damages against the *Mushim Outlook* and the *Zamindar*. The plaintiff Sub-Inspector is already provided with Rs. 900 for defraying the expenses of the suits. Sir, I can testify to the fact that one and the same treatment is accorded to all Hindu, Muslim and Sikh papers and whichever speaks against the Government forfeits its privilege of getting Government advertisements. Sir, the Government asserts that it is neutral and that it recognises people's right and the freedom of press. But that is not supported by the facts. We have been told the cock and bull stories about Mustapha Kemal Pasha and Mussolini. But I ask who is responsible for the terrorism created in this province. In fact the Government is creating a political part in this country. Sir, Mustapha Kemal Pasha in Angora and Mussolini in Italy may do anything they like, but nobody on earth can control the tongue of a person except the Almighty or the person in whose mouth it is. Facts are facts and they are bound to come to light. Truth shall prevail in the end. Sir, you know that a while ago I had urged the separation of judicial and executive functions. I am glad that the Honourable the Member for Finance has admitted this principle to be a sound one but Sir, as you have seen the Honourable the Chief Secretary has absolutely disapproved of it (Hear, hear). Sir, the Government thinks that it is impolitic on its part to subsidise newspapers unfavourably inclined towards it and therefore it suppresses such newspapers. Sir, I can say without any fear of contradiction that the

[Chaudhri Afzal Haq.]

present attitude of the Government is most injurious to the best interests of the country. If you cannot encourage the honest thinking persons, you should at least play fair game with them. With these words I commend my amendment to the acceptance of the House.

Mr. President : Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural], (Urdu) : Sir, it seems that the honourable mover of the amendment is labouring under a very serious misunderstanding. He perhaps thinks that these advertisements are given to the newspapers with the object of making the public aware of their subject matter. The honourable member is absolutely wrong in holding that view of the matter. On the other hand the policy of the Government seems to be that no one should be able to read these advertisements, otherwise these should have been given to the newspapers having the largest circulation. So long as the policy of the Government undergoes no change the matters cannot improve.

Khan Bahadur Captain Sardar Sikandar Hayat Khan (Muhammadan, Landholders) (Urdu) : Sir, in moving the amendment under consideration the object of the honourable mover, as stated in the note appended to the amendment, is to urge the Government to give Government advertisements to all newspapers having a circulation of one thousand or more. In other words he desires that the newspapers having the requisite circulation should get Government advertisements as a matter of course. They should not be required to fulfil any other condition. But, Sir, the honourable mover in his speech has said nothing about it and has made much of the point that Government does not give advertisements to those newspapers which make hostile criticism on the administration of the country. Sir, I wish he had moved his amendment with that object in view. But as the amendment stands I cannot see my way to support it because it would cover even the case of the gutter press which is mainly responsible for the deplorable state of affairs obtaining in the country. Are not these very papers, though championing the cause of nationalism, responsible for the present communal differences and party factions? One community declares that we should give a long berth to the Simon Commission while the other is inclined to co-operate with them. The Hindus suspect the *bona fides* of the Muhammadans and *vice versa*. Sir, how do you account for this mutual suspicion? I for one at least would hold the gutter press responsible for this as well. I think the Government will be ill-advised if it extends its patronage to such newspapers as are creating hatred and enmity among different communities. Sir, in this connection the honourable mover has also mentioned the names of Mustapha Kemal Pasha and Mussolini. But, Sir, I ask him whether he takes them as enemies of their countries. They have stopped that section of their press which in their opinion was likely to adversely affect the best interests of their countries or of the parties in power. Sir, if you would give advertisements to the newspapers responsible for the

present communal dissensions it would mean spending your money to your own disadvantage. For God's sake do not patronise the gutter press. With these words I oppose the amendment.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), (Urban)]: Sir, I beg to oppose the motion. From a nationalist like the honourable mover one would have expected a motion which was just the reverse, that is, that the Government should withdraw this patronage from all those papers to which it now extends. For, that is the bait put in their way to suppress honest criticism. The honourable mover has argued that the Government does not extend patronage to the extremist papers and that it intends to suppress legitimate criticisms of administration. I simply fail to follow the logic employed by the honourable mover. Honest and legitimate criticism of administration is suppressed only if the critic is always in expectation of certain reward from the person whom he wants to criticise. But if he is altogether free from that consideration, he is free to think, free to move and free to write. This is not the only reason why I wish to oppose the motion. I oppose it on other grounds too. If there is any agency that has abused its privilege, that has misused its powers, it is the vernacular press. It is the Indian press. (Hear, hear). If there is anything Indian that I dislike most, it is this most irresponsible press. It is not the mouthpiece of any determined policy. It is composed of the whims of that individual editor who poses as the proprietor, the editor, printer, publisher and what not of that paper. He condemns all sensible persons in the province. He wishes to inflict his own opinion upon the mind of everybody else. If the Government were to extend its patronage to such persons I would consider the act of Government as the most suicidal and most ill-advised. Everybody in this House knows that that is the agency that is mainly responsible for the demoralisation of the taste of the masses, for fomenting communal dissensions (hear, hear) and for fanning the flame which should rather be extinguished. Honest criticism no body would object to, but the question is whether the criticism of the vernacular press is ever honest. My experience of the criticism of the vernacular press is that this is the most dishonest criticism that it ever made against the administration. We should not be carried away by mere sentiments. We should not be afraid of their abuses, but like honest persons, like honest members of this House we should behave most fearlessly and teach those people that there is a body that detests their ways, that there is a body of sensible people that does not approve of their methods and that there is a body which has the courage of its conviction, so that those persons might be brought to their senses. With these few words I beg to oppose the motion (Hear, hear).

Mr. H. W. Emerson (Chief Secretary): Sir, in opposing this motion I should like to explain to the House firstly what the policy of Government is and secondly the justification for it. Government has not got a black list. It has instead a white list. I admit that this is merely a distinction without a difference. On the white list are placed those newspapers which are selected first according to the circulation (which must exceed one thousand), and according to the class of people they reach. These papers are selected primarily for the object of giving as wide publicity as possible to the advertisements which Government desire to insert; but the selection is governed by

[Mr. H. W. Emerson.]

two conditions which each newspaper is required to satisfy. The first is that it is not violently anti-government. I lay particular stress on the word violent. I can assure the honourable members of the House that the greatest tolerance is shown towards what the honourable mover referred to as honest criticism and that the adjective 'honest' is stretched as far as it is possible to stretch it and indeed beyond its natural meaning. The second condition is that the newspaper should not persist. I lay stress on the word 'persist' to the danger of the public peace, in attacking other communities and religions. It is unfortunately a fact known to all members of the House and which the honourable member for Gujranwala has stressed, that there is a section of the press in this province which does not satisfy these two simple conditions. Honourable members will remember that during the Simla Session last year a debate took place on the question of the press and whether it would not be desirable to place more rigorous restriction on it than it is now possible to do. During the course of that debate my friend Mr. Craik, after six years of study and experience of the press of this province, had no hesitation in saying that a portion of the Punjab vernacular press exceeds in virulence, obscenity and in deliberate fomentation of communal hatred the press of all other provinces in India. That was the opinion given not lightly, but deliberately by him as the result of an almost unrivalled experience of the vernacular press. During the course of that debate many members agreed with the view of the mover of the adjournment motion. I think the debate was on an adjournment motion of the House, that the press did require more control than it is possible to exercise at present. The honourable mover of the adjournment on that occasion spoke as follows:—

"I have with me quotations in which references have been made to some of the most eminent Hindus and Muhammadans * * * in terms which I feel sure would not bear repetition in decent society."

and here he mentioned the names of two honourable members of this House as people who had been abused in this way.

"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."

Another speaker said that he was thinking of bringing in a private Bill which he would call 'Communal Press Suppression Bill' and he said he was prepared to give full support to Government in any legislation which was put forward. In fact I think every honourable member who spoke on that occasion agreed that the press was objectionable and the majority of them considered that special powers of control were necessary. Unfortunately Government has not got those special powers. But it has in regard to the control over its advertisements certain powers of exercising a deterrent and moderating influence in the interests of the Public peace of the province.

If it failed to exercise that power, it would, I maintain, be guilty of neglecting its duty. It is only not that, by withholding advertisements it acts to a certain extent as a deterrent; If it gave its advertisements to papers of the description I have mentioned, namely, to the gutter press, it would

increase the resources of those newspapers and add to their present powers of evil. The powers of Government are exercised in no arbitrary fashion. Every six months a review is made of the white list and a very careful examination is carried out of the papers which are already on the list with a view to excluding any that are a public danger. A further careful examination is made of the papers that are not on the white list in order to see whether there has been a change in their policy which would justify their inclusion in the list. The material for this scrutiny the Government possesses in abundance. The case is very carefully dealt with by a number of officers and the orders of the Government are taken on it. I submit, Sir, that the powers of control that Government exercises are used less in its own interests, than in the interest of the people. I can say on behalf of Government that those powers will not be used to prevent honest and reasonable criticisms. The test of violence will always be applied in regard to anti-Government propaganda and the test of attacks on other communities and religions—and Government at the present time attaches much more importance to the second test (hear, hear)—will be applied to other publicity. These will remain the tests and there will be no attempt to curb or prevent honest criticisms even though they may be hostile to Government. With these few words I oppose the amendment.

Rana Firoz-ud-Din Khan [South-East Towns, (Muhammadan), Urban], (Urdu) : Sir, the point at issue in the debate was quite simple and the object of the honourable mover was quite clear. But I am surprised to see that the discussion has taken quite an unexpected turn. The most unfair and harsh criticism is being made against the vernacular press. Some of the honourable members have gone to the length of saying that the vernacular press has proved most injurious to the best interest of the country and therefore it should be condemned in strong terms. But, Sir, to condemn a section of the press on the ground that it is anti-government or that it differs with the personal views of an individual is what I consider to be most objectionable to all conscience. This attitude of ours is bound to affect most adversely the freedom of the press which is considered to be the most valuable right of every independent and self-governing country, and which has been achieved by a long series of sufferings and sacrifices. Sir, my honourable friend the Chief Secretary has read certain extracts from the debates of the Simla Session in order to show that the present communal tension is mostly due to the writings of the vernacular press. In that session some honourable members of this House did ask the Government to control the activities of the gutter press by means of some legislation. Sir, I do admit that sometimes very objectionable language is resorted to by some of the vernacular press, which pains every one who has the general good of his country at heart. But to make sweeping remarks as has been done by some of my friends here, cannot be justified on any grounds whatsoever. Sir, I most strongly protest against such remarks. Besides it is equally objectionable to impute motives to others. We should not condemn the press only because we have some personal grievances against it. We should realise our responsibilities which we are to discharge as members of this honourable House. I may differ with any or every member of the House, but I have no right to impute motives to him. If exception is taken to the editor of a newspaper the ground that he does not tolerate differences of opinion, and characterises all such differ-

[Rana Firoz-ud-Din.]

ences as dishonest, but at the same time his *bona fides* are challenged and his criticism is called dishonest simply because it does not meet with approbation of the objector, then this very act places the objector on the same level with the editor and there is no difference between the two. Sir, let us sincerely try to remove the defects of the vernacular press, but this should be done in a sympathetic spirit. My honourable friend from Gujranwala and the Chief Secretary have said that in order to be eligible for getting Government advertisements a newspaper has to fulfil two conditions, that is to say that it should not be in the first place a violently anti-government paper.

Mr. Din Muhammad : I did not say that.

Rana Firoz-ud-Din Khan : Very well. I would refer to you later on. In the second place it should neither attempt at creating hatred and enmity among the different communities, nor should it make attacks on other religions. Sir, I wish that Government would have itself acted on this principle, though I am not prepared to stand for its soundness. Sir, the object of the advertisement is to give publicity to its subject matter. Therefore, naturally these advertisements should be given to such papers as have the largest circulation. In my opinion it is useless to fix any limit as to circulation. The Government can itself see which of the papers have the largest circulation. Sir, one thing I cannot understand and that is this that a paper which publishes any amount of inflammatory writings and which ever harps upon communal matters, is patronised by the Government while the papers far less inclined to communalism and having more circulation than the former, are deprived of its patronage. Sir, I ask the Government how it reconciles its formula to this state of affairs. Sir, our main objection is about the improper use of the money provided for this purpose. It can only be spent for the purpose it is meant for, and there is no justification in using it to subsidize certain newspapers. Sir, much has been said against the virulent type of newspapers. It is said that they have been the real cause of our misfortunes. We have been induced by them to fly at each other's throat. They have induced us to measure swords with each other. But, Sir, that is absolutely wrong. In fact the press represents the public opinion. It reflects the real state of our minds. Till 1922, there were no communal papers in the Punjab. With the change in our minds the papers also changed their policy. Now again there is a serious problem before the country. I mean by this the question of the boycott of the Simon Commission. The attention of all the papers is for the present diverted to this problem. Long articles are being written on this question. In short the whole situation has changed. That communal bitterness is gone. This shows that the press really represents our own views. The editor, and the publisher as you say are carried away by the opinion of the public. Sir, in my humble opinion we are all of us equally responsible for the deplorable state of affairs obtaining in the country. The honourable members of the Government by their speeches and the Honourable Ministers by their short-sighted policies have fanned the communal fire. Sir, we deliver fifty lectures, and hold fifty conferences for the purpose of promoting good-will among different communities, but everything is undone by the effect of one single appointment unjustly made for communal reasons by any of the Honourable Ministers of

the Government. I would say, Sir, with all the force at my command that the whole responsibility for the presence of ill-will and hatred among the different communities, lies directly on us, the Government Members and the Ministers as well as non-official members because the communal fight started on this floor and the fire has since been fanned from time to time. We should not lose sight of the real facts. We should not suspect each other's *bona fides*. Sir, the real object of the honourable mover is that the Government should spend the money for the purpose for which it is provided, and that they should not make invidious distinction between the various newspapers for their political ends. With these words I support the amendment.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadian) Rural] (Urdu): Sir, I am glad that some of the honourable members of the House have after all realised their responsibilities. I am not at one with them when they say that those vernacular newspapers should be condemned which are responsible for the present communal differences. But, Sir, if I were to mention the names of those papers which get government advertisements, I am sure you would yourself be able to say how far this assertion of the Government is true that such advertisements are given only to those papers which are free from communal bias and which do not indulge in making attacks on other communities and religions. Sir, I am not going to close my speech to-day. Please make an independent inquiry as to what I submit and if you come to the conclusion that my assertion is untrue, I would be glad to withdraw my amendment. (*A voice*: Please mention names of such newspapers). It is not proper to do so. But, Sir, wholesale condemnation of the vernacular press without just cause is most objectionable to all conscience. In my opinion the responsibilities of the press are far greater than those of any member of this honourable House.

Mr. President: It appears that the honourable member will carry on this discussion even to-morrow. I may, therefore, invite the attention of the House to the *Press Communiqué* of His Excellency the Governor under Rule 29 (Article 130) of the Punjab Constitutional Manual).

Chaudhri Afzal Haq: Is this not the first day on which this Grant has been taken up?

Mr. President: The discussion on this Demand commenced the day before yesterday.

Chaudhri Afzal Haq: You will please give me time to finish my speech.

Mr. President: Certainly. I thought I might invite his attention to the *Press Communiqué*.

Chaudhri Afzal Haq (continued in Urdu): Anyhow I would be failing in my duty if I leave the points raised against my amendment unanswered. Sir, just as the honourable members of the House differ as to the good or bad administration of the country, similarly the press is also divided on the point. A section of the press differs with the Government on some matters whereas the views of the other section of it coincide with those of the

[Chaudhri Afzal Haq.]

Government. The honourable member who has just spoken on the amendment has very vividly described the real situation. Sir, there is a newspaper in this province which being first to import communalism in its writings gets most of the Government advertisements. This paper is far more responsible for communal tension than any other paper of this province. (*A voice*: Name it please). I do not like to mention its name. I can tell you if you are so anxious in private. Sir, this assertion of the Government that Government advertisements are given to those papers which do not indulge in making attacks on other communities or religions and which are not violently anti-government, is not supported by real facts.

Mr. President: Demand under discussion, motion moved:

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was lost.

DEATH OF LORD SINHA.

Mr. President: Before I adjourn the House, it is my sad duty to inform the honourable members of the Council of the sudden death of Lord Sinha, a distinguished son of India, an eminent lawyer, the first Indian Peer, the first Indian Under-Secretary of State for India and the first Indian Governor of a Province. His death is a loss of the whole country and I am sure will be universally mourned.

The Council then adjourned till 2 p.m. on Thursday, the 8th March 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 8th March 1928.

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

STARRED QUESTIONS AND ANSWERS.

MOTOR ACCIDENTS.

***1136. Chaudhri Duli Chand :** Will the Honourable the Revenue Member kindly state the number of motor accidents in the Karnal district during the years 1926 and 1927, and the steps, if any, taken by the Government to prevent accidents?

The Honourable Mian Sir Fazl-i-Husain : The information asked for by the honourable member is being collected and will be communicated to him as soon as it is available.

DRAINAGE SYSTEM.

***1137. Chaudhri Duli Chand :** Will the Honourable the Minister for Local Self-Government kindly state—

(a) whether any drainage system exists for the following villages in the Panipat tahsil:—

Diwana, Pahladpur, Manana, Dhodpur, Namamiah and Kiwanana;

(b) whether Government is aware that during the rainy season all traffic to these villages is blocked on account of the rain water which is not drained;

(c) the figures of population of each of these villages according to each of the last three census records?

The Honourable Malik Firoz Khan, Noon : (a) No artificial land drainage has been carried out which would affect the villages mentioned in the question.

(b) Government has no particular information on the subject, but this part of the district is now being surveyed with a view to executing suitable drainage.

(c) The population of particular villages is not recorded in the Punjab census report, and the figures are therefore being called for from the Deputy Commissioner and will be supplied as soon as received.

CATTLE TAX COMMITTEE.

***1138. Chaudhri Ram Singh :** (i) Will the Honourable Revenue Member please state—

- (a) who were the members of the Cattle Tax Committee ;
- (b) whether the Cattle Tax Committee has submitted its report or not ;
- (c) what are the recommendations of the Cattle Tax Committee ;
- (d) what parts of the report are unanimous and what are the points on which members differ ;
- (e) the names of the members of the committee who differ ?

(ii) Has the report of the Cattle Tax Committee been accepted by the Government or not ?

(iii) If the reply to question (ii) be in the negative, will the Honourable Member please state the reasons for the non-acceptance of the report ?

The Honourable Mian Sir Fazl-i-Husain : (i) The report of the Committee is laid on the table.

(ii) and (iii) After careful consideration of the report, Government has come to the conclusion that it would be premature to abolish the tax, and that the matter be re-examined at the end of three years.

The report of the Committee appointed to examine the question of cattle tax in the Kangra district drawn up at its final meeting held on the 28th July 1927, at Jullundur.

PRESENT :

V. Connolly, Esquire, I.C.S., Offg. Commissioner, Jullundur, Chairman ;

A. D. Blascheck, Esquire, Conservator of Forests, Eastern Circle ;

Rai Sahib Lala Labhu Ram, M.A., LL.B., Deputy Commissioner, Kangra ;

Mr. Moti Lal Kaistha, Bar.-at-Law, Vice-Chairman, District Board, Kangra ;

Chaudhri Ram Singh, M. L. C. ;

Lala Mohan Lal, M. L. C. ;

Chaudhri Baghunath Singh, Zaildar, of Indaura.

Head of reference :

- (I) (a) The effects of the imposition of the cattle tax on the limitation of the numbers of these animals in the Kangra district and any consequent benefit that has resulted to the forests.

UNANIMOUS OPINION OF THE COMMITTEE.

The figures of the 1st, 2nd and 4th (complete) enumeration for the purposes of the cattle tax were as follows :—

	1st.	2nd.	4th (complete).
Sheep ..	79,166	66,887	69,168
Goats ..	254,396	221,254	216,890

These enumerations show a marked decrease in the numbers of sheep and goats. It is impossible to say whether this decrease is or is not due to the cattle tax.

The period is too short for any benefit to the forests as a whole to be discernible.

(I) (b) *The effects of the imposition of the cattle tax on the attitude of the people towards Forest administration.*

No effect on that attitude is discernible. The majority of the people do not like the tax.

(II) *The possibility of changing the administration of the tax either by decreasing it or by assessing it in some other manner so as to render it less undesirable to the people than it now is.*

(1) The enumeration for the cattle tax should take place every year.

(2) No tax should be charged on animals under six months old.

(3) No tax should be payable by any household (*chullah*) possessing not more than five animals over six months old.

(4) The tax on those possessing more than five and not more than ten of such animals should remain at its present rate.

(5) The tax on those possessing more than ten animals should be leviable on the first ten animals at the present rate, that is, one anna per goat, where the number of goats has not increased since the first enumeration, and two annas per goat in other *tikas* and nine pies on sheep. The tax for the animals over ten should be double the existing rates. The first ten animals to be charged with existing rates may all be goats.

NOTE.—The majority of the Committee think that the rate for over ten animals shall in all cases be four annas per goat.

(6) No cattle tax should be levied in the 1,405 *tikas* which have no forest land (*Ban Sirkar*) or own no forest rights in the forest of any other *tikas*.

(7) The effect of these proposals on the number of sheep and goats and the state of the forests should be re-examined after 3 years.

(III) *The possibility of substituting for the tax any other measures whereby the deterioration of the forests can be prevented or effectively retarded.*

The Committee has no recommendations to make.

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

STATEMENT SHOWING THE CATTLE ENUMERATION OF 5 TASHILS OF KANGRA PROPER.

TASHIL	1ST ENUMERATION.			2ND ENUMERATION.			3RD ENUMERATION.			4TH ENUMERATION (3RD IN THE CASE OF KANGRA AND NAGERHAT TASHILS.)			REMARKS
	Sheep.	Goats.	Cattle tax.	Sheep.	Goats.	Cattle tax.	Sheep.	Goats.	Cattle tax.	Sheep.	Goats.	Cattle tax.	
			Rs.			Rs.						Rs.	
		Kharif 1917.			Kharif 1920.						Kharif 1924.		
Kangra	12,942	43,096	5,314	12,959	39,302	4,399	...	...	...	19,277	43,198	4,693	
Nurpur	1,954	51,122	2,232	2,087	51,487	4,685	...	...	...	1,454	54,243	5,495	
		Kharif 1918.			Kharif 1920.								
		Kharif 1916.			Kharif 1914.								
Dehra	10,942	62,076	4,319	9,031	52,880	5,619	10,765	52,591	5,503	9,438	43,291	4,641	
Hamirpur	27,389	50,117	4,373	25,187	47,566	5,808	28,665	45,761	4,341	25,427	40,493	4,953	
Palampur	26,422	41,966	3,815	17,673	30,079	3,415	20,996	28,176	3,553	19,117	30,220	3,733	
Total	79,128	254,536	22,118	69,857	211,254	23,944	40,419	128,529	13,397	69,169	216,300	24,509	

Note on the report of the Committee appointed to examine the question of cattle tax, in the Kangra district.

Note on paragraph 5.—The majority who is in favour of this note consists of the Commissioner, the Conservator of Forests, Eastern Circle, the Deputy Commissioner of Kangra, and Mr. Moti Lal Kayastha, but there appears to be no justification for this recommendation. From the figures available, which are given in paragraph (1), it has been found that the number of sheep and goats in the Kangra district shows a marked decrease in numbers. This fact entitles that the tax should be decreased instead of being increased, but in no case should the increase exceed double the present rate.

The 4th August 1927.

(Sd.) MOHAN LAL.

Note on the report of the Committee appointed to examine the question of cattle tax in Kangra district.

Note on paragraph 5.—The majority who is in favour of this note consists of the Commissioner, the Conservator of Forests, Eastern Circle, the Deputy Commissioner of Kangra, and Mr. Moti Lal Kayastha, but there appears to be no justification for this recommendation. From the figures available, which are given in paragraph (1), it has been found that the number of sheep and goats in the Kangra district shows a marked decrease in numbers. This fact entitles that the tax should be decreased instead of being increased, but in no case should the increase exceed double the present rate.

(Sd.) RAM SINGH.

(Sd.) RAGHU NATH SINGH.

SUB-TAHSIL AT BHERA.

***1139. Dr. Gokul Chand, Narang :** (a) Will the Honourable Revenue Member be pleased to state if it is contemplated to abolish the sub-tahsil at Bhera?

(b) Has the Government given an opportunity to the people of Bhera to submit their representation explaining the grounds for the retention of the sub-tahsil at Bhera?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

SHOP-KEEPERS' COMMITTEE OF LYALLPUR, &c.

***1140. Dr. Gokul Chand, Narang :** (a) Will the Honourable Revenue Member be pleased to state if Government has received a copy of the resolutions passed in the second annual conference of the shop-keepers' committee of districts Lyallpur, Jhang and Montgomery held at Lyallpur on the 7th and 9th of January 1928 under the Presidentship of Lala Harkishen Lal, Bar-at-Law, of Lahore?

(b) If so, will he be pleased to state what action, if any, has been taken by Government to redress the grievances ventilated in the resolutions?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Council question No. 1968.

ARREST OF SOME COLLEGE STUDENTS.

***1141. Lala Bodh Raj :** Will the Honourable Finance Member please state --

- (a) if it is a fact that some college students were arrested in connection with *hartal* demonstration on 3rd February 1928 at Lahore ;
- (b) if so, what was the offence with which they were charged ;
- (c) whether any warrants of their arrest were issued by any competent authority ;
- (d) if they were placed for trial before a magistrate ; if so, how many of them were tried and what was the result of the trial ;
- (e) if any action has been taken against such officials as illegally arrested some of the said college students who were released without being produced before the magistrate ;
- (f) if he is aware that the college authorities of such students as were produced before the court for trial have declared that the students were quite innocent, and were arrested without any rhyme or reason ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes. Four students were arrested.

(b) Criminal intimidation, section 506, I. P. C.

(c) No.

(d) They were produced before a magistrate the same day ; but on the orders of the District Magistrate, the case was withdrawn. The District Magistrate considered that although criminal prosecution was justified by the facts of the case, disciplinary action by the college authorities would be more appropriate.

(e) No illegal arrests were made.

(f) No. The college authorities took disciplinary action against the 4 students.

SUPPLIES TO OFFICERS ON TOUR.

***1142. Chaudhri Zafullah Khan :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that when a Deputy Commissioner, Superintendent of Police, Settlement Officer or any other superior officer in a district goes out on tour and puts up at a dāk bungalow other subordinate officers of his own department, for instance, sub-inspectors of police, tahsildars, naib-tahsildars, girdawars, patwaris, etc., generally remain in attendance upon him ;

- (b) whether it is a fact that these subordinate officers in many cases obtain their supplies during the period of their stay at the dāk bungalow not from the regular contractor appointed for the purpose but free of charge through the zaildars, inamdars, lambardars, etc. ;
- (c) what steps has the local Government or the district authorities taken in order to ensure that all such supplies should be purchased from the contractor and should not be levied through the zaildars, etc. ?

The Honourable Mian Sir Fazl-i-Husain : (a) The subordinate officers of the classes referred to by the honourable member accompany these superior officers into camp only in cases in which their presence is necessary in the interests of Government work.

(b) and (c) No cases have come to the notice of Government in which supplies have been obtained free of charge through zaildars, lambardars or inamdars, but if the honourable member has definite information of any case or cases and is good enough to send it to Government enquiries can be made.

MR. ZAMAN KHAN, MAGISTRATE, AMBALA.

***1143. Lala Mohan Lal :** (1) Will the Honourable Finance Member be pleased to state whether the Government is aware that a prosecution under section 377 was started by the Government against Lala Chiranji Lal of Ambala who was ultimately discharged ?

(2) If the reply be in the affirmative, will the Honourable Member be pleased further to state—

- (a) whether the boy who originally incriminated Lala Chiranji Lal subsequently withdrew the allegations ;
- (b) whether the Deputy Commissioner, Ambala, asked Mr. Zaman Khan, Magistrate, Ambala, to enquire into the case ;
- (c) whether a statement of the boy retracting the allegations against Lala Chiranji Lal was recorded by the said Mr. Zaman Khan, Magistrate ;
- (d) whether the police got a warrant of arrest against the complainant boy ;
- (e) whether the boy was produced before another magistrate and made a statement again retracting the statement he had made before the said Mr. Zaman Khan ;
- (f) whether the Honourable Judge trying the case in the High Court called for an explanation from the Deputy Commissioner, Ambala ;
- (g) whether the said Mr. Zaman Khan in his explanation stated that he did not record the statement of the complainant boy that was subsequently retracted ;
- (h) whether the district magistrate of Ambala found that the statement mentioned in (g) was recorded by the said Mr. Zaman Khan ;

[Lala Mohan Lal.]

(j) whether the Honourable Judge presiding in the High Court passed strictures against the said Mr. Zaman Khan;

(k) the action the Government proposes to take against the said Mr. Zaman Khan in this matter?

The Honourable Sir Geoffrey deMontmorency : (1) Yes.

(2) (a) Yes.

(b) No.

(c) No.

(d) Yes.

(e) Yes, the boy was so produced, but did not make a statement as referred to in the question.

(f) No.

(g) No.

(h) No.

(j) The Honourable Judge remarked that S. Said Zaman Khan, though acting with the best intentions, should not have asked the District Magistrate's advice regarding bail.

(k) The attention of the magistrate has been drawn to the remarks of the Honourable Judge and Government do not propose to take any further action against him.

MOTOR TRAFFIC ON THE TALAGANG-INJRA ROAD.

***1144. Sardar Ujjal Singh :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that on the Talagang-Injra road in the Attock district no other taxi, excepting that of the lessee, is allowed to run;

(b) whether any applications were made by motor car owners for the grant of license to ply on the Talagang-Injra road;

(c) whether any reply was given to the applicants?

The Honourable Mian Sir Fazl-i-Husain : A reply to this question is not yet ready. The information asked for by the honourable member is being collected and will be communicated to him as soon as it is available.

PUNITIVE POLICE, RAWALPINDI.

***1145. Dr. Gokul Chand, Narang :** (i) Will the Honourable Finance Member be pleased to state—

(a) the expenditure incurred on the punitive police posted at Rawalpindi after the Rawalpindi riots;

(b) the source from which the money thus spent was obtained?

(ii) Will the Honourable Member be pleased to state—

(a) whether it is contemplated to give any compensation to those who suffered during the Rawalpindi riots ;

(b) how it is proposed to raise the money required for the purpose ?

(iii) Will the Honourable Member be pleased also to state whether those who suffered by arson or otherwise during the Rawalpindi riots will be made to contribute either towards the expenses of the punitive police or towards the compensation fund ?

The Honourable Sir Geoffrey deMontmorency : (1) (a) Punitive police post was sanctioned for a period of three years from August 1926 at an expenditure of Rs. 67,865 per annum.

(b) By a levy under section 15, Act V of 1861, assessed at a flat rate of Rs. 6 per hearth, after allowing for certain exemptions in favour of classes and individuals who were not concerned in the disturbances or who assisted in quelling them.

(ii) (a) Yes.

(b) by the imposition of a levy under section 15-A of the Police Act, 1861.

(iii) Yes, as regards additional police. As to compensation attention of the honourable member is drawn to the provisions of section 15-A., Act V of 1861, which will be complied with.

TERMINAL TAX.

***1146. Lala Mohan Lal :** (a) Will the Honourable Finance Member be pleased to state whether the introduction of terminal tax has been agreed to by the Cantonment Board, Ambala ? If so, when was it done ?

(b) If the reply to question (a) be in the affirmative, will the Government be pleased to state when the terminal tax in Ambala Cantonment will come into force ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, on the 11th May 1926.

(b) An accurate forecast cannot at present be made.

'SATTA' GAMBLING.

***1147. Lala Mohan Lal :** (a) Will the Honourable Finance Member be pleased to state whether it has come to his notice that *satta* gambling is done in Jagadhri town, district Ambala ?

(b) If the reply to question (a) be in the affirmative, what steps does the Government intend to take to stop it ?

The Honourable Sir Geoffrey deMontmorency : Recent enquiries show that *satta* is not being practised openly in Jagadhri but there are some reasons to think that it is resorted to on the sly by certain persons. If the latter proves to be correct, Government will take such steps as may prove feasible to discourage and check it.

CHAUBARAH-LEIAH ROAD.

***1148. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Chaubara-Leiah Road in Muzaffargarh has been recently constructed at the cost of the District Board ;
- (b) whether it is a fact that the road does not belong to the District Board ?

The Honourable Malik Firo Khan, Noon : A report has been called for and the information required by the honourable member will be communicated to him on its receipt.

A WELL AND A VACANT SITE IN MULTAN.

***1149. Lala Bodh Raj :** (i) Is the Honourable Revenue Member aware of the fact—

- (a) that there exists a dispute between Hindus and Muhammadans concerning a well and the vacant site lying towards its north and a *bokhar* tree situate outside Haram Gate, Multan city, between the two roads leading to the Railway Station and Goods Yard ;
- (b) that the District Judge, Multan, by his order, dated 1st November, passed in the Civil Appeal regarding Municipal Committee, Multan, *versus* Makhdum Hassain Bukhsh and Jinda of Multan, held that the vacant site belongs to the Municipal Committee and that the well is used both by the Hindus and the public ;
- (c) that the Municipal Committee, Multan, disallowed the construction of building on this vacant site on 29th September 1900 and that the committee passed a resolution demolishing the unlawful encroachment on 22nd December, 1913 ;
- (d) that the Municipal Committee has recently allowed some Muhammadans against its previous resolutions and the decree of the Civil Court referred to above, to encroach upon the vacant site and the well ?

(ii) Has the attention of the Deputy Commissioner been invited to the above facts ; if so, what action has been taken by the Deputy Commissioner in the matter ?

The Honourable Mian Sir Fazl-i-Husain : The matter appears to relate to a dispute in which the Collector of Multan has been approached for permission to file a civil suit to abate a nuisance. It will serve no useful purpose to go into the details of this case especially as it is understood that efforts to compose differences are being made, and I have no doubt the honourable member will wish them all success.

CUTTING OF A PIPAL TREE IN DEHRA DIN PANNAH.

***1150. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

- (a) whether the *Pipal* tree on the *thara* regarding which there is a Hindu-Muslim dispute in Dehra Din Pannah (Muzaffargarh District) and on which the Muhammadans have now erected a mosque, was cut by the Muhammadans under the orders or with the permission of the Deputy Commissioner ;
- (b) under what authority such permission was granted by the Deputy Commissioner ?

The Honourable Sir Geoffrey deMontmorency : Government are making enquiries and a reply will be furnished later.

LAND ACQUISITION IN MULTAN AND SUTLEJ VALLEY PROJECT.

***1151. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that in the district of Multan and on the Sutlej Valley Project the authorities have actually entered upon and taken possession of lands likely to be acquired for any public purpose before the notification under section 6 of the Land Acquisition Act is actually made and published and even before the objections of the persons concerned ;
- (b) if it is a fact that no payment has been made for such possession or damage done as required by section 5 of the said Act ;
- (c) if it is a fact that several applications have been made to the Land Acquisition Officer, Multan, for grant of compensation on that account ; if so, whether the compensation has been allowed, if not, why ?

The Honourable Mian Sir Fazl-i-Hussain : I regret the answer to this question is not yet complete.

EDUCATIONAL MANAGERS AND POLITICS.

***1152. Dr. Gokul Chand, Narang :** (a) Will the Honourable Minister for Education please state whether the teachers, the members of managing committees and the managers of schools have been prohibited recently by the Education Department from taking part in politics with the threat that if they do so, the Government grants to their institutions will be withdrawn without notice ?

(b) Was the standing committee for education consulted in this important matter ? If not, why not ?

The Honourable Mr. Manohar Lal : The attention of the honourable member is drawn to the answer given to question No. 931.¹

RAKH KUTHIALA NEAR MURIDKE.

***1153. Chaudhri Afzal Haq :** (a) Will the Honourable the Revenue Member kindly state when the area known as Rakh Kuthiala near Muridke in Sheikhpura district is to be sold ?

(b) If the area is not to be sold at all, in what way does the Government propose to utilize this large tract of culturable land ?

(c) If it was given for cultivation to some individuals, will he please state the names of those individuals, the conditions under which it was leased out and the reasons why this land has been taken over by the Government ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Yes ; if purchasers at suitable prices are forthcoming and in the meantime orders have been issued to lease it on temporary cultivation terms, if lessees are available.

(c) (i) Nawab Sir Zulfiqar Ali Khan and Raja Sir Daljit Singh.

(ii) Tube-well conditions.

(iii) The lessees having found it impossible to fulfil the conditions of the lease, it was agreed between them and Government that the tenants should retain 750 acres in proprietary right on condition that the remaining 8,250 acres of the lease was surrendered to Government before the expiry of the lease in 1928.

CONSOLIDATION OF HOLDINGS.

***1154. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture kindly state the rules governing the consolidation-of-holdings ?

(b) What facilities are provided by the Government to individuals anxious to consolidate their holdings ?

(c) Has Government issued any instructions to its officers to that effect ?

(d) Does Government help in consolidation work by giving Government land at one place, if it is available, in exchange for land owned by individuals in small and scattered plots when they apply for it ?

The Honourable Sardar Jogendra Singh : (a) The rules are contained in the model by-laws of a co-operative consolidation-of-holdings society. A copy of these by-laws is attached. It may be noted that the power of compulsion given by by-laws 8, 16 and 19, has never been exercised.

(b) A staff consisting of 8 Inspectors and 85 Sub-Inspectors is maintained by Government solely for consolidation work. In addition no fees are charged on mutation proceedings. The question of remitting land revenue is under consideration.

(c) The necessary instructions have been issued.

(d) So far as is known at present, no case has arisen ; the inquiries have been made.

By-laws of the Co-operative Consolidation-of-Holdings Society.**NAME.**

1. This society shall be called the———Co-operative Consolidation-of-Holdings Society, and its registered address shall be at———Post Office,———Tahsil,———District.

OBJECTS.

2. Its objects are to promote the economic interests of its members and more particularly to secure a beneficial rearrangement of holdings and to prevent loss and waste by fragmentation.

MEMBERSHIP.

3. The members shall consist of—

- (1) persons who join in the application for registration ;
- (2) persons admitted in accordance with these by-laws.

4. Every member of the society must be a landowner or occupancy tenant or a person having an interest in land in———.

5. Members shall be admitted after election by the managing committee, subject to the confirmation of a general meeting.

6. Every member on admission shall sign his name or make his thumb-mark in the register of members in the presence of two witnesses.

7. Membership shall be terminated by—

- (1) death or permanent insanity ;
- (2) ceasing to own or have an interest in land in the village ;
- (3) expulsion by a two-thirds majority of a meeting at which not less than half the members are present and vote.

8. A member may be expelled for any action which may be held by the managing committee or a general meeting to be dishonest or contrary to the stated objects of the society.

9. In future if any part of the consolidated area is to be repartitioned the repartition shall be done through the managing committee of this society.

GENERAL MEETING.

10. The supreme authority shall be vested in the general meeting. The presence of at least one-third of the members shall be necessary for the disposal of any business.

11. In a general meeting the following business shall be transacted :—

- (1) the election, suspension and removal of members of the managing committee, including a President and one or more Vice-Presidents ;
- (2) the confirmation of the admission and expulsion of members ;
- (3) the amendment of the by-laws, subject to the sanction of the Registrar ;
- (4) the discussion and approval of all proposals for the re-arrangement of holdings designed to save waste and prevent loss by fragmentation.

[Hon. Sardar Jogendra Singh.]

12. Amendment of the by-laws shall only be carried out by a majority of a meeting at which not less than two-thirds of the members are present. All other questions before the general meeting shall be decided by a majority of votes. When the votes are equal the Chairman shall have a casting vote.

13. Each member shall have one vote. No proxies shall be allowed, but a member may send in a written and signed opinion on any question affecting him that is under discussion.

14. All business discussed or decided at a general meeting shall be recorded in a proceedings book which shall be signed by the Chairman of the meeting and by as many members present at the meeting as may desire to sign.

MANAGING COMMITTEE.

15. The managing committee shall consist of at least three members of the society over the age of twenty-one. The members shall be selected for one year and shall be eligible for re-election. The presence of three members shall be necessary for the transaction of business.

16. A member of the committee shall cease to hold office if he ceases to be a member of the society or refuses to abide by any decision arrived at in a general meeting.

17. The managing committee shall prepare a scheme or schemes for the re-arrangement of holdings in accordance with the principle adopted at a general meeting and shall submit such scheme or schemes to a general meeting for approval. The managing committee shall, in all future cases of partition or re-arrangement of the consolidated area, similarly prepare a scheme, after consultation with the parties concerned, and submit it to a general meeting for approval.

The managing committee shall take all steps necessary to carry into effect any such scheme that may be approved by a two-thirds majority of the whole number of members.

18. All business discussed or decided at a meeting of the committee shall be recorded in a proceedings book which shall be signed by all the members of the committee present.

BUSINESS OF THE SOCIETY.

19. Every member joining or being admitted to the society shall sign a statement that he—

- (1) agrees to the principle of the re-arrangement of scattered holdings so as to secure more compact blocks of fields for each owner ;
- (2) agrees to submit to any arrangement approved by two-thirds of the whole number of members in a general meeting ;
- (3) agrees to permit the rearrangement of his lands in accordance with any such scheme and to give possession in accordance therewith for ever ;

- (4) agrees to submit to arbitration in accordance with by-law 23 all disputes touching the business of the society (including disputes as to rights, boundaries, rents, responsibility for land revenue and cesses and possession of the lands affected by any such scheme) that may arise during the existence of this society ;
- (5) agrees to submit to any arrangement approved by two-thirds of the whole number of members in a general meeting, in case of any future partition or re-arrangement of the consolidated area in which he may be concerned.

20. All transfers of possession in accordance with any such scheme of repartition shall be permanent.

SECRETARY.

21. The committee shall appoint a Secretary who, if he is not a member of the committee, may receive an honorarium with the sanction of a general meeting. The powers and duties of the Secretary shall be as follows :—

- (1) to maintain correctly and up to date the prescribed papers and registers ;
- (2) to prepare all receipts and documents called for by the committee ;
- (3) to sign on behalf of the society and conduct its correspondence ;
- (4) to summon and attend general meetings and meetings of the committee ;
- (5) to record the proceedings of such meetings and have them duly signed ;
- (6) to certify copies of entries in books under section 26 of the Act.

REGISTERS.

22. The following registers shall be maintained :—

- (1) a register of members showing the name, address and occupation of every member, the date of his admission to membership, the date of termination of membership and the names of two witnesses in whose presence he signs his name or makes his thumb-mark in the register ;
- (2) a minute book showing the proceedings of general meetings and committee meetings and the notes of inspecting officers.

DISPUTES.

23. Any disputes concerning these by-laws or the business of the society between members or past members of the society or persons claiming through them or between a member or past member or person so claiming and the committee or any officer shall be referred to the Registrar as provided in the rules notified by the Local Government.

WATER-COURSES.

***1155. Sardar Ujjal Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) the amount spent by the Government on digging water-courses in villages in the Lower Bari Doab Canal Colony ;
- (b) the amount realized so far in the way of special charge for water-courses collected with the revenue.

The Honourable Mian Sir Fazl-i-Husain : (a) The latest figures available, i.e., to 31st March 1927, for expenditure debitable to this acreage rate which include expenditure on water-courses, culverts, cost of rectangulation and killabandi, also interest charges on the amount outstanding, is Rs. 26,25,097.

- (b) Recoveries to the same date totalled Rs. 21,43,228.

WATER-COURSES.

***1156. Sardar Ujjal Singh :** Is the Honourable Revenue Member aware of the fact that in the Lower Bari Doab Canal Colony in some villages a special charge for watercourses is being collected where no water-courses have been dug by the Government ?

The Honourable Mian Sir Fazl-i-Husain : The acreage rate referred to covers the cost of rectangulation, killabandi and construction of culverts in addition to the cost of the water-courses themselves. It is possible, therefore, that in exceptional cases where the water-courses have been constructed by the zamindars themselves, the acreage rate has been levied although the water-courses have not been constructed by Government.

MACLAGAN ENGINEERING COLLEGE.

***1157. Chauduri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state—

- (a) how many students have completed the "A" and "B" courses of the MacLagan Engineering College, Moghalpura, since the College was established ;
- (b) how many of these students have obtained suitable employments ;
- (c) how many of them have been granted stipends for the prosecution of further studies in any foreign country ?

The Honourable Sardar Jogendra Singh : (a) Fourteen "A" class and 50 "B" class.

- (b) Ten "A" class and 37 "B" class.
- (c) None.

VETERINARY COLLEGE.

***1158. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Agriculture please state—

- (a) how many clerks are employed in the Veterinary College, Lahore ;
- (b) how many of them are Muhammadans and how many are non-Muhammadans ?

The Honourable Sardar Jogendra Singh : (a) Seven.

(b) Five Hindus, 1 Muslim, 1 Sikh.

INTERMEDIATE COLLEGE AT SHAHPUR.

***1159. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Education please state whether it is intended to open an Intermediate College at Shahpur ; and, if so, the earliest date at which the college may be expected to be opened ?

The Honourable Mr. Manohar Lal : The matter is under consideration.

HONORARY MAGISTRATES.

***1160. Chaudhri Zafrullah Khan :** (a) Will the Honourable the Finance Member please state whether honorary magistrates whose ordinary place of residence is more than five miles distant from the place where they are required to hold court are entitled to draw travelling allowance in respect of their journeys to and from the place where the court is held ?

(b) If the answer to (a) be in the negative, what are the reasons for depriving them of such allowance ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) The question of travelling allowance does not arise. Honorary Magistrates, when accepting appointment as such, are aware of the place where they will be required to sit and can please themselves about accepting the offer or not.

MEDICAL SCHOOL, AMRITSAR.

***1161. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Local Self-Government please state how many Indian professors and lecturers are employed at the Medical School, Amritsar, and how many of them are Muhammadans and how many are non-Muhammadans ?

The Honourable Malik Firoz Khan, Noon : Seven, of whom one is a Muhammadan.

PANCHAYATS.

***1162. Chaudhri Zafrullah Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) in how many districts panchayat officers have been appointed ;
- (b) the progress so far made in those districts in constituting panchayats ;

[Chaudhri Zafrullah Khan.]

(c) how many of the panchayats established in those districts have been vested with judicial powers;

(d) whether any grants have been made by Government to any of the panchayats in those districts for purposes of rural sanitation or hygiene?

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

(b) The existing number of panchayats is—

Rohtak	..	..	..	..	8
Hoshiarpur	..	..	..	..	39
Gurdaspur	..	..	..	..	6
Gujrat	..	..	..	..	22
Multan	..	..	..	..	15
(c) Rohtak	..	..	..	..	8
Hoshiarpur	..	..	..	..	39
Gurdaspur	..	..	..	..	4
Gujrat	..	..	..	..	22
Multan	..	..	..	..	15

(d) No.

DISPUTE AS THARRA IN DAIRA DIN PANAH.

***1163. Lala Bodh Raj :** (a) With reference to question No. 986¹, asked on the 1st March 1928, will the Honourable Member for Finance please state if it is a fact that the Deputy Commissioner permitted the Muhammadans erecting the mosque to cut the *pipal* tree near the *tharra* in dispute;

(b) Is it a fact that the Hindus of Daira Din Panah claimed that they used to observe their religious ceremonies at this tree and on the *tharra*;

(c) If reply to (a) be in the affirmative, will the Honourable Member please state under what authority the Deputy Commissioner allowed the cutting of the tree (*pipal*) by the Muhammadans?

The Honourable Sir Geoffrey de Montmorency : Government are making enquiries and a reply will be furnished later.

CANDIDATES FOR EXTRA ASSISTANT COMMISSIONERSHIP.

***1164. Lala Bodh Raj :** Will the Chief Secretary please state—

(a) if it is a fact that the selection of candidates for the post of Extra Assistant Commissioner on register A-III is made by His Excellency the Governor himself;

(b) if it is a fact that some Personal Assistants, Stenographers, Superintendents and Clerks of the Civil Secretariat were recommended for nomination on register A-III by some of the Honourable Members and Ministers;

- (c) if it is a fact that the applications of some of those recommended by the Honourable Members and Ministers have been withheld from the consideration of His Excellency by the Chief Secretary;
- (d) if reply to (c) be in the affirmative, under what rule the Chief Secretary has withheld the recommendations of the Honourable Members and Ministers?

Mr. H. W. Emerson : (a) & (b) Yes.

(c) No.

(d) Does not arise.

NOMINATION FOR EXTRA ASSISTANT COMMISSIONERSHIP.

***1165. Lala Bodh Raj :** Will the Chief Secretary please state—

- (a) the names with qualifications and particulars of those Superintendents, Assistants, Clerks, Stenographers and Personal Assistants employed in the Civil Secretariat who have been recommended during the last four years by the Honourable Members and Ministers for nomination as Extra Assistant Commissioner on register A-III;
- (b) the names of such of the said persons as have been accepted as Extra Assistant Commissioners;
- (c) the names of those whose applications or cases are still pending;
- (d) the names of those whose applications or cases have been rejected?

Mr. H. W. Emerson : It is not the practice of Government to give details of recommendations.

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED) GRANT—*concl'd.*

Mr. President : The Council will now resume discussion on General Administration (Reserved) Grant.

Rana Feroz-ud-Din Khan : On a point of order, Sir. The two days allotted for each grant expired yesterday. No discussion can be had on this grant to-day.

Mr. President : If that is the view of the honourable member and if no other member disapproves of it, I shall proceed to put the grant to the vote of the House.

Chaudhri Afzal Haq : You gave a ruling yesterday about this.

Mr. President : All I said yesterday was that according to the Press Communiqué, issued by His Excellency the Governor, more than two days cannot be devoted to the discussion of any one grant. I did not commit myself further; nor are two days yet over.

Chaudhri Afzal Haq : But two days are over.

Mr. President : Not yet.

Rai Sahib Chaudhri Chhotu Ram : I beg to move my amendment, Sir.

Rana Firoz-ud-Din Khan : The Chair has not yet given its ruling on the point.

Mr. President : All that the *Press Communiqué* says is that more than two days shall not be devoted to the discussion of any one demand. Now two days mean 8 hours, because the Council sits for four hours daily. The demand under discussion was taken up at 5-15 P.M. on the 5th March last. Therefore, if the honourable members wish to continue discussing their reduction motions up till 5-15 P.M. to-day they may do so, but if they desire me to put the demand to the vote of the House, because they have many other important demands to discuss yet, I will have no hesitation to comply with their wish. I am entirely in the hands of the House.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Do two days mean full eight hours ?

Mr. President : What else does the honourable member think ?

Khan Bahadur Captain Sardar Sikandar Hayat Khan : I think it should be eight hours from the time the grant begins.

Mr. President : It is on that interpretation that Chaudhri Chhotu Ram is entitled to move his motion, as eight hours are not over yet.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan), Rural] : Sir, I beg to move—

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

My object in moving this cut is to draw once more the attention of the Government to the fact that the zamindars are not getting their proper share in this important branch of public service.

Mr. President : Order, order. The note appended to his motion by the honourable member is—

“ To protest against the meagre representation”

What the honourable member now states his object to be in moving this motion is that he wishes only to draw once more the attention of the Government to the meagre representation of zamindars. There is, I think, a great deal of difference between the two objects. In the one case the motion will have to be put to the vote of the House ; while in the other case, it may not be voted upon.

Rai Sahib Chaudhri Chhotu Ram : Then, I will confine myself to the original words given in the note. I do protest against the meagre representation of zamindars among the Extra Assistant Commissioners and tahsildars. I do protest against the meagre share which has always fallen to the lot of zamindars in the matter of employment under Government.

The Honourable Mian Sir Fazl-i-Husain : Is it only in these two branches of service or is it generally in all the branches of service ?

Rai Sahib Chaudhri Chhotu Ram : I confine myself only to these two branches. In these two branches the zamindars do not get the share

which they are entitled to. In 1919 the Government passed a resolution laying down certain proportions for various branches of the public service which should go to the zamindars. If I remember correctly the share of the zamindars in the matter of Extra Assistant Commissioner posts was put down at 50 per cent. After nearly ten years we find that this proportion has not been reached. The total number of posts in this branch excluding the listed appointments is 214 and the percentage of zamindars holding these posts according to the list which was prepared in October 1927 is 48.9 per cent.

Mr. H. W. Emerson : Does the honourable member mean by zamindars men who belong to the notified agricultural tribes ?

Rai Sahib Chaudhri Chhotu Ram : This list shows the number of members of notified agricultural tribes who hold these posts. I do not know whether the exclusion of the zamindars in the sense of the definition which was adopted in the circular of 1919 has made any appreciable difference or not. Probably the Chief Secretary will be able to tell the House whether that has made any difference or not. The figures that I have before me give a percentage of 48.9. This means that the zamindars have still to make good a deficiency of about six per cent. I beg to submit that after the lapse of ten good years the zamindars could reasonably expect that they will reach the proportion fixed for them in this important branch of the public service. As a matter of fact, the proportion that was laid down was a comparatively low one. The duties of the Extra Assistant Commissioners are mainly concerned with zamindars. However, as the proportion was laid down and has been accepted without any challenge for the last nine or ten years I will not quarrel with that proportion, but I have a right to expect that that proportion will be worked up to. The present figures go to show clearly that that proportion has not been worked up to. My cut relates to two particular branches of service, one is that of Extra Assistant Commissioners and the other relates to that of tahsildars. Under tahsildars the proportion fixed was, I believe, 66 per cent. The proportion reached under this head is 54.7 per cent. Here again the zamindars fall short of the proper percentage by about a little over 11 per cent. If anything the tahsildars are even more closely concerned with zamindars than Extra Assistant Commissioners. The duties of tahsildars bring them into daily contact with zamindars and their entire duties and activities are mainly concerned practically wholly with the zamindars. So it was reasonable to expect that in this branch at any rate the zamindars would be found after ten years' time to have exceeded the proportion fixed for them. Here again it is very disappointing to find that the zamindars have not reached the percentage which was fixed for them ten years ago. My motion relates not only to zamindars of the Punjab as a whole but relates also, and particularly, to the case of the zamindars from the south-east Punjab. I know in a general way, though I am not in a position to quote the exact figures that the zamindars from the south-east Punjab which may be regarded as identical with the Ambala Division plus Delhi province which for the purpose of recruitment has been regarded more or less as part of the Punjab, that the zamindars from the south-east portion of the Punjab are very meagerly represented. From the province of Delhi and from the five districts of the Ambala

[R. S. Chaudhri Chhotu Ram.]

division very few men have been recruited either for the posts of Extra Assistant Commissioners or for the posts of tahsildars during the last ten years, while the general total of zamindars is about 46 per cent. under Extra Assistant Commissioners and nearly 55 per cent. under tahsildars, those from the south-east Punjab will be found to form a very small proportion of these.

If you look at the figures for the south-east portion of the Punjab, it will be found that they are hopelessly under-represented. The number of Extra Assistant Commissioners from that part of the province can be counted on the fingers of one hand. In the matter of tahsildars also the number happens to be distinctly low. What reasons account for this shortage of men from the south-eastern portion of the Punjab holding the posts of Extra Assistant Commissioners and tahsildars is very difficult for me to say. It cannot be said that men with proper qualifications cannot be had. The Ambala Division, though not quite so advanced as, say, the Jullundur division, yet is not the most backward division of the province even in point of education. There are a fairly large number of high schools, then there are two Intermediate Colleges and there are at least two first class colleges in Delhi and the students from this part of the province not only join the colleges at Delhi but also come here at Lahore and join the D. A. V. College and the Government College and the Dyal Singh College and the Forman Christian College, and the number of graduates with proper qualifications is by no means small. Here again I cannot quote exact figures, but I can claim generally that Government, if it is so inclined, has a very wide range to choose candidates from. Therefore I am compelled to protest against the meagre representation of zamindars generally and of the zamindars from the south-eastern portion of the province in particular. The disposition on the part of recommending authorities and appointing authorities seems to have been in the past in favour of the central districts or districts which are close to headquarters. That is the only reason which I can think of for the exclusion of zamindars from the south-east Punjab from these two important services. I hope and trust that Government will take effective steps to see that zamindars receive a proper share both under the head of Extra Assistant Commissioners and tahsildars. The Government has undertaken by solemn resolutions that the zamindars will receive their proper share. It is now up to Government to see that zamindars of this particular portion also get their proper share in these important branches of public service.

With these words I commend my motion to the notice of the House.

Mr. President : Demand under discussion, motion moved—

“That the grant be reduced by Rs. 1.”

The question is that that motion be adopted.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I will deal only with the case of tahsildars, leaving it to Mr. Emerson to deal with the case of the Extra Assistant Commissioners. The matter before the House is an extremely simple one and it is this. The honourable mover has contended that the representation of tahsildars according to the

resolution of 1919 ought to be 66 per cent. zamindars. I admit that, Sir, and there is no dispute about that. The honourable member is entitled to claim that out of the tahsildars 66 per cent. should be zamindars. Now, Sir, the next step is, what is their percentage? The honourable member contends that the percentage of zamindars according to the census statement of 1927 is 55 per cent. There he is wrong. He is confusing two terms. No one in this Council knows better than he does the difference between the two terms—zamindar and member of an agricultural tribe. "Zamindar" is a larger term and "member of notified tribe" is a smaller term, that is, the definition of "zamindar" is considerably wider than that of "member of a notified agricultural tribe." The group between these two is the group that the honourable member has ignored. In his motion he does not talk of members of agricultural tribes; he talks of the representation of *zamindars*. Therefore I trust, Sir, he will be pinned down to that statement. Therefore, Sir, I deny his statement that the representation of zamindars in 1927 is 55 per cent. He may say, it is all very well for you to deny, but what have you got to say in support of your statement. I have something in my support and it is this. He will remember that in 1926 a statement of services was laid on the Council table, I hold it in my hand now, Sir, and according to that statement the representation of zamindars according to the resolution of 1919 stood at 69 per cent., that is to say, 3 per cent. more than the resolution of 1919 demanded.

Khan Bahadur Captain Sardar Sikandar Hayat Khan: How many of them are bogus zamindars?

The Honourable Mian Sir Fazl-i-Husain: I would be very glad to know the number of bogus zamindars if the honourable member will kindly point them out to me. But the fact remains, Sir, here we have two statements—the statement of 1926 which gives the percentage of zamindars at 69 per cent., and the second statement of 1927 which gives not the percentage of zamindars, but the percentage of members of notified agricultural tribes and gives it at 55 per cent. Is it unreasonable to hold that the class between these two accounts for the difference between 55 per cent. and 69 per cent.? Therefore so far as the amendment tabled concerning tahsildars is concerned, I trust the honourable mover will have no difficulty in realising that it is not fair to expect the Council to hold with him that, as a matter of fact, the representation of zamindars according to the resolution of 1919 is below the percentage demanded by the resolution.

Now, the honourable members of this Council will be interested to know why is it that the statement of 1926 gives the figures of zamindars, and that of 1927 gives the figures of members of notified agricultural tribes. That change is due partly to me and partly to the honourable mover of the amendment. Both of us felt that in the term "zamindar" possibly a number of people might be included who, according to various views, might not be entitled to be in the group. There was the extreme difficulty in the way of having a test by which to judge whether a particular person should or should not be included. In the case of members of notified agricultural tribes there could be no two opinions whether a man should or should not be included. Therefore it was realised that the proposal to include the

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

number of members of notified agricultural tribes as against the number of zamindars would make for certainty and clearness, and therefore was preferable to a statement which might always be challenged as including persons who should or should not have been included; but it was also understood that it would not be right on the part of those interested in the development of zamindars to claim the same percentage for members of notified agricultural tribes as they were entitled to expect in the case of zamindars as defined in the resolution of 1919. I have made that statement, so that when examining these statements in future the honourable members may realise that there is to be a difference in the percentages as mentioned in the resolution of 1919 and as they are likely to find in the statement. This, however, does not mean that the general policy of the resolution of 1919 is not to be adhered to by Government. Far from it. Government stands by it and I have no doubt will do all it can to reach those percentages. At the same time, Sir, it should be understood that percentages are a very difficult thing to deal with and what the Council ought to look at is the general effect of it, and we should not object to the percentage being less by two or three or more by two or three. I trust that in view of the explanation I have given the honourable member will realise that the interests of the members of notified agricultural tribes or of zamindars are generally kept in view, while Government is not in any way unmindful of the equally important interests of tribes other than notified agricultural tribes.

Lala Mohan Lal : What was the percentage of zamindars amongst tahsildars in 1926-27?

The Honourable Mian Sir Fazl-i-Husain : I am afraid I have not got it, but it is not likely to be less than 66 per cent.

Mr. H. W. Emerson (Chief Secretary) : Sir, the Honourable Member for Revenue has made my task much easier.....

The Honourable Mian Sir Fazl-i-Husain : I am afraid, Sir, I omitted to deal with the case of the Ambala division. May I have your permission to deal with it now?

Mr. President : I am afraid I cannot allow the honourable member to do so now as Mr. Emerson is already in possession of the House.

Mr. H. W. Emerson : Sir, the Honourable Member for Revenue has made my task much easier by explaining to the House the difference between the term "zamindar" and the term "member of a notified and agricultural tribe." The honourable member gave some figures relating to the constitution of the Provincial Civil Service, executive branch, that is to say, of the Extra Assistant Commissioners. I understood him to say that exclusive of listed posts the proportion of members of agricultural tribes on the 1st of March 1927 was 48.9 per cent. In the first place I do not quite understand why he has excluded listed posts because the resolution of 1919 made no reference to such exclusion. It dealt with the Provincial Civil Service as a whole and it laid down the principle that after the exclusion of Anglo-Indians and Christians the proportion of zamindars in the executive branch should be raised gradually to 50 per

cent. although the pace by which this increase was to be reached was not mentioned. On the first March 1926 when the last census was taken of the number of zamindar Extra Assistant Commissioners in the service, and after Christians and Anglo-Indians had been excluded, it was found that the percentage of zamindars was not 50 per cent., but 67 per cent. In view of that figure I do not think that the honourable member can justly claim that Government has failed in giving effect to its policy of 1919. Later figures relating to zamindars are not available. But if instead we take the narrower term of members of the notified agricultural tribes, we find that on the 1st March 1928, that is to say, a week ago, the percentage of members of agricultural tribes was as high as 48 per cent. Now when honourable members bear in mind that there are many persons who come within, and justly come within, the class of zamindars who are not members of the notified tribes, they can safely assume that at the present moment the percentage of zamindar Extra Assistant Commissioners is very considerably in excess of the standard of 50 per cent., which was laid down in 1919. In view of these facts and figures I can only hope that the honourable member will not press his motion and will be satisfied that there has been no failure on the part of the Government to reach the percentage laid down.

With regard to the representation of the South-East Punjab, the honourable member is on safer grounds. I find from an examination of the figures that the districts of Ambala division and Delhi have not obtained a fair share in the number of appointments as they might reasonably lay claim to. I find it difficult to find adequate reasons for this. One reason perhaps is to be found in the fact that recruitment to the provincial civil service, executive branch, is made in several ways. One way is by open competitive examination, another way is by the promotion of tahsildars and naib-tahsildars, a third way is by selection from among the ministerial and clerical officers of Government and the fourth way is by direct appointment. It is probable that amongst the ministerial and clerical services, the South-East Punjab is not as well represented as the central portion of the province. Lahore is a long way from Rohtak and I imagine that many youths of Rohtak and the South-East Punjab are not so willing to serve in Lahore as are local candidates. Again the different methods of recruitment of Extra Assistant Commissioners make it very difficult to attempt to maintain in appointments what I may call geographical representation. Nor can Government accept a rigid principle that particular parts of the province or particular districts should be given the exact proportion which their population or their area or their wealth, according to the standard adopted, would give on an arithmetical calculation. Government desires that every part of the province should be reasonably and fairly represented in the public services; and in so far as possible it does try to give effect to that consideration. In so far as the South-East of the province has not come so well off as it might reasonably expect, I think that, subject always to the condition that men with the necessary qualifications are available, that is, with qualifications at least equal to those of candidates from other parts of the province, Government will be prepared to pay regard so far as this is possible to the claims of the South-East of the province as well as to the claims of other parts of the province.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : Sir, I wish to explain the position as it stands as regards the South-East of the province in respect of the number of tahsildars. In the present year, there are 24 tahsildars serving in the Ambala division. Of these, 16 are members of the notified agricultural tribes, that is 66 per cent. Of these, again 15 are residents of the Ambala division. These 15 include 12 members of the notified agricultural tribes.

Raj Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan), Rural] : The Honourable Chief Secretary expressed surprise as to why I had excluded listed appointments from my calculation. My reply is that in the first instance listed appointments even if they were to be included in my calculation would not make any difference. Zamindars in listed appointments are very few and even if I had included these posts the inclusion would have made no appreciable difference. After all the number of these listed appointments is 7. A further reason why I excluded listed appointments from my calculation was that listed appointments are not really appointments in the provincial civil service cadre. These appointments are usually reserved for members of the Indian Civil Service and the mere fact that men of the provincial service can also rise to occupy them does not make them appointments of the provincial grade.

Another reference was made both by the Honourable the Revenue Member and the Chief Secretary to the difference between the definition of zamindars and the definition of members of agricultural tribes. I realise to the full the difference that there is between the definition of zamindars and the definition of members of agricultural tribes. But as I suggested in the beginning of my speech when I moved my motion, the broader definition of zamindar, according to my calculation, would not really account for any very large difference. However, I find from the statement that has been made by the Honourable the Revenue Member that it has, as a matter of fact, made very appreciable difference. I accept that explanation.

With regard to the meagre representation of zamindars in the South-East Punjab, the Chief Secretary stated that there might be various grounds for their poor representation. One of the reasons he suggested is that the recruitment of Extra Assistant Commissioners is also made from among the clerical establishment and as most of the clerical establishment is centred in Lahore, probably zamindars of the South-East Punjab do not care to come to Lahore. I admit that a very large section of the clerical establishment, the section which really becomes Extra Assistant Commissioners in largest numbers, is centred in Lahore. But I deny the force of the suggestion that men from the South-East Punjab do not care to come to Lahore. Men from the South-East Punjab went to France, they went to Flanders, they went to Palestine, they went to Egypt and there is absolutely no reason to suppose that they don't want to go to Lahore to have softer jobs than the ones which took them to France and Flanders. The real difficulty is that these offices are monopolised by men of Lahore and Amritsar and they look upon everybody else as more or less an intruder. They are near the officers who make these appointments and they know how to manage things in a manner which will favour recruitment of their own friends and relations and exclude men from outside urban areas.

Raizada Hans Raj (Urdu): Did they go to France as Extra Assistant Commissioners?

Rai Sahib Chaudhri Chhotu Ram (Urdu): They went to France as soldiers, in which capacity you and people of your class do not like to go.

Raizada Hans Raj (Urdu): My own son went to the field of battle.

Rai Sahib Chaudhri Chhotu Ram: Not as a soldier, but as a doctor possibly.

Raizada Hans Raj: And won Military Cross.

Rai Sahib Chaudhri Chhotu Ram: My friend representing the Jullundur rural constituency has thought it fit to interrupt me and suggest that zamindars are fit only to become soldiers and not as Extra Assistant Commissioners. Or does he mean to suggest that non-zamindars are as eager to serve in military operations as zamindars are? If the latter is the suggestion, I am afraid I must deny the truth of it. There was an opportunity given to non-zamindars to serve at the front. The University Signal Corps was started and the response from non-zamindar class was most disappointing. I do not remember the exact figures now, but I am pretty sure that very few young men offered to serve in that corps and all but three in that corps were zamindars. That is my recollection. Under the circumstances, my friend has no justification to suggest that non-zamindar classes are as ready or as eager to serve where there is danger to meet as the zamindar classes are. My contention that the zamindars are as eager to serve in the softer jobs of Lahore as they are in the battle-fields of France or Palestine is true. The reply that has been given by the Chief Secretary and the Honourable Revenue Member being satisfactory I have no intention to press my motion. I accordingly beg leave to withdraw it.

The motion was by leave withdrawn.

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

"That the total grant be reduced by Re. 1."

Sir, on many occasions the Government has given expression to the danger that if the people were allowed to keep arms freely, it is very likely that the public peace will be disturbed. To set at rest that fear of the Government I proposed in 1924 that before any dangerous weapons are exempted from the Arms Act, sword should be exempted first of all, it being a very innocent weapon now-a-days. Accordingly sword was exempted to a certain extent from the Arms Act and we know Government also knows that if there has been no decrease in the number of crimes after the sword was exempted, there has also been no increase on that account. It will also be readily admitted that Government too has received no harm at the hands of those who are in possession of swords. I, therefore, take this opportunity to propose that a further step be taken in this direction and experiment should now be made in the case of other arms. I can assure the Government that if my proposal is adopted, the number of crimes must go down. In support of my contention I may submit, Sir, that since 1903, when North-West Frontier Province was separated from the Punjab, the number of dacoities in that province has decreased very much and why because the people

3 P.M.

[Chaudhri Afzal Haq.]

there possess arms in large number. If it is not already known, I may state for the information of the House and the Government that criminals, being a class of clever people, make enquiries to ascertain before attacking a village, whether its residents or any of its residents are in possession of arms or not. They even go so far as to ascertain whether in any of the neighbouring villages there are any arms which might give courage to the people to oppose them. And if they even come to doubt that there are any arms in the village proposed to be attacked or in any of the neighbouring villages, they dare not approach that village with any sinister motive. But here we find the official members always harping on the same tune and saying that in case the people are allowed to keep arms freely, not only the Government will be in constant danger, but the public peace will also be rudely disturbed. That, I say, is only an imaginary fear. But granted that this fear is genuine, do you mean to say thereby that because there is this imaginary or say genuine fear that Government will be in constant danger from those who have got arms, the people of this country should never be allowed to keep arms? Since you have dispossessed these people of all arms, they have been left with no courage to face any danger. Their martial spirit has left them. There are hardly 5 per cent. among the whole population of the province who are not afraid of using arms. If we are to be a nation some day and if we have not to depend upon others for our defence for ever, it is essential that these restrictions on the keeping of arms should be removed as early as possible.

Then it is also in the interests of the Government that we should be allowed to keep arms freely. Now whenever Government needs the services of soldiers it has to give training to the persons who offer their services before they are able to discharge the duties of soldiers. Like some of the zamindars I do not pride on the fact that our men went and fought bravely on various battle-fields because they only helped to deprive certain people of their freedom. But even if it is a matter of which we should be proud, I think it will be better still if our men are infused with martial spirit so that they are always ready to take up arms for the Government. Like a foresighted gardener, who keeps something in reserve for the rainy days, Government should encourage its subjects to learn the use of arms so that strong and stout men may not be wanting in time of emergency. I do not claim that Government relies upon me or upon some of us to run its administration. Neither do I claim that some imminent danger is facing it. But you cannot be sure of the time of the fall or rise of nations. We must always be ready for the worst. We know that Saxons had to leave England because they could not stand the onslaught of a foreign and a stronger nation and it is why I emphasize the fact that we must be given opportunities to grow in us that martial spirit which enables a nation to defend itself when attacked and without which it falls an easy prey to the aggressors, just as a sparrow falls an easy prey to a kite.

Sir, I gave notice of two amendments regarding the grant under consideration. One was to urge the repeal of the Arms Act and the other is that I have been allowed to move. I need not say that the first was ruled out of order, but the second, which forms now the subject of discussion,

is very moderate and I do not see any reason why Government should not accept it. If Government is not prepared to remove all the restrictions imposed on the keeping of arms, it should at least relax those restrictions. I repeat once again that if you are anxious to reduce the number of dacoities and other serious crimes; if you wish to maintain public peace and good government; if you desire that men with martial spirit may not be wanting at a short notice and above all if you do not grudge that we should become a self-dependent nation sooner or later, it is essential that the restrictions placed on the keeping of arms should be relaxed if you are not prepared to remove them at once. With these words I commend my motion for the acceptance of the House.

Mr. President : Demand under discussion, motion moved—

“ That the grant be reduced by Re. 1.”

The question is that that motion be adopted.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Is it that no member wishes to speak on this motion? It appears that the Council is not very anxious to get arms (Some voices : *We want to know the views of the Government on the subject.*) Very well. The honourable member for Hoshiarpur (Muslim) has raised many points in his speech, and I am still undecided as to whether it is necessary to discuss them all. So far as I can judge, he desires that the Government should provide more facilities to the people for keeping arms, and in his zeal has stated two propositions besides giving expression to general statements. I quite appreciate their value, but I feel, Sir, that the general questions, whether the possession of more arms by the people will exterminate crime from the province, whether their possession will save the country and for the matter of that our Government from the fear of any future internal or external danger, and whether these arms will enable the people to defend themselves after the British Government is gone, are of an academic nature and I think, are not very closely related to the subject matter of the motion before the House. If it had not been so I should have very much liked to discuss them in detail and it is possible that I might have agreed on certain points with the honourable member and tried to make him agree with me and others. But that is beside the point. I therefore take up the two statements the honourable member made. He was very particular about them. He first said that the Punjab Government should see that the number of arms in the province should increase. Then he told us at length that he views with great satisfaction the fact that the number of arms in the North-West Frontier Province has increased during the last 5 or 6 years. He then expressed his view that similar progress should have been made in our province and this deficiency should be made good now. I feel, Sir, that with regard to both these points I need not enter into a controversy with the honourable member. Fortunately I have got with me some statistics which will interest the Council. As regards the number of fire-arms, such as guns and revolvers, the honourable member is right that their number in the North-West Frontier Province has increased a great deal during the last 5 or 6 years. To be precise, the number in 1926 was nearly double the number in 1921. I need not say anything so far as

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

the sword is concerned, because it is totally exempt from the Arms Act in that province. In this connection I may mention, however, in passing, that we have also exempted the sword from the Arms Act in the case of nine districts of the Punjab as an experimental measure. If this experiment proves successful, we propose to exempt sword in the case of other districts also. Now with regard to fire-arms in the Punjab, I am glad to inform the House that in the same period, i.e., between 1921 and 1926, the number of fire-arms in the possession of the people has more than doubled. In other words, the proportion of increase in fire-arms in the Punjab between the years 1921 and 1926 is greater than that in the North-West Frontier Province. I think this statement should satisfy the honourable mover and he will be prepared to concede that Government has been very liberal in the matter of granting licences for fire-arms. The number of fire-arms in the possession of the people of this province has certainly increased very much, and I am afraid lest some members who happened to be of a cautious temperament should object to such a hasty increase in licenses for fire-arms. (A voice: *Is the Honourable Member giving a hint as to which side the members should vote.*) No. I am only trying to give the Council an idea of what the Government has done perhaps without knowing it. In view of the fact that the number of arms in the possession of the people has increased a great deal during the short period, I hope the honourable mover will be satisfied and will not press his motion.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana (Muhammadan), Rural] (Urdu): Sir, it appears that the Honourable Member for Revenue has misunderstood me and I take this opportunity to remove that misunderstanding. I did not mean, Sir, to compare the number of arms in the possession of the people of the North-West Frontier Province with the number of such arms in our province. What I meant was that since 1921 the number of crimes in the Frontier Province had gone low because of the fact that the people had come to possess more arms since that year. I was all along trying to show that if the number of dacoities in 1925 came down to 160, while it was 339 in 1922, 338 in 1923 and 211 in 1924, it is because the dacoits knew that their victims had got arms to defend themselves. You might be under the impression that it is due to the exertions of police that the number of dacoities has decreased. That is not so and I will explain it in detail on some other occasion. My contention that the number of serious crimes has decreased owing to the increase in the number of arms in the possession of the people can be borne out by the contents of the police case diaries.

Then the Honourable Revenue Member was pleased to remark that it was not very important matter to discuss that the possession of arms will enable us to depend on and defend ourselves in case of emergency. That may not be an important matter so far as he is concerned, but for me it is of utmost importance and I would insist on arms being freely given to the people even if there be the danger of the number of crimes going up. I do not want that the whole of the community should suffer on account of that danger,

although I think that that is only a supposed danger, because I have already proved that instead of the number of crimes going up on account of the people possessing more arms, it has considerably gone down. I say that the possession of arms is not only for the interests of the people themselves, but it will redound to the benefit of the Government as well because it is these people who form the power and strength of the Government. Besides I have already shown that the possession of arms by the people is in the interests of public peace, and if so many advantages are to accrue from keeping arms I am at a loss to understand why the Government should hesitate to allow the people to keep arms as many as they may like.

It gave me really much pleasure to learn from the Honourable Member that there was no imminent danger to the country or to the public peace. But he should know that it is very difficult to peep into the future. Who knows that the country or the public peace may not be disturbed to-morrow? Then the Honourable Member was pleased to say that the Government is giving facilities to the people to keep arms.

The Honourable Mian Sir Fazl-i-Husain : I never said that. I said that the number of arms in the possession of people has increased since 1921.

Chaudhri Afzal Haq : It clearly means that the Government is also willing to give arms to the people, otherwise how could the number increase as it has actually increased? It is, therefore, clear that there is no serious difference of opinion between me and the Government, and I hope that in future more facilities will be given to the people for keeping arms.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, I thought that it would satisfy the honourable mover and the Council to learn from me that the number of fire-arms in the province had more than doubled during the last 5 or 6 years, but apparently I had made a mistake so far as the honourable mover is concerned, but I am sure the Council is more than satisfied. To satisfy the honourable mover I am not prepared to appoint an agency for the distribution of arms free. We must proceed in such matters with great caution, and I am afraid we have already acted in haste.

Chaudhri Afzal Haq : We do not say that such an agency should be created.

Mr. President : Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was lost.

Mr. President : Motion No. 9¹ cannot be moved, because a resolution to the same purpose is fixed on discussion on the 14th March. Motion No. 10² is only a repetition of a resolution already discussed during this session.

¹ "That the total grant be reduced by Re. 1."

NOTE.—To discuss the economic condition of Muzaffargarh district with a view to give effect to Mr. Anderson's report.

² "That the total grant be reduced by Re. 1."

NOTE.—To urge that the amount of the last remission made by Government of India should be put annually into a special fund which, when accumulated, should be used to exempt small holdings from the payment of land revenue.

[Mr. President.]

As regards the supplementary list, motion No. 1¹ of Shaikh Muhammad Sadiq relates to an item different from that to which it ought to relate. It relates to an item at the bottom of page 155, whereas it ought to relate to an item at the bottom of page 156 and at the top of page 157. Again, it is out of order inasmuch as it relates to a specific item, while the Council is now discussing reductions of the total grant. For the same reasons motions Nos. 2² and 3³ are out of order. Motion No. 4⁴ is out of order. Motion No. 5⁵ relates to legislation, and is, therefore, out of order. Motion No. 6⁶ is the only motion which is in order, but Chaudhri Duli Chand, who has given notice of the motion, is not in his place to move it. Therefore, I proceed to put the main grant to vote.

Shaikh Muhammad Sadiq : I would oppose the whole grant.

Mr. President : Certainly.

Shaikh Muhammad Sadiq : Will I be in order to speak in support of my opposition ?

Mr. President : Yes.

Shaikh Muhammad Sadiq : I do not want to make a lengthy speech on the question of elections, but I should like to make a few observations with regard to the present system of elections. In Amritsar we have been in the throes of municipal elections, and certain things which came to my notice and probably to the other candidates I would like to bring to the notice of the Honourable Minister for Local Self-Government.

The Honourable Mian Sir Fazl-i-Husain : That point may be dealt with later on when the demand for General Administration (Transferred) is before the House.

Mr. President : The honourable member must be aware that the grant under discussion relates to General Administration (Reserved) and, has nothing to do with municipal elections.

¹ "That the grant be reduced by Re. 1 with respect to the item of Rs. 1,38,300—Provincial Legislative Council—B.—Legislative Bodies."

NOTE.—To urge that personation should be made cognizable offence, and that the present rules and regulations re municipal and district board elections be changed, and that a committee be appointed to overhaul the present system.

² "That the grant be reduced by Re. 1 with respect to the item of Rs. 2,100—Election for Indian and Provincial Legislature—B.—Legislative Bodies."

NOTE.—To draw attention of the Government to the inadequate arrangements for polling in rural areas during elections.

³ "That the grant be reduced by Re. 1 with respect to the item of Rs. 2,100—Election for Indian and Provincial Legislature—B.—Legislative Bodies."

NOTE.—To urge that the Government of India may be approached to change the present law and rules as regards elections of Legislative Assembly and Provincial Councils, and also to change the present rules and regulations as regards municipal and district board elections.

⁴ "That the total grant be reduced by Re. 1."

NOTE.—To urge that the exemption of the sword from the operations of the Arms Act should be extended to the districts of Karnal and Rohtak also.

⁵ "That the total grant be reduced by Re. 1."

NOTE.—To urge the necessity of introducing the Borrowers' Protection Bill.

⁶ "That the total grant be reduced by Re. 1."

NOTE.—To raise discussion regarding the settlement of the nomadic tribe of Ods committing crimes, especially in the districts of Karnal and Rohtak.

Shaikh Muhammad Sadiq : If the Honourable Revenue Member had allowed me to speak, he would have found that I was going to speak about elections to the provincial council and the Indian legislature also. Unless the desire is that I should make two different speeches, once in connection with elections to the legislatures and again in connection with elections to local bodies, I should like to make one speech covering both and thus save the time of the Council.

Mr. President : Not only the various grants should be dealt with separately, but also the various items of a grant should be dealt with separately. Elections to the Legislative Council, the district boards and the municipal committees are not under the same member of the Government; besides the hon'ble members may have different opinions on the different kinds of elections. It is not proper, therefore, to discuss in one speech the three different items relating three different classes of elections.

Shaikh Muhammad Sadiq : Very well, Sir, I will speak about elections to the Provincial and Indian legislatures. First of all, one great difficulty is that there are very few polling stations. The area covered by each constituency is very large, and we find very great difficulty for voters to come along 15 or 20 miles to record their votes. If the area were smaller than at present, I am sure there will be greater number of voters recording their votes at the polling stations. In Australia you will find there is a law which makes it compulsory for every voter to record his vote at elections. If a person fails to vote, he has to give valid reasons for his failure, and if his reasons are not valid he is punished by a court of law. The object of this law is to force every voter to record his vote. In this country I know that it is impossible to have such a law, but even with the law as it exists here at present, if we can locate the polling stations within easy reach of every person, I am sure people will flock to them in greater numbers than at present.

The Honourable Mian Sir Fazl-i-Husain : Is it for the convenience of the voter?

Shaikh Muhammad Sadiq : Yes. In the British press there were loud complaints that although reforms have been granted to India, the Indians do not take advantage of the election, and only a very small percentage goes to record its vote. Of course the British press does not know that the roads in this country are not *pucca* roads, that there are not many motor facilities, that people do not own so many private motor cars to bring these voters to polling stations; that people have to come on foot from out-of-the-way places to record their votes, and so it becomes difficult for them to go to the polling stations. For this reason, I would ask the Government to increase the number of polling stations so that people may not find it necessary to go long distances to record their votes.

Secondly, the rules and regulations on the subject of elections are defective. For instance, inexperienced people are usually appointed for polling purposes.

The Honourable Mian Sir Fazl-i-Husain : Officials or non-officials?

Shaikh Muhammad Sadiq : Inexperienced officials. Sometimes *patwaris* are appointed for giving ballot papers to voters. I submit that more experienced people should be appointed for this purpose.

The Honourable Mian Sir Fazl-i-Husain : More experienced than patwaris ?

Shaikh Muhammad Sadiq : Yes, more experienced than patwaris or if the patwaris are appointed, they should be given proper training.

Another point I would emphasise is that the polling officers should be made to take an oath of secrecy. The present practice is that the ballot paper is taken from the polling officer and the voter goes to the presiding officer. We have heard allegations in this connection that in the case of illiterate voters the presiding officers mark the ballot paper wrongly. This complaint should be avoided as far as possible. There is a certain system in Bombay by which coloured boxes are kept so that each voter when he takes his ballot paper has only to put it in the respective box which he can distinguish very easily by the colour unless he is colour blind. This system can be usefully adopted in this province also. In some places they keep photographs of the candidates, but it may be difficult in some cases to distinguish the candidates as there may be similarity in their facial expressions and the two candidates may appear very much alike in the photographs.

Very often we hear a defeated candidate alleging that the presiding officers have taken bribes and have acted dishonestly. There should be no room for such complaints in important elections like those for the Legislative Council and the Legislative Assembly. This complaint can be avoided by having two presiding officers at each polling station instead of one. Then there will be no chance for anybody to say that the two officers have combined together to do mischief. I do not mean to say that the allegations are correct, but during excitement when the presiding officer overrules certain points, he is likely to be misunderstood.

If we want democracy to rest on a firm basis there should be one thing clear, that is, the honesty of the presiding officer, in whose hands lies the power of marking the ballot papers of illiterate voters, should be above board. I do not say for one moment that the presiding officer is dishonest as a rule. I want to make it absolutely clear that there is no question of dishonesty at present, but I want to see that the present system which gives scope for dishonesty should be abolished and a new system evolved which will be proof against dishonesty.

The Honourable Mian Sir Fazl-i-Husain : You must have non-officials.

Shaikh Muhammad Sadiq : I do not say anything against anybody. Officials sitting on the opposite benches may be as honest as non-officials sitting on this side, and non-officials sitting on this side may be as dishonest as officials sitting on the opposite side. I do not for one moment speak about individuals. I am not making any attack against any person individually. The non-officials can be as bad as officials and *vice versa*. I do not bring in here the question of official *versus* non-official. I am attacking the present system of recording votes and holding of election. You should make everything open and above board. I read in the *Civil and Military Gazette* once about what happened in a city in Spain. There was a parliamentary election. The Government of Spain wanted that the member elected to serve on the

parliament should be a pro-Government man. According to the law in Spain the member in charge of elections was the Home Member, and he was also in charge of Prisons. He knew that the Mayor was an honest man and that he would not do anything dishonest. If the Mayor were to be the presiding officer, the Government could not have their nominee elected successfully. One day the Home Member asked the Mayor to visit the jail along with him. When they both went, at a given notice, the prison door was closed when the Mayor was inside, and he was quite forgotten by the people there. In the meanwhile the elections proceeded, and two days after a search was made for the Mayor and he was found inside the prison. The authorities gave it out that he was locked inside the prison by mistake. Thus the Government kept the Mayor out of the field so that their own candidate might be elected successfully. My objection in drawing the attention of the Government to this point is that in future home rule for India, I am not talking of the present, such dishonest practices may not be had recourse to. Before home rule comes, I want to see the whole machinery perfected so that there might be no room under home rule government to have recourse to such bad practices. Before that time comes, some system should be evolved which would make a repetition of the Spanish system impossible in this country.

Then, Sir, I come to the system of giving ballot papers to the voters. For the information of the House I may say how the present system works. A man comes in to record his vote. The agents do not go inside to verify each voter when he gives out his name, etc. Ten or more voters are allowed to go to the presiding officer at a time to take ballot papers. What is the object of election? Unless the agent of a candidate is allowed to remain near the presiding officer and listen to the statements made by the voter about his father's name, the village from which he comes, etc., unless the agent is allowed to verify these statements of the voter, there is no means of checking the veracity of those statements. Bogus men may come forward to give votes. Ten or more voters are allowed to crowd around the patwari. The patwari asks each voter his name, his father's name and hands him a ballot paper which he takes inside and records his vote. My submission is that this is not the right system. Some system should be evolved by which a fraudulent person might be prohibited from giving his false vote. I will tell the House how this fraudulent system works. There are some agents standing round the patwaris. The agents see that in the list containing the names of electors, several names are not ticked showing thereby that those against whom no mark is made have not yet recorded their votes. The agents of the candidates make a note of such names against which there is a blank. The agent takes such numbers from beginning to end. This enables the agents to bring in false voters to record votes for their respective candidates. The agents know that these people have not taken ballot papers, and thus bogus votes are recorded. This is another system in which bogus votes are recorded and I submit that this system should be put an end to. My suggestion is that the list of voters which the patwaris have should not be seen by the agents of the candidates or by anybody. Nobody should have access to that list. These lists of voters should not be taken outside the polling booth and the lists should not be given to parties. This always happens. If this were stopped, I am sure much of the bogus votes would disappear.

[Shaikh Muhammad Sadiq.]

There is another point which I want to bring to the notice of Government. There should be more days allotted for the election, for instance, to voters coming from interior villages more than 2 or 3 days should be allowed to record their votes. It is not always possible for all the voters who come from different parts of the district to finish the recording of their votes in a single day. It is also necessary that the lambardar of the particular village from which the voters have come to record their votes should be present at the time of voting, so that they may identify the voters. There are more than 200 or 300 villages from which the voters come to record their votes, and if each candidate who stands for election is allowed not more than one agent to identify the voters, that would be practically impossible to be attended to by one man. That is why I suggest that the lambardars of the particular villages should be present to identify the voters of their respective villages. In this way the voting can be done expeditiously, and this will also avoid bogus votes. As already pointed out, the number of voters for each constituency is so large that it is not possible, if all of them should turn up to record their votes, to do so in a single day. That is why I suggest that different days should be allotted for electors coming from different groups of villages. If feasible my suggestion can be adopted.

Another thing that I want to say is that the law as it stands at present does not penalise personation. False personation is no offence (A voice: It is an offence). All that a voter is asked is to give his father's name and the name of a village, and the third question that is put is if he had already voted. If he says, no, then he is given the voting paper. It sometimes happens that persons bearing the same name and coming from the same village happen to be voters. It sometimes happens that the wrong man has taken the voting paper. Now the presiding officer has no power to order the arrest and detention of a man who personates another voter. The sanction of the Local Government has to be obtained to prosecute a false voter. But by the time correspondence takes place between the presiding officer and the Local Government on the question of arrest of the person who impersonated another voter, the fellow runs away to his own village. My submission is that more power should be given to the presiding officer in the matter of arrest and detention of the false person. Unless there is a sufficient check against such dishonest and fraudulent practices, the whole objection of the election is defeated. I know in several instances that people have gone and recorded their votes ten times, that is, over and over again. (A voice: No, No.) I am only attacking the system that is at present in vogue. I am not referring to the Legislative Council voting. If a person gives his name, his father's name and the name of his village correctly he is at once handed in a voting paper. It may be that he is coming for the eleventh time to record his votes and yet no notice is taken of his conduct. The present system is defective, and that is my complaint. The whole election should be run on more democratic basis, as it is done in other countries. Since the time the election rules were first framed, the people have learnt all the tricks about the system, and they are sometimes successfully evading the rules. Surely it is not the intention of the Government that the Legislative Council elections or the elections to local bodies should be reduced to a farce. Now that it has been brought to the notice

of the Government that some people are cleverly practising fraud during elections, it is up to the Government to so modify the rules as to be proof against such frauds. A new set of rules should be framed so as to avoid all these defects. I am as anxious as the members of the Government and the members of the Government are also as anxious as the non-official members to put down corruption in whichever sphere of administration it is practised. I know in Amritsar district that the revenue officer who has great experience in election is taking a lot of trouble in the matter of putting down corrupt practices at the election. I am sure, similarly in other districts also there are officers who know something about the frauds committed during election times. In Lahore elections, I am told people came from the adjacent districts, such as Sheikhupura and Ferozepore and gave bogus votes. The real voters on the list did not turn up at all. So long as there is the motor lorry service, people could conveniently come from 40 or 50 miles distance and give their votes.

Another thing is the system of control that is exercised at the polling booths in outside areas. Chiefly in the Legislative Assembly and Legislative Council elections, at the polling booth, everything depends on the ability with which the presiding officer conducts the voting. If the presiding officer uses his *stti*, in the wrong direction, the voters disappear and the candidate suffers. Success at the elections depends on many factors, the influence of the candidate, the influence of individual voters, the ability of the candidate and on the whip used by presiding officer, and others who need not be necessarily be a policeman. It is the man who makes the biggest noise that gets through. It is all the more necessary that a system should be evolved which allows freedom of voting, and which as far as possible eradicates the evil of false personation and fraudulent voting. Now that ladies also are taking a more prominent part at the elections, the system that the Government is going to evolve should be such that sufficient protection is afforded to lady voters at the polling booths. Every facility should be afforded to women to exercise their franchise.

The Honourable Mian Sir Fazl-i-Husain : If there is false personation, then it would be more difficult to detect in the case of ladies.

Shaikh Muhammad Sadiq : If you change the law on the subject of false personation at the polling booth and make it a cognisable offence, then the difficulty as regards male and female voters will be removed. The presiding officer, if he has reasonable ground to think that a voter is a bogus voter, should have the power to send that voter to a magistrate. If a true voter he can be let off, or otherwise he should be let off only on bail. In this way alone you can stop this evil of false personation and bogus voting.

Khan Bahadur Nawab Muzaffar Khan (Director of Information Bureau) (Urdu) : Sir, there is no gainsaying the fact that the voters of the rural areas have to travel long distances in coming to the polling booths for giving their votes. And the honourable member from Amritsar has rightly remarked that in coming to the polling stations, the rural voters suffer great troubles. But, I would request the honourable member that he should also look to the difficulties of the Government in this matter. The Government fixes a polling booth at a place where a considerable number of voters can conveniently gather. The rural voters number about 6½ lakhs, there

[K. B. Nawab Muzaffar Khan.]

were in 1926 about 800 polling booths for them. Some Rs. 80 to 100 were spent on each of them; thus bringing the expenditure to 60 or 70 thousands of rupees. If the number of polling booths be increased, the expenditure would also be correspondingly increased.

Again the honourable member has suggested that a polling booth should be fixed at every 5 or 10 miles' distance. I would like to tell the honourable member that his suggestion is well-nigh impracticable. In the districts of Mianwali, Dera Ghazi Khan, and on the summits of Kulu and Murree the voters are scattered and live at vast distances from one another. If we were to fix a polling booth in these territories at every 5 or 10 miles distance, the number of voters who would come to these stations would in some cases average about 50 or 60 and in other cases only 2 or 3. The result would be that the number of polling booths would be immensely increased; the Government would be called upon to bear their expenses. But no doubt the benefit to the rural voter would be insignificant as compared with the expense and trouble of the Government. Again in the Punjab, we have to

face another difficulty which is not to be met with in any other province in India. In the Punjab three great communities live, the Hindus, the Muslims and the Sikhs; while in other provinces there are no Sikhs to vote separately. Only Hindu and Muslim voters have to vote. Now my friend has suggested separate boxes for different candidates.

We must remember that electors of 9 constituencies have to vote in each district. Suppose there are 6 candidates and for each candidate there is a separate box and colour, what would be the number of boxes and of colours! 54 boxes and 54 colours would be necessary in that case. How much difficulty would the police find in carrying these boxes to and from the headquarters.

Another point that has been mentioned by the honourable member is this that a very small proportion of the voters come to vote. But I submit Sir, that his calculation is not correct. The proportion of the voters that come to the polling booths is much greater than he imagines. I will quote figures to convince him. In the last election in some thanas, something like 93 per cent. of voters came to the polling booths, 74, 65, 67, 72, 75, 78 per cent. of voters voted in the Shahpur West (Muhammadan), Amritsar (Muhammadan), Montgomery (Muhammadan), Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Hissar (Non-Muhammadan) and Mianwali (Muhammadan) respectively. Even in the Lahore city (Muhammadan) 64 per cent. of the voters voted. I would therefore be not guilty of any mis-statement if I say that the honourable member has grossly exaggerated the number of voters who did not go to vote during the last elections. If he had visited the Attock district, it would have given him great pleasure to see in what large numbers people were coming to vote and the Simon Commission would be greatly impressed with this awakening among the zamindars. They came to the polling station in processions with bands playing in front of them.

Again the honourable member from Amritsar has asked the Government to provide special facilities for the female voters. In this connection I should like to remind the honourable member that since female voters have been brought into line with male voters and since they are, as the honourable member has remarked, sufficiently advanced in all spheres of life, let them come like men and vote as male voters do.

Dr. Shaikh Muhammad Alam : What about the *Pardahnashin* ladies, Sir?

Khan Bahadur Nawab Muzaffar Khan : Sir, another difficulty with which we are confronted in the Punjab is the lack of competent polling and presiding officers. It is with the greatest difficulty that we can get hold of sufficient number of men for this purpose. If the number of polling booths is increased, wherefrom would we get the presiding and polling officers? We tried to appoint non-officials as polling and presiding officers during the Gurdwara elections but they, it seems, do not like the work and do not realise their responsibilities. For out of the non-officials appointed as presiding officers, two did not turn up.

Next, my learned friend from Amritsar has laid much stress on the point that it should remain a secret as to in whose favour a voter has given his vote. But my learned friend should know that it is up to the voters to keep it secret. My experience in Lahore tells me quite a different tale. The voters themselves take pride and joy in telling the name of the candidate in whose favour they have voted. With this very object in view able officers (like Mr. Halifax) carefully considered the question and tried to devise means for keeping the names of the voters secret. Myself and others toured in districts testing various methods of marking the ballot papers by the voters themselves. We tried dots of different colours against the names of the various candidates. But none of them proved to be successful and perforce the present system has to be resorted to.

Shaikh Muhammad Sadiq : Is this the perfect system, Sir?

Khan Bahadur Nawab Muzaffar Khan : It is the best system possible. Sir, lastly my learned friend from Amritsar has remarked that personation is rampant in the elections ; and has even said that the number of bogus voters excels the genuine ones. I submit, Sir, that this might be true of Amritsar, but in other districts personation is not so much rife as the honourable member has been pleased to remark. Again the Government has authorised the candidates to keep their agents for detecting personation. If the presiding officers were to perform this duty, hardly 50 to 60 voters could vote in a day. The detection of personation is the duty of the candidates in Europe and other foreign countries. Why should it not be the duty of the candidates in India? If they find personation being practised they can file election petitions.

In conclusion, I again assure the House that the Government would sympathetically consider over and try to redress the genuine grievances of the zamindars so far as purse permits.

Khan Bahadur Captain Sardar Sikandar Hayat Khan [Muhammadian (Land-holders)] : Sir, I would also like to say a few words regarding the rules of election in force in our province. The polling and presiding officers especially in the rural areas, are drawn from subordinates of various

[K. B. Captain Sardar Sikandar Hayat Khan.]

departments. Their integrity and impartiality is seldom above reproach, and people have no confidence in some of them. In the Attock District during the last elections numbers of people came to me and complained that the polling officers were guilty of grave irregularities during the discharge of their duties. The honourable member for Attock will no doubt bear me out in this; as his name was also mentioned in this connection. As a little mischief on the part of the polling or the presiding officer can undo all the efforts of a candidate, I think it is necessary in the interests of the Province, and the purity of the elections that adequate measures should be adopted to eradicate this evil. Similar difficulties and malpractices were foreseen by the Madras Government. The Madras Government decided to forego the advantages accruing from the secrecy of the ballot, and allowed the candidates to have one agent of each candidate to be present with the polling and presiding officers. In my judgment if our province also followed suit, the grievances of the candidates on account of the dishonesty or partiality of the polling or presiding officers would disappear. It would have another advantage also. It would tend to raise the moral standard of the voters. Those who play double game now will not have the opportunity to promise their votes to each of the candidates in future, because if the agents are present, he will not be able to tower himself in trying to dupe them both. Under the present conditions when literacy is still limited to a very few, indeed in rural areas it is altogether non-existent, secrecy cannot have much weight as compared with the necessity to have a clear and fair election. I hope, Sir, the Government will give due consideration to my suggestion to follow Madras in this respect. With these remarks, Sir, I commend my proposals to the Government.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] (Urdu): Sir, the honourable members of this House have taken great pains in ventilating the defects of the present election system obtaining in the Punjab and the difficulties experienced by the public due to these defects. It would not be out of place, if I also make a few remarks on the matter under discussion. It is true, Sir, that people have grave misgivings about the integrity and impartiality of the presiding and polling officers and in the last elections, my attention was also drawn to this unhappy state of affairs. These polling and presiding officers are men drawn from the lower strata of society like school masters, Zaildars, etc., and they do indulge in such ungentlemanly practices. I would, Sir, request the Government to devise means to ensure the purity of elections and to prevent the presiding and polling officers from taking bribes from the candidates and putting the voters of one candidate to the name of the other. With these few words, I support the motion.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan) Urban] (Urdu): Sir, what I have been able to understand from the learned speech of the official member is only this, that he and the Government admit that the present system of election obtaining in the Punjab is full of defects and shortcomings but they are powerless to remove them. They will remain as they are or they may increase even, but they will not be removed at all. My learned friends have put forth several remedies to remove them,

but I won't follow suit. The reason for this is apparent. Whenever we draw the attention of the Government to any defect in its administration, it does not try to remove it, but on the contrary, cling to it or in the alternative turn a deaf ear to it. It has therefore always been my practice that when I want to draw the attention of the Government to any matter, I keep quiet over it, lest the Government should withdraw the little attention that it has already been bestowing on the matter. But to-day, however, I also propose to make a request or two to the Government and see what step it is kind enough to take to comply with it.

I hope I will not be asking the Government too much if I request it that in future the presiding officers of the polling booths should not be allowed to use the whips on the poor helpless voters. During the last election in Rawalpindi, of which constituency I had the misfortune to be a candidate, a quarrel broke out between mine and my opponent voters on a petty affair. The matter went to the presiding officer for adjudication. But he instead of giving his decision by words of mouth, began beating my voters and even wounded some of them. My voters who had gone to him for sympathy and justice received blows, kicks and whipping in lieu thereof. How well this peculiar situation has been depicted by an oriental poet in the following verse :—

ہم نے سبچا تھا کہ حاکم سے کرینگے شکوہ
وہ بھی کم بدلت تیرا چاہنے والا نکلا

If however keeping of a whip is an essential concomitant of the presiding officer, let it be made of paper, nay even of flowers so that his dainty hands may not experience any pain in inflicting blow with it and at the same time the poor victim might not be brutally wounded (*laughter*).

My next submission is that those persons, over whose signature election manifestoes are issued, should not be made the presiding officers at those elections. During the last election in Rawalpindi when I went to that place, I saw to my dismay, big placards, advertisements and manifestoes stuck on the walls of the houses bearing the recommendations of the gentry of the place for the support of my opponent. But what astounded me most was the fact that among those signatories, some of them were to be the polling officers the next day when voting would begin. It was in the hands of those gentlemen that my fate was entrusted. Early the next morning I repaired to the bungalow of the Deputy Commissioner who was in charge of the election. I tried to send in my card with the inscription " Important " on it. But the servants would not take my card as the Sahib Bahadur was asleep and moreover the day being Sunday he would not see anybody. After a good deal of persuasion, however, I succeeded in prevailing upon the servants to take my card to the Deputy Commissioner, who replied that if my work was of an official nature, then it was a holiday and he could not attend to it ; if, however, it was a private business, he did not like to see me. Now naturally, Sir, I was in a dilemma. The elections were to begin shortly. The supporters of my learned opponent would be there to decide my fate. " What should I do " was the only thing I was thinking of. At last I decided to wait outside the bungalow in the hope that I might catch his eye. After weary waiting I did catch his eye but there was anger and haughtiness

[Dr. Shaikh Muhammad Alam.]

in that eye and soon he disappeared in the bungalow. Again, he sent for the car and I followed it, but he would not come out of the bungalow until I was there so he left the car standing there. Thinking in my mind that to see a beloved one is easier than to see the Sahib Bahadur, I went to his Assistant. He treated me courteously but could not help me unless his superior officer asked him to do so. He suggested that I should again try to see the Deputy Commissioner and even gave me his or his friend's car to take me to his bungalow. I went there accordingly but again the former treatment was meted out to me. Again, I came back to the Assistant and requested him to redress the wrong likely to be perpetrated on me. Say it fortune or misfortune the Assistant sent for the presiding officers and having satisfied himself that they were going to be the presiding officers next day, he appointed others in their places. What followed next, how the Deputy Commissioner took this change I cannot say: It is only persons who know the secrets of the officialdom who can say what happened between the Deputy Commissioner and his Assistant.

Again Sir, my learned friend from Amritsar asked the Government to provide special facilities for female voters and especially for the *pardanashin* ladies. On behalf of the Government Nawab Sahib has kindly replied that female voters should go there like male voters and that no special facility would be provided for them. I ask the Government, Sir, that when it has given the right of vote to females why does it not provide necessary facilities for recording the votes? The Government knows very well that *Purdanashin* ladies cannot come out of their houses and give votes like men. Under these circumstances the refusal of the Government to provide special facilities for them means that they are making a farce of the right of voting granted to the females. If the Government really desires that female voters should record their votes, some sort of facilities are indispensable and I venture to suggest that either separate polling booths be fixed for females with female presiding officers or they may be allowed to give their votes by proxy or their votes may be taken from their houses. The Government will have honorary presiding officers like honorary magistrates who will work for the Government in the hope that their father, brother, son or other relations might receive the benefits of their service. With these remarks, I extend my heartiest support to the motion.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] (Urdu): Sir, it is a matter of great pleasure to me that my learned friend from Amritsar has moved this motion. In the last Council I also moved a similar motion but Nawab Muzaffar Khan Sahib could not see his way to accept it, because in his opinion if it was accepted it would put the Government to trouble and expense. When the election system is really defective and we have to suffer great inconvenience and difficulties from it, it is the duty of the Government to find means to remedy the defects and redress our grievances and not think of their trouble and expense.

The greatest difficulty experienced in the rural areas is this that the polling booths are sometimes situated at a distance of some 10 or 15 miles from the residence of the voters and they have to travel long distances before they can give their votes. The result is that a considerable number

of voters do not vote at all. In my humble judgment the best way to surmount this difficulty is that the number of polling-booths be increased or it should no longer remain illegal, if the candidates bring their voters by means of conveyance at their own expense.

The list of grievances is very long and we have ventilated them time out of number. The Government should kindly find out means to redress them. I venture to suggest a remedy. In my opinion a committee of persons well acquainted with matters relating to elections should be appointed to go through the rules and regulations governing the elections and in the light of the grievances and difficulties of the candidates during the last 8 elections, necessary alterations should be effected in them. In this way alone I think this system of elections can be overhauled and I trust and hope that the Government would kindly consider my proposal and find means to overcome the difficulties of the public in the matter of elections to the Council of State, Assembly, provincial Council, Gurdwara Tribunal, District, Municipal and Cantonment Boards. With these remarks, Sir, I heartily support the motion.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, while this matter is before the House, I wish to make a few observations concerning the arrangements for polling in rural areas to which attention has been drawn by Rai Bahadur Lala Sewak Ram. It will not be disputed that in connection with this matter it should be the first concern of the department entrusted with the conduct of elections to ensure the purity of elections, and the present arrangements in rural areas put a direct premium on corrupt practices. As has been pointed out by my honourable friend, in the rural areas voters are expected to undertake journeys extending sometimes over lengths of 20 miles, which with the return journey would aggregate to 40 miles for the purpose of recording their votes. They are expected to breakfast at home, to tie up their mid-day meal in the corners of their *chaddars*, to either walk or hire conveyances and to pay for them out of their own pockets and go to the polling station and record an honest vote in favour of one or other of the candidates standing for election. Now, Sir, an honest man in the first instance in the rural areas will find it very difficult to do so, to lose a day's work to provide for a day's food and to hire a conveyance and then go and vote at an election. The result is that if any of the candidates standing for election is willing to risk his being unseated as the result of an election petition in case he gets elected, he hires conveyances in order to bring his voters to the polling station and to take them back to their homes and also arranges for their food in contravention of the electoral rules, thus putting at a great disadvantage an honest candidate who does not want to indulge in these practices. These are facts which are patent and are well-known to those to whom the conduct of elections has been entrusted.

On the one hand it is very desirable that a much larger proportion of the electors should take part in the elections than is the case at present and on other the hand it is absolutely necessary that the purity of elections should be ensured. But the arrangements for recording votes, as I have submitted, in rural areas are so inadequate that they are a direct incentive to bribery and corrupt practices. There are some ameliorations which could be effected even under the present system without incurring any extra

[Chaudhri Zafrullah Khan.]

expenditure, although the plea that extra expenditure would be involved in such arrangements has no validity as against the importance of the reform to be effected. At present at some polling stations two days are allotted for recording the votes of one particular community at these elections. It was my experience in the Sialkot district that at the majority of the polling stations two days had to be devoted to recording the votes for the Muhammadan constituency. At present the arrangement is that villages, the names of which begin with letters say from A to N must record their votes on the first day and those with names beginning with letters say from O to Z must record their votes on the second day. The result is that villages from the extreme corners of the thana must attend on both days. In my opinion the whole area in such cases should be divided into two parts and the polling station should be placed in the middle of one area on the first day and in the middle of the second area on the second day thus bringing the polling station nearer to the voters than it is at present. That is what can be done at present, but that is not enough. There is a very strong case for having much larger number of polling stations. In England, where means of communications have been developed to a much greater extent than they have been developed in India and where it is much easier to travel and at far less expense, I understand that the longest distance between the residence of any voter and a polling booth is three miles, whereas in this province, it occasionally ranges from fifteen to twenty miles.

Another matter to which I wish to draw the attention of the House in connection with rural polling is that polling begins at present at 9 o'clock in the morning and closes at 4 o'clock in the afternoon with an hour or half an hour's interval in the middle of the day. In rural areas voters have to come from long distances and they are unable to reach the polling station at 9 o'clock in the morning towards the end of November or the beginning of December when the days are practically at their shortest. My submission is that the hours of polling in rural areas should be from 10 to 5 instead of from 9 to 4. That would enable people to reach the polling station in time before the polling begins and a much larger number can come in before the polling closes. My own experience has been that whereas scarcely anybody arrived during the first hour of the polling, people were still arriving when the polling closed at 4. Had the closing hour been an hour later many more voters would have been able to record their votes. These two matters with regard to rural polling require attention and I hope that they will receive sympathetic attention and consideration at the hands of the department which conducts these elections.

Lala Mohan Lal (North-East Towns (Non-Muhammadan) Urban):

Sir, in this connection I should like to draw the attention of the Government in regard to the constituency with which I am concerned. I wrote a letter on this subject to the Honourable Revenue Member and spoke to the Election Commissioner about it. In Simla, Dalhousie and other such places when the voter's lists are prepared there are many persons who are present at those stations and these are enrolled in the voter's lists, but at the time when polling takes place, these people move down to the plains. In the case of Simla particularly

S. P. N.

it is not the fault of the voters that they are unable to exercise the vote, and move down to Delhi with the Government of India, because majority of them are Government servants. The Punjab Government and the Government of India move down and these gentlemen have to accompany their respective Governments to the plains. The result is that the valuable right which the voter is given when the voter's lists are prepared is not allowed to be exercised at the time of election, because the Government moves down and he cannot exercise his vote. My submission for the consideration of Government is that in such cases these constituencies should be turned into postal constituencies. I do hope that at the time when new rules are framed and changes are made in the present rules Government will take these facts into consideration. I can say in the case of Simla that the number of voters is about 4,000 while at the time of election there are only about 1,000 voters who exercise their right of vote. All the rest of the voters move down with their respective offices and the persons who were enrolled on the voter's lists could not record their votes. Either do not give them the right to vote or if you give them the right, take some steps by which they are able to exercise it. In the case of the Government of India servants, the difficulty is this that they go down to Delhi, a place which is outside the Punjab and unless Simla is considered a postal constituency, I think it will not be possible for the voters to exercise their votes. With these remarks I resume my seat.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, we have spent two hours or very nearly two hours in this most interesting discussion of the subject which is of course of the greatest possible importance to this Council. It is a pity that it had to be discussed in the shape of an opposition to the grant instead of in a more desirable form of a small out. Still one need not cavil at that. Honourable members have expressed various difficulties and I have not the slightest doubt that these are difficulties which they have felt by experience and therefore they are all the more valuable to Government to enable it to see how far Government can remove those difficulties. I am not prepared to make any statement on the subject in view of the impending possible changes in the matter of franchise, constituencies and so forth. In case the franchise is lowered and the number of voters and constituencies is increased, increase in the number of polling stations will necessarily follow. In that case good many of the difficulties which appear to have been real will thus be solved.

As to the administration of polling booths and such other matters, I have no doubt if the general scheme of reforms is settled in 1929 or perhaps in 1930 and before the next elections are held, Government will very seriously consider the question of revising the rules governing elections. (Hear, hear). At that time I have no doubt that the member in charge of the department, whether it be myself or somebody else, will not fail to have a strong committee of non-officials, particularly those non-officials who have not been lucky enough to get elected unopposed, those who have passed through the mill, as it were, and have worked hard in these matters and have personally experienced all these difficulties. Their co-operation and help will be naturally welcomed and as a matter of fact will be sought. (Interruption). Their case is doubtful.

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

However, I think I have made a statement which the Council will consider entirely satisfactory. But there is just one thing left for me to say and that is with reference to the most eloquent speech of the honourable member opposite Muslim Urban Multan and Rawalpindi Divisions. I am extremely sorry that he is not now in his seat, because I have not the opportunity of making myself heard by him. The fact is this, that he spent half an hour or more in elaborating a scene which for aught I know might have been the creation of his most fertile and poetic imagination, for he did not state the year when this dramatic scene took place. He never told us in which year this wonderful scene occurred. However, he told us that an assistant election officer, or whatever his designation may be, was good enough to accommodate him. I think that would be the parliamentary way of putting it, and that as he went to the officer by himself in the absence of other candidates he was able to persuade him to do what he wanted him to do. That is very satisfactory to him. But the point he emphasised was that the Deputy Commissioner was not able to see him and persisted in refusing to see him although he made frantic efforts to obtain an interview. As a lawyer I am extremely unwilling to give a verdict or express an opinion on the statement made by one party. I know in my own case that although it is my earnest effort always to see every one who desires to see me, there are times when my frail body does not respond to the call of my mind and be ready to do all that it is called upon to do. I am not in a position to say whether the refusal, if there was refusal on the part of the Deputy Commissioner, was due to considerations of health. The matter of elections is one of supreme importance not only to the member but also to the Council and the State; but at the same time, if an officer is unwell or is unable to attend to his visitors, that should not afford an occasion to make a fuss 16 months or more than four years after the incident. There are times when I am not able to attend the Council even when I know that an important resolution which ought not to be passed comes up for discussion and which I, if I attended the Council, can prevent from passing having the privilege of persuading the Council to see the right view prevail. It is just the same with the honourable non-official members. At times when a division on an important resolution is to take place, when the leader of the party informs them of the same—they say, 'I have got an urgent business at home. I really cannot come,' and they do not come. Is it not conceivable that other people also may have some such circumstances for not attending to their duties? But the fact is that the honourable member took such a long time in giving dramatic effect to incidents which with attention to economy of time could have been put, if I may venture to say so, in a minute or two. He made strong and frantic efforts to see the Deputy Commissioner and the latter persistently refused to see him. That was very unkind and unfair of him. Having said that, I do not think there is anything more to add. That was a point which he elaborated for about half an hour or perhaps three quarters of an hour, if I am not wrong. As a matter of fact these are incidents which may happen whatever efforts one may take to put matters right. Yet, let it be understood that it should be the effort of everybody and of every officer of every Government to do his best to reduce defects whenever they are brought to his

notice, I assure you that long before the next election is due every effort will be made to put together all suggestions that have been made and make a statement of all defects that have been pointed out in order to see that occasions for abuse of the valuable right of voting do not arise. It will be, if I am in office at that time, my earnest desire to have as strong a committee of this House as possible, not only to advise but to sit down and formulate the rules. I assure you that Government will ask for this co-operation and value it because after all much more than officers of Government it is the candidates who know what difficulties there are in the method of election and what defects there are in the machinery which Government has set up to carry out the scheme of election.

Mr. President : The question is—

"That a sum not exceeding Rs. 89,46,999 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929 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 a sum not exceeding Rs. 2,12,300 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of General Administration (Transferred)."

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

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

"That a sum not exceeding Rs. 43,83,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Administration of Justice."

Mr. President : The question is—

"That a sum not exceeding Rs. 43,83,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929, in respect of Administration of Justice."

Shaikh Muhammad Sadiq [Amritsar City (Muhammadian) Urban] : Sir, I beg to move—

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

My object in moving this reduction is to discuss the system of recruitment to services in charge of the High Court. A few years back the British Government and all civilised Governments said that they started the war to end war, that is, during the great War most of the European powers declared that they were fighting in the war to end the war. In the same way, sometimes we table resolutions which savour of communalism, but we bring them forward only with the object of ending communalism. For one moment, I will not bring forward a resolution or a cut which I honestly believe will tend to increase communalism. On the other hand if I see that a resolution or a cut which though apparently it looks

[Shaikh Muhammad Sadiq.]

like running on a communal lines, yet its object is the curtailment of communalism, I would not hesitate to bring such resolutions or cuts. The appointment of subordinate judges and subordinate clerks are in the hands of the High Court. As you know, Sir, the appointment of Judges of High Court is not within the powers of criticism of this House. Neither their appointments nor their salary can be touched by this House. So, it is only by bringing in the question of appointment of sub-judges and clerks, such as this cut proposes, that we can speak on the subject. What should be the system? As a rule, they say, or pretend to say that the posts should go to the best men. Luckily in the case of subordinate judges what is the system that is followed?

(At this stage Mr. President vacated the Chair and the Deputy President occupied it).

The Honourable Sir Geoffrey de Montmorency: Is it subordinate judges or sub-judges' clerks that the honourable member is discussing?

Shaikh Muhammad Sadiq: First I will deal with the sub-judges and then I will take up their clerks.

The Honourable Sir Geoffrey de Montmorency: But the motion appears to relate to *sub-judges' clerks*, etc., and not to *sub-judges*.

Shaikh Muhammad Sadiq: You may take it from me that the motion as it was sent in by me to the Council office read *sub-judges, clerks, etc.*

The Honourable Sir Geoffrey de Montmorency: As it is printed on the agenda, it reads—

“To discuss the system of recruitment of services in the charge of High Court *viz., sub-judges' clerks, etc.*”

The motion appears to relate to ministerial establishments such as sub-judges' clerks appointed under the charge of the High Court. But the honourable mover seems now to raise the question of the appointment of sub-judges.

Shaikh Muhammad Sadiq: Even if I take it in the way the Honourable Finance Member wants me to do, the word ‘etc.’ will cover the case I am discussing. That will bring in as many kinds of services under the High Court as one can imagine. When I am talking of ‘etc., services,’ I have a right to consider the sub-judges as one of the ‘etc.’

Chaudhri Zafrullah Khan: The question really before the House is what is the cut really that the honourable member moved, and not what the Secretary of the Council has printed in the agenda. If the honourable member has actually sent in a cut to discuss the system of recruitment of sub-judges, clerks, etc., he would, I submit, be in order. But if the cut had been sent in by the honourable member in the form in which it is printed, then I am afraid his ‘etc.’ will not help him, because ‘etc.’ coming immediately after “sub-judges' clerks” would mean cognate services. The only question before the House is what are the actual terms of the cut sent in by the honourable member?

The Deputy President: The honourable member sent in a cut saying ‘sub-judges clerks etc.’ There is neither an apostrophe nor a comma after ‘Sub-Judges.’ This seems to me rather ambiguous.

Chaudhri Zafrullah Khan : It does not matter whether there is a comma or not.

Shaikh Muhammad Sadiq : There are no posts as "Sub-Judges' clerks" at all. Well, after all the question has to be discussed, and I cannot understand why the Government should be so obstructive. I do not see what purpose is served by their obstruction except it be they want to put a ridiculous interpretation on my amendment. What should be the system of recruitment so far as Sub-Judges are concerned? In all civilised countries it has been recognised and there is no doubt on the point that Judges should be recruited from the ranks of lawyers. That is people who have got 5, or 10 or 20 years' experience at the Bar, people who are in touch with the every day life of the clients, people who have handled all sorts of cases, it is such people that are to be appointed as Sub-Judges in a country like India. The present practice is to divide the recruits into so many sub-divisions, such as agriculturists and non-agriculturists, Hindus and Muslims and Sikhs and so on. What should be the proportion of recruits till we reach the final goal when we will forget the question of colour, or caste or communities, etc.? If the Government were to come forward and say that they do not approve of communalism in any form, that would be absurd for the Government benches to talk about. Are not the members adorning the Government benches appointed on communal lines? Let the Government deny that the Ministers who are sitting on the Treasury benches were appointed not for the sake of the community to which they belong, but for some other reason. Let the Government say that so many members of the Indian Civil Service sitting on the Government benches were appointed because of their ability and not for the sake of their race or colour. Let them say that they are appointed for some other reason. For the Government to deny at this stage of evolution in the province, that they do not follow a communal policy in the matter of appointment would be wrang. The Government is only pursuing the policy of communalism in all their appointments. Does not the law require that out of two official members on the Government benches, the Revenue and the Finance Members, one or the other shall be an Indian or a European? Surely there can be an able Finance Member coming from the ranks of Indians. Also there can be an abler Revenue Member coming from the rank of Indian Civil Service. What is the reason that out of the portfolios of Revenues and Finance, the Finance should go to a European and not an Indian? Only one reason that I can conceive of is colour. It is a question of community, it is a question of rights. What is the harm if the same principle is followed in the lower rungs of the ladder? If we have communalism at the top, why not have it at the bottom?

Khan Bahadur Captain Sardar Sikandar Hayat Khan : I rise to a point of order. Where does the Honourable Revenue Member or the Honourable the Finance Member come in? Do they come in under "Sub-Judges" or under "etc."

Shaikh Muhammad Sadiq : I do not know why my honourable friend is so touchy. I only took them as examples. I was only comparing. However, Sir, comparisons are always odious, but sometimes it is only by comparison that you can logically arrive at the right conclusion. I wonder

[Shaikh Muhammad Sadiq.]

what part of the self of my honourable friend is being excited when I am referring to some officers. Leaving this aside, Sir, what is the object of my cut? Apparently it looks as if I am favouring communalism, but honestly I would like to tell the House most frankly that I am not a communalist. My sole object is to kill communalism. By raising of service question in every day life, there is always the trouble of questions being asked as to why so many Muslims are there in a particular service and as to why so many Hindus are there in a certain other service. This is again an instrument in the hands of the Government. If once we know where we stand in the matter of appointments, if once we know how many Sub-Judges from each community will be recruited, there will be an end of all trouble. If we know what percentage of appointments will go to the Muslims, whether it is 55 per cent., or even less—for my part I am ready to accept even less for the sake of peace and harmony in the province—if once we definitely know the proportion that is fixed, then we can rest content. We want to know where we stand. At present everything is in the dark. We do not want to attack the High Court Judges. Once I know in this very House, one of the members taunted me by saying 'what will happen if we send all the Extra Assistant Commissioners under the control of the High Court.' I would indeed like it very much. There would be no harm. I have no objection if this department also comes under the High Court's control. All that I suggest is that during the transition stage, till we reach a stage when we shall forget difference of caste, colour or creed or communities, till we cease to differentiate between zamindar and non-zamindar, rural and urban, till that stage arrives we must try to pacify all people in the matter of appointments. What is it that I am fighting for? If a Muslim is appointed a Sub-Judge, is he going to contribute anything out of his salary to me? Similarly if a Hindu or a Sikh is appointed, is he going to contribute anything out of his salary to anybody else? All the same some people think that higher services mean more influence, doing good to the community socially and in other things. If there is to be no grumbling at all in the province, these things should be distributed on a communal basis. I want a system to be evolved which would satisfy all the clamourings. The honourable Finance Member this morning asked me whether I would like to have a totalisator just as they have at the race course, so far as the recruitment to service is concerned. I would like, Sir, that the system that has to be evolved should not be so wooden and unresponsive as the totalisator at the race course. It should be something akin to it. A system should be evolved by which this every day pin pricks of questions on communalism would cease. I do not mind if a few more Hindus get in I am sure they will do justice to the Muslims. Similarly if Muslims should get more posts, what is it that the Hindus should be afraid of? Justice will be meted out impartially to all. In this connection, I am very glad to tell the House that the civil side at Amritsar is very honest and judicial. The subordinate Judges at Amritsar are very honest and hard-working lot. I will not say that because a judicial officer is a Hindu or a Muslim, he will not do justice to the community other than his own. So far as justice is concerned, the officers are not dishonest. The degree of honesty and the standard of Sub-Judges has increased. I can say that at

present in Amritsar they are cent per cent honest. That is a remarkable thing and I think any Government can be proud of this achievement in the judiciary. Because I am not saying that they are dishonest it does not mean that reform is not necessary in this branch of the service. A system should be evolved by which there will be absolutely no room for complaint either from the point of view of recruitment to the services or the work turned out by the officers. It is only with this object that I have tabled my cut. What should be the system that should be evolved? Once in my life the Government and myself might agree in certain points.

Sir, what I suggest is that such important posts as those of sub-judges should not be given to raw youths. Government at present appoints young men of 22 or 24 to this service, men who have absolutely no practical experience. Next to the Imperial Services, the service of sub-judges is about the highest in India that can be given to anyone. I would like this service to be recruited from amongst men who are B.A., LL.Bs. and who have actually had an experience in the profession for about five to ten years and who know the difficulties of the clients and who know something about the working of the law courts. I want men who are experienced and who can be expected to have sympathy with the public and who know something of the difficulties that the clients have to undergo. I know the case of an Honourable Judge of the High Court here in this province. Some one brought a case against him and he had to appear in a court in Mussorie. It was a petty case of the value of Rs. 250, and he thought it was a very simple thing. But he had never realised the difficulties which clients have to undergo. He knew the Judge and he thought that the whole thing would be settled in a few minutes. He came to the court at 10 and waited up to 4 and his case was not taken up. Another date was given and yet another date was given. Then he went to a Vakil and asked him to treat him just as he would treat an ordinary client. The Vakil acted on the suggestion. Then he came to know the difficulties which clients have to undergo. I am not putting the blame on the Judges, but what I am driving at is that the whole system is full of difficulties for the ignorant people. It is for this reason that I do not want raw youths to be appointed sub-judges, it is for this reason that I do not want such inexperienced young men to jump into posts carrying such a big pay. I would like such posts to be given as a reward for honest and hard work done by lawyers. The best thing should be that Sessions Judges should recommend the names of two or three really good men to the Honourable Judges who should in turn recommend the best men to the local Government for selection. There is no reason why Sessions Judges would send worthless men. They should be instructed to send in the names of the very best men. I am sure that a man who is a B.A., LL.B. and who has put in the ten years' work would be found to be the most suited for this job. My honourable friend said that the appointments should be made by competition. Perhaps my friend does not know that all services are not thrown open even in England. Perhaps he does not know that the Foreign Office is not thrown open to everybody; it is restricted in a certain sense. Then again if you are going to have competition for this service, why do you not have competition for High Court Judgeships and District Magistrateships and other such posts? If competition is necessary, why don't you have it for all services?

[Shaikh Muhammad Sadiq.]

Sir, I am at this stage reminded of the story called in Urdu "Bandar-wand." If Government gives some jobs to Muhammadans, then Hindus clamour and if Government gives jobs to Hindus, Muhammadans clamour. I do not believe that Government does this intentionally. Only to-day the Honourable the Revenue Member went as far as to say that certain jobs should be kept for non-agriculturists. What is the use of blowing hot and cold in the same breath? You say you want competition. If competition is the right thing what is the use of reserving posts for agriculturists? If certain posts are reserved for agriculturists then you do away with the system of competition. If a judge is appointed, he has to judge honestly. He has to judge both the urban and rural alike. If he is unfit as an urban how can he be fit as rural? Why say that you will take first class men from amongst the urban people and second class from the rural? If you do that then you do away with the theory of competition. The question of competence is only a fraud. It is only brought forward to gain certain ends. We find that in England when more Indians began to go in for the Indian Civil Service the recruitment was at once stopped. Similarly the Indian Medical Service competition was stopped and nomination took its place. If Government had whole-heartedly acted on the principle of efficiency, then I would not have had the courage to make the remarks that I am making in this House before so many honourable members, but when I see that this fraud is being used for a certain purpose—for the purpose of keeping them apart then—naturally I have a right to say what I am saying. Whenever a question comes forward from a Muhammadan, the Hindu members oppose it, and *vice versa*. This will continue as long as we do not give up our communalistic ideas. Say what you will the fact remains that communalism does exist, and no one can deny its existence. I think the question should be once for all decided that in future as far as possible and subject to certain minimum qualifications for the posts of sub-judges a ratio should be fixed so that within two or three years proportionate number could be given on the population basis.

Mr. H. W. Emerson : I did not catch the honourable member.

Shaikh Muhammad Sadiq : Sir, my English is very defective, as I am not an Englishman. I said that it should be given on population basis and that some minimum qualifications should be fixed. Let the minimum qualification be M.A. or first class B.A., but as far as possible a minimum qualification should be fixed and then the posts should be given on communal basis. Sir, I do not believe that the man who gets 90 marks more is abler than the who gets 30 less marks. Sometimes a man who got less marks supersedes the man who got more marks. It is not only the question of marks, there is also the question of efficiency and so many other things. A rich man is able to get coaching and a poor man is not. The rich man is for that reason in a position to get more marks than the poor man who has not been in a position to get any coaching; and it certainly does not mean that simply because the rich man got a few more marks he is abler than the other man. In England the Indian Civil Service candidates can get coaching and simply because they get more marks which that coaching

enables them to get, it does not show that they are cleverer than those who have got fewer marks because they were not in a position to take advantages of coaching. Double M.A.'s have failed in practice. Lord Sinha was not a double M.A. He was just a Barrister. When he went to England, he got prizes like many other men yet only he reached the highest position. Even people who got 2,000 more marks never reached that place.

Sir, same is the case with junior posts. We find people saying that the head clerk or some other clerk of such and such an officer is a Hindu and not a Muhammadan. If he is honest, then it does not matter because he will treat the Hindus and the Muhammadans alike. There is the question of giving of jobs provided there should be a certain bar of efficiency. I do not want that bar of efficiency to be lowered in any way. Let it be as high as possible. Yet after that efficiency we should not count the marks. So far as is possible without lowering in any way the standard of efficiency we should make it a rule that in future all jobs should be given on communal basis. I do not mean to say that when a Muhammadan patwari dies another Muhammadan should be put in his place, or when a Hindu patwari dies a Hindu should take his place. But our aim should be that where we find a certain community not properly represented, we should try to make up the deficiency. In the list that was supplied to us yesterday you will find that in many places Hindus form a majority, and in other places they form a very small minority. Communalism has its defects. Englishmen always give jobs to Englishmen, Muhammadans to Muhammadans and Hindus to Hindus. Look at the Department of Telegraph. You will find that there is not a single Muhammadan clerk in that department. You will find that there is not a single telegram carrier who is a Muhammadan.

The Honourable Sir Geoffrey de Montmorency : We are not discussing the Telegraph Department. That is an Imperial subject.

Shaikh Muhammad Sadiq : I was just saying that if a Muhammadan engages a Muhammadan, perhaps he does it because he has to look to his own facilities, as for instance, he may be able to cook for him also, similarly with Hindus. I strongly urge that communalism should not go ahead in this country.

Sardar Ujjal Singh : Do you want to perpetuate communalism ?

Shaikh Muhammad Sadiq : Whenever the Muhammadans agree to a proposal, the Sikhs do not agree, and whenever the Sikhs agree to a proposal the Muhammadans do not agree. You always do not take the lead in these matters, you want other communities to lead. The honourable member would not himself have been here but for communalism. I put it seriously to the honourable member whether any member would be here but for communal representation. (*Interruption*). You want to come here by a certain door and you want to bar that door to others.

The Deputy President : Demand under discussion, motion moved—

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

The question is that that motion be adopted.

Mr. H. W. Emerson (Chief Secretary) : Sir, I wish to speak a few words on that part of the honourable mover's observations which related to the recruitment of sub-judges. I find it a little difficult to grasp exactly

[Mr. H. W. Emerson.]

what his proposals include. But so far as I can understand them I think his object is firstly that all sub-judges shall be recruited from among the members of the Bar; and secondly that they shall be recruited on a communal basis strictly in proportion to population.

Shaikh Muhammad Sadiq : As far as possible.

Mr. H. W. Emerson : I know there are other members of the House who hold that in the recruitment of the services, and, in particular, of the judicial branch of the provincial service regard should be paid to zamindars, whether you classify zamindars according to the old definition or whether you classify them according to the new definition as members of notified agricultural tribes. I am puzzled as to how Government will be able to reconcile recruitment on the basis of population with the wishes of other members of the House who desire it on a zamindar and non-zamindar basis. The present system of recruitment of sub-judges does provide for the selection of certain number of members of the Bar but I do not think that all the selections are made from the practising members. Candidates for selection have to be Bachelors of Law but my impression is, though I speak subject to correction, that the majority of candidates selected have very little, if any, practical experience at the Bar. I have no doubt that the new scheme of recruitment which the Honourable Judges of the High Court are now framing will provide for a certain amount of recruitment from the Bar. I do not think however that either they or the Government are likely to agree that the whole of the judicial branch should be recruited from members of the Bar, who have had from five to ten years practical experience. I do not think that is likely.

With regard to the other principle underlying the proposals of the honourable member, I think the new scheme now under the consideration of the Honourable Judges is likely to meet it to a certain extent. That scheme has not yet been officially submitted to Government and Government has had no opportunity of examining it; but it is understood that it is based on a system of selection from among candidates who have qualified in a competitive examination. Candidates selected will not necessarily be in the order of merit as they emerge from the examination but a certain number of appointments will be given strictly as the result of the examination. For instance, if there are ten places to be filled, I think it may be assumed that the first three places will be given to the first three candidates in the order of merit in the examination. The remaining places will be filled after regard has been paid to the reasonable claims of various communities and classes; but such regard will not necessarily follow the distribution of population. For instance, if it is desired that out of the remaining seven appointments, two Muhammadans should be selected I take it that the two Muhammadans who stand the highest on the list will be given those places. As far as I can see, apart from the fact that it does not provide a number of posts for the members of the Bar, this scheme does meet to a considerable extent the wishes of the honourable mover of this motion and probably also the wishes of other members of the House who desire to see fair representation being given to various classes and communities. It is expected that the scheme will be received from the

Honourable Judges at an early date and I can say on behalf of Government that when it is received it will be given very early consideration and the principles on which it is based will be very carefully examined in order to meet so far as possible the wishes of the members of this House in regard to recruitment of this important service. I hope that so far as the sub-judges are concerned the honourable member will accept this statement and will not press his motion.

(At this stage Mr. President resumed the chair).

Chaudhri Yasin Khan [Gurgaon-cum-Hissar (Muhammadan), Rural] (Urdu): Sir, I support the motion of the honourable member for Amritsar with all the emphasis at my command. As regards the reply of the Chief Secretary I beg to submit that his promise is a promise not for to-day but for to-morrow, which never comes. The undertaking given by him is never likely to be fulfilled.

Sir, the question of services is really a very important question, and the sooner it is decided, the better it would be. The question of services is not a question of earning one's bread, but it is a question of having an influence, power and authority in the administration of the province, and all the communities, whether Hindus, Muhammadans or Sikhs are hankering after greater influence in the administration. The zamindars too want their due share in the services, so that they may also obtain the same amount of influence as the non-agriculturists possess in the administration of the province. Now it is an incontrovertible fact that the zamindars are in a minority in every branch of service and the more so in the cadre of sub-judges, and if therefore, the appointments of Sub-Judges are distributed according to the population of each community in the province no harm would ensue from this, and nobody will have a cause of complaint. Next comes the question of efficiency. Sir, this bugbear of efficiency has been created by certain interested persons, who wish to deprive communities other than their own of a share in the Government Services, and I regret to say that any amount of deception is practised under the garb of the so-called efficiency of the services. If the recruitment to the various services were made community-wise, there is no dearth of suitable candidates and every community can very easily supply its quota. There is no force in the argument that certain communities are backward in education and are unable to supply suitable candidates for service under the Government.

Then comes the question of the recruitment of the Sub-judges from amongst the lawyer class. I am at one with the honourable mover that it would be better if in future Sub-Judges are recruited from amongst the members of the bar, and these posts should go not to new graduates of the Law College, but to older graduates, who have practised at the bar for some years, and have had the necessary experience in this direction. I am sure that this would increase the efficiency of the Provincial Judicial Service.

The next point on which I wish to lay stress is that genuine zamindars should be taken in this service. The Government or the High Court should not take into service people, who are zamindars in name only, though it is a fact that some people are even prepared to give up their religion for the sake of Government service. The zamindars of the province are really labouring under a number of disabilities, and if they are taken in Government

[Chaudhri Yasin Khan.]

service in larger numbers their condition may improve to some extent, but when neither the Government nor the High Court are prepared to take them in service, the zamindars can expect no better prospects in future.

Then comes the question of the recruitment of clerks. It is a fact that it is the clerks who are really running the administration of the province and the officers are merely figureheads, who do nothing but affix their signatures to different documents and papers placed before them; the clerks can do what they like in the offices. For example, if there are some posts vacant in a certain department, the application of only those candidates will be placed before the officers concerned, whom the clerks want to be appointed; the applications of the rest of the candidates are consigned to the waste-paper basket, or torn to pieces or lost by a process well known to them. Under these circumstances the zamindars have not the ghost of a chance to enter Government service even in a minor capacity. Hence, I beg to submit that inferior appointments also should be distributed community-wise or by some other suitable method. So long as the zamindars are given their due share in the administration, they do not mind what procedure is followed in the matter of recruitment. The zamindars do not want lip sympathy with their aspirations. They want deeds not words.

At this stage the Council adjourned till 2 P.M. on Friday, the 9th March 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 9th March, 1928.

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

UNSTARRED QUESTIONS AND ANSWERS.

HIGH SCHOOLS IN THE FEROZEPUR DISTRICT.

587. Pir Akbar Ali : (i) Will the Honourable Minister for Education be pleased to state—

- (a) how many Government or district board high schools there are in the rural area of the Ferozepur district ;
- (b) the names of such schools with the number of students per community ;
- (c) whether there is a single Government or district board high school in any Muhammadan village in the Ferozepur district excepting the town high schools ;
- (d) whether there is any Government or district board anglo-vernacular middle school in any Muhammadan village of the Ferozepur district ?

(ii) If the answers to (c) and (d) be in the negative, will the Honourable Minister please state reasons why ?

The Honourable Mr. Manohar Lal : (a) Three ; one Government and two District Board.

	Number of students.	Hindus.	Mus- lims.	Christ- ians.	Sikhs.
--	---------------------------	---------	---------------	------------------	--------

(b) 1. Government High School, Patta Hira Singh ..	259	58	12	..	189
2. District Board High School, Nathana ..	288	77	37	..	174
3. District Board High School, Zira ..	218	99	46	2	66

(c) No.

(d) No.

(ii) Government high schools are established generally in places where the need for them is so obvious that an economic attendance is practically ensured. The position of district board high schools is determined by the district authorities.

UPPER BARI DOAB CANAL.

588. Sardar Hira Singh : Will the Honourable Revenue Member be pleased to state if it is a fact —

- (a) that water is supplied to the various branches of the Upper Bari Doab Canal by turns;
- (b) that under the existing arrangement some people get two or three turns without a break while others do not get their turns for months together?

The Honourable Mian Sir Fazl-i-Husain : (a) The reply is in the affirmative.

(b) The reply is in the negative. Turns are arranged by branches on a programme made out about 3 months in advance. This ensures equitable distribution between the branches and gives sufficient notice to all concerned. It is for the zamindars to arrange their turns on the watercourses to suit this programme as Government does not interfere in this internal distribution except when complaints are filed under the Canal Act of 1873.

KADIANI AHMADI CLASS OF MUSLIMS.

589. Chaudhri Afzal Haq : Will the Chief Secretary be pleased to state whether it is a fact that the Local Government, when recommending the names of officers for political department on the invitation of Government of India, accords preference to those who belong to Kadiani Ahmadi class of Muslims? If so, why?

Mr. H. W. Emerson : The answer to the question is in the negative.

BUDHA NALLAH, LUDHIANA DISTRICT.

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

- (a) whether it is a fact that Budha Nalla, district Ludhiana, has been declared to be within the operation of the Fisheries Act;
- (b) whether the Honourable Minister according to his promise given to the Council in the budget session of 1927 has reconsidered the matter;
- (c) his final decision in the matter?

The Honourable Sardar Jogendra Singh : (a) Budha Nallah has been under the operation of the Fisheries Act from 24th January 1923.

(b) I have not had the opportunity of visiting Ludhiana.

(c) The question of improving the supply of fish is receiving careful consideration.

GAMES IN RURAL AREAS.

591. Chaudhri Afzal Haq : Will the Honourable Minister for Local Self-Government be pleased to state the number of district boards which spent any amount of money for the encouragement of games in rural areas stating also the sum spent for that purpose?

The Honourable Malik Firoz Khan, Noon: The information required is being collected and will be communicated to the honourable member in due course.

FEROZEPORE DISTRICT BOARD.

592. Pir Akbar Ali: (a) Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) when the present election circles of the Ferozepore District Board were made;
- (b) whether it is a fact that majority of the election circles of the said district board contain majority of non-Muslim voters;
- (c) that the number of Muhamadan elected members of the Ferozepore district board is very small as compared with their population?

(d) If so, will the Honourable Minister please state what steps he proposes to take for redressing the complaints of the Muhamadans of the Ferozepore district?

The Honourable Malik Firoz Khan Noon:

- (a) In March 1919.
- (b) This is probably so though Government have no definite information.
- (c) Yes.
- (d) The Honourable member is referred to the reply to unstarred question No. 568.

FEROZEPORE DISTRICT BOARD.

593. Pir Akbar Ali: Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) the name of the eldest non-official nominated member of the Ferozepore district board;
- (b) the period for which he has secured his appointment by nomination;
- (c) whether he has ever been elected as a member of the said district board?

The Honourable Malik Firoz Khan Noon:

- (a) The two oldest members are—
 - (i) Lala Mohri Lal.
 - (ii) Khan Sahib Khwaja Gul Muhammad Khan.
- (b) Since September 1922.
- (c) No.

FEROZEPORE DISTRICT BOARD.

594. Pir Akbar Ali : (i) Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether the number of the elected and nominated Muhammadan members of the Ferozepore district board is very small as compared with their population ;

(b) whether a Muslim member has recently been removed to make room for some official member ?

(ii) If so, will the Honourable Minister please state the reasons for removing the Muslim nominated member ?

The Honourable Malik Firoz Khan Noon :

(i) (a) Yes, but not in comparison with their voting strength,

(b) The District Medical Officer of Health was appointed *ex-officio* in place of the Manager of the Mamdot Estate who had been appointed *ex-officio*. The latter at the time when the change was made happened to be a Muslim. There was no question of removing a Muslim member to make room for an official.

(ii) It was considered that the District Medical Officer of Health would be a more useful member than the Manager of the Mamdot Estate.

FEROZEPORE CITY MUNICIPAL COMMITTEE.

595. Pir Akbar Ali : Will the Honourable Minister for Local Self-Government please state—

(a) the name of the oldest non-official nominated member of the Ferozepore City Municipal Committee ;

(b) the period for which he has been appointed a member by nomination ;

(c) whether he has ever been elected a member of the said Municipal Committee.

The Honourable Malik Firoz Khan, Noon : (a) Khan Sahib Khwaja Gul Muhammad Khan.

(b) Since 1897.

(c) No.

GOVERNMENT SCHOOLS IN THE FEROZEPORE DISTRICT.

596. Pir Akbar Ali : Will the Honourable the Minister for Education be pleased to lay on the table a statement showing with regard to the Ferozepore district excluding notified area and municipal committee towns :

(a) Name of the Government :

(i) High school,

(ii) Anglo-vernacular middle schools :

(b) Number of the students studying therein who are :

(i) Muslims,

(ii) Non-Muslims ;

(c) Number of teachers employed therein who are :

(i) Muslims,

(ii) non-Muslims ?

The Honourable Mr. Manohar Lal :

- (a) There is only one such school,
Government High School at Patto Hira Singh.
- (b) The number of students there is —
- | | | | | |
|-------------|----|----|----|-----|
| Muslims | .. | .. | .. | 12 |
| Non-Muslims | .. | .. | .. | 217 |
- (c) and the number of teachers is —
- | | | | | |
|-------------|----|----|----|----|
| Muslims | .. | .. | .. | 2 |
| Non-Muslims | .. | .. | .. | 18 |

LAHORE CONSPIRACY CASE.

597. Sardar Hari Singh : (i) Will the Honourable Finance Member be pleased to lay on the table a statement showing—

(a) the names and places of residence of such of the convicts in the Lahore conspiracy case of 1914-15 whose property was confiscated ;

(b) the names of convicts who have since been released ;

(c) the names of convicts who are still undergoing imprisonment and the names of the jails where they are confined ?

(ii) Will the Honourable Finance Member be pleased to state if it is a fact that the law regarding the confiscation of property has been repealed ? If so, what are the reasons for not restoring the property of persons convicted in connection with the Lahore conspiracy case of 1914-15 ?

(iii) Has the Government taken into consideration or intends to take into consideration the question of restoring the property of persons mentioned in (ii) ? If not, why not ?

The Honourable Sir Geoffrey deMontmorency :

(i) (a) A list is laid on the table.

(b) and (c) A list of the convicts referred to who are still undergoing imprisonment is laid on the table. Government does not consider it advisable to state the particular jails in which each is confined.

(ii) First Part,—Yes.

Second Part—because Act XVI of 1921 was not intended to have retrospective effect.

(iii) No, because the Act has not retrospective effect and because there would be practical difficulties.

List of 1914-15 conspiracy cases prisoners whose property was ordered to be forfeited.

1. Balwant Singh, son of Mir Singh, of Sathiala, police station Beas, district Amritsar.

2. Bakhshish Singh, son of Santa Singh, of Gilwali, police station Sadr Amritsar.

[Hon. Sir Geoffrey deMontmorency.]

3. Bishen Singh, son of Jowala Singh, of Dadehr, police station Sirhali, district Amritsar.
4. Bishen Singh, son of Kesar Singh, of Dadehr, police station Sirhali, district Amritsar.
5. Chuhar Singh, son of Buta Singh, of Lilon, police Station Raikot, district Ludhiana.
6. Gurmukh Singh, *alias* Anoop Singh, son of Hoshnak Singh, of Lalton, district Ludhiana.
7. Harnam Singh, Tunda, son of Gurdit Singh, of Kotla, police station Haryana, district Hoshiarpur.
8. Hazara Singh, son of Bela Singh, of Dadehr, police station Sirhali, district Amritsar.
9. Harnam Singh, son of Arura, of village Bhatti Goraya, district Sialkot.
10. Hirde Ram, son of Gajjan Singh, of Mandi State.
11. Indar Singh, Granthi, son of Ala Singh, of Malla, police station Jagraon, district Ludhiana.
12. Indar Singh, son of Ganda Singh, of Basin, police station Manawan, district Lahore.
13. Indar Singh, son of Mula Singh, of Sur Singh, police Station Khadra, district Lahore.
14. Jagat Ram, son of Dittu Mal, Brahman, of Haryana, district Hoshiarpur.
15. Jagat Singh, *alias* Jai Singh, son of Arur Singh, of Sur Singh, Police station Khadra, district Lahore.
16. Jowala Singh, *alias* Santa Singh, son of Chanaya Singh, of Thattian, police station Beas, district Amritsar.
17. Ala Singh, son of Gulab Singh, of Amritsar.
18. Kartar Singh, son of Mangal Singh, Jat of Saraba, police station Raipur, district Ludhiana.
19. Kehar Singh, son of Nihal Singh, of Marhana, police station Sirhali, district Amritsar.
20. Kesar Singh, son of Bhup Singh, of Thatgarh, police station Tarn Taran, district Amritsar.
21. Kharak Singh, son of Ganda Singh, of Bupera, police station Raikot, district Ludhiana.
22. Khushal Singh, son of Suchet Singh, of Padri, district Amritsar.
23. Kirpal Singh, son of Narain Singh, of Bhupera, police station Raikot, district Ludhiana.
24. Lal Singh, son of Mihaan Singh, of Bhure, police station Tarn Taran, district Amritsar.
25. Madan Singh, son of Mal Singh, of Gaga, police station Barki, district Lahore.

26. Mangal Singh, son of Sarmukh Singh, of Lalpur, police station Tarn Taran, district Amritsar.
27. Nand Singh, son of Ram Singh, of Kela, police station Raikot, district Ludhiana.
28. Nidhan Singh, son of Sundar Singh, of Chuga, police station Dharmkot, district Ferozepore.
29. Bhai Parmanand, son of Tara Chand, Brahmin, of Karyala, district Jhelum.
30. Permanand, son of Giya Parshad, Kaist of Sukrada Kharka, district Hamirpur, U. P.
31. Prithi Singh, son of Shadi Ram, of Sabu, Patiala State.
32. Pingle Veshno Ganesh, son of Ganesh Pingle, Mathatta of Talegon, district Poona.
33. Piara Singh, alias Karam Singh, son of Lakha Singh, of Langeri, police station Mahalpur, district Hoshiarpur.
34. Puran Singh, son of Hoshjar Singh, of Isawal, police station Dakha, district Ludhiana.
35. Ramsaran Das, son of Sant Ram, of Kapurthala.
36. Roda Singh, of village Roda, police station Baghapurana, district Ferozepore.
37. Rulia Singh, son of Jagat Singh, of Saraba, police station Raikot, district Ludhiana.
38. Sawan Singh, son of Khushal Singh, of Chabba, police station Badli Amritsar.
39. Shiv Singh, son of Munshi, of Kotla, police station Hariana, district Hoshiarpur.
40. Sher Singh, son of Kesar Singh, of Ween Poin, police station Tarn Taran, district Amritsar.
41. Sohan Singh, son of Karam Singh, of Bhagna.
42. Surain Singh, son of Bur Singh, of Gilwali, police station Amritsar.
43. Surain Singh, son of Ishar Singh, of Gilwali, police station Amritsar.
44. Udham Singh, son of Mewa Singh, of Kasel, police station Gharinda, district Amritsar.
45. Wasakha Singh, son of Diyal Singh, of Dadehr, police station Sirhali, district Amritsar.
46. Wasawa Singh, son of Miham Singh, of Gilwali, district Amritsar.
47. Rur Singh, son of Attar Singh, Jat, of Chuharchak, police station Moga, district Ferozepore.

[Hon. Sir Geoffrey deMontmorency.]

48. Baj Singh, son of Chhattar Singh, Jat of Raya, police station Beas, district Amritsar.

49. Bhan Singh, son of Sawan Singh, Jat of Sunet, police station Ludhiana.

50. Gurdit Singh, son of Gurmukh Singh, of Sur Singh, police station Khalra, district Lahore.

51. Jowand Singh, son of Uttam Singh, of Sur Singh, police station, Khalra, district Lahore.

52. Kala Singh, son of Ghasita Singh, Jat, of Sur Singh, police station Khalra, district Lahore.

In these cases the Commissioner recommended the non-enforcement of the order of forfeiture.

2nd Supplementary conspiracy case.

53. Babu Ram, son of Gandhi Kumar, of Fattehgarh, district Hoshiarpur.

54. Balwant Singh, son of Budh Singh, Jat, of Khurdpur, police station, Adampur district Jullundur.

55. Batan Singh, alias Atma Singh, son of Mehr Singh, Jat, of Kari, district Hoshiarpur.

56. Fazal Din, son of Nura, Jat, of Fattehgarh, district Hoshiarpur.

57. Hari Singh, son of Bhika Singh, Jat, of Chotian Thoba, police station Bagapurana, district Ferozepore.

58. Kartar Singh, son of Sundar Singh, Jat, of Chadnam, police station Bagapurana, district Ferozepore.

59. Kehar Singh, son of Bhaghel Singh, Jat of Sahnewal, district Ludhiana.

60. Munsha Singh, son of Nihal Singh, Tarkhan, of Jandiala, police station Nur Mahal, district Jullundur.

61. Hafiz Abdullah, son of Nizam Din, of Jagraon, district Ludhiana.

62. Rur Singh, son of Samand Singh, of Talwandi Dusanj, police station Moga, district Ferozepore.

63. Naman, son of Gopal, Saini, of Fattehgarh, police station Sadr Hoshiarpur.

3rd Supplementary conspiracy case.

64. Dr. Mathra Singh, alias Shamsher Singh, son of Hari Singh, of village Dudial, police station Chakwal, district Jhelum.

4th Supplementary conspiracy case.

65. Jowand Singh, alias Lachhman Singh alias Jaswant Singh, son of Narain Singh, of village Nangal Kalan, police station Mahalpur, district Hoshiarpur.

Mandi Conspiracy Case.

66. Mian Jowahar Singh, son of Bikram, Rajput, of Saini Mori, Mandi State.

67. Jowahar, son of Jindar, Naryal, of Barsa, Mandi State.

68. Badri, son of Mian Jowabar Singh, Rajput, of Saini Mori, Mandi State.
69. Landu, alias Ram Das, son of Tikku, Rangrez, of Nagar, Mandi State.
70. Sidhu, son of Fakir, Kanait, of Barsu, Mandi State.

List of convicts who are still undergoing imprisonment.

Lahore Conspiracy Case.

1. Balwant Singh, son of Mir Singh.
2. Chuhar Singh, son of Buta Singh.
3. Harnam Singh, Tunda, son of Gurdit Singh.
4. Hirde Ram, son of Gajjan.
5. Jagat Ram, son of Dittu Mal.
6. Kesar Singh, son of Bhup Singh.
7. Khushal Singh, son of Suchet Singh.
8. Madan Singh, son of Mal Singh.
9. Nand Singh, son of Ram Singh.
10. Nidhan Singh, son of Sundar Singh.
11. Parmanand, son of Giya Parshad.
12. Sawan Singh, son of Khushal Singh.
13. Sher Singh, son of Kesar Singh.
14. Sohan Singh, son of Karam Singh.
15. Rur Singh, son of Attar Singh.

2nd Supplementary Conspiracy Case.

16. Kartar Singh, son of Sundar Singh.

ABIANA KHATAUNIS.

598. Pir Akbar Ali : (a) Will the Honourable Revenue Member be pleased to state if it is a fact that the patwaris do not now supply *abiana khataunis* to the lambardars as they used to do previously?

(b) Is the honourable member aware that for want of these *khataunis* the lambardars are unable to remove the doubt of the *abiana* payers as regards area, etc., and consequently feel difficulties in the collection of the *abiana*?

The Honourable Mian Sir Fazl-i-Husain : *Abiana khataunis* are not supplied to lambardars. The patwaris will, however, allow a lambardar to see and consult the *khat un s* in cases of doubt.

"SUTLEJ VALLEY PROJECT."

599. Pir Akbar Ali : (a) Has the article relating to the 'Sutlej Valley Project' published in the *Muslim Outlook*, page 2, of 25th December 1927, been brought to the notice of the Honourable Revenue Member?

[Pir Akbar Ali.]

(b) Has the Honourable Member been pleased to ascertain how far the allegations made therein are correct?

(c) Will he be pleased to state—

(i) why these appointments made were;

(ii) whether at the time of recruitment for the posts and appointments referred to in the article any orders or instructions were given for the guidance of officers making the recruitments to save the rights of the various communities?

(d) Will he be further pleased to state—

(i) if it is a fact that Muslims are in extreme minority in the establishment of 'The Sutlej Valley Project';

(ii) if it is a fact that efficient Muslims are available for these posts?

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

(b) Enquiries have been made.

(c) The staff in this Circle is partly filled by transfers from open canals and partly by recruitment from the open market. Government orders regarding recruitment are in force here as elsewhere.

(d) (i) This is very probable.

(ii) Apparently they were not available at the time of recruitment.

PUNJAB ZAMINDARS LEAGUE.

600. Chaudhri Muhammad Abdul Rahman Khan : Is the Honourable Revenue Member aware of the fact that the Punjab Zamindars League in its very largely attended meetings held in several districts of the province has passed a number of important resolutions? What actions, if any has the Government already taken or proposes to take on those resolutions?

The Honourable Mian Sir Fazl-i-Husain : Yes, they cover a large variety of subjects.

If the honourable member will specify the particular resolutions in regard to which he requires information, an endeavour will be made to supply it.

RAJBHAHS AND KHALS ON THE LOWER BARI DOAB CANAL.

601. Sardar Buta Singh : Will the Honourable Revenue Member be pleased to state—

(a) the total amount of money spent by the Government on the excavation and preparation of *Rajbahs* and *Khals* on the Lower Bari Doab Canal;

(b) the total amount of money realised from the zamindars;

(c) the amount to be still realised;

(d) the time within which such amount is to be realised?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) The figures at present available are—

	Rs.
Expenditure	26,25,097
Recoveries	21,43,228

(c) and (d) As expenditure is still being incurred and recoveries are dependent on area irrigated, a definite reply cannot be given now.

LANDS IN THE NILI BAR.

602. Sardar Buta Singh : Will the Honourable Revenue Member please state, whether it is a fact that Government has set apart some land in the Nili Bar for distribution amongst the persons who have suffered from water-logging? If so, will the Honourable Member be pleased to state—

- the number of squares allotted to the districts of Sheikhpura, Gujranwala and Sialkot;
- the method of allotment and criterion for distribution of land;
- the time within which the land is to be distributed to the sufferers?

The Honourable Mian Sir Fazl-i-Husain : Yes.

- 650 squares have been allotted to Sheikhpura, 800 to Gujranwala, and 550 to Sialkot;
- The Deputy Commissioners of the three districts named have been instructed to make the selection personally. The principle to proceed upon is that the person selected will make a good colonist. Subject to this the extent to which his holding has suffered from water-logging and the amount of culturable land left in it are to be taken into consideration;
- It is expected that the colonists selected will be put in possession of their grants in time to cultivate them for the next "Kharif" harvest.

PUNJABI TEACHERS.

603. Sardar Ujjal Singh : (a) Has the attention of the Honourable Minister for Education been drawn to the resolutions passed at the Punjabi Conference in Amritsar and the Sikh Educational Conference, Rawalpindi, with regard to raising the grade of pay of Punjabi teachers to the grades provided for Urdu, Sanskrit and Arabic teachers in Government schools?

(b) What action has the Honourable Minister taken in the matter?

The Honourable Mr. Manohar Lal : (a) No resolution passed at the Amritsar Conference has been received. A resolution passed at the Rawalpindi conference was received, urging that the rates of pay for vernacular teachers might be raised to the same level as those for classical teachers.

(b) Government does not consider that the proposed change is necessary. Punjabi teachers already receive the same rates of pay as Urdu teachers.

INDUSTRIES DEPARTMENT.

604. Rana Firoz-ud-Din Khan : Has the attention of the Honourable Minister for Education been drawn to the paucity of Muhammadans in all grades of appointment in the Industries Department? If so, what steps has he taken or proposes to take to improve the position?

The Honourable Mr. Manohar Lal : A comparative statement showing the representation of various communities in the Industries Department according to the latest census is given below. No special steps seem necessary as the total number of appointments is small and vacancies arise at infrequent intervals :—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>	<i>Others.</i>
Per cent.	Per cent.	Per cent.	Per cent.
42.1	46.8	9.1	1.7

MEDICAL DEPARTMENT.

605. Rana Firoz-ud-Din Khan : Is the Honourable Minister for Local Self-Government aware that Muhammadans are very poorly represented in the clerical establishment as clerks and head clerks and superintendents in the Medical Department, posts which require no technical education or training?

If so, what steps does he propose to take to remove this grievance?

The Honourable Malik Firoz Khan, Noon : Yes and the attention of the heads of the departments concerned is being drawn to the fact.

COMMISSIONERS AND DISTRICT OFFICES.

606. Rana Firoz-ud-Din Khan : Is the Honourable Revenue Member aware that the representation of Muhammadans as superintendents and head clerks in the offices of Commissioners and district offices in the Rawalpindi, Lahore, Jullundur and Ambala divisions is very low? If so, what steps does he propose to take to remove this inequality?

The Honourable Mian Sir Fazl-i-Husain : Information as to head clerks is not available and has now been called for. No Muhammadan at present holds the post of a superintendent in Commissioners' offices in the four divisions mentioned. Muhammadans fill four out of the 23 posts of superintendents in Deputy Commissioners' offices. Appointments to the post of superintendent are made with regard to seniority and suitability, and Government does not consider it desirable in the interests of efficiency to fetter the discretion of the officers responsible for filling up these posts by issuing any special instructions in the matter. A copy of the question and answer is, however, being sent to them for information.

POSTS OF DEPUTY SUPERINTENDENTS, ETC., IN THE VETERINARY DEPARTMENT.

607. Chaudhri Duli Chand : Will the Honourable Minister for Agriculture kindly state—

(a) the number of Deputy Superintendents, Inspectors and Veterinary Assistants in the Civil Veterinary Department;

- (b) the number of Hindus, Muslims, Sikhs and others among them ;
- (c) the number of newly created posts of Deputy Superintendents during the year 1927-28 and communal representation therein, if filled up ;
- (d) Whether Government intends to create more new posts of Deputy Superintendents for the year 1928-29 ?

The Honourable Sardar Jogendra Singh : (a) and (b) The Honourable Member's attention is invited to page 14 of the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government.

(c) Two. Both appointments were filled up by the promotion of Muhammadans.

(d) It is proposed to create two new posts in the year 1928-29.

SMALL POX IN THE KARNAL DISTRICT.

608. Chaudhri Duli Chand : Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the villages of the Karnal District in which small pox has broken out during the current cold weather ;
- (b) the number of cases and deaths in each of them ;
- (c) the number of cases and deaths in the village of Manana, Tahsil Panipat ;
- (d) the reasons why the proprietors of this village did not co-operate with the Health Department of the Karnal District before the out-break of smallpox in the village ?

The Honourable Malik Firoz Khan, Noon : (a) Manana is the only village.

(b) & (c) 187 cases and 53 deaths.

(d) Enquiries are being made and a further reply to this part will be communicated in due course.

SIND SAGAR CANAL.

609. Khan Sahib Khan Muhammad Saifullah Khan : (a) Will Honourable Revenue Member please state whether it is a fact that the Government have decided not to construct the proposed Sindh Sagar Canal in Thal (Bhakkar and Leiah Tahsil) ?

(b) If so, when does the Government intend to allow the Shamlat land to be divided amongst its respective owners and also to give them permission to sink wells on their lands ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. Government has come to no decision yet.

(b) Does not arise.

DAM ON THE RIVER KURRAN.

610. Khan Sahib Khan Muhammad Saifullah Khan : Has it come to the knowledge of the Honourable Revenue Member that the North-West Frontier Province's authorities intend to erect a dam on the river Kurran near Darra Tang in Isa Khel tahsil, district Mianwali ?

(b) Has the Government considered how far the proposed dam will affect the lands in the Isa Khel tahsil which the river Kurran mainly irrigates at present ?

(c) What steps does the Government propose to take to safeguard the rights of irrigation of the people of Isa Khel tahsil ?

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

(b) The matter is being investigated.

(c) Does not arise at this stage.

LICENCE FOR MOTOR LORRIES.

611. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Revenue Member please state the reasons why in the Ludhiana district motor lorry drivers are not granted licenses to ply for hire for the whole district ?

(b) What steps does the Honourable Member propose to take to remove this complaint ?

(c) Has the attention of the Honourable Member been drawn to an article on the subject which appeared in the *Zamindar Gazette*, Ludhiana, in its issue of the 14th January 1928 ?

The Honourable Mian Sir Fazl-i-Husain : (a) The number of lorries on Ludhiana District Board roads is limited on account of the narrowness of the roads and difficulty in their upkeep.

(b) No complaints have been received by Government that the vehicles licensed are insufficient for traffic needs on the roads in question or that the vehicles licensed are unsuitable or the rates excessive.

(c) Yes.

CHAUKIDARA TAX.

612. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Revenue Member kindly state whether it is a fact that resolutions passed by several district Zamindar Leagues of the province have reached him on the subject of the abolition of *chaukidara* tax, or whether such resolutions have come to his notice ?

(b) Has any action been taken on those resolutions ? If not, why ?

The Honourable Mian Sir Fazl-i-Husain : (a) The only resolution so far received by this Government is from a Sikh Diwan held at Muktsar.

(b) The question is under consideration.

EXCISE.

613. Sardar Ujjal Singh : 1. Will the Honourable Minister for Agriculture please state if it is a fact that a certain foreign liquor licensee in Lahore has defrauded Government in respect of excise duty by maintaining false excise registers?

2. What action does Government propose to take to recoup the loss in excise revenue it has incurred in the past?

The Honourable Sardar Jogendra Singh : 1. Yes.

2. Orders have been issued that the firm should pay license fee for the last three years on the basis of the actuals for the last six months.

TAHSILDARS.

614. Sardar Ujjal Singh : (i) Will the Honourable Revenue Member please lay on the table a statement showing by communities the number of candidates accepted for direct appointment as tahsildars during the last five years?

(ii) How many candidates are to be accepted each year for direct appointment as tahsildars, and what is the proportion fixed for each community, and what steps do Government propose to take to see that an adequate number of vacancies are allotted to Sikhs and Hindus each year?

The Honourable Mian Sir Fazl-i-Husain : (i) A statement is laid on the table.

(ii) The number of candidates to be selected each year for direct appointment as tahsildars has recently been raised. Probably ten appointments will be made this year, but the number may be somewhat reduced in the future. Due regard is, and will continue to be, paid to the claims of each community in the selection of candidates.

Statement showing the number of candidates selected for direct appointment as Tahsildars during the last five years.

Hindus	..	..	..	..	5
Sikhs	..	..	..	..	2
Muhammadans	..	..	..	..	4
Total					11

RULING REGARDING DISCUSSION OF MATTERS INVOLVING LEGISLATION DURING VOTING OF DEMANDS FOR GRANT.

Mr. President : Last year during the budget session and this year only the other day I gave a ruling to the effect that while demands for grant were under discussion, necessity for legislation or matters involving legislation could not be discussed. I have found, however, on going through the debates of this Council for the past seven years, that, without the question being ever raised or decided, the Council, while discussing demands for grant, has discussed matters involving legislation in a number of cases. Therefore, although my ruling is constitutionally sound and although it is completely in accord with Parliamentary practice, yet in view of the fact that a kind of convention or practice has already been established on the point, I propose not to follow it in future. *(Hear, hear, and applause.)*

GOVERNMENT'S DEMANDS FOR GRANTS.

ADMINISTRATION OF JUSTICE GRANT—*concluded.*

Mr. President : The Council will now resume discussion on Shaikh Muhammad Sadiq's motion.*

Chaudhri Yasin Khan [Gurgaon-cum-Hissar (Muhammadan), Rural], (Urdu): Yesterday I had the honour of pointing out to the House through you, Sir, that unless recruitment to the judicial service is made on the basis of population or community-wise, the people of this province cannot hope to lead a happy or peaceful life. Sir, in the resolution of 1919 the Government laid down that 66 per cent. of zamindars should be recruited in the judicial service in future. At that time this proportion was just enough to meet the demands of the zamindars because they were not so well-educated. But now, this is no longer so, there is no dearth of educated people amongst the zamindars and it would be in the fitness of things if the proportion of zamindars in the services is increased to 80 or even 90 per cent. I would ask the Government to give 55 per cent. to the Muslims, and the remaining 45 per cent. may be distributed amongst other communities as may be considered fit. Then Sir, if we cast even a cursory glance at the income side of the budget, it will be seen that out of a total income of Rs. 12 crores, only a crore or 1½ crores are contributed by the non-zamindars. It is the zamindar who has to bear the brunt of Government demands, whenever there is financial stringency in the province and it, therefore, behoves the Government to give the zamindars their due share in the administration. If the Government cares to accept my suggestion and a proportion is fixed for the zamindars, I am sure that an era of well-being and contentment will dawn for the people of this province, who, it gives me great pain to say, are now torn by party dissensions and party strifes. If the Government prevails upon the Judicial Department to accede to this demand, I do not see any reason why it should not be able to do so, because the executive and the judiciary go hand in hand. Then I am sure that the existing tension between the agriculturists and non-agriculturists will be removed to a large extent. The responsible members of the Government are in duty bound to see that this motion is given effect to, and I hope that the Government will act according to the well-known proverb—Where there is a will there is a way.

Then, Sir, as I have already pointed out the question of services is of vital interest to all classes of people, and it will not do to deprive one particular class on some lame excuse or other. There is one thing more and I have done, Sir. A day or two ago the question of the separation of judicial and executive functions came up for discussion in this Council, and it was admitted on all hands that in principle the separation of the two functions is sound. But I beg to differ from this view, Sir, unless and until our rights on the judicial side are conceded to us or at least an assurance is given that they will be protected, I cannot help saying that time has not yet come for the separation of the judicial and executive functions. With these words Sir, I support the motion.

*Vide page 537 ante.

Lala Bodh Raj [West. Punjab Towns (Non-Muhammadian), Urban]: Sir, by the amendment that has been moved by my honourable friend from Amritsar, the vexed question of communal representation in the services has been once more brought on the floor of this House. The object of the mover, as stated in the beginning of his speech, was to put an end to this trouble. But the remedy suggested by him, instead of removing the difficulty, would aggravate the disease. He has suggested that so long as the system of communal representation exists, this system or this principle should be introduced in the recruitment of subordinate judges and their clerks under the control of the High Court.

Shaikh Muhammad Sadiq: It exists already.

Lala Bodh Raj: My honourable friend says that the principle exists but it should be extended.

Shaikh Muhammad Sadiq: Regulated.

Lala Bodh Raj: When it has been considered that it is not in the interests of the country that this system should be allowed to exist, the sooner this system is done away with the better. Our attempt should be to retrace our steps instead of to take any further advance in the direction which we consider is a wrong direction. Under the Lucknow pact, the leaders of the country in order to compose the disunion between the various communities in the country designed this method and adopted the principle of communal representation in the legislatures as a temporary measure and Government in order to serve its own ends has extended the principle to the local bodies and to the services. The Chief Secretary yesterday in his speech stated that in order to meet the wishes of the honourable mover of the amendment and to meet the wishes of some other members in the House, Government has some scheme under contemplation.

Mr. H. W. Emerson (Chief Secretary): Sir, what I said was that it was understood that the Honourable Judges of the High Court had a scheme under consideration the full details of which were not known to Government but which would appear to meet some of the wishes of some members of the House and that that scheme will be examined when it is received.

Pandit Nanak Chand: Sir, the Chief Secretary gave some idea of what this scheme is going to be. I distinctly remember that he said that three of the posts are going to be filled by competition.

Mr. President: A personal explanation has been made by the Chief Secretary; no discussion can be allowed on it.

Lala Bodh Raj: The honourable the Chief Secretary stated that of the ten vacancies that are to be filled three vacancies will be filled up by competition, and that in filling up the other seven vacancies other considerations of the sort of communal, agriculturist and non-agriculturist will be taken into account and on the basis of those considerations those vacancies will be filled up. My submission is that the only consideration that should be taken into account in filling up such vacancies should be merit and merit alone. If besides merit other considerations are taken into account, the result will be that there will be great discontent accompanied by the resolve on the part of the people to use their influence in seeking such appointments. If

[Lala Bodh Raj.]

these considerations are allowed to prevail they will impair the efficiency of the services and the discipline of the administration to a great extent. The province is already full of communal bitterness, communal strife and communal disturbances, and if we want to put an end to all these things we should cut at the source of this trouble and the source of this trouble is the separate communal representation. Some of our Muhammadan leaders have attributed these troubles to the fact that the demands of the Muhammadans or other communities for their representations in the legislatures in the services or in the local bodies are not being complied with. If that is a fact then my submission is that the sooner this principle of communal representation is put an end to the better for the interests of the country and of the province. This system of communal representations gives us a chance to rally to the ranks of the Government in order to achieve our communal objects and instead of advancing the interests of the Motherland, the communal interests are placed in the foreground. The every day scene that is represented by this Council to the outside world is an indication of the fact that these communal representations have led us to think on each and every question with a communal eye. There is not a single question that is decided in this House on its own merit. It is decided from different considerations—whether it affects the Hindus or Muhammadans or whether it affects the agriculturists or the non-agriculturists or whether it affects the Indians or Anglo-Indians and from such points of view the question is decided in this Council and that is why we the members in this House have not been able to give a better outturn of our work as the other councils or legislatures have done.

The class of sub-judges is being recruited from the members of the Bar who have already passed the LL.B. test and have graduated from any University. The difficulty that my Muhammadan friends very often feel that because they are backward so far as their education is concerned they cannot have a sufficient number of recruits in the services in the various departments of Government cannot have any force so far as this class of service is concerned because the test is already there that only B.A., LL.Bs. or the members of the Bar are to be recruited in the service. If any other test for selection is provided and whoever passes that test is to be taken in the service, my Muhammadan friends, should have no grievance to say that simply because some of the Muhammadans cannot come up to the top they should be taken on the ground that they are Muhammadans. If these things are allowed to be encouraged by the Government or by its Members, they are in a way throwing temptations in the way of some of those who are after seeking jobs or of those who are in search of appointments to change their religion and turn Muhammadans so that they might be able to get jobs. I know of certain instance where the candidate when he put in his application was a Hindu but when he got the job he had turned a Muhammadan, simply because he knew that he could get the job if he was a Muhammadan and that he could not get the job if he was a Hindu. That is, in other words Government is responsible to a great extent for this interference in our religious liberties and our religion. With these few words I beg to oppose the amendment that has been moved.

Sardar Ujjal Singh [Sikh Urban]: Sir, in this unfortunate province we have begun to invoke the deities for achieving objects which defy the deities themselves. In the name of religion most irreligious things are done. So I think the honourable mover of this motion has thought it fit to combat the evil of communalism by means which will have the effect of perpetuating this system. Sir, the honourable mover has put forward two arguments in support of his motion. In the first instance he said that efficiency was a fraud and that competitive system was no test for the fitness of a candidate. He did not stop here but stated further that in England and other countries this competitive system was not now favoured. Sir, I admit that competitive system is not the only criterion for the fitness of a candidate and I also admit that in some services the examination test is not required or is not possible. But at any rate some test is necessary for the recruitment of every post. What passes my comprehension is the fact that a candidate who has stood higher in an examination should be considered less fit or equally fit with the candidate who has stood lower in the same examination. Why should we suppose that one candidate is equally good or will be equally useful to the State as the other? In fact the presumption should be in favour of the candidate standing higher in the test examination. With regard to the success of the competitive system in other countries I quoted at length in the last Simla session, when moving my resolution, from the public Services Commission Report. I need not quote at great length now, but I will just read a sentence from that report which will convince the honourable mover of the amendment that the success of this system is more pronounced in England than he knows of. The Commissioners state that "the advantages of the system of competitive examination for the recruitment for the Civil Services far outweighs any defects which have come to our notice and we are convinced of the importance not only of adhering to the system but of expanding it whenever possible." Now coming to the definite proposal of the honourable mover with regard to recruitment of sub-judges and clerical staff, I would submit that in the case of stenographers at any rate competitive test is the best and I think the only criterion for the fitness of a candidate, for in that case we require to test the speed and the accuracy in shorthand writing and in type-writing of the candidate. The best candidate no doubt will give the best results. And in the case of clerical establishment, I think, most of the clerks can be put to a test examination. The examination held for recruitment to the Secretariat of the Government of India has proved very successful and I think resort should be had to competitive examinations in this connection also. Now, Sir, in the case of sub-judges themselves, I am in favour of a competitive examination as is held in the case of the Extra Assistant Commissioners. I think the honourable members of this House will testify to the ability and the grasp of work which the members of the Punjab Civil Service have shown and specially those members who have been returned as a result of the examination. In any case, Sir, in case an examination is not thought necessary, some committee ought to be established, some impersonal body ought to be set up in order to examine the merits of the candidates.

What I would submit is this, that merits, which include physical fitness, character besides ability, should be the only criterion rather than any other consideration on grounds of community, for recruitment to services.

[Sardar Ujjal Singh.]

The second argument which the honourable mover brought forward was that he wanted to end communalism by distributing the posts of sub-judges and clerks on the basis of population. A moment's serious thought on this statement will show not only the impossibility but the absurdity of it. Does the honourable member seriously think that if the posts of sub-judges and clerks are distributed among the communities on population basis the whole question of communalism will die out? Will there be no clamour for the extension of this very system to other departments and to other branches of administration? Is he prepared to say that his community will be satisfied with that concession only? Or, will his community make it a sort of a thin end of the wedge for pressing forward more proposals?

Shaikh Muhammad Sadiq : I never spoke for Muhammadans only. I spoke for all.

Sardar Ujjal Singh : I ask the honourable member to assure the House on behalf of his community that there will be no more clamour if his demand is granted. I am positive that if that concession is granted in one case it will be a ground established for getting it extended in all branches of administration, in fact in all phases of our civic life. The grant of this concession will not be confined to different communities only, but to all classes with greater numerical strength. There will be clamour from the agriculturists to have this concession extended. There will be clamour from people of urban areas and from rural areas to have this concession extended to them, and God knows how many divisions and sub-divisions there will be in this already divided and unfortunate province. (*A voice : There are so many posts.*) So the honourable member thinks that there will be no harm if the distribution of posts is made on the basis of castes and creeds. The result would be not the eradication of communalism as the honourable mover put it, but deification of communalism and the extinction of national advancement and national solidarity. These communal outbursts are but the passing phase of the general awakening in this country. These outbursts have had their sway in other foreign countries. They had their sway in Turkey, in Egypt, in Afghanistan, but fortunately they have passed away and they are now things of the past. I hope that in this country also they will disappear. But we should not do anything of the kind suggested by the honourable mover which may prove a bar to progress and an impediment to national advancement.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammedan), Rural] : Sir, the honourable member from Amritsar (Shaikh Muhammad Sadiq) has raised a very important discussion and I wish to offer a few remarks on the subject. In moving this motion the honourable member from Amritsar presumed, and I think rightly presumed, that Musalmans are not being fairly treated in the matter of appointments in the High Court. A reference to the consolidated statement placed before us a few days back will show that out of a total of 177 listed and ordinary appointments 3 are held by Europeans and Anglo-Indians, 62 by Musalmans, 86 by Hindus, 21 by Sikhs and 5 by others. This gives a percentage of 1.7 to Europeans, and Anglo-Indians, 85 to Musalmans, 48.6 to Hindus, 11.9 to Sikhs and 2.8

to others. Similarly, if you turn to page 9 of this very statement you will see that in the clerical and ministerial establishment also out of 8 gazetted and ministerial officers, two are Europeans and one is a Hindu. Out of 8 Superintendents one is a European, one is a Musalman, four are Hindus, one Sikh and one other. Similarly again, if you take head clerks and other clerks you find that there is a preponderance of one community and the other is under-represented. With regard to that particular community which is called in this statement as 'others.' I may point out that it is a very doubtful community. Sometimes it does mean Indian-Christians and Parsis, but I understand it includes also Jains who for all practical purposes are Hindus but who for purposes of recruitment in the judicial and other services are classified as 'others.'

Now, these figures naturally give rise to the question as to what is the cause of this disparity. Why is it that one particular community is over represented and why is it that another community is under-represented? If the answer to this question is that suitable Musalmans are not available and that all the Hindus who have been taken into the services are abler than all the Musalmans who have not been taken into the services, then I think there is nothing to be said. But this is not the case. As a matter of fact considerations other than those of pure efficiency are responsible for this disparity which in its turn is responsible for the present communal feeling which we all deplore. If the Government is anxious to do away with the present communal tension, as I am sure Government is, the only way in which to achieve this object is to give each community its share in the administration of the province including the administration of justice. Nothing short of it will give the country and the province permanent peace. My friend the honourable member from Mian Channu (Sardar Ujjal Singh) has remarked that this will not give peace, but I can say on the strength of my personal experience that these riots and disturbances are fomented by the dissatisfied educated men. Ignorant masses do not commit riots of their own accord. As a matter of fact they are incited to these riots by the educated. (*Hear, hear*). I mean the dissatisfied educated.

The honourable member from Amritsar put forward two suggestions. The first was that a percentage should be fixed for each community and that this percentage should be in accord with the numerical strength of the community. The soundness of this proposition can be doubted by only those Hindus who posing as nationalists think that home rule, or Swaraj or self-government or give it whatever name you like, means rule by a minority where they are in a minority or the rule by a majority where they are in a majority. The Musalmans, the much maligned reactionary Musalmans are prepared to accept in the interests of good government, in the interests of efficiency, and lastly in the interests of communal good will to accept two or three or even five per cent. less than what they are entitled to on the strength of their population if the Government gives an assurance that the percentage or proportion once fixed will be strictly adhered to. Under-represented as they are, they can ill-afford to forego more.

Then again, the honourable member from Amritsar suggested that the recruitment in the judicial service should be made from among the lawyers. Of course, while I heartily endorse that suggestion I wish further to submit

[Shaikh Faiz Muhammad.]

that the minimum period of practical experience should be fixed at five years. Those members of this Council who are in the legal profession will agree with me that during the first three years of practice a pleader gets very little practice which can give him the opportunity of learning the practical application of law to facts. For all practical purposes he remains during the first three years of practice what he was at the time of passing the examination. If this period of practice is extended to five years then I assure you that the efficiency of this branch will be considerably improved. Extension in the period of practice will also necessitate extension in the age of eligibility for service. In this connection my submission is that in the case of pleaders to be taken into the judicial line the age of eligibility should be raised from 30 at present to 35.

The Chief Secretary speaking yesterday said that Government had under consideration a scheme which will be introduced.....(*A Voice: It is not under consideration. The scheme is expected to reach Government soon*). Anyhow, it was pointed out that some sort of scheme is in the process of formulation with regard to the recruitment in the judicial service.

My honourable friend the member for Gurgaon suggested that official schemes intended to benefit the zamindars generally and the Musalmans particularly had a tendency to abortion, that is to say they never mature. This remark from the honourable member for Gurgaon shows the disappointment which of course he and others of his way of thinking are entertaining. But I am very optimistic and am prepared to accept the assurance given by the Chief Secretary that some sort of scheme is under contemplation and that under that scheme the claims of backward and under-represented communities and classes have a chance to be considered. But, Sir, I cannot agree with the Chief Secretary when he says that it will not be possible for the Government to make all recruitment from among the lawyers. Although the Chief Secretary did not give any reasons for the inability of the Government to recruit all the sub-judges from among the lawyers, yet I understood him to mean that it would be difficult to overlook those LL.B. students who took very high position in the examination results. I have already submitted that fresh law graduates from the college, however high their position in the examination may be, do not at all know what the practical application of law is. It is after three or four years that they begin to work properly. Instead of recruiting fresh graduates from the University, it would be far better if these gentlemen are allowed to practice for a number of years and when once they have established their reputation and they have studied case law to some extent, they can be taken up. It is not suggested that their examination results should not be taken into consideration. What I mean to suggest is this, that besides examination results their actual work as lawyers should also be taken into consideration. Supposing there is a student who takes the first place in the Law examination and he starts practice, if it is found that in practice he is a failure, that he cannot understand case law, it is useless to appoint such a man as a Judge. On the other hand there may be a student who did not get large number of marks at the examination, but who in actual practice succeeds wonderfully and much better than the man with more marks, then there is absolutely no reason why that student should not be taken in the judicial line. I, therefore,

submit that not only all recruitment should be made from among the lawyers, but that for this purpose the period of practice should be fixed at five years and the age of eligibility should be extended to 35. If these things are done, they will enhance the efficiency of the judicial line. My honourable friend from Multan in the course of his speech suggested that the present communal feeling was not due to disparity of the various communities in various departments, but that it was due to separate representation. Sir it is a very old argument, but I really doubt if it has any force because in this very province, we have some sort of joint representation also. We have in this province also some constituencies which are joint and I may be permitted to say that in these constituencies communalism is at its highest. With these remarks, I support the amendment of my honourable friend from Amritsar.

Lala Mohan Lal [North-East Towns (Non-Muhammadan) Urban] : Sir, I am one of those who believe in the matter of the judicial service only in one thing, that is efficiency and merit. I know that my honourable friends sitting on the opposite benches would like to retort me by saying that I belong to the community which holds these appointments and therefore I want to advocate their cause. Sir, may I know from my honourable friends the exact reason for communal representation in the judicial service? Do my honourable friends seriously believe that in deciding cases, in administering justice, a Muhammadan Judge, when the parties are on one side Hindu and on the other side Muhammadan, he as a presiding officer decides cases in favour of the Muhammadan simply because he belongs to the Muhammadan community? Or conversely, do you seriously contend that because the appointments in the judicial service are at present mostly held by Hindus, they decide cases in favour of Hindus because they happen to belong to the same community as the presiding officers? The same remarks I would make with regard to zamindar members of the judiciary. I would ask my honourable zamindar members whether they believe that in the matter of deciding cases when the parties concerned are on the one side zamindars and on the other side non-zamindars, there has been miscarriage of justice, or that miscarriage of justice has not been set right on appeal by the higher courts. Would my Muhammadan or zamindar friends give us instances in which the presiding judicial officers have decided cases simply because on one side the party was a zamindar and on the other side a non-zamindar, or on the one side the party was a Hindu and on the other he was Muhammadan? Have they not decided cases on their merits without having any regard to the community to which the parties belong?

Khan Bahadur Captain Sardar Sikandar Hayat Khan : Can we discuss this sort of thing now?

Lala Mohan Lal : When every one in the matter of judicial service thinks only communally and talks only of communal representation, am I not entitled to know from them the reasons which prompt them to urge such a course? Is it because that my honourable friends have got no satisfactory reply to give me, that they keep interrupting me? Yesterday when the Honourable the Revenue Member was giving certain figures about the recruitment or the existing number of members in the executive branch of service, we were told that although under the resolution of 1919 the

[Lala Mohan Lal.]

percentage for the Extra Assistant Commissioners and tahsildars was fixed at 66 per cent., yet actually it was more. The Government in order to give preference to the gentlemen has devised a new scheme, according to my view and that is this. Formerly the division of appointments was 'zamindars' and 'non-zamindars,' now another definition has been put in. What is that? That members of the agricultural tribes, the zamindars who under the old definition were included in this appointment have now been classified amongst the Hindus. This has been done according to my humble submission simply to give more appointments to the zamindars and at the expense of others. I personally do not grudge this. To be plain, if the Government thinks that they are more fitted to hold the post, then there is no objection to their being given these appointments. If it is thought that these people are fitted to hold the posts in the judicial service, then they can be appointed. My honourable friend for Gujranwala said yesterday, that these appointments should be distributed simply because one community is large in numbers and that it should dominate or predominate over another by holding appointments in the services. May I ask whether it is fair or just to other communities, especially in the matter of judicial appointments? That was what my honourable friend wanted to be done in the judicial service. They want these appointments to go to a Muhammadan simply because he is a Muhammadan and that the Muhammadan population being so much in percentage, they should also be represented in that proportion in the service. May I ask my friend, the honourable mover of this motion, he being a nationalist, how he happened to table such a motion asking for the representation of a particular community in the judicial service? There is already another amendment by which my honourable friend Chaudhri Chhotu Ram wants that the percentage of zamindars should be increased every year by 25 per cent. in the matter of judicial service. Sir, the real reason according to my information is this. Everybody wants to have a share in the services. But there are certain services in which the Government as well as the House will have to think of one thing above all others and that is, fitness. In the matter of administration of justice, my personal view is that it is only efficiency and fitness that should count. The candidate may be a Hindu, a Muhammadan, a Sikh, a Christian or anybody, if he possesses the necessary qualification and is best fitted for the appointment, he should be appointed. It should not be because he happens to be a Hindu or a Muhammadan, or because he is a zamindar or a non-zamindar that he should be there. The only test should be efficiency and there should be open competition just as they have for the Indian Civil Service. Everybody should be able to enter the door by open competition. My honourable friends may say that the zamindars and the Muhammadans are backward in education and that they are unable to enter through the door of open competition. If one proves himself to be the fittest person, then by sheer merit he is certainly entitled to be there. Can any honourable member point out any country where this communal representation in services exists? Take the countries of Europe, there we have the Roman Catholics, the Protestants and several classes. Are candidates recruited to the public service in those countries simply because one is a Roman Catholic?

or a Protestant and so on. I say that in the matter of recruitment of services, it is not so in other countries. That is the reason why those countries have progressed in the matter of their administration. Is it not a fact that the judicial service in England is decidedly the best. There, there is only one test, so far as I know, one examination which is for the Indian Civil Service or the Home Civil Service. Anybody who passes that examination is taken into the service. Anybody who is qualified under the rules and who is successful in the examination is entitled to enter the service. I may cite another instance, that is, the Indian Civil Service. As a result of the Indian Civil Service examination held either in India or in England, anybody comes out no matter whether he is a Hindu or a Muhammadan or a Sikh or a Protestant or a Roman Catholic. What is the result? The best brains in the country seek entry into that service. I am prepared to admit, Sir, that is the best service simply because there is no communal consideration in the matter of recruitment. It is only one test that is fitness (*Laughter*). My honourable friend laughs, probably there are other considerations which I do not know, but so far as I know only those who qualify themselves according to the examination are considered the fittest to enter the service. What is the result? When they proceed to India, they begin as Assistant Commissioners and they are put in charge either of the judicial branch or the executive branch. Later on they become Accountants-General, Under-Secretaries, Revenue Members or Finance Members or Post Masters-General and what not. What is the reason for their being fit to occupy any post? It is because they are the best brains of the country. If you change the present system of recruitment in the judicial service, if you recruit a man to the service simply because he belongs to one particular community, no matter whether he is as much qualified as anybody else of another community, if you introduce communalism into judicial service, all I can say is that the service will become degraded in efficiency and ultimately it will lead not to justice and there is every hope that there may not be a miscarriage of justice. In the matter of judicial service, particularly, as I already submitted, there should be only one test and that is the person who presides over a court is the fittest person to discharge his duties. You should see whether he is impartial, no matter to which community he belongs, no matter whether he is a Hindu or a Sikh or a Muhammadan. No considerations whether the party to a case belongs to the zamindar or non-zamindar class or Hindu or Muhammadan community, none of these considerations should prevail and the case should be decided purely on its merits. If once this principle of communalism or classism is introduced in the judicial service or in any service the presiding officer may get a feeling—I do not say he will—he may get a feeling: "I belong to a backward community, we have been fighting to enter into the services and, therefore, I must only favour my own community." If this feeling should get into the minds of the presiding officer, then I think great injustice will be done to other persons. He should not feel that simply because he is a zamindar or a non-zamindar, or that he is a Hindu or a Muslim he has been appointed to the judicial service.

I, therefore, submit, Sir, and it is my personal view that in the matter of recruitment to the judicial service the only test should be open competition and whoever qualifies in that test, whether he

[Lala Mohan Lal.]

is a Muhammadan or Hindu, should be admitted into the service. The Muhammadans have got as much facilities for education as the Hindus. They are also making very good progress and so also the zamindars. The question of favouritism should not arise. People who enter the service should be able to say here we are after qualifying ourselves fully for the service; nobody has favoured us because we belong to a particular caste or community. If a man is qualified for a certain post there is no power on earth which can prevent him from getting the appointment.

With regard to the recruitment from the bar, my personal opinion is that the present system is better. A legal practitioner who has put in 6 or 7 years practice and is good at law would not care to enter service. If a junior member of the bar after putting in 3 or 4 years of service is capable enough he may prove capable also in service. But if a man has put in 7 years of practice and does not get even Rs. 250 a month, I do not think that he can be said to have had a brilliant career and that he will be a success in the judicial department. This is my personal view and I submit that the only test, as I have already submitted, should be fitness and open competition.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural] (Urdu): Sir, I had no mind to speak on the motion under consideration but for the importance of the question of services on which the leaders of the various communities of the Punjab are hopelessly divided. Some of them are of opinion that Government is dealing unfairly with some communities in the matter of services and it is on account of this that we are disunited and distrustful of each other. They further hold that the principle of communal representation on population basis should be adopted in the recruitment of services and unless that is done we cannot look for better days. Some others believe in the merit alone. They say that services should be open to merit alone and to no other considerations. Sir, so far as I understand the Government also does not like to see one community having the sole monopoly of public service and desires that each community should be properly represented in various branches of its service.

In order to give effect to its intentions the Government has declared more than once on the floor of this House that in future so far as the question of the recruitment of public services is concerned the principle of communal representation on population basis would be applied so far as it can be so applied and in doing so the claims of the minority communities would receive due consideration. Sir, I do not say that each community should necessarily be represented according to its numerical strength. But this does not mean that its claims should be ignored. Sir what I want to lay stress upon is that having full regard for the efficiency of a particular service, no one community should be allowed to monopolise it. Each community has the right to demand its proper representation in the public service. Let the Government stand by its announcements which ever since the introduction of reforms in this country, it has been making to the effect that in future each community would be properly represented in various branches of the public service. Sir, it was alleged by some honourable members of the House in the Simla Session and it has again been alleged to-day that the present

communal strife is only due to the fact that certain communities of the Punjab are deprived of their proper representation in public service and that our troubles would end forthwith if that injustice in the matter of service is removed. Sir I do not agree to this assertion. I do not think that our troubles are due to the absence of proper representation in public service of some communities. In my opinion the real cause of our trouble is the economic and social inequality between the different communities of the province. I mean by this the economic and social boycott of one community by the other. It is my firm conviction that unless social and economic equality is maintained between the various communities our troubles would not end. Sir, before the settlement about the political rights of each community its social and economic rights should be settled and unless that is done we cannot hope for the day of prosperity and good will. Sir, whatever policy is adopted by the Government in the recruitment of services, whether it be the principle of communal representation on population basis or that the services should be left open to merit alone, it would not help us in the least so long as the social boycott of one community by the other continues. The Hindus hate the Muhammadans and *vice versa*. If a Hindu happens to pass in a Muhammadan mohallah, he is stabbed by the Muhammadans and if a Muhammadan goes to a Hindu Muhallah, he is murdered by the Hindus. That is the mentality of each community now-a-days. Sir, so long as the relations of these sister communities remain so strained no amicable settlement can be reached. Sir, even the satisfactory settlement of the question of services would not take us out of the wood in which we are now wandering astray. I do not mean that we should leave this question altogether undecided. Each community has the right to demand its proper share in the Government of its country. Sir, there is one community in this country which is not represented in this House and if it is represented at all, it is represented by one who belongs to a higher caste. I mean the depressed class. Sir, that class also has the right to put in its claims for a proper share in the administration of the country. To say that you are not well-qualified for this is no reason at all for depriving you of your rights. Let all the communities have their proper share in the administration of the country. Sir, we should act on the principle of "give and take." That should be our spirit. Then and then alone we would be able to mend matters. But if Sir, on the question of recruitment to the police the Hindus should protest against the preponderance of the Muhammadans and the latter should take up their cudgels against the former on the question of the recruitment to the judicial branch of public service, our case is hopeless. Sir, I understand that Government has taken in hand this important problem but its progress is very slow. My honest opinion is that the satisfactory solution of this problem depends upon the Government alone. They can, within one year, solve this problem once for all. Sir, everything rests with them. They can do justice to the Muhammadan without disregarding the interests and rights of the zamindar. When once they have accepted one formula they should try to give effect to it. Let them give one community 50 per cent. representation instead of 56 per cent. representation in public service. But Sir, all communities must have proper share in the administration of this country. The Muhammadans protest against their paucity in the Forest Department, the Hindus ask

[Chaudhri Afzal Haq.]

for better representation in the police and the Sikhs demand fair representation in the class of public prosecutors. Sir, I request the Government to duly consider the claims of each community. For the satisfactory solution of this problem all responsibility lies on the Government. Communal warfare would not help us in our present misfortunes. With these words I would request the honourable mover not to press his motion to division.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: I have listened to this debate with more than ordinary interest. It has a special significance because we are on the eve of welcoming here the Simon Commission, and the commission shall have to investigate all these questions of our fitness or unfitness for self-Government. The amendment proposed by the honourable mover asks for communal representation in services on population basis. It is indeed a very bold demand and speaking for myself I congratulate him for having given the House an opportunity to give its expression of opinion on such a very important subject which has been agitating the mind of the public outside this Council Chamber for the last many years. The formula comes to this. Here in the Punjab the Musalmans are 55 per cent. Therefore, in all services there must be representation of the Musalmans according to their numerical number which they hold in population. The Hindus are 32 per cent. and, therefore, in all services they must have 32 per cent., no more and no less. The Sikhs are 11 per cent. and, therefore, they should have 11 per cent. in services, neither more nor less. Similarly the remaining population consisting of about 2 per cent. should have service in that ratio. Undoubtedly one would be surprised if one were to apply these considerations to the filling up of the services. What is the object of communal representation which has been talked of for such a very long time? The object explained so many times by the various political leaders and Government is that it is really meant for the protection of the minority communities. It is the privilege of the minorities to claim communal representation if they think that otherwise their interests cannot be safeguarded. This was explained not only once but on various occasions. It has never been the claim, it should never be the claim of the majority that they will have communal representation in local legislatures or services or local bodies. This is a principle which has been so far enunciated and accepted by all politicians and it takes one's breath away when we find various communities which are in the majority claiming communal representation in order to safeguard their interests. I think one of the fundamental problems which this House has to face is whether it should concede to the proposition that the majority community should be satisfied, when this principle is demanded by the majority community. So far as I am aware the Sikhs and Hindus have not only said that this principle of communal representation is not acceptable to them because it does not safeguard the interests of the minorities, but they have also said that there must be some other safeguards in order to protect the interests of the minorities. On this ground, Sir, this principle of communal representation and its application to services must be rejected and not accepted. Unfortunately, however, Government has accepted this principle and the result of it is that you find the communal appetite of various communities

becoming keen and strong and they want to devour everything that is possible to be devoured. One of the honourable members referred to a consolidated statement showing the proportion of the various communities in various services. The statement showed that in many services the proportion of the Musalmans is much greater than 55 per cent. For example, you will find in the Jail department, in the Police department, in the Co-operative department and in other departments, the Muhammadans predominate to a very great extent, and yet we have never heard any expression of opinion on the part of Muhammadan members that they are prepared to concede to the other communities their proper share on communal basis.

Chaudhri Afzal Haq : I have done that.

Pandit Nanak Chand : So far as the honourable member representing the Hoshiarpur-~~and~~ Ludhiana Muhammadan constituency is concerned, he claims to be a nationalist and I have taken very great care to scrutinise the questions which are put in the Council and by far the largest number of questions which are communal in nature stand to his credit, and I submit that I am not prepared to say that hardened communalists like the honourable member seriously urge the reduction of the posts held by the Muhammadans in these departments.

I oppose this principle of communal representation on various grounds. The first ground is that it leads to communal bias in the administrations and I have definite instances to quote where communal bias has been responsible for injustice being done to the different communities living in the Punjab. I want to cite before the Government and before this honourable House the particular instance of the town of Bijwara in the Hoshiarpur district. I put a question also in the Council on the matter and besides that question there is only one other other communal question put by me throughout my membership of the Council for the last five years. I put the question in order to show that those people who advocate communalism in services must be prepared to face the evil which this communalism brings in its train.

Bijwara is in the Hoshiarpur district. The population of this town roughly is : Musalmans 1,300, Hindus 1,100 and 97 or 91 Sikhs. During the days of non-co-operation movement punitive police tax was levied from the residents of this town. Different reasons were given by different people with regard to the object of this tax and as to why this tax was levied, but on questions put by me the Honourable Sir John Maynard stated that out of 1,300 Muhammadans not one had to pay this tax ; out of 1,100 Hindus about 700 or 800 were made to pay this tax and all the Sikhs were made to pay this tax. I asked Sir John Maynard the name of the gentleman who was the administrator of the district, the name of the thanedar and the name of the tahildar. Those names were not given to me. They were all Muhammadan gentlemen holding those posts. (*A voice: Question*). There can be no question about it. You make your enquiries and then contradict my statement if you can. That, Sir, is the result of this communal bias which is eating into the vitals of the administration at the present day. The reason of this is that when you are going to recruit your services on communal basis you are importing communalism in the administration

[Pandit Nanak Chand.]

whatever that administration may be, and if you want to purify the services from communal bias and if you want to advance on national lines it is your duty to see that you proceed not on communal lines but on national lines or on lines which absolutely rule out communalism or casteism or any other 'ism' in the distribution of these services. That is the greatest danger to the proper administration of the Punjab. It is no use talking and saying here we are in a majority or a minority. These are matters which Government must take notice of and if you want to live in peace you will have to follow the policy of give and take and you will have to follow the principles of fairplay and justice. You will have to see to it that these posts are open only to merit and to no other consideration. That is the first principle which we must learn to accept.

Then there is a second point why I oppose communal representation in services. It has been frankly admitted here to-day and some time ago in the Simla session also that all these troubles and riots that take place in the Punjab are due to the instigation of the educated men who want to use the masses in order to get Government service. That has been on more than one occasion said by the various members that it is due to the fact that the educated section of a certain community are dissatisfied and therefore they foment the trouble. Therefore they agitate and lead others to commit crimes with which the history of the modern Punjab has been disfigured. The other day the Finance Member was telling us that from 1921 to the present day there have been communal riots in various towns of the Punjab. I thought he was recounting the various triumphs gained by the British Government in various battles. But these various communal troubles are due to this fact the Government yields to communal demands. If people know that Government concedes to those who want communal favours and who want representation in the services or otherwise on communal basis, they are bound to create troubles. Therefore if Government were to give out that so far as posts under the Government are concerned they will not be given to any person on the basis of caste or religion, these troubles and assaults will cease. We are sure that all those acts are due, as a matter of fact, to the educated men who want to use the poor ignorant people for their own personal end. What does a tongawala care and what does a halwai care and what do other people of similar professions care whether it is Afzal Haq or Nanak Chand who gets the post. They do not care, but these people are being utilised by dissatisfied educated men who want to get jobs on communal basis, they are instigated to commit murders and murderous assaults. I submit that Government if they desire that there should be peace, advancement and progress in the country, should definitely make a statement that they are not prepared to go on with the communal representation any longer. In the interest of law and order, in the interest of fair play and justice Government should take courage in both its hands and make a bold statement that it is their intention to follow the policy which was promulgated by Her Majesty the late lamented Queen Victoria, that so far as distribution of services is concerned no class or no religion or no race shall have any special consideration at all. That is my second point why I oppose this motion.

Now, with regard to the third point, my submission is that if you look at the world you will not find anywhere this principle of communal representation in services, this distribution of posts by communities being followed. If this Province is to advance towards self-government it is necessary that we should take a leaf out of the book of other people's example. We should try to imitate them and not follow blindly on a course which is leading to trouble, communal strife, communal hatred and communal bitterness. What are my rights as Hindus? My rights are that I should have freedom to worship as a Hindu, I should be allowed to propagate my religion. If on the other hand I go to Government and ask them to give me a post because I am a Hindu or because I am a Brahmin, then I submit that I am laying claim to something which I cannot claim on the ground of religion. Similarly what a Muhammadan can claim from Government is that Government should give him right to worship according to his religion and to propagate his religion, and nothing more than that. But, if the Muhammadans say the offices of the state should be open to them because they profess a certain religion or because they form a politically important community or because they hold lands and so on and so forth, I submit they are asking for something which is most unreasonable. These claims could not be tolerated by Government or by the House which lays claim to advance towards the ideal of democratic government. Sometimes people talk of democracy. By democracy we mean rule of the majority, but surely not of a religious majority. Rule of religious majority exists nowhere in the world. Rule by majority does exist where the majority can be converted into minority or the minority can be converted into majority. That is what I understand by democratic rule. You don't treat the people as members of a community, of the Hindu community or the Muhammadan community or the Sikh community or the Christian community, but you treat them as members of a common state. You don't disqualify them because they are Hindus or because they are Muhammadans or because they are Sikhs from obtaining certain things, but you merely treat them as citizens. That is the rule of democracy, the rule of the people by the people for the people. I challenge anybody to produce from the history of the world any instance where the majority rule was meant the rule by a religious majority. We are not prepared to tolerate the rule of the majority if it means rule by a majority of religious bigots and fanatics, people who in order to win favour with their community, in order to be in the forefront of public life want to make one community fight with another. That will be the negation of home rule, negation of national rule, negation of everything sacred to humanity. It is high time that we realise our duty towards the people upon whom murderous assaults are committed in the name of religion, in the name of democracy, in the name of religious majority. I appeal to the Government, they have gone too far, they have allowed these things to go too far. A bold policy is now needed on the part of Government. Take courage in your hands. The future generations of the Punjab look to you for guidance, for a lead. If you want to be fit for swaraj or self-government you should rule out all these communal considerations. This is the lesson of history and if we follow those lessons we will be bringing an era of peace and progress in the Punjab. Otherwise to move onward will be impossible.

The Honourable Sir Geoffrey deMontmorency (Finance Member):

Sir, from a very small cloud in the horizon sometimes the whole sky becomes overcast and thunder and lightning and disastrous storms follow. The honourable mover's motion when I first saw it on the business paper seemed to me to be a very innocent motion. As printed it seemed only to relate to that, no doubt worthy but humble class, the Sub-Judges' clerks. Later on it transpired that the apostrophe was a misprint for comma and the motion did not relate particularly to clerks, but related to recruitment of Sub-Judges. The discussion also has proceeded mainly on the subject of recruitment of Sub-Judges. Out of that has arisen a general principle of very great importance, a general principle in which it appears that every portion of this House takes a very lively interest. The honourable mover began by saying that he was not satisfied with the method in which Sub-Judges were recruited. Though later on he disclosed his reason for this and his motive, as I shall later explain, seems to me to have been a very laudable one, he did not at first make his full meaning clear. In his opening remarks he did not give us any instances of any abuses accruing from the present system of recruitment. Indeed he went out of the way to speak of the Sub-Judges, with whom he had come into contact at Amritsar, in very flattering terms and the only unsatisfactory judge I think he referred to was a gentleman in Mussorie, who was not recruited in this province and did not particularly concern this Council. When he developed his proposition, his contention was that in a series of years there should be an allotment of places in the ranks of Sub-Judges in accordance with communal proportions of the population. But at the same time he laid down that there should be a minimum qualification. Now, it is obvious that this very important principle cannot apply to Sub-Judges alone. If the principle was once adopted in the case of Sub-Judges, questions would be asked as to why it should not be applied to the whole of the services under the local Government. Last July we discussed at some length the general policy and principles, which Government is following in the matter of controlling the recruitment of the services, and in view of the importance of the subject I must again very briefly refer to the explanation of the policy which I gave on that occasion. When the Company came to India it was found that a monopoly of services and ministerial appointments was concentrated in the hands of a certain class. This was considered unfair and undesirable and led to the well-known statement of the policy on this question which was made by the Governor-General so long ago as 1833, that is, long before the assumption of the Government of India by the Crown. This famous statement laid down "that there shall be no governing class in British India and whatever other tests or qualifications may be adopted in the public service distinction of caste and religion shall not be among them." That was the declaration made by the Governor-General in 1833. The same thread, as the honourable member from Hoshiarpur has reminded us, was taken up in the declaration of Queen Victoria. The same problem was again examined at great length by the Public Service Commission in 1911 and after that Commission the Government again signified its adherence to the general line of policy that in the services you should attempt to get the best men available and you should not allow the predominance of a class

or caste in Government service. A few years later, in the central legislature a private member moved a motion which was accepted by the Government as a correct statement of the proper policy. He advocated that Government should take steps to see that the services are not unduly over-weighted by any one class or community, but as far as possible the claims of all communities should be considered. This question of not over-weighting is a very important principle to which the Punjab Government gave effect in the resolution of 1919. They found at that time that the zamindar class, which was the most numerous class in this province, which paid a large part of the taxes and which contributed to the defence of the country, had the scales over-weighted against them in the services and were excluded from a fair share: In consequence they laid down certain methods of recruitment to prevent their being excluded and to insure their obtaining a reasonable share of appointments. In July last after examining the principle of competitive examination, which was then being urged as a panacea for these particular troubles by the honourable member from Mian Channu (Sardar Ujjal Singh) I read out to this House certain principles which Government have accepted as the guide to be followed at present in the recruitment of the services. The first of these was always to keep the supreme importance of efficiency in view.

The second was, as education progresses and spreads, to continue to raise as far as may be practicable the minimum educational qualification for various posts. The third was to employ the element of competition as the test wherever the best interests of a service render it possible, and the fourth was in all cases so to conduct recruitments as to avoid any undue preponderance of anyone class in the public services to the exclusion of the reasonable claims of other classes of the community. I emphasised at that time that we were in a period of transition, that facilities for education were not equal in every part of the province and that in consequence these principles represent the policy, to which the Government would adhere until there had been a widespread change in the composition of the educated classes in this province.

The honourable mover of the present motion, as I said before, was to my way of thinking, actuated by entirely laudable motives; I do not think he had any idea of benefiting his own community in the proposal that he put before the House, but I believe his genuine wish was that if by this means of allotting places in the different services on a basis of communal proportion, communal strife and rivalry can be avoided, then this suggestion of his should be adopted. But, it remains to be seen whether his suggestion is practicable and whether it is any improvement on the policy which Government as already explained is pursuing to the best of its ability. In the first place, I think that the adoption of rigid communal proportions is a retrograde step. It is a step back to those undesirable conditions which the original declaration of 1883 tried to ameliorate. It would establish religion, as a test for the public services. Considered in this light there is no doubt that it is a reactionary step. I think that the principles upon which the Government have been proceeding are far sounder and that they give much fairer chances to a much wider class. I deprecate what will, I fear, prove to be a return to monopoly and privilege. There is one

[Hon. Sir Geoffrey deMontmorency.]

difficulty to which I think nobody has alluded. It is a very real difficulty and a very serious obstacle in adopting what the honourable mover has suggested. Perhaps it is because thoughts were mainly concentrated on Sub-Judges that this particular case has not been brought forward by anyone. Sub-Judges are directly recruited not from people who are in the service of Government already, but from LL.Bs. and members of the bar. But a number of branches of services are recruited only partly directly and very largely by promotion from other services or subordinate branches of the service concerned. Take for instance the Inspectors of Police. Direct appointments are few and the majority of appointments are from promoted Sub-Inspectors, picked men in the selection grade. Supposing there are vacancies in the grade of Inspector and you have on your list a number of men with long service, with good service, with high reputation for honesty, with a fine record for special efficiency, are you going to turn round to these men and say: "Yes, we admit that you have very long service, we admit that you have special qualifications, and an excellent reputation, we admit that you are within a few years of retirement and that if you do not get your promotion now, it not only affects you in pay at once but it will affect the rate of your pension and your prospects for the rest of your life: we admit all that; but this is the time when owing to the communal percentage rule, there is no chance of taking you and we consider that the communal percentage rule is much more important than those tests of promotion which we have been applying in the past." To adopt such a course would be to break all the traditions of our services to imperil the sense of security to ruin their morale and to take away from them all incentive towards efficiency, honesty and faithful service. I believe once we cease to recognise hard work and faithful honest service, we shall in fact be showing our incapacity for administration generally. Also, Sir, I venture to remind the House that Government is a Government for all, not for a class (*hear, hear*). If we recruit according to communal percentages, by communities, an idea—a very terrible idea—will get about in the service (*A voice: It has got already*) that a man is in the service not primarily to serve the Government, but because he belongs to a community and that in his actions in the service his chief occupation should be service to that particular community. That, I think, Sir, every one will admit, will lead to deplorable results. The honourable member for Mian Channu observed that if you once adopt a communal percentage plan, the matter would not stop at main religions or the communities. I venture to think he made some very sage observations on this head. You need go no further than the motion paper before honourable members of this House. If you turn over the leaves of that motion paper, I think you will find that there are some motions for cuts moved by honourable members in this House pointing out that too few places have been allotted to Hindu Jats in the Police Department and in the agricultural department. Now, Sir, the honourable member under the over-weighting principle which I have quoted, is perfectly within his rights in calling attention to a particular class being edged out of the service and not having enough representation. But once communal percentages have been settled the tendency shown by these motions will increase and harden into insisting

on percentages also for various tribes and castes. When Hindu Jats have a percentage, why not Hindu Dogras or Rajputs of Hoshiarpur and Kangra; why not Musalman Jats from the Central and mid-west Punjab, why not Musalman Rajputs from the western Punjab and why not Ahirs and Meos from Gurgaon? Where can it stop? The trouble may even be sectarian, that is within the percentage reserved for Hindus, there might be insistence on Sanatan Dharma Hindus getting so many posts, Arya Samajists getting so many posts and so on. I need not pursue the argument.

Diwan Bahadur Raja Narendra Nath : Jains and Buddhists also will come in.

The Honourable Sir Geoffrey deMontmorency : We must, therefore, conclude that to adopt hard and fast percentages would be destructive to real progress. We must have a system, which while it deals with obvious unfairness, is all the same elastic. Honourable members of this House often mention the depressed classes; they are rather hard perhaps to define but there are classes—whoever you may include in them—that are at present backward. They have not had the same facilities as other persons. If these schemes of development, if this increase in education on which we busy ourselves in this House are meant in earnest, if they are not merely eyewash, the day must come when members from these classes too will aspire to different kinds of service and will be educated and qualified for it.

If, by then, the whole ground has been plotted out already, if it is all occupied by what may be called the elevated classes, the depressed classes of all kinds will storm the citadels in vain; for if any thing is certain, this at least admits of no doubt that once a percentage has been fixed on communal basis, the community in whose favour that percentage has been fixed will make it their citadel and they will not agree to admit within the perimeter anyone except one of those belonging to the class to whom it was originally allotted.

Sir, some of the honourable members considered that Government's policy was correct in the intention as already explained by me, but that no trouble was taken to carry it out.

Chaudhri Afzal Haq : I never stated that; I said that progress was not very rapid.

The Honourable Sir Geoffrey deMontmorency : In this connection I may point out that when in this Council dissatisfaction was expressed with the method of recruitment of sub-judges and some members stated their opinion that certain classes and persons well qualified did not get fair chances, Government at once took steps to address the High Court. It is in response to this reference that the Honourable High Court have prepared a new scheme which they are just about to submit to Government. The consolidated statement which is now yearly laid on the table of the House gives to honourable members the fullest information as to how the communal situation stands in each of the services. It gives to each member information regarding the representation of zamindars. That is, it is a mirror of how Government is trying to carry out the policy, how it is trying to run these two principles, the principle of seeing the zamindars

[Hon. Sir Geoffrey deMontmorency.]

getting representation and the principle of seeing—always paying attention to efficiency—that no service is overweighted or monopolised by a particular caste, creed or community. This statement gives the honourable members of this House ample opportunity of drawing the attention of the Government to any services in which they think that the overweighting or the exclusion process is going on and where they think that remedy is needed. As I have said, the High Court have got a scheme under consideration; that scheme has not yet been submitted officially. In my view that scheme, when it is received, will be framed in the first place so as to secure efficiency among the sub-judges and in the second place, I have little doubt that it will strive to give attention to those points of policy which Government have announced at various times and to any points of criticism which have been raised about recruitment of this particular service in the past; we may confidently wait for the Judges of the High Court to submit their plan and wait in full expectation that it will provide both an efficient scheme on the technical side and also a scheme that is fair and just. (Hear, hear and applause).

Shaikh Muhammad Sadiq (Amritsar City (Muhammadan) Urban): Sir, I must thank the Honourable Finance Member for the announcement of policy. I never wanted that a rigid form or principle should be introduced. That is why when I made my previous speech I used the words 'as far as possible.' I know it is impossible to make a wooden scheme and ask the Government to act up to it. A scheme is always meant to be carried out. Rigidity in such cases is impossible. But the question is not that inefficient men should be appointed. It is for that reason I introduced the words and said that minimum qualification should be fixed. Now I am sorry to note that some of the gentlemen who wanted to make a speech and did make a strong speech did not intentionally mention the words I used. I said a minimum qualification should be fixed. It was for them to have fixed that minimum qualification for the post of the sub-judge. Let it be, if they choose, M.A. or double M.A., or LL.B., or whatever is fixed. I did not prevent them propose fixing it as high as they want. But what I want is that once that standard is fixed, the other tests are useless and if a man gets 40 or 50 marks more than another, it does not mean that he has got more ability than the other. I only want that a minimum qualification should be fixed and I am sure everybody will agree with me and the Honourable Finance Member will agree with me. If a certain qualification, say an LL.B., or anything else is fixed, it should be acted on, and nobody should say that a lawyer who will handle a few lakhs of rupees is unfit to be a sub-judge.

Now Sir, several attacks have been made on my speech. When I began my speech I told plainly that I hate communalism. I honestly want that somehow or other communalism should go. It will then stop the heart-burning. No doubt we are divided. My friends who are talking about communalism are themselves teaching communalism. Why did they leave the benches on this side and go to the other side? Everybody knows the history of the case. What is the use of merely saying, 'we do not want communalism' when they actually teach the same? Why, I ask, did they

leave these benches and go to the other side except only to say 'we will remain mum all the time provided you agree to our proposal and that involving communalism.' I know a case where a man after killing his father and mother went to court and pleaded mercy because he was an orphan. These are the gentlemen who start communalism, who live on communalism and flourish on communalism, and whenever a motion comes from people like me who sincerely and honestly want to stop communalism they oppose it. This has become a trade on communalism. No sooner an attempt is made to stop communalism immediately there is heartburning. They cannot bear it. They (Hindus) make all kinds of speeches and when the time comes they are the first people to act on communalism. They (Hindus) lead deputations and they say that Lahore representation in the police is very poor. If they find that a certain ratio has fallen low they forget everything else and fight for communalism. My honourable friend says there is no communalism. In India there are Brahmans, Kashatriyas and other classes. Brahmans are for eating and for jobs. They say 'Brahmin stands for *Bhojan*,' Brahmin stands for jobbery. Nobody has been a prime minister except a Brahmin. It is said that Kashatriyas are to be the soldiers. Poor Sudras for service and shoe cleaning. It is also stated that if a Sudra hears Vedas, lead should be melted and poured into his ears. Is this not communalism? I am not teaching communalism but I want to stop it. I want that you should fix a ratio once and for all. Give the Muhammdans only 50 per cent., less than they deserve but let it be fixed. Let there be no hue and cry later on. What is the use of standing before others and asking for crumbs which are not to be spared? I say 'as far as possible.' If my honourable friend is pleased to fix the ratio at 50 per cent., I will accept it; if he is pleased to give me 40 per cent. I will accept; but let us fix the ratio to stop heart burning. Again I limit also the period. I do not want anything for all time and for all ages. I want this only during the transition period. I know my honourable friend loves to be called a Pandit because he is a born Brahmin; another man wants to be called a Kashatriya because he is of the fighting race. Is this not communalism? I will give the example of Ireland. Even the British Government were forced to separate the northern part of Ireland, Ulster, from the lower portion. They were fighting for a few acres of land. My honourable friends opposite know more about it than I do. They know that both parties were fighting for few feet of land. Thousands of Turks had to leave Greece and similarly Greeks had to leave Turkey simply to adjust themselves. Thus this kind of thing has been happening for all ages and from time immemorial. One of my honourable friends has brought in a proposal to give a right for the untouchables to take water from the common wells; perhaps he forgot to include private wells. I want to call a spade, spade. I want to stop communalism and speak the truth even if it is unpalatable. We find that up to this time the recruitment of sub-judges was not on communal basis, was not on competitive system; then why is the percentage of Muhammdans only 80 instead of 55?

I challenge my friend to contradict my statement. Up to this time there was no question of communal representation and there was no question of competition, and I ask how is it that when there was no competition even then sufficient number of Muhammdan LL.Bs., were not available? I

[Shaikh Muhammad Sadiq.]

need not give reason myself, as the honourable member knows it. (A voice : a national can answer it). That is where the shoe pinches. I ask my honourable friends to say why is the percentage of Muhammadans only 35 and not 55 ?

Then, Sir, what about the smaller jobs where no competition is possible ? Do you want that for each post however small there should be a competition ? Supposing there is a post vacant and a matriculate is required to fill it. Are you going to have a competition for that post ? If there is a vacancy in the municipality, are you going to hold a competition for that ? Supposing there is a post vacant in the High Court, do you mean to say that there should be a competition held for that minor job ? I say it is impossible, that there should be a competition for each and every job. What will you do then in cases where no competition can be held ? I wish my friend had answered that question, but he evaded it. If you have a competition for one job, why do you not hold competitions for all jobs ? Why do you not have a competition for Municipal Commissionership ? Why do you not hold a competition for Councillorship ? Why should you have non-graduates for members of the Council when you can get B.As. ?

Sardar Ujjal Singh : But there is a competition for membership.

Shaikh Muhammad Sadiq : That is a different kind of competition. I will tell you what sort of a competition there was at Amritsar recently when municipal elections were held. In Amritsar, I know, the question was Khatri *versus* Arora. You people boast of having no communal feelings, but do you know that at Amritsar the election was fought on the basis of communalism amongst Hindus and Sikhs. There it was the question of Khatri or Aroras. There was a majority of Aroras in Amritsar and so an Arora Sikh was elected to this Council.

Sir, there is no getting away from the fact that communalism does exist, and what I want is that somehow or other it should go. In order to kill communalism I have put forward a formula. I do not say it is the only formula. It may be wrong and I will not press that it is the only formula. In any case my object was not to create heart-burning, and I am glad that my amendment has given a chance to my honourable friend from the country of *chos* to give a lecture to us on this formula. I may say, however, that he was absolutely wrong when he said that my object in moving this amendment was to introduce communalism into this House. He said that he had asked two questions on communal matters in this Council. I challenge him to say that if I have asked a single question in the Council on communal matters. My record is much cleaner than his. I am very glad that the Honourable the Finance Member in his speech alluded to his remarks made in the last Council. Unfortunately I was not in this country at that time. But I want to inform the Honourable Member that I spoke about recruitment of service and not about promotion in a service. I never said that an inferior man should go over the head of his superior.

Then, Sir, my friend from Hoshiarpur told us that some Muhammadan Tahsildar levied punitive police tax on Hindus and Sikhs but not on Muhammadans. I think his memory fails him in communal matters. It was no

a Muhammadan Tahsildar but a Hindu. If a Hindu cuts the throat of a Hindu, you cannot blame the Muhammadans for that. If the Muhammadans of that village refused to give shelter to a non-co-operator for one night in their houses, you cannot blame the Government for that. If Government does not tax the Muhammadans for their loyalty it is not the fault of the Muhammadans. You should reform your own community or you should not come to the political arena. Millions of English people shed their blood in the fields of Flanders and Mesopotamia for the liberty but my friends opposite will not come to an understanding for a few jobs. The fact is that money is everything with this class of people, and so long as money is their deity, so long as wealth is their God, God help us the people of the Punjab!

I must complain through you, Sir, that some of the members have intentionally tried to twist my arguments. I never for a moment used the arguments in the way they were taken to mean. I said plainly that my object was to show the existence of communalism, and that we should do everything in our power to kill communalism. I said that with a view to attain that object we should fix a certain formula. I am glad to feel that Government is thinking of a formula. I do not want that Muhammadans should rule the country as Muhammadans. I want that every Indian, be he a Hindu or a Muhammadan or anyone else, should serve his country.

One gentleman said, what is the use of having Muhammadans when Hindus are efficient. I might retort by saying, what is the use of having Indians when English people are available. So far as efficiency is concerned, I do not think the Englishmen are less efficient than the Indians. And yet you are clamouring for the Indianisation of services. And why? Service brings prestige and wealth and power. Muhammadans also want their due share in all that. Why do you come to the Council? Why do you spend so much money and why do you waste so much of your time just to get elected to the Council? My friend from Simla said what will be the difference if Moslems are given jobs. Similarly I may say what will be the loss if he is not elected, surely, the Council will go on. Yes, but then why do you take the trouble of filling election petitions? There must be some motive, there must be some inducement which makes us fight elections. As the honourable member fully knows, the inducement is the raising of our status. Appoint one sweeper as E.A.O. and the status of the sweeper class is at once raised. At present there is not a single sweeper member of this Council, but if there were one he would raise the status of the whole sweeper community. I repeat what I have said many times before that it is not that we want to cut the throats of the Hindus, it is not that we want to put them to trouble, but it is only that we want our own rights.

Sir, I never meant to press my amendment to a division. Victory does not mean anything to me. I want and I sincerely want that this pin pricking and heart burning should stop between Hindus and Muhammadans and other communities. I believe that it is the question of services that is dividing the Punjab. I do not want any favours for my community. I want that every community should have its proper share in the service of our mother land.

Sir, my object has been served in raising this important question. Let Hindus and Muhammadans decide what is going to be their attitude in the

[Shaikh Muhammad Sadiq]

matter. What is the use of the Simon Commission? We must first settle our differences amongst ourselves. We may get some further instalment of reform, but it may not prove to be a boon but a further cause for trouble. So as I have said we must first settle our differences. It is no use our having more reforms if we are divided on the subject of jobs. Sir, the object of my moving the amendment has been fulfilled and I ask for leave of the Council to withdraw it.

The motion was by leave withdrawn.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhamadan) Rural]: Sir, I beg to move—

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

While discussing the motion moved by the honourable member representing the Muhammadan urban constituency of Amritsar (Shaikh Muhammad Sadiq) a good many speeches were made unnecessarily importing heat. Many members while decriing communalism have themselves been guilty of the worst communal spirit and the worst communal feelings. It has been said from several quarters that this feeling of communalism or undue emphasis laid on class interests is entirely antagonistic to nationalism. I may be excused if I express my difference from the views that have been expressed in this connection during the debate which has happily just ended. When we demand that certain Government posts should be distributed among various communities in certain proportions, that does not mean that we are not nationalists. That is not a negation of nationalism. When we urge that certain appointments under Government should be distributed among zamindars and non-zamindars, that does not mean that we cease to be nationalists. The question as to in what proportion the good things of the world should go to various communities or classes does not really mean that we are not nationalists. Nationalism means a mental outlook which induces men to act in the interests of the country as a whole where a fight for those interests has to be fought. But when once that fight has been fought and when it comes to the question of dividing so to say the booty of the war among ourselves, the desire to divide the booty among ourselves does not mean that we have ceased to be nationalists or that we are doing any harm to the spirit of nationalism among ourselves. If there is a fight between the people and the bureaucracy for the wresting of any rights from an unwilling Government I am absolutely sure that every section of this House, whether Hindus or Muhammadans or Sikhs, zamindars or non-zamindars, will be found willing to unite together to wrest them. If there is any fight which has to be fought in the cause of nationalism against any other country or against any force that tends to weaken the cause of nationalism, I have absolutely no doubt that all Indians, whatever their class or creed may be, will be one. They have fought such battles in the past and they will fight such battles in the future also if occasion arises. Let us, therefore, not misunderstand the significance of these cuts. Let us not misjudge the real meaning of these motions which seek a proper distribution of the good things of the world between Hindus, Muhammadans and Sikhs, or between zamindars and non-zamindars. This is only a question of internal distribution. It is a domestic partition of the good things that Government has

got to give. Let nobody, official or non-official, misjudge the real significance of these motions. When we are fighting for our shares let not Government suppose that this fight would hamper any fight which has to be fought in the cause of nationalism or in the cause of the country or in the cause of the province as a whole. I desire to make it clear because I have moved a motion which is also based on a desire to secure a proper share of the posts to a certain class of the population of this province.

The Honourable Finance Member made a statement to which I take exception. He stated that once class representation was conceded there would be a tendency for further claims in the interests of smaller sub-divisions of the population; and as an illustration he made reference to one or two cuts which I have sent in, in respect of Hindu Jats. When those motions come up for discussion I will show that these motions do not really follow from the division of posts between zamindars and non-zamindars. They are based entirely on different considerations and when I have disclosed those considerations to the House, the House will admit the justice which really has prompted those motions. For the present I will confine myself to the motion which is before the House. That motion is based on the desirability of recruiting zamindars as sub-judges in excess, to some extent, of the proportion that has been fixed for them. The proportion which was laid down in 1919 was 66 per cent. In order to reach that proportion it is necessary that zamindars should be recruited every year or whenever selections are made in excess of that proportion. Unless the zamindars are selected in excess of that proportion there is no hope that they will ever reach the proportion which has been prescribed for them. It is too late in the day now to say that these proportions should not have been fixed. The committee which was appointed to make enquiries and to suggest proportions for zamindars and non-zamindars in the various branches of the public service entered upon a very elaborate enquiry and came to the conclusion that in order to secure to the zamindar class a proper share in the various branches of the public service it was necessary that a certain proportions should be laid down. It is no use fighting against these proportions now. As a matter of fact these proportions were laid down in 1919, and when these proportions were laid down the committee must have taken into consideration the fact that zamindars as a class were backward, they were not sufficiently advanced in education and therefore some deduction should be made from their share on account of their educational backwardness. Now, that nearly ten years have elapsed, that proportion if anything should be raised. However, for the purpose of my present motion I shall confine myself to the proportion that has been prescribed as a proper share for the zamindar class. So far as the post of sub-judges is concerned, the designation did not exist when the proportion was fixed. Sub-judges have replaced the old class of munsiffs and the proportion fixed by that committee in the ranks of munsiffs as representing a due share of zamindars was 66 per cent. Now in the light of that proportion and in the light of time that has elapsed since that time let us examine the figures representing the share which has actually fallen to zamindars. The total number of sub-judges posts is 170. I am not taking into account listed appointments. Out of these 170 appointments one goes to a European. In all 60 go to Muhammadans. Out of these 60 only 25 fall to the share of zamindars. Eighty-three

[R. S. Chaudhri Chhotu Ram]

in all constitute the share of Hindus. Out of these 88 only 2 go to zamindars. Twenty-one go to the share of Sikhs and these are divided between the zamindars and non-zamindars in the ratio of 2 to 19. The percentage that has fallen to the share of zamindars as a whole is 17. I beg to submit that this percentage will be admitted to be a very low percentage by any man who has any fairness about him. The zamindars form a very large proportion of the population as a whole. Their stake in the province is very great, they contribute a very large proportion of the annual revenue of Government. Whenever any call has to be made upon the loyal services of the province response comes mostly from zamindars. The cases which have to be tried by sub-judges also relate to zamindars. On the whole if I put down 60 per cent. of the cases as those in which both parties are zamindars I think I shall not be far wrong. Another 30 per cent. of the cases may be described as cases in which one of the parties is a zamindar. Roughly speaking there will be only 10 per cent. of the cases which are decided by sub-judges every day in which both parties are non-zamindars. In view of these facts, it is of the utmost importance that the zamindar class should have a proper representation in this branch of the service. The honourable member representing the South Eastern Hindu urban areas put a question to Musalmans as well as to zamindars and the question was "Do you really contend that the sub-judges who decide cases now are not impartial? Do you really believe that the sub-judges who transact judicial business in subordinate courts are not honest in their decisions?" My answer to this question is that nobody put forward any such contention.

Far be it from me to suggest that any Sub-Judge whether he is a Hindu or a Musalman, zamindar or non-zamindar, is consciously and deliberately unjust or dishonest. I will not suggest any conscious bias in the judgments of Sub-Judges or any other class of public servants. But the fact remains that there are a large number of cases which are on the border line about which it cannot be premised with certainty that the case in order to ensure a just decision must be decided in one way and not in another. I beg to submit that the cases on the borderline form a very large proportion of the entire litigation of the province and without being consciously or deliberately unjust, or partial or dishonest, a Judge who has to decide cases may be led to give a particular decision as a result of his natural proclivities, or his natural sympathies without in the least having any conscious bias. I need not elaborate this point, but I think everybody who has had anything to do with the courts will admit that there are a very large number of cases in which nobody can say that in order to be just the decision should be only in one way and not in another. In such cases, natural sympathies and natural proclivities will play a fairly important part. In a large number of cases they may be a determining factor. If my honourable friends want an illustration, I will give one where a judge without being unjust, without being consciously partial may give a judgment which may be regarded as lenient or harsh from the point of view of a zamindar or a non-zamindar.

The Honourable Sir Geoffrey deMontmorency : Is the honourable member in order in criticising the judicial action of judges of courts? He says judges may give.

Mr. President : Judges, not only of High Courts but even of the subordinate courts are not to be attacked in their judicial capacity.

Rai Sahib Chaudhri Chhotu Ram : Does the restriction relate to particular or individual cases or to judicial business as a whole? I am not referring to any particular case, nor to any particular judge nor to any particular judgment, I am only giving an illustration of a general nature.

Mr. President : For the information of the honourable member I may read the relevant portion of Standing Order 30 :

"A member while speaking shall not reflect upon the conduct of any Court of Justice in the exercise of its judicial functions."

It appears clear from this that no reflection should be made on any court of justice in its judicial capacity.

Rai Sahib Chaudhri Chhotu Ram : I bow to your ruling, Sir, and give up the point. I will draw once again the attention of the honourable members of this House to the very low percentages which have been secured so far by members of agricultural tribes. In the grade of Sub-Judges, the total percentages for zamindars as a whole is 17. If you examine this percentage under various heads, the results are even more striking. For instance among Hindus we shall find that out of 83 posts only two go to zamindars, that means a little less than $\frac{1}{40}$. Can any honourable member seriously contend that this big province of the Punjab has been unable to produce more than two Hindu zamindars who possess equal qualifications with those non-zamindars to whom posts of Sub-Judges have been given? Look at the lists of pleaders and LL.B.'s and you will find any number of graduates even among Hindu zamindars. What does this suggest? Does this suggest that Hindu zamindars have not been recruited because there are no qualified men among them? Can it be seriously contended that they have not been recruited in larger numbers because they are not willing to accept these posts? I beg to submit, very respectfully but very emphatically, that the fault is not in the direction of the qualifications of zamindars, but the fault lies somewhere in the system of recruitment itself. Take the figures relating to Sikhs. There are 21 Sikh Sub-Judges, out of these 21, there are only 2 zamindar Sikhs. Is there anybody in this House who can honestly say that more than two zamindars from among the Sikhs possessing the requisite qualifications could not be found? Is there anybody in this House who will really seriously contend that this disproportion between zamindar Sikhs and non-zamindar Sikhs is really based on their relative educational qualifications. The Sikh zamindars as a class are backward. I admit it. But can it be suggested with any show of reason or with any grain of truth that no more than two zamindar Sikhs could be found in the province to be appointed to the post of Sub-Judges? The figures for Musalmans are more promising. Their proportion stands as 25 : 35 ; out of 60, 25 go to zamindars and 35 to non-zamindars. Though the proportion is encouraging it cannot be said that the proportion is just. If I am not mistaken the proportion of zamindars in the Muslim population is somewhere in the neighbourhood of 85. Can it be really seriously urged that the Muslim zamindars were not able to produce more than 25 persons fit to be employed as Sub-Judges? These figures afford the greatest ground for alarm not only to the zamindar

[R. S. Chaudhri Chhotu Ram.]

members but also to the Government and to non-zamindar Hindus who have any love for justice and fair play. The gravest condemnation of the position taken up by my honourable friends on the opposite benches is contained in the figures here. I need not put forward any other argument. I do not make any fervent appeals to nationalism or communalism or classism. My appeal is restricted to these figures. These figures have been very carefully collected and the only lesson and the only moral that can be drawn from these figures is that those who are in a position to recommend or to appoint Sub-Judges are not disposed to do justice to zamindar classes. In order to secure justice for that class, the only suggestion that has struck me as effective is that not only should there be a proportion fixed in the various branches of the service for zamindars but also there should be fixed a definite excess in which they should be recruited every year and at every selection. Or you may fix a definite maximum period of time within which the proportions that have been laid down for zamindars must be reached. If there is any suggestion which is less offensive that suggestion may be put forward and I will have no quarrel with that suggestion if it holds any promise of being effective. What I contend is that the proportion having once been fixed, it is the duty of the Government to see that these proportions are reached within a reasonable period of time, and as heretofore no indications are forthcoming which would assure me or assure anybody else that the zamindars will ever reach those proportions. I have been compelled to send in a cut of the nature which is now under discussion. I hope these figures will impress my honourable friends and also my opponents. I hope these figures will also impress the members who are sitting on the Government benches. I am not saying these things in any spirit of antagonism to any class. I am pressing the claims of zamindars because I think this is a very important class and if any zamindar member feels a little extra concern for his own class that should not be construed into any antipathy to any other class. Justice to zamindars does not mean injustice to other classes. I base my case on justice, on pure justice and nothing else. If my contention is just, if the plea that I put forward appears to be reasonable and just, there is no reason why any section of the House should have any objection either to the cut or to the step that I have suggested in order to give effect to the recommendations which are contained in the resolution of 1919. With these few words, I commend my motion for the acceptance of the House.

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

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

The question is that that motion be adopted.

Mr. H. W. Emerson (Chief Secretary): Sir, in reply to the motion that preceded the present one, I took the opportunity of mentioning that the Honourable the Judges of the High Court had under consideration a scheme for the recruitment of sub-judges. The Honourable Member for Finance at a later stage in the debate laid down the principles which govern the policy of Govern-

ment in the recruitment of the various services. I should like to take the present opportunity of explaining how the scheme of the High Court, in so far as its principles have been communicated to Government, satisfies these principles; but I wish to make it clear that neither the Honourable Judges of the High Court nor Government are at present committed definitely to any scheme. The position merely is, that the Honourable Judges have a scheme under consideration which will be submitted to Government in the near future. The first principle of the declared policy of Government is always to keep in view the supreme need for efficiency. So far as we are aware, the scheme now under contemplation will satisfy that condition since the candidates for admission must at least be LL.Bs. The second principle is, that as education progresses and spreads, the minimum educational requirements of the various services should be raised so far as is practicable. That condition is already satisfied by attaching to the admission to the examination the qualification of LL. B. The third principle of Government's policy is to employ the element of competition as the test wherever the best interests of the service render it possible. This also will be satisfied because the scheme contemplates selection from among those candidates who reach a qualifying standard in a competitive examination. The fourth principle is so to conduct recruitment as to avoid any undue preponderance of any one class in the public service to the exclusion of the reasonable claims of other classes. (*Hear, hear.*) The scheme satisfies this principle also since it contemplates a system of selection that will prevent the over-weighting of the service by any particular class. So much, Sir, for the scheme that is now under contemplation.

In the second place, I have an apology to make to members of this House. It has been discovered only recently, on a representation of the Honourable Judges of the High Court, that the figures given in the consolidated statement to which the honourable mover has referred, are partly inaccurate. The compilation, so far as I understand, was based on our civil lists but unfortunately in our civil lists the caste of the members of the judicial service is not always clearly stated and the clerk who was responsible for making the compilation sometimes assumed that the honorific title, Thakar, Mian or Shaikh, designated the caste of the officer in question. He then looked up the lists of the notified agricultural tribes to find, for instance, whether in the Hoshiarpur district the Thakar belonged to an agricultural tribe of that name and when he found that there was no such agricultural tribe, he showed that officer as a non-agriculturist. Owing to these mistakes in the compilation there are serious inaccuracies in the statement. So far as they have been detected they reveal the following differences. The consolidated statement showed that out of 60 Muhammadans 25 were members of notified agricultural tribes and 35 were others; the revised figures are 38 members of the agricultural tribes and 22 others. As you will see, the change is large. For Hindus the error is far less serious. The statement shows 2 Hindus as members of notified tribes and 80 as others; but the revised figures show 3 as members of the notified tribes and 79 as others. For Sikhs, the original figures are 2 agriculturists, and 19 others; the revised figures are 6 agriculturists and 15 others. I apologise for the errors that have crept in and I can only say that in future compilations, this cause of error will be removed so far as this is possible. The

[Mr. H. W. Emerson.]

honourable mover has rightly laid stress on the figures as they appear in the statement and as they stood they do greatly strengthen his statement.

I now proceed to the substance of the honourable member's motion. His proposal amounts briefly : to this " Since in 1919 the proportion of munsiff appointments to be allotted to zamindars was fixed at 66 per cent., therefore the proportion of the judicial branch of the provincial civil service is now fixed at 66 per cent. and since that 66 per cent. cannot be reached without special efforts, Government should, over a period of years, increase the percentage of recruitment, to some extent not stated, above the 66 per cent. which he takes to be the fixed percentage." Government might for instance increase it by 25 per cent., which would give a proportion of 83 per cent. to the zamindars ; or it might increase it by 10 per cent. only which would give about 73 per cent. to zamindars. Such, I think, is the substance of his proposal. Strictly speaking, the motion is out of order ; for in the resolution of 1919 no proportion as stated in the motion was fixed for zamindar appointments to the posts of sub-judge. The position is that in 1919, 66 per cent. was fixed as a standard to be gradually reached in the service of munsiffs, but this percentage did not apply to the total cadre of munsiffs, but to those munsiffs who were not appointed by competitive examination. I have taken the trouble of seeing how many munsiffs were appointed by competition during the five years immediately preceding the abolition of the munsiff service, and I find that if we exclude those, the 66 per cent. standard of zamindars non-competitive posts represents a 52 per cent. standard for the total cadre. Since the munsiff service has been abolished, the standard of 66 per cent. is not in any case applicable. The resolution of 1919 further laid down that so far as Extra Assistant Commissioners were concerned, both in the judicial and executive branch, the proportion should be taken at 50 per cent. after Christians and Anglo-Indians had been excluded. The Munsiff service was shortly afterwards abolished ; and munsiffs were merged into provincial civil service. At some later date the provincial civil service was split into two distinct branches, the judicial and the executive ; and up to the present moment no definite percentage has been laid by Government of zamindar recruitment to the judicial branch of the provincial civil service. That is the actual position. In spite, however, of the fact that no standard has been prescribed efforts have been made, and very serious efforts have been made, to increase the percentage of zamindars in that service. I do not think that honourable members have done justice to the Honourable Judges in the figures they have quoted. In 1919 when the resolution was published in regard to munsiffs, the percentage of zamindars was only 29 per cent. In 1926, when the last census was taken on a zamindar basis, the percentage of zamindar Sub-Judges had risen to 39. Thus in 7 years there had been an increase of 10 per cent., from 29 to 39 a very substantial increase. At the present time, the proportion of members of notified agricultural tribes is about 29 per cent. How far 29 per cent. of notified agricultural tribes would compare with 39 per cent. of zamindars in 1926, I am unable to say ; but my impression is that if we now held a census on a zamindar basis, we would find that

the percentage would be at least 40. Another test of the extent to which regard has been paid to the claims of zamindars is provided by an examination of the number of recruits appointed since 1921. Since that year there have been 38 sub-judges recruited of which 17 or a percentage of 45 were of zamindar class. I give these figures to show that there does appear to be some misunderstanding in regard to the extent to which efforts have been made to increase the proportion of the zamindars in the judicial service. They make it clear that the percentage which stood at 29 in 1919 is steadily rising and there is no reason at all to suppose that it will not further rise as a result of the new scheme when the latter is adopted. In place of this steady increase in the percentage—an increase which satisfies the reasonable aspirations of the zamindar class and causes the least dislocation in the system of recruitment and the least amount of discontent to other communities and classes,—the honourable member desires to substitute a system which for all practical purposes would exclude the non-zamindar class in favour of the zamindar class for an indefinite period of time.

In the debate on the previous motion, the Honourable Member for Finance showed the absurdities to which a system of recruitment on the basis of population would lead. The present proposal would lead to still greater absurdities. Obviously if it is to be applied to the judicial branch of the Provincial Civil Service it must be also applied to other services. The first service to which it would have to be extended is the executive branch of the Provincial Civil Service—the Extra Assistant Commissioners. The percentage fixed in their case was 50 in 1919; it has since risen to 67 per cent. Does the honourable member wish that we should now cut down the recruitment of zamindars until we get back to that right proportion of 50 : 50?

Rai Sahib Chaudhri Chhotu Ram : By all means.

Mr. H. W. Emerson : I think if any attempt were made to do that there would be the most unfortunate consequences. Supposing that Government were to recruit 80 per cent. zamindars for the judicial branch at the present time and only 20 per cent. non-zamindars. It is true that for a year or two the rate of recruitment would not much affect the total constitution of the service. But in fifteen years time when a number of non-zamindar officers will have retired, the constitution of the service would show a great preponderance of one class. Similarly if in the executive branch put were to cut down the recruitment of zamindars and do that for the next five or ten years, the effect would be serious on the constitution of the service years hence. If however Government recruits approximately in the proportion of 50 : 50 each year, the disproportion between the two classes will grow less and less, and ultimately it will disappear altogether. And as soon as it disappears recruitment in the proportion of 1 : 1 will secure the constitution that is required.

Nor, if you apply the principle proposed by the honourable member can you restrict it to your provincial services? You must extend it through the whole range of Government services. For instance, in lower ranks of the police there is a very large preponderance of Muhammadans. What are you going to do about that? In order to get the proportion of 50 : 50,

[Mr. H. W. Emerson,]

you would have to stop completely the recruitment of Muhammadans for ten or fifteen years. There are other services in which either the zamindar or the non-zamindar class largely predominates; and one reason for the predominance is that the particular service appeals to a particular class. Are you going to ignore the natural inducements to recruitment and substitute a purely artificial standard? It is not a practical proposition, and even if it were a practical proposition, I can conceive of no measure which would cause more discontent and more just discontent among the classes of the communities who were temporarily excluded from Government service than this proposal would cause. I hope the honourable members of this House having considered the grave objections to which the proposal is open will not support it. (*Hear, hear.*)

Chaudhri Duli Chand [Karnal (Non-Muhammadan) Rural] (Urdu): In 1919, the Government issued a circular to the effect that in future 66 per cent. of the posts of Munsifs, who are now elevated to sub-judgeships, should be recruited from zamindar candidates, possessing requisite qualifications. The circular in question raised high hopes in the minds of the zamindars who thought that now they would be adequately represented in the judicial branch and that their grievances would be redressed. But after 7 years weary waiting the results have not come up to our expectation. Only an increase of 10 per cent. has taken place in the number of zamindar sub-judges, and if the progress continues at the present speed it will be after 50 years that the zamindars would get adequate representation in the judicial service; in other words, the next generation would reap the benefits of the policy of the Government. At present only 16 per cent. posts of the sub-judges are occupied by zamindar sub-judges and the rest are the close preserve of the non-zamindars. This is not due to any dearth of capable candidates among the zamindars but is due to other reasons for which Honourable Judges of the High Court finally and Sessions Judges primarily are responsible.

Some honourable members have remarked that raising the question of zamindars and non-zamindars and asking for preferential treatment for the zamindars over the non-zamindars is contrary to "nationalism." Both the zamindars and the non-zamindars are the creatures of the same God, and if the latter get more posts or offices, we should not object to it. Their contention is really good. But Sir, may I ask non-zamindar members why is it that they clamour for the Indianisation of services? Why do they raise the question of Europeans *versus* Indians? Are not Europeans creatures of God who has created Indians as well? If they are justified in demanding the Indianisation of services because they are the inhabitants of India and as such have the prior right to become Indian Civil Servants and other high officials, why should not the zamindars claim fair representation in the judicial service on similar grounds?

Our demand for greater representation in the various services of the Government is justified on several other grounds. The bulk of the population of the province comprises of the zamindars, and therefore from the point of view of population, our demand for greater number of posts in the judicial and other branches is not open to any objection. Again Sir, we pay

the major portion of the taxes, and on the principle 'he who pays taxation must have representation,' our claim is indefeasible. Thirdly we furnish nearly all the recruits for the army which defends India and the British Empire. Even in villages we defend the non-zamindars. On these grounds, nobody who is endowed even with the meanest understanding and whose sense of justice is not dead, would grudge to give us our dues.

Some honourable members of this House have remarked that the judicial service is a most important branch of the Government services and as such recruitment to this service should be made purely on the ground of efficiency and no other consideration should be allowed to outweigh it. His plea, I submit Sir, is very just and proper. Yes, efficiency should be the criterion in making appointments to the judicial service, but at the same time, Sir, efficiency should not mean University examination marks alone. Fix the minimum standard of qualifications and we would give the zamindar candidates possessing the necessary qualifications in plenitude.

Again, Sir, it is sometimes said that the raising of the question of zamindars *versus* non-zamindars is a great handicap to self-Government. In reply to this plea, I submit, Sir, that the zamindars do not raise this question unnecessarily. Since injustice is done to their claims the question raises itself. That it is a handicap in the attainment of self-government is just like the statement of the monopolist land owner who when he finds that the people clamour for the division of *shamlat* says that it would be detrimental to the interests of the whole village. In conclusion, I should like to say a word or two regarding the attitude of the Government, heads of the departments and their subordinate officers towards the zamindars. The attitude of the first two has been sympathetic but their subordinate officers have been apathetic towards us. The Government has issued a circular that zamindars should be taken into judicial service; the High Court asks the Session Judges to recommend any two candidates. If the Sessions Judges do not recommend any zamindar candidate, we cannot blame the High Court or the local Government for not making zamindar sub-judges. I hope Sir, the Government would see this aspect of the question also. With these remarks, I support the motion.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural] (Urdu): Sir, in my humble judgment we would be guilty of grave ingratitude if we do not feel obliged to the Government for the kind interest that it has always taken in our welfare and the sincere efforts that it has ever made for promoting our advancement in all branches of the administration especially in the judicial branch. It is due to the kindness of the benign Government that we find so many literate zamindar members in this House. On the other hand the conduct of the non-zamindar members of the Council is conspicuous by the absence of that broad-mindedness and sympathy which characterises the Government under the garb of democracy. The non-zamindar members seek to monopolise everything for themselves. But the Government, who regards the zamindars and non-zamindars as its sons, tries to uplift the backward son, so that he may come into line with the advanced one. Now that the Reforms have been introduced in the province, some limitations have been imposed on its powers and privileges and unlike the past it cannot do everything of its own accord.

[Sardar Harbakhsh Singh.]

The demand made by Chaudhri Chhotu Ram in his motion is most just and equitable; and everybody whose sense of justice has not become dead will subscribe to this view. Even the non-zamindar members of this House will also realise the justness of our claims if they only change their angle of vision, and begin to consider us as their brethren, as the sons of the soil like themselves; and that our advancement would be their advancement. Unless that is done, the efforts of the Government in promoting our welfare by fixing the proportion of the zamindar sub-judges and by issuing circulars as it did in 1919, would be of little avail. The reason is not far to seek. The non-zamindars are a set of clever people: they frustrate every effort of the Government for the well-being of the zamindars by their ingenuity and cleverness. To take a simple case whenever the Government announces that any concession or preferential treatment would be meted out to the zamindars, the non-zamindars get themselves included in their category by changing the definition of the zamindar or by getting themselves written as zamindar in the column of the census. It is due to such tactics of the non-zamindars that the Chief Secretary has been led to believe that the number of zamindars in the judicial service is not inadequate. My submission is therefore this, that the Government should in future be on the alert and let it give no opportunity to defraud and deceive the Government and the simple zamindars by their sharpness.

My next submission Sir, is this, and of which no mention has so far been made, that there should be a sufficient number of zamindars in the ranks of Session Judges and the Judges of the High Court. The Session Judges of the districts send the rolls of the sub-judges to the High Court. If there were no zamindar Session Judges, apparently non-zamindar candidates would be recommended for sub-judgeship. Suppose however that there are zamindar Session Judges who have recommended and sent the rolls of the zamindar candidate to the High Court, but in the High Court, which is virtually the final authority, there were no or insufficient number of Judges belonging to or sympathising with zamindar class. What would be the result? The zamindar candidates would be decidedly in a worse condition than the non-zamindar candidates who have men of their class in the High Court. I would Sir, therefore, request the Government that a sufficient number of zamindars should be appointed to the higher rungs of the judicial service namely, session judgeship and the judgeship of the High Court in order that the zamindar candidates for sub-judgeship should receive fair treatment and representation in the judicial service of the province.

Again, Sir, my learned non-zamindar friends have laid much stress on efficiency; and they think it seems that it is synonymous with educational degree or the high percentage of the marks obtained in the university examination. But I beg to submit Sir that their definition of efficiency is very narrow and contrary to the established practice. It means the capacity to discharge the duties of an office in a befitting manner, and it includes besides the educational degree, a number of things, *viz.*, straight forwardness, impartiality, honesty and good many other traits. If the zamindars are given a fair trial they will not be found lacking in these sterling qualities but in my humble judgment, Sir, they will be found to be richer in these qualities than the non-zamindars. With these words, I extend my heartiest support to the motion.

Lala Kesho Ram Sekhri [Amritsar City (Non-Muhammadian), Urban] (Urdu): Sir, my learned friend Chaudhri Duli Chand has championed the cause of the zamindars of the province with very great vigour and force and has striven to justify their claims for preponderance in the judicial department with great ability. He has advanced many arguments with a view to convince the House that the zamindars deserve special concessions and that they have been unjustly treated by the non-zamindars so far. One of his argument was that as the zamindars, like the non-zamindars were also the sons of the soil, and as their population was greater than the latter, their representation in the judicial branch should also be in proportion to their population. In reply to his argument, I beg to submit that the non-zamindars have been deprived of the right of acquiring lands in the province. Why is this obstacle placed in their way. Are not they the sons of the soil like the zamindars and as such have not they the right to acquire lands in the province? The zamindars are the owners of the lands of the province and now, Sir, they try to monopolise all the loaves and fishes of the offices as well? Is it not injustice and selfishness pure and simple? Their principle seems to be "Heads we win, tails you lose!"

The judicial service is one of the most important service of the Government. The sub-judges have to decide questions of money and property, the most valued and the dearest possession of mankind. It is therefore apparent, Sir, that only those persons should be appointed to these posts who are really qualified to perform their duties; and the question of caste, creed and religion should not be dragged into the matter of appointments. Let there be fair field and no favour. If the zamindar candidates can come up to the prescribed standard, well and good. Appoint them, Sir, and we will not take exception to it. But my zamindar friends ask for concessions for their brethren. Why should they get any to the detriment of the other people. If they aspire to these posts let them deserve and they will get. This habit of begging won't do them any lasting good. They will perish sooner or later. If instead of efficiency, favouritism and the principle of giving preferential treatment to the zamindar candidates is adhered to, then the judiciary would lose much in efficiency and what would be its effects on the people is beautifully depicted in the following verse—

مگر زمین کتب و دین ملان
کار طفلان تمام خواہد شد

We want sub-judges who can understand law and apply it to the cases before them and who can also understand law reports which are quoted before them. If the zamindar candidates can give satisfactory proof of their knowledge they may be appointed otherwise not. At first my zamindar friends, who themselves are of very recent growth, created the question of Hindu *versus* Muslim, then they divided the people into zamindars and non-zamindars. Not content with this, now they have raised the question of fixing the proportion of the zamindars against the non-zamindars in the judicial service. Even if their claim is satisfied, and in consequence more Muslim zamindar sub-judges are appointed they will clamour against them also and ask for more appointments for the Hindu zamindars.

Again, Sir, some zamindar members of the House have showered abuses on the non-zamindars. But, Sir, it seems, that they have forgotten the

[Lala Kesho[Ram Sekhri.]

help we have been giving them for centuries at the time of their direst needs. At the occasion of the marriage of the son or the daughter of the zamindar or at the time of the death of the father or mother of the zamindar who come to succour him? The zamindars in my humble judgment, Sir, should feel grateful to the *banias* who are their benefactors from time immemorial and not hurl abuses at them as they have been accustomed to do in the past.

Again my learned friend Chaudhri Duli Chand has remarked that we have no sympathy for the 'depressed classes.' But may I ask him why did their leader Chaudhri Chhotu Ram vote against the resolution presented in this Council for the betterment of the depressed class. Why do the zamindars live on the "Pegar" of the sweepers. Why don't they pay their wages. If, Sir, they happen to have a preponderance in the judicial service, what calamities would befall the province, I know not.

Last but not the least, my zamindar friends have laid great stress on their war services. But may I ask them, Sir, that if they enrolled themselves in the army for 20 or 30 rupees per mensem and fought for the British, and thus made fools of them (laughter) what obligation have they placed on the Government. They were paid to serve and if they did their duty what was extraordinary in it? They should dismiss this idea from their minds that if they had not helped the Government in the Great War, it would have become extinct. In the next war their services would not be required. Their might and prowess would be of no avail to them. A non-zamindar sitting in an aeroplane would destroy a huge concourse of them. With these remarks I oppose the motion.

Mr. President : Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The Council divided : Ayes, 80 ; Noes, 31.

AYES.

Khan Bahadur Captain Sardar
Sikandar Hayat Khan.
Chaudhri Kesar Singh.
Mian Ahmad Yar Khan, Daultana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Khan Bahadur Nawab Muham-
mad Jamal Khan.
Shaikh Faiz Muhammad.
Chaudhri Chhajju Ram.
Chaudhri Duli Chand.
Chaudhri Ali Ahmad.
Sayad Muhammad Husain.
Chaudhri Yasin Khan.
Khan Bahadur Malik Muham-
mad Amin Khan.
Risaldar Bahadur Nur Khan.

Malik Khan Muhammad Khan,
Wagha.
Khan Bahadur Chaudhri Fazl Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad
Reza Shah, Gilani.
Rana Firoz-ud-Din Khan.
Dr. Shaikh Muhammad Alam.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hari Singh.
Sardar Harbakhsh Singh.
Sardar Habib Ullah.
Sardar Bahadur Captain Dalpat
Singh.

NOES.

Colonel C. A. Gill.
Mr. H. D. Craik.
The Honourable Malik Firoz
Khan, Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. A. R. Astbury.
Mr. H. F. Ashton.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Jogendra
Singh.
The Honourable Sir Geoffrey
deMontmorency.
The Honourable Mian Sir Fazl-i-
Husain.
Mr. J. G. Beazley.
Mr. J. D. Penny.

Mr. Ram Chandra.
Mr. H. W. Emerson.
Dr. C. A. Owen.
Shaikh Sir Abdul Qadir.
Mr. M. M. L. Currie.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Pandit Nanak Chand.
Mr. Owen Roberts.
Lala Gopal Das.
Lala Joti Parshad.
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.
Sardar Bahadur Sardar Sheo-
Narain Singh.
Mr. E. Maya Das.

The motion was lost.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : There seems to be some mistake in counting the votes, Sir. According to our calculation, Ayes must be more than 30.

Mr. President : May I ask the honourable member to state the data on which his allegation is based ?

Khan Bahadur Captain Sardar Sikandar Hayat Khan : We counted the members who were standing.

Mr. President : I am afraid he is not right in making such a serious allegation.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : I am not imputing any motives, Sir. It is possible to make mistakes, honest mistakes. It is not an allegation that I am making.

Mr. President : If the honourable member is in a position to give the name of the member who voted for the motion, but whose name has not been included in the division list, I shall gladly order a re-counting.

Khan Bahadur Captain Sardar Sikandar Hayat Khan : But we have not got the list to point out the mistake.

Mr. President : If there is any mistake in counting, it can be rectified even hereafter. The division list is on the table and if any member, who voted for the motion, has been shown in the list as having voted against it, he may have the list corrected.

The question is—

"That a sum not exceeding Rs. 43,83,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1929 in respect of Administration of Justice."

The Council divided : Ayes ; 86, Noes : 27.

AYES.

Colonel C. A. Gill.
Mr. H. D. Craik.
The Honourable Malik Firoz Khan,
Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. A. R. Astbury.
Mr. H. F. Ashton.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Jogendra
Singh.
The Honourable Sir Geoffrey
deMontmorency.
The Honourable Mian Sir Fazl-i-
Husain.
Mr. J. G. Beazley.
Mr. J. D. Penny.
Mr. Ram Chandra.
Mr. H. W. Emerson.
Dr. C. A. Owen.

Shaikh Sir Abdul Qadir.
Mr. M. M. L. Currie.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Pandit Nanak Chand.
Chaudhri Baldeo Singh.
Mr. Owen Roberts.
Lala Gopal Das.
Lala Joti Parshad
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.
Sardar Ujjal Singh.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.
Mr. E. Maya Das.

NOES.

Khan Bahadur Captain Sardar
Sikandar Hayat Khan.
Mian Ahmad Yar Khan, Daul-
tana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Rai Sahib Chaudhri Chhotu
Ram.
Chaudhri Zafrullah Khan.
Khan Bahadur Nawab Muham-
mad Jamal Khan.
Shaikh Faiz Muhammad.
Chaudhri Chhajju Ram.
Chaudhri Duli Chand.
Chaudhri Ali Ahmad.
Sayad Muhammad Husain.
Chaudhri Yasin Khan.
Khan Bahadur Malik Muham-
mad Amin Khan.
The motion was carried.

Risaldar Bahadur Nur Khan.
Malik Khan Muhammad Khan,
Wagha.
Khan Bahadur Chaudhri Fazl Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad
Raza Shah, Gilani.
Rana Firoz-ud-Din Khan.
Dr. Shaikh Muhammad Alam.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hari Singh.
Sardar Harbakhsh Singh.

The Council then adjourned till 2 P.M. on Monday, the 12th March 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 12th March 1928.

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

STARRED QUESTIONS AND ANSWERS.

NOMINATIONS FOR EXTRA ASSISTANT COMMISSIONERSHIP.

***1166. Lala Bodh Raj :** Will the Chief Secretary please state—

(a) if it is a fact that the Honourable Sir John Maynard, the late Finance Member, considered the recommendations made by the then Financial Secretary, Mr. Miles Irving, on the applications of some clerks, stenographers and personal assistants, then serving in the Finance Department, for nomination as Extra Assistant Commissioner on register A-III ?

(b) if so, will the Chief Secretary please state the number of said persons communitywise who were—

(i) recommended both by the Financial Secretary and the Honourable Sir John Maynard ;

(ii) recommended by the Secretary, but not recommended by the Honourable Sir John Maynard ;

(iii) the number of those referred to in (i) accepted by the Government.

(iv) the number of those referred to in (i) still on the list to be considered ?

Mr. H. W. Emerson : It is not the practice of Government to give details of recommendations.

DISPOSSESSION OF LANDS OF SMALL TOWN COMMITTEE, JARANWALA.

***1167. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that the Deputy Commissioner, Lyallpur, has recommended to the higher authorities to take back the four squares of Government land from the possession of small town committee, Jaranwala ? If so, what are the reasons for such a step ?

(b) Has the Deputy Commissioner taken similar step in the case of any other municipal or small town committee in the district ?

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

(b) No.

"MOTHER INDIA."

***1168. Lala Joti Parshad :** Will the Honourable Revenue Member please state (a) the number of copies of the book 'Mother India' by Miss Katherine Mayo purchased by—

- (i) the District Board, Gurgaon ;
- (ii) the Deputy Commissioner's office, Gurgaon ;
- (iii) Elliot Public Library, Gurgaon ?

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

(ii) Nil.

(iii) One.

TAXATION IN GURGAON DISTRICT.

***1169. Lala Joti Parshad :** Will the Honourable the Revenue Member please state—

- (a) whether Government is aware that certain taxes are being collected in the Gurgaon district with land revenue for which no sanction of the Local Government has been obtained ;
- (b) whether it is a fact that Local Government issued orders for the discontinuance of these taxes, and yet inspite of these orders the taxes continue to be assessed by orders of the Deputy Commissioner, Gurgaon ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) No. A proposal was made that subscriptions for an Ahir school should be voluntarily raised and collected in the form of a levy on the land revenue, but the proposal was not approved.

In case there are any such taxes being collected the honourable member can give the details of them to the Financial Commissioner who will be glad to look into the matter.

TAXATION IN GURGAON DISTRICT.

***1170. Lala Joti Parshad :** Will the Honourable the Revenue Member please state if the Government has given previous sanction for the levy and collection of the following taxes with land revenue in the Gurgaon district :—

- (a) John Brayne Hall Fund tax ;
- (b) Miss Wilson Establishment Fund ;
- (c) Scouting Fund tax.
- (d) District Gazette subscription ?

The Honourable Mian Sir Fazl-i-Husain : There is no fund called Miss Wilson Establishment Fund. The other so-called taxes have never been collected with land revenue. Voluntary subscriptions were accepted for the John Brayne Hall Fund, and every village in the district has agreed voluntarily to subscribe Rs. 2 per harvest for the Scouting Fund and Rs. 2 per annum for District Gazette.

"GURGAON UPLIFT SCHEME."

*1171. **Lala Joti Parshad:** Will the Honourable the Minister for Local Self-Government please state—

- (a) the total amount of money so far spent on Mr. Brayne's "Gurgaon Uplift Scheme" out of the funds of the District Board, Gurgaon;
- (b) whether Government is aware that this sum represents a large proportion of the revenues of the district board, Gurgaon;
- (c) whether the present budget of the Gurgaon district board indicates a huge deficit;
- (d) whether it is a fact that the district board, Gurgaon, is indebted to the extent of over a lakh of rupees?

The Honourable Malik Firoz Khan Noon: (a) The amount spent from 1st April 1927 to 31st January 1928 on what may be considered the chief items of the "uplift" campaign was Rs. 95,296.

- (b) }
 (c) } Yes.
 (d) }

INCOME OF DISTRICT BOARD, GURGAON.

*1172. **Lala Joti Parshad:** Will the Honourable the Minister for Local Self-Government please state—

- (a) the total income of the district board, Gurgaon, for the last three years;
- (b) the amount spent on education during these three years?

The Honourable Malik Firoz Khan Noon:

					Rs.
(a)	1924-25	..	..	..	4,99,117
	1925-26	..	..	..	6,77,057
	1926-27	..	..	..	6,27,280
(b)	1924-25	..	..	..	1,66,674
	1925-26	..	..	..	2,65,278
	1926-27	..	..	..	2,76,865

ELLIOT PUBLIC LIBRARY, GURGAON.

*1173. **Lala Joti Parshad:** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) whether the Government is aware that the Elliot Public Library, Gurgaon, has been removed from its own building to John Brayne Hall, Gurgaon;
- (b) whether the building of the library is a trust property constructed out of the funds raised specially for the purpose from the public, and yet this building has been given to Miss Wilson for residence?

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

(b) The building is not a trust property though the funds for its construction were raised by public subscription. It is being used temporarily as a residence for the Lady Superintendent, but it is proposed to convert it into a Women's branch of the Elliot Library as it is situated in what is proposed to be converted into a Ladies' and Children's Garden.

MR. BRAYNE'S DEVELOPMENT SCHEME.

***1174. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please lay on the table a detailed statement about Mr. Brayne's Development Scheme giving in detail the account of the total expenditure on the scheme and describing the sources from which the money was obtained ?

The Honourable Sardar Jogendra Singh : I regret the answer to this question is not yet ready. A reference has been made to the Deputy Commissioner, Gurgaon.

GURGAON PLOUGHS.

***1175. Lala Joti Parshad :** Will the Honourable the Minister for Agriculture please state—

- (a) whether it is a fact that Gurgaon ploughs are sold by Executive Officers in the Gurgaon district ;
- (b) whether in every case of advance of taccavi loans a Gurgaon plough is given as a part of the loan ;
- (c) whether Government has received reports that the Gurgaon plough is unsuited to the soil of the Rewari tahsil ?

The Honourable Sardar Jogendra Singh : I regret the answer to this question is not yet ready. A reference has been made to the Director of Agriculture.

MIDDLE SCHOOL AT FATEHABAD.

***1176. Lala Joti Parshad :** With reference to reply to starred question¹ No. 898, asked on 21st July 1927, will the Honourable Minister for Education please state whether in view of resolution No. 8, passed on 14th November 1927, by the district board, Hissar, the Government is prepared to raise the Middle School at Fatehabad to a High School in the near future ? If not, why ?

The Honourable Mr. Manohar Lal : The enrolment in the middle department of the school at Fatehabad is only fifty-seven and of these only forty-eight have taken up English. The small numbers in the 7th and 8th classes—twelve and eight respectively—do not justify the raising of its grade. The possibility of raising it to high school level will be investigated later when the numbers go up sufficiently to justify the step.

PUNITIVE POLICE TAX.

***1177. Lala Joti Parshad :** Will the Honourable the Finance Member be pleased to state —

- (a) whether any representation has been received by the Government from the Hindu Sabha, Rewari, against the high-handed action of the local officials in the realisation of the punitive police tax ;
- (b) what steps, if any, have been taken to restore confidence in the public ;
- (c) whether any punishment has been awarded to the local officials for acting in a high-handed manner ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes. It formed the subject of an enquiry on the spot by the Commissioner.

(b) Public confidence was not disturbed, so no question of restoring it arises.

(c) No. Enquiries made showed that local officials had not acted in a high-handed manner.

SOHNA-REWARI ROAD.

***1178. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state what progress, if any, has been made in constructing the Sohna-Rewari Road during the last two years ? If no progress has been made, by what time the Government thinks the road will be ready for public use ?

The Honourable Sardar Jogendra Singh : The Sohna-Rewari Road has already been constructed and is open to traffic. If the honourable member's question relates to the metalling of the unmetalled portions, no progress has been made in this respect. Acting on the advice of the Communications Board, Government has deferred making any budget demand for this work pending the result of enquiries which the Board is making as to the prospects of a railway being constructed on an alignment approximately parallel to the road.

A project has been prepared for the metalling and when the results of the Board's enquiries are received the question of a budget demand for the work will be considered. Assuming that funds are provided at the rate at which it is possible to carry out the work it would probably take two years to execute it.

ROADS.

***1179. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please lay on the table a statement showing —

- (a) the mileage of pucca roads constructed within the last twelve months by district board, Gurgaon ;
- (b) the mileage of roads in the Gurgaon district handed over to the Public Works Department during this period ?

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

(b) Thirty-two.

DELHI-MONTGOMERY ROAD.

***1180. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state when the portion of Delhi-Montgomery road between Sirsa and Bhatinda is expected to be ready?

The Honourable Sardar Jogendra Singh : The question does not arise as Bhatinda is not located on the Delhi Montgomery Road.

PATHANS OF KOTTA MUHAMMAD ZARIF KHAN.

***1181. Lala Bodh Raj :** Will the Honourable Revenue Member please state if it is a fact that the Pathans of Kotta Muhammad Zarif Khan, tahsil Shorkot, district Jhang, applied in July 1928 to the Deputy Commissioner for being notified as agriculturists under the Punjab Alienation of Land Act, and that their application was rejected both by the Deputy Commissioner on 7th June 1924 and by the Commissioner on the 12th February, 1925 (Executive Revenue case No. 266 of 1923-24)?

The Honourable Mian Sir Fazl-i-Husain : Yes.

ALLEGATION AGAINST CHAUDHRI FAIZ ALI, TAHSILDAR, SIRSA.

***1182. Lala Joti Parshad :** With reference to reply to question¹ No. 547 (starred), asked on 21st November 1927, will the Honourable Minister for Local Self-Government be pleased to state whether the Government has come to any decision after considering the report of local officers?

If so, what is it?

The Honourable Malik Firoz Khan, Noon : Government after considering the report of the local officers decided that no action was called for.

EDUCATION OF GIRLS.

***1183. Lala Joti Parshad :** With reference to the answer to clause (c) of starred question² No. 762, asked in November 1927, will the Honourable Minister for Education please state how far the matter has received the consideration of the Government?

The Honourable Mr. Manohar Lal : The answer to clause (c) of the question² No. 762 has already been sent to the honourable member on the 14th January 1928, through the Secretary, Punjab Legislative Council. The honourable member perhaps wants an answer to clause (e) of that question. In this connection attention is invited to Punjab Government (Ministry of Education) Resolution No. 8807-G., dated the 8th February 1928, a copy of which was circulated among the members of the Council the other day.

¹ Volume X.-B., pages 1086-87.

² Volume X.-B., page 1279.

DISTRICT TREASURERS.

***1184. Lala Joti Parshad :** Will the Honourable the Finance Member please state whether Government has received any representation from the District Treasurers during the last few years? If so, what action, if any, has been taken by the Government.

The Honourable Sir Geoffrey deMontmorency : Yes. The matter is under the consideration of Government.

WELL IN HISSAR.

***1185. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state—

- (a) by whom is the well, situated outside the Nagori Gate, Hissar, maintained and repaired;
- (b) whether the members of the depressed classes have a right to draw water from this well?

The Honourable Malik Firoz Khan Noon : (a) The municipal committee of Hissar.

(b) The question is the subject of a civil suit now pending and cannot therefore be answered.

PLAGUE IN THE HISSAR DISTRICT.

***1186. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state whether there have been serious outbreaks of plague in some of the villages of the Hissar district during the last three years?

The Honourable Malik Firoz Khan, Noon : Yes.

SMALL TOWN COMMITTEE, SHEIKHUPURA.

***1187. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) on what date the office-bearers of the small town committee in the Sheikhpura district were elected last, and whether any notice was given to the members beforehand of such election;
- (b) if it is a fact that the objection was raised to the election being held on that day by Seth Girdhari Lal, the out-going president;
- (c) if it is a fact that the gentleman elected as president is an official in charge of all the small town committees in the district?

The Honourable Malik Firoz Khan Noon : (a) 5th February 1928 : No notice was given but all the members of the committee which is a notified area committee and not a town committee were present.

(b) Enquiries are being made and the result will be communicated to the honourable member in due course.

(c) Yes.

MALIK LAL KHAN, PRESIDENT OF THE GUJRANWALA MUNICIPALITY.

***1188. Dr. Shaikh Muhammad Alam :** (a) Will the Honourable Minister for Local Self-Government please state—

- (i) the date on which Malik Lal Khan was elected president of the Gujranwala municipality ;
 - (ii) the reason why his election has not so far been gazetted ;
 - (iii) the date on which R. B. B. C. Chatterjee, a nominated member of the same municipality, died ;
 - (iv) the date on which his successor was nominated ; and
 - (v) the reason why the nomination of the successor was published very hurriedly in a gazette extraordinary ?
- (b) Did the Deputy Commissioner recommend approval of the election of Malik Lal Khan or its disapproval ? If he recommended approval, why has approval been delayed ?

The Honourable Malik Firoz Khan, Noon : (a) (i) 11th January 1928.

(ii) His election has not been approved by the Commissioner.

(iii) 12th February 1928.

(iv) 14th February 1928.

(v) It was desired that the seat should be filled before a fresh election for the office of President was held.

(b) Government are not prepared to disclose the recommendations made by local officers in such cases.

GRANT-IN-AID FOR ANGLO-VERNAACULAR MIDDLE SCHOOL, SAMBRIAL.

***1189. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

(a) whether the Manager, Anglo-Vernacular Middle School, Sambrial, district Sialkot, submitted an application No. 275, dated the 18th February 1928, for grant-in-aid for the said school ;

(b) what action is taken or is intended to be taken on the said application ?

The Honourable Mr. Manohar Lal : (a) A letter, dated the 16th February 1928, on this subject has been received.

(b) It has been sent in the usual course to the District Inspector for report.

MUSLIM SUPERINTENDENTS AND HEAD VERNAACULAR CLERKS OF THE DEPUTY COMMISSIONERS' OFFICES.

***1190. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to lay upon the table the answer to my question¹ No. 449 (unstarred) put on 29th November 1927 if it is ready ?

The Honourable Mian Sir Fazl-i-Husain : A copy of the answer is laid on the table.

(Answer to question¹ No. 449.)**The Honourable Mian Sir Fazl-i-Husain :**

	Total No.	Number of Muhammadans.
Superintendents, Deputy Commissioners' offices ..	29	4
Head Vernacular Clerks, Deputy Commissioners' offices ..	29	17

A statement showing educational qualifications is appended, but it might be added that no standard qualifications have been laid down for these posts. Selections being made having regard to efficiency, experience and seniority.

Statement showing the number, caste and qualifications of Superintendents of Deputy Commissioners' offices in the Punjab by Divisions.

Division.		Christians.	Hindus.	Muhammadans.	Sikhs.	Others.
Rawalpindi	Number 6	2	3	1	..	..
	Educational qualifications.	(Not known)	2 B. As. 1 Matric.	Matric.	..	..
Jullundur ..	Number 5	(Not known)	(Not shown)	Nil.	(Not shown)	(Not shown).
	Educational qualifications.	..	1 F. A. 4 Matric.	..	..	..
Multan ..	Number 6	(Not shown)	3	..	1	2
	Educational qualifications.	..	3 Matric.	..	Matric ..	Matric.
Lahore	Number 6	2	1	2	1	..
	Educational qualifications.	1 B. A. 1 F. A. plucked in physical Science.	1 plucked B.A. passed in English and Persian.	(Both Matrics).	Matric ..	..
Ambala ..	Number 6	5	..	1	..	..
	Educational qualifications.	Studied up to Matric.	..	..	..	..
		1 Matriculate, 1 Read up to F. A. 2 High School examination.	..	Passed Matric and studied up to F. A.	..	..

¹ Volume X-B., pages 1309-10.

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

Statement showing the number, caste and qualification of Head Vernacular Clerks of Deputy Commissioners' Offices by Divisions

Divisions.		Christians.	Hindus.	Muham- madans.	Sikhs.	Others.
Rawalpindi	Number 6	..	3	3	..	..
	Educational qualifica- tions.	..	1 F. A. ... 2 Matric.	1 F. A. ... 2 Matric.	..	..
Jullunder ..	Number 5	(Not shown)	(Not shown)	3	(Not shown)	(Not shown)
	Educational qualifica- tions.	..	..	1 B.A. 1 F. A. 3 Matric.	..	..
Multan ..	Number 6	..	1	5	..	..
	Educational qualifica- tions.	..	(Middle pass).	All Matrics	..	..
Lahore ..	Number 6	..	2	4	..	..
	Educational qualifica- tions.	..	Both Ma- trics.	3 Matric. 1 Non-Ma- tric.	..	..
Ambala ..	Number 6	..	3	2	1	..
	Educational qualifica- tions.	..	2 Matrics. 1 Anglo- Vernacular Middle.	1 F. A. 1 Matric.	F. A. Also passed Kamunges Naib-Tah- sildars and Tahsildar Examina- tion.	..

SUPERINTENDENT OF THE DEPUTY COMMISSIONER'S OFFICE IN
RAWALPINDI DIVISION.

***1191. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state whether there is any Muhammadan Superintendent of the Deputy Commissioner's office in Rawalpindi division? If not, why not?

The Honourable Mian Sir Fazl-i-Husain : There is no Muhammadan Superintendent in any of the Deputy Commissioner's offices in the Rawalpindi Division at present.

Chaudhri Afzal Haq : Sir, answer to the last part of the question, i.e., "If not, why not?" has not been given.

The Honourable Mian Sir Fazl-i-Husain : There was one and he went away.

POSTING OF MUSLIM CANAL OFFICERS FOR DIPALPUR DIVISION.

*1192. **Chaudhri Afzal Haq**: With reference to my question¹ No. 455 (unstarred) put on 23rd November 1927, will the Honourable the Revenue Member be pleased to furnish information with respect to both upper and lower Dipalpur Divisions?

The Honourable Mian Sir Fazl-i-Husain: The statements are placed on the table.

Statement showing proportionate employments of Muslims in Upper Dipalpur Division.

Name of appointment	Total number of appointments	Non-Muslims	Muslims
Executive Engineer	1	1	
Assistant Engineers	3	3	
Deputy Collector (combined for Upper and Lower)	1		1
Accountant	1	1	
Overseers { Permanent	6	7	1
{ Temporary	6	4	2
Sub-Overseers { Permanent	1		1
{ Temporary	8	4	4
Surveyors	2	1	1
Clocks { Permanent	4	3	1
{ Temporary	11	7	4
Draftsmen { Permanent	1		1
{ Temporary	3	1	2
Tracers Temporary	4	1	3
Signallers { Permanent	1	1	
{ Temporary	7	6	1
Artificers Temporary	3	1	2
<i>Medical Staff.</i>			
Sub Assistant Surgeons	2	2	
Compounders Temporary	2	1	1

¹ Volume K-B, pages 1811-12.

[Hon. Mian Sir Faal-i-Husain.]

Name of appointment.		Total number of appointments.	Non-Muslims.	Muslims.
<i>Revenue Staff.</i>				
Zilladars Permanent	.. .. .	3	2	1
Munshis Permanent	.. .. .	12	8	4
Patwaris	.. .. .	45	35	10
Peons	{ Permanent	3	2	1
	{ Temporary	2	2	..
<i>Petty Establishment.</i>				
Defudars	{ Permanent	2	2	..
	{ Temporary	1	1	..
Barkandaz Temporary	.. .. .	11	6	5
Sawars Permanent	.. .. .	1	..	1
Gauge Readers	{ Permanent	7	2	5
	{ Temporary	7	5	2
Peons Temporary	.. .. .	7	4	3
Executive Engineer	.. .. .	1	1	..
Sub-Divisional Officers	.. .. .	3	2	1
Subordinates	{ Permanent	7	4	1
	{ Temporary	8	6	2
Accountant	.. .. .	1	1	..
Draftsmen Temporary	.. .. .	4	1	3
Tracers	.. .. .	3	1	2
Zilladars	.. .. .	4	1	3
Sub-Assistant Surgeon	.. .. .	1	1	..
Clerks	{ Permanent	4	2	2
	{ Temporary	11	8	3
Artificers	.. .. .	4	2	2
Munshis	.. .. .	6	2	4
Signallers	.. .. .	6	6	..

Name of appointment.	Total number of appointments.	Non-Muslims.	Muslims
Patwaris	48	32	16
Daffadar	1	..	1
Peons	11	8	3
Chowkidars	2	1	1
Sowars	1	..	1
Gauge Readers	6	3	3

ENQUIRY INTO CONDUCT OF POLICE OFFICERS, LUDHIANA.

***1193. Chaudhri Afzal Haq :** With reference to my question¹ No. 618 (starred) put on 21st November 1927, and the answer given, will the Honourable the Finance Member be pleased to state whether Government is prepared to give the names of those who engineered the agitation against the Police officers ?

The Honourable Sir Geoffrey deMontmorency : Government does not propose to give names.

ENQUIRY INTO THE CONDUCT OF POLICE OFFICERS, LUDHIANA.

***1194. Chaudhri Afzal Haq :** With reference to my question² No. 619 (starred), put on 21st November 1927, will the Honourable the Finance Member be pleased to state whether the deputationists or those who engineered the agitation against the police officers should not be prosecuted for defamation.

The Honourable Sir Geoffrey deMontmorency : Government does not propose to take any steps in regard to the persons who waited on the Commissioner.

GOVERNMENT'S DEMANDS FOR GRANTS.

JAILS AND CONVICTS SETTLEMENTS GRANT.

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

"That a sum not exceeding Rs. 38,21,500 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, 1929 in respect of Jails and Convicts Settlements."

Mr. President : The question is—

"That a sum not exceeding Rs. 38,21,500 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, 1929 in respect of Jails and Convicts Settlements."

¹Vol. X-B, pages 1116-17.

²Vol. X-B, page 1117.

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West Muhammadan], Rural] (Urdu) : Sir, I beg to move—

"That the total grant be reduced by Re. 1."

Sir, in moving this motion my intention is simply to draw the attention of the Government and the House to the deplorable condition of the judicial lock-ups of our province. Sir, the Government and this Council have never spared any pains in redressing the genuine grievances of the convicts and in introducing reforms in the jail administration, but Sir, the judicial lock-ups and its occupants have never received an iota of attention from both, and neither the Government nor the unofficial members of the House have taken the trouble of investigating the troubles and complaints of the unfortunate under-trial prisoners and suggesting reforms in the administration of these lock-ups.

In fact, Sir, the Government should be more particular about the administration of judicial lock-ups and in redressing the grievances of the under-trial prisoners than the convicts and the jails because the former are merely suspects and the charges framed by the police against them might be quashed in the court of law.

The judicial lock-up is very much in the same condition when it was originally built in the long past. It generally consists of one big room, without a verandah and a sufficient arrangement for ventilation. The under-trial prisoners are thrust in it, without investigating the fact whether there is sufficient room for them or not. The result in most cases is this, that the judicial lock-up is full beyond its capacity and the inmates are very much inconvenienced by lack of space. But the trouble does not end here. These unfortunate persons have to eat their food and answer the calls of nature in the self-same room; and to crown all, during the boiling heat of the summer nights of the Punjab, these unfortunate under-trial prisoners have to sleep in this room as well. Sir, any one who is gifted with the meanest imagination can picture to himself the troubles, miseries and cares of these unfortunate persons, some of whom, it is probable might be as innocent as the most innocent amongst us. If a concrete example is needed, I may mention the case of the headmaster of Shahpur school. He was challaned on the charge of misappropriation of the school funds and sent to the lock-up. He stayed there only for six hours, but this short sojourn so much affected his health that he died before the case was decided in the court of law.

In view of these circumstances, Sir, I request the Government that it should kindly devote a little attention to these unfortunate persons and try to redress their grievances. In future care should be taken that the under-trial prisoners should not be thrust into the judicial lock-up in numbers greater than its capacity and that separate arrangement for lavatory be made for them and last of all a verandah should be built before the lock-up and they should be allowed to sleep there during the nights of the summer season.

Mr. President : Demand under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I have risen to draw the attention of the Government to the condition of the civil prisoners who are sent to judicial lock-up for non-payment of debt.

Mr. President: Order, order. The motion under discussion relates to judicial lock-ups. Therefore, the honourable member is not in order in discussing the condition of the civil prisoners.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I find myself in general agreement with the honourable mover of this motion that improvements are needed in the judicial lock-ups. I should not like it to be imagined that nothing has been done in the past to improve the judicial lock-ups. I have examined the files of expenditure and I find that from year to year something has been done every year: money in particular has been spent on what is a pressing side of the problem, that is, enlarging those lock-ups at outposts and sub-divisions where under-trial prisoners have by force of circumstances to stop the night. But I am in entire agreement with the honourable mover that not enough money has been spent and that the problem still requires to be tackled in a great number of places. Perhaps the reason why more money has not been allotted for this deserving reform is that there are different kinds of lock-ups and in the management of lock-ups a number of different authorities are concerned; this fact has possibly strangled initiation in making improvements. As to the different kinds of lock-ups I may instance that there are judicial lock-ups in separate buildings of their own, there are judicial lock-ups attached to revenue buildings, there are judicial lock-ups attached to police buildings and finally there are some police lock-ups used as judicial lock-ups. In one or two districts there are judicial lock-ups attached to the jail itself, but not inside jail walls but outside. Now, as regards the administration of lock-ups attached to police buildings and attached to jail buildings, these are primarily managed by the officers of those two departments respectively. But as regards the lock-ups situated in separate buildings or attached to revenue buildings, the main disbursing and administering authority is either the Deputy Commissioner or the sub-divisional officer. The power of inspection rests with the Sessions Judge. The maintenance and improvement of the buildings is carried out by the High Court except in the case of buildings attached to police stations or to jails. The staff, contingencies and diet are arranged for in the budget of the Inspector-General of Prisons and is actually disbursed and paid for by the Deputy Commissioner. As regards improvements of buildings the expenditure is debited to the minor head 'Jails' under the head '41—Civil Works.' But the money is placed at the disposal of the High Court. In looking up the old cases I find that some confusion has occurred at different times where a lock-up is attached to revenue building. There have been doubts as to who should move to initiate improvements. The High Court have for sometime been taking a considerable interest in the judicial lock-ups and have recently issued stringent orders for their inspection. This will bring out defects. I readily promise to have the whole position examined in communication with the High Court and to have a comprehensive lists of real defects drawn up and attended to. (*Hear, hear*). I agree

[Hon. Sir Geoffrey deMontmorency.]

that these lock-ups have many defects, defects of size, defects of ventilation defects of sanitation, defects of decency and so on. I also think that in police outposts and sub-divisions where under-trial prisoners are kept for the night we ought to have arrangements for separating juveniles and adolescents from adults. There is in the budget some provision for improvement of the buildings and it is natural after investigation which I have promised to conduct that more money may be needed under this head; and when plans are ready Government will put demands for further expenditure before the Council for acceptance. (*Hear, hear*).

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West (Muhammadan), Rural] (Urdu): Sir, the Honourable the Finance Member has given a very satisfactory reply, I therefore beg leave to withdraw the motion.

The motion was by leave withdrawn.

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

"That the total grant be reduced by Re. 1."

Sir, before the year 1918, there was no political awakening in the country and the condition of the jails was deplorable. But Sir, during the intervening short space of time, their condition has been much improved, many grievances of the convicts have been redressed and several abuses that were rife in the jail administration have been removed. But unfortunately one matter, which deserves the greatest consideration and the attention of the authorities have been unnecessarily relegated to the background, viz., the treatment of the political prisoners. Practically nothing has been done so far to ameliorate their sad plight. In 1921, when the non-co-operation movement had reached its acme, numerous persons of high social position and standing were sent to the different jails of the province. Their crime was simply this that they loved their country dearly and wanted it to be free from the foreign yoke. The Government then realised that to treat them like ordinary convicts would not be justifiable and therefore decided that political prisoners should be kept apart from the ordinary convicts, and that preferential treatment should be meted out to them. The result of this was that from 1921 to the April of 1922, the political prisoners enjoyed many facilities that were denied to the ordinary convicts. The Government provided them with cooks, who prepared food for the political prisoners which included sufficient quantity of ghee and mutton in it. But the Government, by its letter No. 11956, dated the 6th April 1922, for reasons best known to itself, withdrew all these concessions from the political prisoners; who could no longer get their food prepared by cooks in the jails, nor ghee and mutton were provided to them. If they wanted any special food, they could get it from outside the jail and that only at their own expense. Practically so to say, they were brought down to the level of ordinary convicts.

In England and other civilized countries of the world, a sharp distinction is maintained between the political and non-political prisoners, and a preferential treatment is meted out to the former. But in India, so much discrimination is made between the two classes of prisoners, nor any special

or preferential treatment is meted to the political prisoners. In fact there is no separate category for the political prisoners. In the daily papers of the jail, prisoners are divided into ordinary and civil prisoners but no mention is made of the political prisoners as a separate class. Lala Lajpat Rai, the Honourable Ministers for Education and Agriculture, the Deputy President of the Council and several members of the Council were sent to the jails, but they were not treated as political prisoners as is done in Europe or other civilized countries of the world. But on the other hand a European who commits burglary or house-breaking or similar other offences, is treated in a much better way than our political prisoners who may be the President of the Congress, Secretary of the Khilafat Committee or an Akali leader. When in 1924 the non-official members of the Council drew the attention of the Government to the disparity of the treatment meted out to a European house-breaker and a political prisoner of high social standing, the Honourable the Finance Member was pleased to say that the way of living and dressing of the European was different from that of the Indian, and in view of that, the European burglar was treated differently from the Indian political prisoner. I admit, Sir, that there is a different standard of living for both, but it is also a fact, Sir, that our political prisoners do not eat oil in their homes, nor is the position of European convicts superior to that of Khan Bahadur Captain Sardar Hayat Khan, nor their dressing is superior to that of Chaudhri Zafarullah Khan. In view of all these facts, Sir, I would not be asking the Government too much if I were to say that our political workers should be at least treated like these European convicts who are confined to jails for offences falling under sections 457, 380, 409, 420, etc., of the I. P. C.

In Europe a political prisoner is defined as one who has the welfare of the country at heart and in promoting that, transgresses the bounds of law and has no personal ends to gain thereby. Under this definition comes, assassins, murderers and dangerous revolutionaries. But in India any one who even preaches violence by words of mouth or is a member of any political organization whether Congress or Khilafat Committee or Akali Dal, is deprived of the preferential treatment meant for the special class prisoners. The terms of this definition are so wide that any or everybody can be excluded from the category of special prisoners and so far as the judicial and the executive functions are not separated, there is no hope for the political workers of our country that they would be recommended by a magistrate for special class treatment inasmuch as the committing magistrate is under the thumb of the district magistrate, who is also the head of the police and therefore the complainant. In this connection, Sir, I like to draw the attention of the House to the treatment meted out to my three learned and respectable friends Sayed Atta Ullah Bukhari, Maulana Habib-ul-Rahman and Khawaja Abdul Rahman Bukhari, B.A. They are all men of high social standing and position. No case has been proved against them in any court of law, nor is it proved at least in the case of Khawaja Abdur Rahman, who is a graduate and was the honorary secretary of the Punjab Khilafat Committee, that he preached violence in any form, but still he was asked to furnish 40,000 rupees as security for keeping the peace. If men like Khawaja Sahib and Maulanas Atta Ullah and Habib-ul-Rahman are not placed in the category of special class prisoners, what hope is there for any body else to

[Chaudhri Afzal Haq.]

expect special class treatment? The letter of 6th April 1922 is virtually a mere dead letter.

Sir, I admit that the political workers are not free from defects and shortcomings, but the Government should pay no heed to them and only look to their intention which is noble and patriotic. They do not agitate against the Government for their personal gains, but for the welfare of their country. The Government can also only justify their possession of India on the basis of its intention, otherwise it is a gang of robbers.

Mr. President : I am afraid the language of the honourable member is offensive, if not seditious. I hope he will not use unparliamentary language in this House.

Chaudhri Afzal Haq : Sir, I did not impute any bad motive to the Government. What I said was only this that the Government could justify its possession of India only by virtue of its intention that it governs India for the welfare of the people.

Sir, another point to which I desire to invite the attention of the House is this, that I am not talking of personalities; what I desire is simply this that a principle should be laid down that in future political prisoners would be placed in the special class. It is probable that other political parties may become a prey of the Government and they may be sent to jails. I therefore appeal to them that they should unanimously demand from the Government that in future our political prisoners should be placed in the special class and should be at least treated like European convicts.

Mr. President : Demand under discussion, motion moved—

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

The question is that that motion be adopted.

Mr. Owen Roberts (Nominated, Non-official) : Sir, this cut has been moved for urging better treatment for the political prisoners and I take it that it is strictly in order that one's remarks must be confined to those prisoners who are in jail. The honourable mover has some reputation as a visitor of jails and I also have seen something of the inside of a number of jails. I am not given to spreading myself in the book provided for remarks but if the visitor's book is examined, I think it will give me some small title to speak on the matter more especially since I have made it a point at all times to visit the political prisoners. When I say a political prisoner I confine myself for the moment to political prisoners of a special class and omit those who have been convicted of crimes of violence in the course of politics and who have been classed in the general body of prisoners.

Turning now to the special class prisoners, whilst the honourable member was speaking, I made a few notes on definite points and I weigh my words very carefully. I can assure the House that these prisoners are lodged in the Lahore Jail absolutely separately. It is impossible for any prisoner in the ordinary body of the jail to mix with them; they are allowed to retain their own bedding and their own clothing; they are allowed to obtain materials for their own food and are given assistance in the preparation of their food. Also if there is labour attached to their sentence, the labour

provided is of the very lightest and it is carried out in the privacy of their own room. I make these statements definitely, 3 P.M. Sir, because the honourable mover of the amendment made a reference to European prisoners. I am not going into that point except to assure the House that the treatment of European prisoners has no relation whatever to that of these special class prisoners. The European prisoner wears the garb of the convict, and the food supplied to him bears, I should think, no higher relation to the food that he is accustomed to outside the prison than that provided to the Indian convict bears to what he is accustomed to.

Sir, on my visits to the jail I have repeatedly asked the political prisoners if they had any complaints, and I have always been told that they had no grievances except one and that was that they were not allowed papers and magazines. I have had to point out that that was not a matter on which I could do anything as it is expressly laid down in the Jail Manual that magazines and papers may not be brought into the jail. Apart from that they have the use of the Jail Library and I know that they are in addition permitted to obtain vernacular books. They are provided with writing materials and I do not see in what way Government could do more to lighten their sentences.

As regards the other political prisoners I do not consider it reasonable or proper for persons exercising their functions as jail visitors to endeavour to separate men who are there for crimes committed in the course of political agitation from among other prisoners, but I have met these people and I have met them under circumstances of great strain and duress. I have met them when they were protesting against doing the ordinary work of convicts and were undergoing forcible feeding. I visited them individually in their cells and in hospitals, not once but repeatedly and they would speak to me when they would not speak to any official. I invariably heard only one thing from them and it was that their treatment was entirely satisfactory. I know that the greatest care was taken of them and they admitted as much to me. With these remarks, Sir, I leave the House to judge between the honourable mover of the cut and myself.

Sardar Hira Singh [Lahore (Sikh), Rural] (Urdu) : Sir, I should like to say a few words on the subject under discussion. I have passed two years in one of the prisons of this province, and consequently I am in a good position to relate my own experiences, and I am sure that they will lose nothing by telling. The treatment which was accorded to me and to my fellow-prisoners will give you an idea of the life led by political prisoners in the jails of this province. I may mention at the very outset that I did not go to prison alone, there were no less than 47 persons, who accompanied me to Multan Jail. These fellow-prisoners of mine were all very respectable people and were the elected members of the Shiromani Gurdwara Parbandhak Committee. On the very first day when we entered the precincts of the Multan Jail, we were summoned by the Superintendent of the Jail, who ordered us to stand at attention. We had made up our minds to obey the jail-rules and consequently we all of us stood at attention. As bad luck would have it, a fly happened to alight at my nose and I swept it off with my hand. The Superintendent of Jail got very angry and considered my

[Sardar Hira Singh.]

action to be a breach of discipline and at once ordered that I was to remain in fetters for a month.

On the same day, each one of us was given 18 seers of wheat to grind. As none of us was accustomed to this kind of hard labour, none of us could grind more than six or seven seers of wheat. In the evening we were taken out of our cells, and since none of us had been able to finish his allotted work, all of us were mercilessly belaboured by the jail officials. Next day, another 18 seers of wheat were given to us for grinding and we were told that unless we finished our work we will have to remain inside our cells. That day, too, we were not able to grind the requisite amount of corn and were as usual mal-treated by the jail officials. However, in course of time we got accustomed to our work and were able to grind 18 seers of wheat every day. This went on for a month or a month and a half, when we were relieved of this work, and each one of us was given 10 seers of Munj to pound. Munj-pounding, Sir, is not an easy job. It made our arms and shoulders ache, and our hands became swollen so much so that we could hardly touch anything without exposing ourselves to excruciating pain. We made a complaint to the Superintendent about our hard lot, and the only answer which he returned to our prayer was "either give up taking part in this movement or die in jail. Thus Sir, we passed the first three months of our captivity, suffering untold misery and shameless treatment at the hands of the jail officials, who were egged on by the Superintendent to treat us mercilessly. After the lapse of three months, however, Sir, the Superintendent of Jail was transferred to some other jail and a new Superintendent came in his place. The new Superintendent was a little lenient towards us and was kind enough to allow the work of paper-pulp-making to us. This kind of labour is given to the worst offenders, and the way in which it is performed beggars description, and I cannot bear to relate the shameful treatment meted out to us when we were at work. The net result of this kind of hard labour was that all of us were suffering from excruciating pains in our arms and backs. This went on for three months, at the end of which Sir John Maynard happened to visit the Multan Jail. We explained to him the whole thing and he was simply thunder struck to hear of the mal-treatment to which we were subjected. At first he refused to credit our statements, but when we begged him to have a look at our history sheets and to satisfy himself in regard to the truth of our statements, he reluctantly made up his mind to believe us. This visit to the Multan Central Jail was in my opinion responsible for his change of opinion in the matter of jail administration and it was in pursuance of this that certain reforms were introduced in the Jails Department. I may mention here that as long as we were in jail these reforms were not given effect to, it is just possible that they may have benefited the people who came after us. This in short, Sir, is the kind of treatment accorded to political prisoners. Now let me give you an instance of the manner in which Europeans are treated in jail. In the ward adjoining ours, two tommies were imprisoned. They had plundered the treasury to the extent of Rs. 6,000 or so with which they had enjoyed themselves to their heart's content. These two tommies as I have already pointed out were lodged in the European ward, they were given a stove to cook their own food and were treated with the greatest consideration

by the jail authorities, but the "representatives of the Sikh community were treated worse than cattle and all sorts of indignities were heaped upon them. They were beaten, they were made to grind corn, they were made to pound Munj, they were lynched and their beards were torn. I should like to ask the Government if that is the sort of treatment meted out to political prisoners in other parts of the world. If not, why is the Government intent upon wreaking vengeance upon people, whose only crime is that they differ from the Government on a matter of principle. These political prisoners are not guilty of any crime involving moral turpitude, they are not guilty of any crime involving violence to life or property, and if in the face of all these facts the Government is still bent upon mal-treating the political prisoners, then I am constrained to say that our Government is vindictive and cannot bear to see anybody opposing it honestly or otherwise.

Mr. Din Muhammad (East and West Central Towns (Muhammadan), Urban]: Sir, I fully agree with the spirit of the remarks which have been made by the honourable member for Hoshiarpur and the honourable member for Lahore Sikh Rural. It is no doubt true as remarked by the representative of the European and Anglo-Indian communities that the political prisoners he has had the occasion to meet while he has occasionally visited the Lahore Jail, did not complain against the attitude of the Jail Superintendents or of the persons who had their control or charge. But it is undeniable that the treatment which is meted out to political prisoners as such is not one of which any civilised Government can be proud. (*Hear, hear*). Sir, a political prisoner after all is convicted of an offence which does not involve any moral turpitude. In a country like ours in the present state of affairs when it is seriously involved in demanding rights from a foreign government, it is not extraordinary that respectable people, people who have the courage of their conviction, people who are prepared to sacrifice their personal comforts at the altar of freedom, might visit jails. Sir, eminent persons like Mr. C. R. Dass and Pandit Moti Lal Nehru, have been the occupants of the Indian jails. In every wing of this House I see at least one representative of this class, even the official wing is not excepted. It is, therefore, Sir, a serious question to consider as to what treatment should be accorded to the political prisoners. The honourable members of the House know that there are two classes of prisoners. There are prisoners who go to jail because they are immoral or because they commit offences which offend against the social or moral laws of the country. There are other prisoners who are bold enough to assert their rights, who are bold enough to disregard the restrictions which are imposed upon their movement by the Government in whom they do not confide. All those persons who fall under the latter category must be classed as political prisoners. The honourable member who represents the Anglo-Indian community also admits that only a few of such prisoners are treated as special class and the prisoners who are convicted of crimes of violence are treated like ordinary prisoners. We have to see what is the authority that has the discretion of classing these prisoners as special or ordinary. So far as my knowledge goes I think it is the Magistrate who disposes of the case who is given the authority of classifying the prisoner as special or ordinary according to his sweet will or pleasure. It is the presiding officer of the court that

[Mr. Din Muhammad]

treats the case that determines the class in which the prisoner is to be kept in jail. That is not satisfactory and that cannot be satisfactory. The other day, Sir, while the honourable members were addressing the House on the question of the separation of executive and judicial functions, instances were brought before you that a subordinate magistrate however highly paid he might be always dances to the will of the District Magistrates and if there is a prisoner who unfortunately happens to be a political prisoner it cannot be imagined that the District Magistrate would not exercise his influence eventually when the class to which the prisoner is to belong has to be determined.

It is no doubt true that some of them are treated as special class prisoners and as special class prisoners they are given, as has been remarked by the honourable representative of the Anglo-Indian communities (Mr. Owen Roberts), their private food, their private clothing, private beds and light labour. With that I have absolutely no disagreement whatsoever. But the question is that even the special class prisoners are not meted out that treatment which we all desire. As I have already submitted, I can speak with authority on this point. Like some of the other honourable members of this House I also have been an occupant of the Lahore Central Jail for more than a month and a half and I know personally that the treatment that was accorded to these prisoners was to say the least most cruel and most ungentlemanly. I do not blame the higher authorities for that. The honourable member for Lahore has already brought to the notice of the House that when Sir John Maynard was informed of the cruel treatment meted out to them he actually took upon himself to reform some of the rigours of jail administration. It is, therefore, with the hope that if all these things are brought to the notice of this House, the House might be moved to introduce further reforms in the jail administration that I wish to draw your attention to all those rigours to which the political prisoners are subjected and to the calumnies which are heaped on their head. We should all take a sympathetic view of such affairs that are brought before the House.

There are certain political prisoners who are sometimes sent to jail because they are charged with crimes which involve violence. But there also discrimination is absolutely necessary. There is a form of violence which goes against the express directions of social or moral law and there is a kind of violence which cannot be covered by that definition. If there is a kind of violence in which the element of political struggle is involved my respectful submission is that that violence should be differentiated from ordinary violence. Honourable members of the House know that during the last two or three years, during the time when the Akalis were wrestling from an obstinate Government what they considered to be their just dues, several respectable members were subjected to such tortures that no person could even mention them before this House. But still when they were convicted they were convicted of offences in which an element of violence was involved. Now, simply on that ground it could not be urged that they were being convicted of offences which were on a par with offences under the Indian Penal Code. After all the only offence that they committed was an offence

against the unreasonable attitude of an obstinate government. Such cases are bound to be repeated and it is, therefore, incumbent and most essential in the interests of the whole province, in the interests of the whole country, that we must take some steps to introduce reforms so far as this part of the administration is concerned. There must be some definite pronouncement made by this House as to what class of prisoners should be treated and classed as political prisoners and as to what treatment should be meted out to them. They should not be left at the mercy of the ordinary magistrate who disposes of the cases, because the magistrate who convicts the accused is generally prepossessed and biased against him and he is therefore reluctant to give the accused the honour of being classed a special class prisoner lest he might not feel the rigour of the ordinary jail life. Government must introduce reforms here as they do in other cases. It is true that as in every other department of life, there are some black sheep in this department also. There are persons who go out of their way simply with a desire to be clothed with the honours of a political prisoner, who commit political offence merely with an idea that they may join the illustrious number of those famous people who have gone before them. But that should not be the reason to withhold those comforts from the political prisoners which they otherwise deserve. With these few remarks I beg to support the motion which has been moved by the honourable mover.

Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I have had the honour of living in one of His Majesty's prisons for a year and I have also been a jail visitor for one year, so that I am in a position to speak with some authority on the subject under discussion. I may say at the very outset that I will confine my remarks to things which have come under my personal observation and I would request the Government to inaugurate reforms in the jails department in the light of my experiences. Sir, last year I went to pay a visit to the Mianwali Jail. I was well received by the jailor who took me round the jail pointing out objects of interest to me. He took me to five wards but he refused to take me to the sixth ward. When I insisted upon seeing it, he told me that that ward was meant for State prisoners and that at that time there were two Bengali occupants of the ward, and that these State prisoners could not be interviewed except with the express permission of the government. Then I asked him to go inside and inquire from the two Bengali prisoners as to how they were being treated. The jailor went inside and after a few minutes came back and told me that the two State prisoners had made a general statement to the effect that the treatment accorded to them was generally satisfactory and that they had no specific grievance against the jail authorities. The jailor also advised me to see Lala Jhangi Ram in this connection, who would be able to give me further details in regard to the two State prisoners. In order to make my enquiries as complete as possible I went round to see Lala Jhangi Ram and this gentleman told me that the treatment accorded to State prisoners was fairly satisfactory. However on further enquiries I was told that State prisoners are labouring under the following disabilities and the sooner they are removed the better it would be for the good name of the Government. The first grievance brought to my notice was that the allowance given to these political prisoners is inadequate. In Bengal and Madras, where rice is cheaper and of better quality,

[Chaudhri Baldeo Singh.]

such prisoners are receiving more allowance than that in the Punjab, where rice obtainable is of very inferior quality as well as dearer, therefore, it would be advisable to increase their allowances to the same level as in those provinces at least.

Secondly, the room allotted to these political prisoners is just sufficient to accommodate them during the winter season, but in the summer hardly one person can be accommodated.

Thirdly, these political prisoners belong to a province which has got a warm climate, and hence it is necessary that they should be supplied with fire-pots during the winter season.

Fourthly, in a place like Mianwali these prisoners are likely to suffer from dust-storms and it would be an act of kindness if they were transferred to some other jail, preferably to the Dharmasala Jail.

Fifthly, the non-official members of the Council should be given the right of free access to all political prisoners, so that they may be able to obtain first-hand information, and keep the Council well-posted of what is happening in the jails. By this means we can bring to bear pressure upon the Government and expedite the necessary reforms in this department.

Now I will relate my personal experiences of jail life. In the year 1922 I was sent to jail along with my chaprasi. I was allowed to wear my own clothes and cook my own food. I was not given corn to grind, or mung to pound. As a matter of fact nothing in the form of hard labour was allotted to me. My people were allowed to see me after three or four days and I was allowed to obtain a change of clothing. During this period of three or four days a rumour had been set afloat that I was being mal-treated in the jail, but it was not a fact. I was as happy as a man in jail could be. During the period of my imprisonment Rai Sahib Chaudhri Chhotu Ram and Khan Sahib Chaudhri Shafi Ali Khan came to see me, and I had no complaints to make before them. The treatment accorded to me in the Rohtak Jail was fairly satisfactory. The only thing to which the jail officials particularly objected was that political prisoners should not mix with the non-political prisoners, which was almost impossible for any one to do.

We have, therefore to take into consideration the question whether in future political prisoners should be confined in separate jails or not. To this question my reply is that political prisoners should always be kept in separate jails, and they should be treated on a different footing from other prisoners. With these words, Sir, I resume my seat.

Raizada Hans Raj [Jullundur-Ludhiana (Non-Muhammadan) Rural] (Urdu) : Sir, my honourable friend the member for Hoshiarpur has defined a political prisoner in the course of his speech, and I am in complete agreement with him so far as the definition goes. In all civilized countries of the world except India, a political prisoner is considered to be a man whose one object in life is to serve his country and community. For him there exists no self. If he commits a murder, it is for the sake of his country. If he commits a dacoity that has also been for the sake of his motherland. If he is sent to jail to expiate his crimes he is not treated as a murderer or a dacoit, but as a misguided patriot, who differs from his Government on

certain fundamental points. In India, however, Sir, a political prisoner is treated like an ordinary criminal and I may venture to add that more often than not the treatment meted out to him is worse than the one ordinarily accorded to the worst criminals. The only reason that I can think of for this differential treatment is that in other countries the Governments are national Governments, whereas we are being ruled by aliens who have no sympathy with our aspirations for the uplift of our country. In self-governing countries the motives both of the Government and of the opposition are identical and they have a common end in view, although there may be some difference in the methods adopted to achieve that end. In India patriotism is itself an offence in the eyes of the alien bureaucracy whose one aim is to suppress the voice of all conscientious oppositionists. Under these circumstances it is futile to expect the jail officials to hold their voice during the pleasure of that bureaucracy to accord humane treatment to political prisoners. It would be quite inconsistent with the spirit of the existing administration to do so.

Sir, the honourable member representing the European and Anglo-Indian community was pleased to say that he had himself visited the Lahore Jail and interviewed some of the political prisoners of whom none had anything to say against the treatment accorded to him. My honourable friend should, however, remember that he met only 'A' Class prisoners and had no occasion to come into contact with or make enquiries upon from the prisoners of the type of my honourable friend Sardar Hira Singh who has just described what he had to suffer in the jail. I should also add that the creed of the political prisoners would stand in their way of complaining to any person associated with the Government of any ill-treatment at the hands of the jail officials. The honourable member for Rohtak has been pleased to give a testimonial to the Government for the treatment accorded to him in Rohtak jail. So far so good, but what we should never forget is that according to the existing rules it is entirely within the discretion of the convicting Magistrate to recommend or not to recommend a political prisoner for being treated as an 'A' Class prisoner. The subordinate magistracy in our Province at any rate is essentially very servile and generally thoroughly under the influence not only of the District Magistrate but also of the Police. It is further impossible to expect any Magistrate to recommend political prisoners for being treated as 'A' Class prisoners unless and until they know that the District Magistrate and the Police would have no objection to that. Apart from this unfortunately the bulk of the magistracy in this province has got a peculiar mentality. They are entirely lacking in sympathy for the persons whom they convict. On the other hand they conceive some sort of prejudice against them and are very chary of showing any courtesy to them. If, therefore, you want your political prisoners to be well-treated, it is upto you to compel the Government to amend the present rules and to make it obligatory on the authorities concerned to place all political prisoners in Class 'A'. The honourable members should bring all the pressure they can to bear on the Government to appoint an Enquiry Committee to investigate and report upon the condition of the political prisoners in jails, and to see that in future none of such prisoners are treated like the ordinary criminals. The honourable members should never forget that most of such prisoners are

[Raizada Hans Raj.]

men as honourable as themselves who have gone to jail not from any selfish motive, but whose sole desire in life has been to serve their country.

Next I come to the question of the treatment accorded to European prisoners. It is a fact that preferential treatment is accorded to Europeans in every sphere of life. If you go to the Railway Station you will find a special bogie always reserved for Europeans and Anglo-Indians, and even those people who are dressed in European style can have access to this bogie. In jail special attention is paid to the fact whether a person is a European or a non-European, a non-European will be herded along with the ordinary criminals regardless altogether of the social status, but a European will at once be sent to the ward reserved for his community. I may here remind of a Punjabi Proverb:—

Apna marega te dhuppe nahin sittega

which means that if a relation of yours punishes you, he will not allow you to be inconvenienced by the rays of the sun. When a European is convicted of an offence which necessitates his removal to jail he will not be put to any inconvenience by the Government, which consists of his own kith and kin.

The rules and regulations made by the bureaucracy are merely for the purposes of show. They are not meant to be put into practice, and the more you request the bureaucratic Government to treat the political prisoners with consideration, the more harshly will be they treated. It is therefore no use making representations to the Government to be more humane unless you can bring some pressure on it. The honourable member for Hoshiarpur was pleased to request the honourable members of this House to vote with him because it was possible that they or some of them may also have to go to jails one of these days. I do not, however, agree with him. If the gentlemen to whom he appealed, will however go to jails, it would be as jail visitors and not as political convicts. There is however one possibility which my honourable friends should not lose sight of. It is quite conceivable that the son or the brother of any one of them may become a nationalist and so a badmash in the official parlance. It is on this ground that I would ask them to support us.

Before concluding I may add that it is altogether futile to hope that the Magistrates would act liberally in their recommendations for placing political prisoners in Class 'A'. It behoves us to find out ways and means to compel them to do so.

Dr. Gopi Chand Bhargava [Labore City (non-Muhammadan), Urban] (Urdu) : Sir, I had no intention of making a speech on the motion under discussion, and my chief reason for not wishing to do so was that if a person or a member of the Council who has undergone imprisonment in a jail makes a speech in the Council, it would amount to the fact that he is afraid of the hardships of jail life and is not capable of bearing with fortitude the rigours of incarceration in a jail. Be that as it may, Sir, I am obliged to make a few observations on the subject under discussion after hearing the speeches of so many of my honourable friends, and in doing so my only object is to show that I am a representative of the public. Although I am not a direct

partner in the jail administration, I am to all intents and purposes an indirect partner in the jail administration, and it would not be honest on my part to refrain from raising my voice, however feeble it may be, against the administration of a department, which in my eyes is not performing its duties in a desirable manner.

Sir, I have had the honour of going to jail twice, once as an under-trial prisoner and the second time as a convict. I have some experience of the judicial lock-up as well as of the special class ward, and I have spent about three months in the European ward also, consequently I will confine myself to relating my own experiences.

When I went to jail for the first time, I was confined in a solitary cell. The cell next to mine on the right was occupied by a dacoit, who had murdered 6 or 7 persons, and the cell on my left was occupied by a habitual offender who was then undergoing imprisonment for rape. Next to him was confined Pandit Santanam and he too had the same kind of undesirable companions as myself. It so happened that while I was confined in the Lahore Central Jail along with my companions, Mr. Miles Irving came to visit us. We showed him the food given to us, and asked him to taste it. He complied with our request and was very much dissatisfied with it. We ventilated our grievances in regard to other matters also, and he was pleased to acknowledge that our complaints were based upon facts and promised to take necessary action in the matter. We, however, made it clear to him that our grievances needed redress on the ground that we were not being treated as human beings, that the Government had sent us to prison to reform us and not to wreak vengeance upon us for daring to differ from it, and that it did not behove the Government to be vindictive. Lala Lajpat Rai also had a talk with Mr. Irving and he requested the latter to supply him not with political papers or weeklies printed in India, but with papers dealing with social matters and printed in England. Mr. Miles Irving promised to send such papers from his own house, but this promise remained unfulfilled, and for two years Lala Lajpat Rai remained completely in the dark as to what was happening in the outside world. This time I was let off after three weeks, because the Government had realised the folly of incarcerating innocent persons. Some months afterwards I was again sent to jail and was placed in the European ward with a volunteer as my companion. I used to get my meals from my house, but my companion had to content himself with jail fare, and I used to exchange my food with him once every day. This food was not wholesome at all and was fit for cattle rather than for human beings. Lala Duni Chand, Bar-at-Law was also confined in the same ward as myself, and the only companions we had was our warder, who had committed no less than four murders, and one sweeper, who was undergoing imprisonment for rape. Besides these people we could not see anybody for full one week, because we had been confined in a ward which had seven doors and all of them remained locked for full one week, when our relations were allowed to see us.

We are untouchables in the eyes of Government because we take part in politics and try to serve our motherland to the best of our capacity, but it is an irony of fate that while the real untouchables are allowed to see and meet other people, we the political untouchables were confined

[Dr. Gopi Chand Bhargava.]

in a place, where for weeks together we could not hear a human voice or see a human face. The treatment accorded to political prisoners in the Punjab jails is one, which no civilised government can tolerate, and of which no civilised governments can be proud. The slogan of the political worker is to end or mend the existing system and if he goes to jail it is with the object of reforming the administration, and in this sense he is on an equal footing with Government officials. A political worker is not afraid of mal-treatment, he is prepared to undergo all sorts of hardships for the sake of his country.

It is said that political workers of this country have from time to time resorted to violence. I am not prepared to accept this statement as a gospel truth. I am a non-violent political worker myself and I do not like others to resort to violence, but if a political worker does resort to violence in the hope that he is thereby serving his country, then I submit, Sir, that this kind of violence is entirely different from the one practised by habitual offenders. The treatment accorded to demonstrators by the Police and the District Magistrate only yesterday was to all intents and purposes a violent one, but the Government far from recognising their own mistake in this respect have accused these peaceful demonstrators of violence. The Government dare not bring an action against them for having boycotted the Simon Commission. It has, therefore, resorted to an indirect method of punishing them for their temerity. The political workers in this country neither preach nor resort to violence and it is a pity that they are not afforded the opportunity of proving that they are non-violent. The political workers are not out to request the government to accord them better treatment, they are always ready to bear with fortitude the oppression practised by Government officials. I am not here to voice their grievance and to complain that political prisoners are not well treated. All that I wish to say is that the Government does not recognise these political prisoners as such and that this attitude of the Government does not cover it with glory. The Britishers are proud of the fact that the sun never sets on the British Empire, and therefore I submit, Sir, that an all-powerful nation can very well afford to ignore the political prisoners in this country, for they are powerless against a government which claims to be the most powerful in this world. The British Government in India ought to appreciate the work of political workers, because when all is said and done, the only difference between the Government and political workers is one based upon a difference of method pursued by the two. The Government need not be afraid of recognising political prisoners as such. Political prisoners, as long as they are in jail cannot afford to complain against the jail officials, for if they do so, they are sure to receive a still harsher treatment at their hands. Also a person who goes to jail to endure hardships has no right to complain against them. I do not want you to show them any favour, you may deal with them as you like, but you should not lose sight of the fact that it is in the interests of the Government to accord better treatment to political prisoners.

(At this stage Mr. President left the Chair and it was occupied by the Deputy President).

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural]: Sir, the Honourable President of this Council has shown a very exquisite and delicate sense of the apposite in vacating the Chair in your favour. While this motion was being discussed it was quite fit and proper that the Chair of the House for the time being should be occupied by a gentleman who has had personal experience of the conditions of jail life. (Applause).

If we analyse the personal composition of this House we discover, to no great surprise, I am sure, that it is predominantly composed of ex-convicts. The second class of persons consists of those who have been at one time or another perilously near to going to the jails and the Honourable Leader of this House belongs to that category. The third class consists of those who are would-be convicts if they are worth anything at all. If they are not prepared to go to jail for the sake of their convictions or for the sake of serving their country if need arises, then they are not worth being taken note of and can be safely left out of account. This analysis of mine that this Council consists of ex-convicts, of would-be convicts and of those who have been dangerously near to going to jail is more or less correct. That being so and I myself having had the honour of being a resident of the Lahore Central Jail for very nearly six months, I would not have liked to sit quiet while this motion was being discussed and it is appropriate that I should put in a word in favour of this motion. I would not like to go into details. Details have already been sufficiently gone into but one thing I would say, and that is certain that the treatment which is meted out to prisoners in our jails is really very brutal. It is not only not humane but it is not even human. The moral and spiritual needs of the inmates of the prisons are not at all attended to and the animal needs are only very indifferently looked after.

I do not know, Sir, what appeal can be possibly made to the powers in whose hand the administration of jails is.

A P. M.

There are only two appeals that we can make. Either we might appeal to their sense of self-interest. We may appeal to them that it is proper in their own interests, in the interests of their own best security that they should mete out decent treatment to persons who are committed to jails on political grounds, and I believe, Sir, this is the only thing that we can do. I do not know if we can appeal to them with any chance of success on grounds of humanity alone. It is for us only to ventilate our grievances and to leave it to them to decide as best as they like. The force of public opinion as it obtains in this country evidently has no power so far as these gentlemen in whose hands these arrangements lie are concerned. We can appeal only to the public opinion of the world and patiently wait and see if it results in the amelioration of these conditions in any way or to any extent.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir, I would like to make a few observations in connection with the amendment under consideration. Fortunately or unfortunately I have not been to the jail and therefore have not the personal experience which many honourable members of the House seem to have about the jail administration. Sir, we have been inviting the attention of the Government to the miserable plight of the prisoners for the last four years. At first

[Rana Firoz-ud-Din Khan.]

the Government turned deaf ears to the allegations made against the jail administration thinking them to be altogether unfounded. Later on however they were compelled to pay heed to those allegations and on finding them to be true they appointed a Jails Enquiry Committee to inquire into the working of the jail administration and to suggest ways in which the much desired reform could be effected. Sir, the idea of reform first struck the political prisoners of the non-co-operation days, who on coming out of the jail raised a great hue and cry against the jail mal-administration and urged upon the Government the advisability of effecting some reform in the working of the Jail Department. The result was that certain privileges were granted to political prisoners which were taken back as soon as the non-co-operation movement stopped. Sir, the appointment of the Jails Enquiry Committee had produced good results. The Governments of various other provinces have also followed the example of the Punjab Government. For instance the Bengal Government has appointed a similar Jails Enquiry Committee. In fact some steps have been taken by the Punjab Government to improve the lot of the ordinary prisoners. But the condition of the political prisoner is as bad as ever. To-day we find that a political prisoner whose greatest fault in his love for the country is in a worse condition than an ordinary criminal. Sir, he values most the freedom of his country and for the sake of that he is prepared to lose even the freedom of his person, when such is the case, is it just and equitable that he should be placed under further restrictions regarding his food and clothing. He is already undergoing the greatest punishment. He is deprived of his freedom. He cannot see his friends and relatives. Therefore, it is in the fitness of things that the Government should have a great regard for the feelings and susceptibilities of those lovers of liberty who have gone to jail for the sake of their country. Sir, to leave their case to the discretion of a magistrate is not at all fair both for them and for the Government. The Government should not ask them to provide themselves with food at their own cost. Sir, how can it be possible that a political prisoner in Dera Ghazi Khan Jail should have his food from Lahore? He cannot do that without incurring an extra expenditure of one or two hundred rupees a month. I ask the Government whether this so-called privilege is meant for the well-to-do persons alone or it is also meant for the poor. If it is meant for the former alone, I would submit that that cannot be justified. Anyhow, Sir, I do not think that this rule is based on any sound principle. Moreover, some of honourable members of the House have remarked that the political prisoners are being treated very harshly by the jail officials. The honourable member from Rohtak, while contradicting them, has said that he cannot support any such allegation on the ground of his personal knowledge. This shows, that different treatment is being meted out to political prisoners in different jails of the province. Sir, so far as I can understand much depends upon the nature and disposition of the officer in charge of a jail. If he is a good man they are well treated and if he is not a good man they are badly treated. But Sir, I ask why you should leave the case of political prisoner to the sweet will of the officers in charge of different jails. Why do not you make rules on the subject binding on all jail officials. Besides this the Government should not try to be vindic-

tive in its attitude towards the political offenders. Generally speaking, they are men of position. Sir, I am sorry to remark that so far as my knowledge goes no political prisoner after being released from the jail has ever been able to keep good health. Mr. C. R. Das who was sentenced to six months' imprisonment did not recover his health until he died.

The Honourable Sir Geoffrey deMontmorency: The honourable member should confine his remarks to the Punjab.

Rana Firoz-ud-Din Khan: I am coming to that also.

Raizada Hans Raj: He was a lucky fellow.

Rana Firoz-ud-Din Khan: How.

Raizada Hans Raj: Because he was not in the Punjab.

Rana Firoz-ud-Din Khan (continued in Urdu): Sir, In the Punjab during the non-co-operation days a good many persons were arrested and sent to jail. They all have lost their health irreparably. Look at Chaudhri Afzal Haq. He was sentenced to six months' imprisonment. Since the time of his release from the jail he has not been keeping good health. He is still very weak. Sir, this shows that the treatment accorded to the political prisoners permanently injures their health. I would request the Government to change its present policy with regard to the treatment of political prisoners. It should not allow its officers to so treat them as may adversely affect their health. Sir, a few days ago a political worker, namely, Maulana Habib-ur-Rehman, a learned member of both the Khilafat and the Congress Committees, was called upon to furnish security under section 108, C. P. O., and on default was sent to the jail for one year. He is now confined in the Rawalpindi Jail and is suffering from the palpitation of heart. Sir, if he is treated in the manner in which other political prisoners are being treated, I am sure that he would lose his health irreparably. Such treatment of such prisoners is not becoming to any civilised Government. Therefore in the end I would appeal to the Government in the name of civilisation, and in the name of humanity to accord better treatment to political prisoners.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I wish first of all to make it clear what the present rules are about political prisoners. They have been referred to by the honourable mover, and they are not peculiar to the Punjab. Considerable correspondence took place with the Government of India and some general principles were laid down which underlie these rules which were framed as a result of the discussion with the representatives of other provinces in consultation with the Government of India. As the honourable mover has told us, the rules now in force, with one very important addition since made, were first issued in 1922. The first point under the rules is that, subject to the confirmation of the local Government, the convicting court shall decide whether a convict shall be placed in special class having reference to his status, character, education and the nature of his crime. I will return to the point about the convicting court making this classification later on. The only persons excluded under the rules from consideration for classification as special class prisoners are those convicted of offences directly involving violence or offences against property, those who incite others to these crimes of

[Hon. Sir Geoffrey deMontmorency.]

violence, persons who attempt to seduce soldiers or policemen from their allegiance, and persons guilty of criminal intimidation when violence has been used for the purpose of that criminal intimidation. Subject to those exceptions the courts may consider any one for the purpose of putting him in special class. Although the classification has to be confirmed the rules contain an order that the classification ordered by the court shall immediately be given effect to in anticipation of the local Government's confirmation.

Now, as regards the privileges, what privileges does a prisoner placed in the special class obtain from such classification? He obtains first of all the privilege that he shall be kept separate from ordinary prisoners. He may be confined in the association wards or otherwise, but except as a jail punishment his imprisonment shall in no case involve anything in the nature of separate confinement.

(At this stage Mr. President resumed the chair).

✓ As regards diet, political prisoners are given the diet prescribed for ordinary prisoners, but they are allowed at their own expense to have additional food from outside subject to the approval of the medical officer. They are allowed their own clothing, they are allowed to receive letters once a month, that is, more frequently than ordinary prisoners, and they are allowed visits once a month. They are not required to perform any manual labour, they may have their own plates, cups, utensils and bedding. If they are sentenced to rigorous imprisonment, they are to be given forms of labour which are suited to their station in life. They are to be provided with separate latrines with sufficient privacy. They are allowed to sleep in the open in the summer. They are allowed lights in their cells up to 10 P. M. If owing to their conduct it becomes necessary to inflict jail punishments upon them they are liable to forfeit some of the concessions allowed by the rules, but they may not be removed from the special class without the orders of the local Government. These rules seem, I venture to think, both reasonable and humane. All non-official visitors are supplied with copies of these rules, and they have been asked that in the jails where there are special class prisoners they should verify that the special class prisoners are receiving the treatment which it was intended by the rules that they should receive. As a result of the recommendations of the provincial jails committee a very important change has been made in these rules in the last year which I think also affects them. The change which I allude to is that if a prisoner is dissatisfied with the decision of the Superintendent of the Jail as regards his classification he may apply to the Inspector-General of Prisons for a revision of the classification; and if he is subsequently dissatisfied with the decision of the Inspector-General of Prisons he can appeal to Government whose decision shall be final. If, therefore, there is a prisoner who has grounds for considering that he should be classed as a special class prisoner and if he is not so classed by the convicting court, it is open to him to put in objections in writing to the Inspector-General of Prisons that he ought to be put in a different class from what he has been put by the Superintendent of the Jail. That application will be decided on its merits by the Inspector-General, and if the convict in question considers that his case has not had full consideration or that full weight has

not been given to the points regarding his classification to which he attaches importance, he can apply to the local Government to have those points considered, and the local Government's decision will be final. There is one extra provision to which I have alluded that there are certain political prisoners of a peculiar temperament who feel that they do not wish to receive any privileges under the orders of the court. As regards these prisoners, if they have been classified as special class prisoners, they can apply to the local Government stating that they do not desire to be classed as such, and the local Government will then cancel that classification as special or privileged prisoner. These, then, are the rules which are at present in force. They rest on general principles which are applied all over India; and I venture to think that if they are worked in the right spirit and strictly followed there is nothing wrong about the rules themselves. Some honourable members have complained of the manner in which these rules have been followed in the past. Some have stated that they had no complaints to make of their treatment, and some have stated that they had complaints and made complaints and that those complaints were removed. No one can regret more than myself that there may have been cases in which these rules were not followed out, where a special class prisoner did not receive the treatment which it was intended he should receive under the rules. This fault can, as far as I can see, only be removed in two ways (1) by official inspection or (2) by inspection of non-official visitors. I give the assurance that if non-official visitors bring to my notice any case in which a person has been classed as a special class prisoner and the rules regarding him are not being worked in his case I will give that case my immediate attention, and ensure that the treatment which Government has laid down should be given to these prisoners is given. I should be only too happy to see the day when there would be no so-called political prisoners or offenders against the State in the jail. Fortunately at the moment there are in the Punjab very few. But I hope the House will not think that Government is unsympathetically inclined or has any bias against these prisoners. The desire of the Government is that they shall be fairly treated, and I will exert all the efforts in my power by means of inspection, and otherwise to see that they receive that humane treatment which the rules intend them to receive.

Chaudhri Afzal Haq [Hoshiarpur-cum-Luhdiana, (Muhammadan), Rural] (Urdu): Sir, the Honourable Member for Finance has not, while discussing the amendment under consideration, dealt with certain important points which ought to have been considered by him. However, I feel grateful to him for the sympathy he has expressed with the object of the amendment under consideration. I would try to place before him once again the points ignored by him. Sir, we are already convinced of his good nature and amiable disposition, and we know full well that he would leave no stone unturned in removing the genuine grievances, of the prisoners, provided they are duly brought to his notice by the non-official visitors of jails. But, Sir, the real question before the House is whether the rules in force regarding the preferential treatment of the political prisoners are satisfactory. Some of the honourable members of the House have narrated their tales of woe and misery, and I do not think that any one else is more fit for preferential treatment than these honourable members

[Chaudhri Afzal Haq.]

of the House. Sir, our greatest complaint is that the rules in force on the subject are in themselves very much defective. The question before us is not whether all deserving prisoners are given special privileges? In fact, many irrelevant matters have been brought in by the honourable members while discussing this amendment. Sir, I would like to emphasise one point, and that is this that the privileges granted to the political prisoners are not satisfactory. My honourable friend Rana Sahib has alluded to the rule in force in 1921, in accordance to which the Government had to defray the diet expenses of the political prisoners. This rule was abolished in 1922, and the result was that these prisoners had to provide themselves with food at their own expense. Sir, every honourable member has expressed his opinion about the ordinary food provided to the prisoners. That food, if it is not altogether unfit for human consumption, requires much improvement. Sir, as is clear from the words of the circular even the Government feels that the food supplied to the prisoners is not perhaps fit for their use, and that is the reason why it has allowed the political prisoners to make their own arrangement for their food. Sir, I do not consider it to be a privilege at all. They are confined in your jails, they work for you and hence it is unreasonable to ask them to make their own arrangement for their food. Look at the political prisoners in jails in England? According to the recent information available from Russia a Russian political prisoner can send to his relatives seven pounds out of his earnings. Sir, the next point which has been ignored by the Honourable Member for Finance is that under-trial political prisoners are in no way better off than the ordinary under-trial prisoners. The case of the European under-trial prisoners is, however, different. They are at once sent to the Special Class Prisoners' Ward. An under-trial political prisoner is confined to a cell where he sleeps, eats and even answers the calls of nature. He remains there for 4 or 6 months. He has to sleep on *khadi* from which he often falls down while asleep during the night. Sir, many political prisoners have asked me to urge upon the Government the desirability of increasing the width of the said *khadi*. Sir, my submission is that the rule on the subject is very defective. According to it most of the political prisoners cannot have any privilege at all, and those who are given some privileges have to incur an extra expenditure of one or two hundred rupees a month. Sir, I admit that the Honourable Member for Finance is a straightforward and hard-working gentleman, but when there is no satisfactory rule on the subject, how can he remove our grievances? Moreover, he has said that a political prisoner being dissatisfied with the classification made by the Jail Superintendent, has the right to apply to the Inspector-General of Prisons, and a further right of appeal to the local Government whose decision in the matter is final. As to this I would submit that it seems to me that the Honourable Member is labouring under a misunderstanding. The Jail Superintendent has nothing to do with the classification of A. and B. class prisoners. That time has gone when this classification rested with him. Now it lies absolutely in the discretion of the convicting magistrate to order a prisoner to be treated as a special class prisoner. Sir, I would inquire of the Honourable Member whether a political prisoner, who has not been declared a special class prisoner by the trying court, has the

right to appeal to the Local Government against the decision of the court. If he has that right, I shall have to admit that it is of course a special privilege. But if he has no such right, which I am sure he has not, I am not prepared to consider it a privilege at all. I think that that right only exists in favour of an ordinary prisoner. On this occasion I would simply ask the Government to make an announcement to the effect that the question under consideration would receive careful consideration at the hands of the Government.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, I quite admit that as regards the question of food if a prisoner is not confined in the vicinity of his home the privilege becomes expensive, but nevertheless I do contend that it does still subsist as a privilege. It is a privilege which the ordinary prisoner has not got, which the European class prisoner has not got : and it is, therefore, a privilege. It may be in jails far from their homes men cannot take advantage of this privilege ; but it is still a privilege ; and various members, Chaudhri Baldeo Singh, for example, said that in his own case he was confined in a jail near his home, and he was able to take advantage of this privilege.

Chaudhri Afzal Haq : He was taking food inside the jail.

The Honourable Sir Geoffrey deMontmorency : I understood him to say he was confined in Rohtak jail, and his relations did not know at first whether they could communicate with him or give him any food from outside, but after two or three days finding they could, they did assist him in this way.

Chaudhri Afzal Haq : In those days under the rules prisoners could get food.

Mr. President : The Honourable Member, who is in possession of the House, has not given way. Therefore Chaudhri Afzal Haq might make his explanation at the conclusion of his speech.

The Honourable Sir Geoffrey deMontmorency : I also contend that I believe that the new rule which I referred does enable a prisoner to bring his case before the Local Government because if a prisoner who considers himself a political prisoner has gone to jail and is not classed by the Court as a special class prisoner, the Superintendent will put him in an unsuitable class in the jail. Well, what the rule says is that when the Superintendent has put a man in class A, B or C, or whatever it may be, and that person is not satisfied with that class, he can make representations about it. I do not think it excludes representations as regards classification to the Local Government.

As regards under-trial prisoners, I must candidly confess to the honourable mover that this is not a side of the question which I have at present studied or on which I am at the moment precisely in possession of what the actual practice is. But I will look into it and see whether anything can be done in that direction also ; but otherwise I fear that I cannot promise any relaxation of the present rules. I can only promise to have them observed in the spirit in which they were meant.

Mr. President : Demand under discussion, motion moved :

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was carried.

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

"That the total grant be reduced by Re. 1."

Sir, I take this opportunity to express my partial satisfaction on the state of affairs obtaining now in the jails of the province. I am glad to admit that corruption is not so rampant as it was in 1922 in the Jail Department. In fact it is much less than before. Matters have considerably improved since that year. The grievances regarding the ill-treatment of prisoners and other irregularities have been removed after the submission of the report of the Jails Enquiry Committee. Sir, I am sure that if Government were to take similar steps in connection with other Government departments as well, it is bound to achieve similar results. To some extent reform has been effected in the jail administration, but there are still some matters which require careful attention on the part of the Government. I do not say that every comfort may be provided to the prisoners and the jails should be turned into paradise. The first thing to which I wish to draw the attention of the Government is the hard labour of grinding corn. The evidence adduced before the Jails Enquiry Committee clearly shows that the corruption in jails is largely due to the presence of the hard labour of grinding corn. Those who cannot do that labour offer bribes to the jail officials. Therefore, Sir, I would request the Government to abolish this particular form of labour. If that is not done I am sure our success would not be great. Sir, my next submission is that the prisoners should be given wheaten bread instead of Missi one. That privilege is given to them during the summer season. Sir, if the arrangement be made for the whole year it was once thought that Government had to incur an extra expenditure of about Rs. 9,000. That means that if the Government were to extend this privilege to winter season as well, it would mean an extra expenditure of about Rs. 4,500 which is only a small burden on the finances of the province. Sir, the third thing to which I would like to draw the attention of the Government is the fact that the prisoners sentenced to capital punishment are hanged in districts far away from their homes. The non-official visitors of jails have many times before asked the Government to remove this serious grievance of the prisoners sentenced to capital punishment. They should be executed in their home districts so that they may be able to see their friends and relatives before they leave this world. My honourable friend Sir John Maynard paid special attention to this request of ours, and for the subsequent period of six months after that every such prisoner was executed in his home district. But now again our request is ignored. Sir, the fourth thing which deserves the attention of the Government is about the transformation of the present sub-jails of various district headquarters into district jails. If Government does that it would be saving a lot of money which is being spent on the travelling allowances of the prisoners and the police officials accompanying them.

to district jails. Moreover, Sir these prisoners remain for several days in sub-jails and, therefore, no labour can be taken from them while they are there. That means a little loss to the Government. In the end I would like to submit that the object of my amendment is nothing except what is already stated above, that is to draw the attention of the Government to certain matters which have already been enumerated by me.

Mr. President : Demand under discussion motion moved :

" That the total grant be reduced by Re. 1. "

The question is that that motion be adopted.

Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadian), Rural] (Urdu) : Sir, it is a fact known to every one that the population in the jails of our Province has increased during the last few years so much so that they are now overcrowded. This overcrowding, I think, is due to the fact that the life in jails has become a little comfortable of late and, therefore, attractive to a certain class of people. Sir, our society is not yet so far advanced as to feel the loss of liberty and certainly there is a class of people in it who would prefer to remain in jails if all the rigours of the life in jails are removed. Besides there are many such persons who do not earn sufficient for their subsistence and if such labours, as have a deterrent effect, are taken away from the prisoners, it is very likely that they would welcome life in jails. I am, therefore, opposed to the suggestion that *chakki* labour in jails should be done away with.

Beyond that I have to make two or three suggestions in connection with the Jails Department and I hope due consideration will be given to them. One of them is about the civil prisoners. They are prisoners no doubt but, unlike the ordinary prisoners, they are required to do no labour while in prisons. Every penny that is spent on their maintenance in prisons goes from the pocket of the creditors at whose instance they are incarcerated. Even the cooking utensils are supplied by the creditors. This involves a great loss to the debtors, though not to the creditors, because the expenses incurred on their maintenance in prisons are debited to the account of the debtors and go to swell the amount of the debt payable to the creditors. Will it not be better if civil prisoners are required to do some kind of labour so that they may be able to earn sufficient to maintain themselves in jails? If these prisoners are not allowed to idle away their time and are compelled to do some work while in prisons, I think it will be of great benefit to them. I really fail to understand on what consideration this provision was made that civil prisoners could not be compelled to do any kind of labour. I think the sooner this provision is repealed the better.

My second suggestion is that some strict measures should be adopted to eradicate corruption from the jails. It is satisfactory to note that many improvements have been brought about in the administration of jails during the last two or three years, but I may point out that corruption is still rampant in the jails. In my opinion warders and convict officials are mainly responsible for the existence of this evil. It is through them and at their connivance that many unauthorised articles are brought into the jails and if the convict officials are continued to be employed in large numbers as at present, you cannot hope to root out corruption from the jails.

[Chaudhri Baldeo Singh.]

My last, though not the least, suggestion is that assistant jailors should be allowed to keep milch cattle which at present they are debarred from keeping. I think they are not allowed to keep tongas as well, but that is not a necessity everywhere. Of course it also becomes a necessity where the distance between the school and the jail is very great and consequently the children of these officers reading in school find it difficult to go to the school on foot. If I

5. P.M.
may hazard a guess, these restrictions have been imposed because of the danger of the ration of the jails being misappropriated by these officers. That danger is certainly there, but there is also certainly a way out of that danger. You should allow only such officers to keep cattle who are prepared to pay every month a certain amount which you think will suffice to cover the expenses for the maintenance of a cattle. But it is no good to deprive all the assistant jailors of that amenity simply because you fear that the ration of the jails will be misappropriated. These are some of the suggestions which I wanted to make and I express this hope once again that they will receive due consideration by the Government.

Mr. Din Muhammad [East and West Central Towns (Muhammadan) Urban]: Sir, I wish to bring to the notice of the Honourable the Finance Member some of the defects that I noticed in the working of the Jails administration as a non-official visitor of jails. The first point that I want to lay stress on is the consideration of the problem as to why should these prisoners be employed on non-lucrative jobs? Let us take, for instance, the labour which is known by the name of grinding. An ordinary prisoner is given from ten to eighteen seers a day and in the district jails there are not more than ten such cells in which prisoners are confined for this hard labour. At the best they grind about four to five maunds, which can easily be done on payment of a rupee or so by any of the flour mills which are working outside. Supposing these prisoners are usefully employed, otherwise just as is done in the Montgomery or Multan Central Jails where they are taught carpet industry and weaving industry, will it not be to the benefit of the administration, and will it not at the same time do away with the criticism that is levelled against Government on account of their taking such work from human beings which even the beasts have refused to do? You have introduced machinery everywhere for this kind of work, and therefore you should not employ prisoners on this kind of work, especially when the work is altogether non-lucrative.

Similarly, the industry of oil pressing. The honourable members of the House will see that even if ten or fifteen prisoners keep working all the day long they will not be able to press more than ten or fifteen seers of oil, and that work can be done on payment of a few annas, hardly six or seven. It is not a business on which labour should be wasted like that, and I want to bring to the notice of the Honourable the Finance Member that it was really time to consider as to whether these prisoners cannot be employed more usefully otherwise.

Besides, I would also appeal to the honourable members of the House to imagine as to whether in these civilised times it really behoves a civilised government to put people to such hard labour as oil pressing and grinding.

For the information of those honourable members of the House who have not visited a jail, I would say that the grinding work can be done in a standing posture only, and so a person who is given eighteen or fifteen seers of grain has to keep standing all the day long. In addition to the work that he does, he is also being penalised like that. He loses his liberty, he is incarcerated in a jail, he is confined to a cell, he is made to stand all the day long and he is also made to grind eighteen seers of grain to boot. And simply because he has been sent to prison to undergo a sentence of hard labour or to spend a few weeks of solitary confinement. This is a point which deserves consideration. I admit that it is the sincere desire of the Administration to introduce such reforms in jail as are consistent with the penalising nature of the cells as well as with the ordinary humane considerations that must not be ignored. But the reforms that have been introduced so far fall far short of what is desired. The honourable member for North-West Rohtak (Chaudhri Baldeo Singh) has made a suggestion that even if any other reform is introduced, at least this reform of the stopping of grinding labour should not be introduced. He says that the feeling is growing in the public mind that jail life is a very comfortable life and it has resulted in over-crowding. In my humble judgment this is a false logic. If the Honourable the Finance Member requisitions the history of all those prisoners who are classed as "habitual offenders" he will be pleased to see that most of them belong to the class from whom hard labour had been taken during their previous stay in jail. This is the class of people who visit jails again and again, who do not mind the rigors of jail life. Whatever hardships you impose upon them they will ignore them. Those who mind the rigors of jail do not go to the jail for the second time. If all this hard labour were intended to deter people from committing crime, we must see whether crime has actually been checked by the imposition of hard labour and if the number of criminals is growing in spite of the severe labour taken from them, then we should no doubt think in a sensible manner, and take only such labour from these prisoners which would not bring the charge of inhumanity against us.

So far as the treatment of an ordinary prisoner is concerned, we have to see whether in the matter of the dress, food, accommodation and labour he is being properly treated. It is an admitted fact that these prisoners are housed for the night in a barrack which has absolutely no shutters. Even in the extreme cold weather when a strong wind is blowing outside and it is raining in torrents, these prisoners keep on lying in the draught and there is no shelter provided for them against the inclemency of weather. I once brought this fact to the notice of the superintendent of a jail and he only remarked that he had had no pneumonia cases in his jail. On this account, Sir, it is your duty to see that when you incarcerate a man in jail he has to undergo only such imprisonment as is provided for under the law of the land. It is nowhere provided there that he should also run the risk of losing his life in addition to the loss of his liberty. The gravity of this situation the honourable member from Rohtak does not yet realise. The loss of liberty is by itself a very severe punishment. You make a man lose his liberty, you give him hard labour, you house him in a hovel, one in which you would not even house your cattle. Is this not enough? Go to any village and you will find that the places in which cattle are housed for the winter are

[Mr. Din Muhammad.]

provided with shutters. Every care is taken to see that they are saved from inclemencies of weather, but this comfort you do not provide for prisoners.

Similarly in the matter of dress. It is no doubt true that in the Jail Manual the dress that the prisoners wear is known as shorts and shirts. But I would submit that it is nothing but a parody of those two words if they are applied to the dress that they wear. The shirt is no doubt made in the shape of a shirt and the shorts in the shape of shorts, but it is not that kind of shirt or shorts that the honourable members know of. And then with that cap on, which might otherwise be called a parody of wig (laughter) and with his shirt and shorts on, the whole nature of the prisoner is changed. You cannot recognise him to be a human being. So in the matter of dress also it is a very serious problem for us to consider whether an improvement should not be made.

Similarly in the matter of food. I have seen with my own eyes the *chapatis* and the *dal* that are administered to the prisoners and I can say that they are not fit for human consumption. Still these prisoners have to eat them. I do not doubt the sincerity of the Administration to be humane in their treatment towards the prisoners, but these are some of the points which deserve the serious notice of the Honourable the Finance Member. I trust that he will be pleased to give them the consideration that they deserve and to see whether time has not come when such reforms should be introduced in the jails.

Chaudhri Duli Chand [Karnal (Non-Muhammadian) Rural], (Urdu) : Sir, I feel that this Budget Session is an important session of the Council and every minute of its time is very precious. I, therefore, do not propose to enter into the discussion of all matters relating to the Jails department. I ask the indulgence of the House to make only one observation with regard to one of the points raised by the honourable member for North-West Rohtak. He has suggested that, like ordinary prisoners, the civil prisoners should also be required to do labour in future while they are in prisons. He is perhaps unaware that most of the zamindars, who are already being crushed under a heavy burden of debt on account of the present defective system of money-lending, will be in jails before long if his suggestion is carried out. At present the creditors think twice before sending their debtors, who are unable to pay off their debts, to civil prisons because they have to pay all the expenses to be incurred on the maintenance of the civil prisoners sent to prisons at their instance. Remove that restriction and you will find that the creditors will feel no hesitation in trying to see all their debtors not paying the debts sent to prisons. And the number of these debtors is very great almost 90 per cent. of the whole population and if most of them are sent to prisons as my honourable friend would have it, you can guess for yourself what will be the state of affairs.....

Chaudhri Baldeo Singh : What about Zamindara Banks ?

Chaudhri Duli Chand (continued in Urdu) : Sir, I will illustrate my point by one very appropriate instance and then I will have finished. Only recently one of my chaprasis came to me and asked for a loan of Rs. 18. While he asked for the loan he told me that he had borrowed a sum of Rs. 5

from a money-lender two years ago. He further told me that that sum had grown to Rs. 18 during this interval, and that the money-lender had obtained a decree against him for that amount. As he was unable to pay that money, the creditor was bent upon sending him to the civil prison. Thereupon I advised him to go to the prison if his creditor was not willing to accept a sum lower than Rs. 18. He accepted my advice and became ready to go to the prison. This attitude of the chaprasi disappointed the *bania* and he readily accepted a sum of Rs. 7 or Rs. 8 in discharge of the amount decreed. Such is not the case of Zamindara Banks to which reference was made by my friend. I, therefore, strongly oppose the suggestion made by the honourable member for North-West Rohtak.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I am very grateful to the various honourable members for making suggestions for improvement in certain details of jail administration. Many honourable members admitted that a great deal has been already done in many directions and expressed their gratification that these changes have come to pass. As regards the specific suggestions, we first have the suggestion of the *chakki* which I will discuss later in connection with the suggestion made by the honourable member from Gujranwala about lucrative industries. As regards the suggestion about wheat bread, the way the matter now stands is this. The question was discussed with the standing committee of this legislature on jails. During the course of the summer it was decided by Government to issue orders that the present admixture of gram and wheat should be discontinued during the summer months and a report should be submitted whether the mixed bread should not be discontinued altogether. When that report comes, it will be discussed again with the standing committee of this legislature and Government will then come to a final conclusion as to whether it is desirable or not from every point of view to discontinue this mixed ration.

As regards the honourable mover's suggestion that persons who have been sentenced to capital punishment should be transferred to their own districts and the capital punishment to be executed upon them should be executed there, Government have passed no such orders and at the moment it is not practicable to pass an order to this effect, because the number of condemned cells in various jails is insufficient. They are being added to and the suggestion will be considered, but at the moment it is not practicable.

The honourable mover also made reference about the Amritsar jail. I think his suggestions have a great deal of force. Just at the moment new jails schemes are under consideration and there is a Central Jail being built at Multan. Kasur Jail, which is found absolutely insufficient, is being rebuilt and made larger and the Gujranwala jail is also being rebuilt and made larger. I am quite ready to consider the case of the Amritsar jail, which is rather similar to the Gujranwala and Kasur jails.

As regards bribery, the honourable member for North Rohtak attributed this feature which we all like to see eradicated from our jails to the presence of convict warders. Government, as I think the honourable members are aware, has decided to reduce the number of convict officials employed in the jails to the number at which it stood in March 1919, which will effect a very considerable reduction. This involves appointing in their places official

[Hon. Sir Geoffrey deMontmorency.]

head warders and warders. Eleven head warders and 110 warders have already been appointed and consequent reductions in convict officials have been made, but the reduction has to proceed somewhat slowly because official warders cannot sleep inside the jails with the prisoners under the jail rules. Only few quarters have been built for official warders and so it is not possible to reduce the number of convict official warders to the figure intimated by Government all at once. But accommodation is being provided for official warders and their numbers also will increase according as accommodation is available for them. As regards assistant jailors and the question of cattle I do not at the moment recollect exactly how the case stands, but my impression is this, that the assistant jailors are not allowed to keep cattle, because in practice it has resulted in the jail gardens being mainly used surreptitiously and in an unauthorised way for growing fodder for these cattle with the result that the prisoners get bad vegetables or do not get the variety of vegetables which they ought to get. As far as I can recollect, in order to do away with the hardships to the assistant jailors, there is an arrangement made that in those jails where cows are kept to supply the hospital with milk, the assistant jailors who have families and children should get a certain amount of this milk at a fixed price which largely does away with the hardship of their not being allowed to keep cattle themselves.

As regards labour, the steps taken by Government have been in the first place to order that prisoners should not ordinarily be employed upon forms of labour upon which the free population outside the jails are not employed. As a result of this Government has everywhere abolished what is known as the well gangs to raise water for drinking and other purposes. These gangs have been abolished and in their place we have substituted in some places bullocks and in other places power plants to raise the necessary water.

As regards oil pressing, in answer to a question by an honourable member the other day I said that a scheme has been submitted to do away with oil pressing in every jail in the province except Lahore and to concentrate the extraction of oil needed for other jails at the Lahore jail where it will be carried out by machinery. This scheme involves the purchase of some power plant, which is expensive. The whole scheme is at the moment being examined and if it appears to be economical, it will be adopted. The result of adopting it will be that there will be no oil pressing carried out in any jail outside the headquarters of the province and in the headquarters of the province it will not be carried out by manual labour in the way in which it is now being carried out. During the course of the last year with the help of my honourable colleague the Minister, the jail department got the Director of Industries to examine all our jail industries and go through them and suggest whether improvements could be made and what new industries could be added. I am very grateful for the assistance which the Director of Industries has given. He has written a very illuminating report making very valuable suggestions and these are being examined by the Inspector-General of Prisons and orders upon them will be passed in due course. On some points no doubt I may find it advisable to consult the standing committee of this House on jails. Out of those suggestions some concrete plans

for what the honourable member called lucrative jobs may emerge. I hope they will emerge as regards jail manufactures generally. But I agree to some extent with the honourable member from North Rohtak that it is desirable to retain grinding from some aspects of view, particularly as regards punishments. The honourable member from Gujranwala mentioned carpet making as a substitute instead, if grinding was given as punishment. I do not think carpet making would be a punishment for a jail offence at all. There must be some form of labour which is not particularly popular to serve this kind of purpose. It is a question whether something else other than grinding can be discovered, and that seems to me to depend rather largely on our examination of the various suggestions made by the Director of Industries.

In connection with the barracks, the honourable member for Gujranwala complained that the barracks were draughted and gave insufficient protection against weather. I think in some cases that probably is so, and attention will be paid to his suggestions. It is of course necessary in a barrack in which a very large number of people sleep together to have a considerable amount of ventilation. There is danger otherwise that in barracks of this kind diseases like tuberculosis may get a footing. But his suggestion is that the matter of ventilation has been overdone. I will bring that suggestion to the notice of the Inspector-General and examine how far the technical officers consider this criticism can be adopted and remedied. As regards dress I think that the dress in summer time is on the whole suitable. When I have been round the jails convicts have complained to me in the winter that their clothes were too exiguous but I have received, I think, less complaints on that score from convicts than that blankets they are given are not sufficient at night. They do not complain of the number of blankets that they are given, they admit that there is a sufficient number, but they say that as time goes on these blankets wore very thin and that sufficient attention has not been paid to the fact that thin blankets are worn out and they should be replaced. When they complain they say they get the reply "You have got the same amount of blankets as anybody else, and you must put up with them." Well, my own view as regards these blankets is that many are too thin and where they are thin a double issue should be made and that this matter requires more attention than clothes. However, as regards details of clothes the next time the Standing Committee on jails meet, I am quite ready to have the question of clothes discussed in detail with them as to whether they are too exiguous. Some conclusions can be come to with their advice. As regards food I notice that non-official members of this House who are non-official visitors are very particular in their tours and inspection of jails always to inspect the food and I read their reports and reports of other non-official visitors and on the whole the impression that I take away is that the non-official visitors are fairly well satisfied with the quality of food supplied. Many of them also look at the quality of the grain and pulses which have been bought and I myself do this when I inspect the jail. I think efforts are being made to give prisoners at any rate wholesome food though I am afraid it cannot be regarded as dainty; there is no complaint as regards *gur*. Convicts now get an issue of *gur*. They get wheaten bread during the summer months. The Superintendents, I note, are regularly inspecting both the cooking and the food and the food itself at least three

[Hon. Sir Geoffrey deMontmorency.]

times every week themselves. As regards civil prisoners under the rules as they stand, no civil prisoner can be compelled to labour. He may work and follow any trade or profession with the leave of the Superintendent. I think Sir, I have dealt with all the suggestions received from various quarters and I have indicated that as regards a number of them we shall consider them either departmentally or in consultation as regards details with the members of the Standing Committee of this legislature.

Chaudhri Afzal Haq : Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

"That a sum not exceeding Rs. 38,21,499 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 1929 in respect of Jails and Convicts Settlements."

The motion was carried.

POLICE GRANT.

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

"That a sum not exceeding Rs. 1,09,77,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Police."

Mr. President : The question is—

"That a sum not exceeding Rs. 1,09,77,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Police."

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 63,23,340—Total pay of establishment—36-B—Police—District Executive Force."

Sir, it is too well-known to require any mention or explanation that the foremost duty of every Government is to protect the life, property and honour of its subject. If this duty is performed conscientiously and efficiently by a Government, not only its peoples remain happy and contented, but the relations of the ruler and the ruled continue to be pleasant. Besides such a Government does not experience any difficulties in its administration. So far as our Government is concerned, it has entrusted this foremost duty to its Police department and, therefore, it is not difficult to guess the importance of the duties of the officers of that department. The importance of the Police department becomes further clear if we look at the figures of expenditure incurred every year for its maintenance. Perhaps next to Irrigation department, the greatest amount of money is being spent on the department under review.

Now let us examine the ways in which the Police department can satisfactorily and efficiently perform its duties and what characteristics and qualifications should a man possess in order to be able to be an efficient and successful police officer. It is a matter of common knowledge, Sir, that without the co-operation of the public it is next door to impossible for the Police

department to do its duties as these ought to be done. And it is also an open secret that before we can reasonably expect the public to co-operate, it is essential that certain conditions must be fulfilled. The most important of these conditions is that the police officers should behave so courteously and humbly towards the public as to create an impression in the minds of the latter that they are the servants and not the masters of the people. They should act in a manner as to attract the people towards them. People must love them and have confidence in them before they can come forward to help the police in the detection of crimes. But, Sir, unfortunately we come across very few police officers in our Province at least whose behaviour towards the public is low. I sometime wonder at the marvellous effect of the police uniform on those who come to wear it because as soon as they wear it they undergo a complete metamorphosis. They forget their kith and kin and refuse to recognise their brethren when they are in that uniform. Go and see for yourself how even a police constable behaves towards the public when he is in his uniform. While he passes a street or a bazaar, he pushes the passers by this way and that way with his lathi or with his awe-inspiring tongue. He, perhaps, feels that he is the master of all he surveys. Under the circumstances how can you expect the people to co-operate with the police officers of this brand. They are afraid of coming near the latter because of the harsh treatment that they receive at the hands of the police officers. Before I proceed further I must admit that there are some such police officers as are courteous and well behaved and it gives me pleasure to add that these officers invariably succeed in tracing out all cases that are entrusted to them for investigation. But it is a pity that such officers can be counted on fingers. The rest are not courteous and they always try to inspire awe into the minds of the people who naturally keep away from them. Such officers never receive co-operation from the public and consequently in most of the cases they fail to trace out the culprits. It is, therefore, of utmost importance that this fact should be brought home to all police officers very clearly and emphatically that they are the servants of the people and not their masters. I notice that in Police Training School at Phillaur more than sufficient attention is paid to drill and parade and similar amount of attention is paid to the teaching of law and Police Rules. But neither in that school nor anywhere else such an arrangement exists by which the police officers should be taught to think that they are public servants and not masters and that they must behave properly towards the public. In my opinion a system of lectures should be arranged in the school at Phillaur and in police lines whereby the police officers should be impressed with the necessity of good behaviour towards the public and in such lectures they should be told that in advanced countries, police officers behave wonderfully. They should be further made to feel that if their powers are vast, their duties are still more important and of arduous nature.

Then in order to achieve efficiency in the Police department, the system of investigation should be improved. Our police officers should be taught to use their brains more than their hands. There are so many books available in the market which deal with the detection of crimes and such books can be read by our police officers with advantage. In European countries and particularly in Scotland Yard, the detective department is fully equipped and they treat the detection of crimes as a science in itself. On receiving

[Rana Firoz-ud-Din Khan.]

reports of any serious offence committed, they silently and studiously remain busy in finding out the culprits and they are seen actively moving only after they have succeeded to lay their hands on the real culprits. In the meanwhile no one is arrested or taken into police custody. Nothing undesirable is done and no bribes are taken or extorted from the suspects. There, the police officers proceed wisely and intelligently while detecting crimes. Because they constantly use their brains, they are growing very efficient in the art of detecting crimes. But here in the Punjab only brutal force is employed and in the use of that force our officers have no equals in any other civilised country. They are not using their brains and, for want of use, their brains have now become useless as it happens in the case of any other organ when it is not used. Our officers rely upon their *dandas* for the detection of crimes and if they were to refrain from using that brutal force to-day I am sure that 99 per cent. of the cases must remain untraced. In this connection I may state for the information of the House, if it does not know already, that many cases of thefts are not reported to the police particularly if the loss sustained by the victims is not much. Do you know why such reports are suppressed? Evidently such reports are suppressed because the victims do not like to undergo all the hardships and inconveniences to which they are put by the police officers when they come to investigate the cases reported to them. I need not point out that whenever these police officers go to the place of occurrence for investigation of the case, they summon all the persons living near the locality without distinction of their being respectable or not and when all of them have come, it appears that a sort of *mela* is being held at that place. Law does not allow these officers to summon every person and take any of them in custody. They can only send for such person against whom there are strong reasons to believe that he is either connected with the offence committed in any way or that he possesses some knowledge about that offence. They are further directed to summon the suspects by a written order. But we know that these rules and regulations are set aside and many persons are sent for without any written order. This is perhaps done to make it impossible for the complainants, if there may be any, to substantiate the charge of irregularity against the police officers. In my opinion this defective system of investigation is mainly responsible for the corruption in the Police department. It is on such occasions that the police officer get a chance of extorting huge sums from the suspects who prefer satisfying their greed to undergoing many hardships which await them in the custody of police. I think that the system of investigation, the evil of corruption and the efficiency of the police are closely allied subjects and if one is improved, improvement in the other is sure to follow. So long as these defects, which I have pointed out, are not removed, public can have no confidence in the police nor it can have any respect for the police officers and consequently they cannot co-operate with the latter. And so long as public and police do not work in co-operation, police cannot efficiently perform its duties. It is, therefore, necessary that the police officers should be taught to behave properly towards the public in the first instance. Then the system of investigation should be improved. To achieve the second object I think there is no need of making any fresh rules or regulations. If only the present provisions in law are strictly en-

forced I think the present system of investigation can be very well improved. Take away the *dandas* from the police. Burn then if you like and insist that the brains should be used in the investigation of cases. I was wonderstruck to learn from a high police officer on one occasion that I would feel the necessity of *danda* only if I were myself the victim of thieves. He very eloquently remarked that without the use of force it was impossible to detect the culprits. I then reminded him that if that was the case, their claim to civilisation was false. I told him further that if the police could not do without *danda*, there was no difference between their Government and the Governments of the autocratic rulers of the old times. This silenced him for some time but he insisted that use of brutal force could not be done away with altogether.

Sir, like the Jails department, the Police department has also a long history. From time to time complaints have been brought to the notice of Government in this Council and outside this Council with regard to the administration of the Police department. In view of those complaints an Enquiry Committee was appointed in 1926 which suggested many ways in which those complaints could be removed. The Committee had before it all the complaints regarding corruption, the misbehaviour of the police officers and their inefficiency in the discharge of their duties. All these questions were gone into by the Committee and besides other things it suggested that the grades of certain classes of officers should be revised. Sir, after two years consideration of the report of the Committee the pay of the officers is being revised as it is apparent from the Budget. A sum of nine lakhs has been added to the grant for the police department. I do not grudge that increase in pay. I rather wish that deserving servants of the Government should be given that increase. But I am sorry to point out that the complaints of the public have not been removed. I am further sorry to point out that even no announcement has been made as to whether Government proposes to adopt some measure sooner or later in order to eradicate corruption from police and to make the working of the police department efficient. I may say that I do not like a simple announcement unless it is accompanied by an assurance that the measures announced to be undertaken will be adopted to the letter.

Mr. President : Demand under discussion, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs 63,23,340—total pay of establishment—23-B—Police—District Executive Force"

The question is that that motion be adopted.

Khan Bahadur Captain Sardar Sikandar Hayat Khan (Muhammadan Landholders): Sir, as I happened to be on the Police Committee which was appointed by the Government in 1926, I may be allowed to say a few words regarding the matters raised by my honourable friend, the member for South-East Towns (Muhammadan) Urban.....

At this stage the Council adjourned till 2 P.M. on Tuesday, the 13th March 1928.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

333 PLC-390-27-3-36-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL,

Tuesday, the 13th March 1928.

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

UNSTARRED QUESTIONS AND ANSWERS.

HONORARY MAGISTRATES.

615. Khan Muhammad Abdullah Khan : Will the Honourable Member for Finance be pleased to state if there is a bench of honorary magistrates at Zafarwal, district Sialkot? If so, when was it established and what powers has it been exercising? When is it proposed to enhance its powers?

The Honourable Sir Geoffrey deMontmorency : It is understood the honourable member refers to the bench of honorary magistrates exercising 3rd class powers with jurisdiction over the Narowal tahsil and that part of the Pasrur tahsil which is within the jurisdiction of the Zafarwal police station. This bench was first constituted in 1921, and the question of enhancing its powers is not one that arises automatically but depends on the need there is in the locality for a bench with higher criminal powers and on the capacity and efficiency of the Bench.

SAYAD MUHAMMAD HUSSAIN, LATE TEACHER, GOVERNMENT TECHNICAL SCHOOL, LAHORE.

616. Khan Muhammad Abdullah Khan : (a) Will the Honourable Minister for Education be pleased to state if it is a fact that the promotion of Sayad Muhammad Husain, late teacher, Government Technical School, Lahore, and now a teacher of the Government High School, Zafarwal, has been stopped for two years? If so, why?

(b) Will the Honourable the Minister for Education be pleased to state whether the above-mentioned teacher brought certain allegations against Lala Madan Copal, Headmaster, Technical School, Lahore? If so, have these allegations been enquired into, and if so, with what result?

(c) Will the Honourable the Minister for Education be pleased to state the allegations made by the said teacher in his memorial?

The Honourable Mr. Manohar Lal : (a) Yes. On the recommendations of the Committee of Enquiry, consisting of Director of Industries, Punjab, and Assistant Director of Public Instruction, Punjab, appointed to enquire into the conduct of Sayad Muhammad Husain.

[Hon. Mr. Manohar Lal.]

(b) Yes. The allegations brought against Rai Sahib Madan Gopal were placed before the said Committee. As Sayad Muhammad Hussain disclaimed all personal knowledge of the allegations and said that his statement was based on hearsay only, the Committee did not take any action in the matter.

(c) Government does not think it to be in public interest to publish allegations against its officers that have proved to be baseless.

SCHOOL CONTINGENCIES.

617. Chaudhri Duli Chand : (1) Will the Honourable Minister for Education kindly state—

(a) the present scale for the different items of school contingencies as referred to in (b) of article 26 of chapter III of the eleventh edition of the Punjab Education Code ;

(b) the present scale of approved expenditure for hostels as referred to in article 31 of chapter III of the eleventh edition of the Punjab Education Code ?

The Honourable Mr. Manohar Lal : Inspectors of Schools have been instructed to follow the scales laid down for Government schools. These scales have been laid on the table.

SCALE OF CONTINGENCIES ALLOWED TO AIDED SCHOOLS FOR GRANT PURPOSES.

Schools.	CONTRACT CONTINGENCIES.					LIBRARY.		REPAIRS.	
	Furniture and appliances.	Stationery.	Hot and cold weather charges.	Postage.	Miscellaneous.	Books.	Periodicals.	Petty repairs for schools (that charge estimated rent).	Annual repairs for Schools on which no rent actual or estimated is allowed.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Middle Schools ...	250	40	60	20	80	40	20	60	150
High Schools with 8 sections.	250	50	75	25	100	50	30	80	200
High Schools with 12 sections.	400	80	90	30	150	60	30	100	300
High Schools with 20 sections.	500	80	100	35	175	80	30	120	400
High Schools with more than 20 sections.	550	90	120	40	200	100	30	150	500

SCALE OF CONTINGENCIES ALLOWED TO BOARDING HOUSES OF AIDED SCHOOLS FOR GRANT PURPOSES.

	Superintendent.	Chowkidar.	Sweeper.	Medical Attendant.	Furniture (ordinary repairs and renewal of furniture such as beds, boxes, chairs, stools and almshouses).	Miscellaneous.	Annual repairs of Boarding Houses for which no rent actual or estimated is allowed.	Lighting.	Remarks.
Boarding House with 20 boarders.	Ra. 10 per month for less than 50 boarders.	One Chowkidar at Ra. 18 per month.	One sweeper at Ra. 18 per month.	None.	Ra. 50.	Ra. 12.	Ra. 50.	Ra. 5 per month for purposes of supervision only.	
Boarding House with 50 boarders.	Ra. 20 from 50 to 90 boarders.	...	...	...	100.	24.	125.	...	
Boarding House with 100 boarders.	Ra. 30 for over 90 boarders.	...	...	...	175.	45.	250.	...	
Boarding House with 200 boarders.	Ditto	...	...	...	200.	60.	350.	...	
Boarding House with 200 and upwards.	Ditto	...	...	...	300.	72.	450.	...	

Sub-Assistant Surgeon.

Assistant Surgeon.	Ra.	Sub-Assistant Surgeon.	Ra.
Up to 50 scholars	...	Up to 25 scholars	...
From 51 to 100 scholars	...	From 26 to 50 scholars	...
From 101 to 150 scholars	...	From 51 to 75 scholars	...
From 151 to 200 scholars	...	From 76 to 100 scholars	...
From 201 to 250 scholars	...	From 101 to 125 scholars	...
From 251 to 300 scholars	...	From 126 to 150 scholars	...
From 301 to 350 scholars	...	From 151 to 175 scholars	...
From 351 to 400 scholars	...	From 176 to 200 scholars	...
From 401 to 450 scholars	...	From 201 to 225 scholars	...
From 451 to 500 scholars	...	From 226 to 250 scholars	...
From 501 to 550 scholars	...	From 251 to 275 scholars	...
From 551 to 600 scholars	...	From 276 to 300 scholars	...
From 601 to 650 scholars	...	From 301 to 325 scholars	...
From 651 to 700 scholars	...	From 326 to 350 scholars	...
From 701 to 750 scholars	...	From 351 to 375 scholars	...
From 751 to 800 scholars	...	From 376 to 400 scholars	...
From 801 to 850 scholars	...	From 401 to 425 scholars	...
From 851 to 900 scholars	...	From 426 to 450 scholars	...
From 901 to 950 scholars	...	From 451 to 475 scholars	...
From 951 to 1000 scholars	...	From 476 to 500 scholars	...
From 1001 to 1050 scholars	...	From 501 to 525 scholars	...
From 1051 to 1100 scholars	...	From 526 to 550 scholars	...
From 1101 to 1150 scholars	...	From 551 to 575 scholars	...
From 1151 to 1200 scholars	...	From 576 to 600 scholars	...
From 1201 to 1250 scholars	...	From 601 to 625 scholars	...
From 1251 to 1300 scholars	...	From 626 to 650 scholars	...
From 1301 to 1350 scholars	...	From 651 to 675 scholars	...
From 1351 to 1400 scholars	...	From 676 to 700 scholars	...
From 1401 to 1450 scholars	...	From 701 to 725 scholars	...
From 1451 to 1500 scholars	...	From 726 to 750 scholars	...
From 1501 to 1550 scholars	...	From 751 to 775 scholars	...
From 1551 to 1600 scholars	...	From 776 to 800 scholars	...
From 1601 to 1650 scholars	...	From 801 to 825 scholars	...
From 1651 to 1700 scholars	...	From 826 to 850 scholars	...
From 1701 to 1750 scholars	...	From 851 to 875 scholars	...
From 1751 to 1800 scholars	...	From 876 to 900 scholars	...
From 1801 to 1850 scholars	...	From 901 to 925 scholars	...
From 1851 to 1900 scholars	...	From 926 to 950 scholars	...
From 1901 to 1950 scholars	...	From 951 to 975 scholars	...
From 1951 to 2000 scholars	...	From 976 to 1000 scholars	...
From 2001 to 2050 scholars	...	From 1001 to 1025 scholars	...
From 2051 to 2100 scholars	...	From 1026 to 1050 scholars	...
From 2101 to 2150 scholars	...	From 1051 to 1075 scholars	...
From 2151 to 2200 scholars	...	From 1076 to 1100 scholars	...
From 2201 to 2250 scholars	...	From 1101 to 1125 scholars	...
From 2251 to 2300 scholars	...	From 1126 to 1150 scholars	...
From 2301 to 2350 scholars	...	From 1151 to 1175 scholars	...
From 2351 to 2400 scholars	...	From 1176 to 1200 scholars	...
From 2401 to 2450 scholars	...	From 1201 to 1225 scholars	...
From 2451 to 2500 scholars	...	From 1226 to 1250 scholars	...
From 2501 to 2550 scholars	...	From 1251 to 1275 scholars	...
From 2551 to 2600 scholars	...	From 1276 to 1300 scholars	...
From 2601 to 2650 scholars	...	From 1301 to 1325 scholars	...
From 2651 to 2700 scholars	...	From 1326 to 1350 scholars	...
From 2701 to 2750 scholars	...	From 1351 to 1375 scholars	...
From 2751 to 2800 scholars	...	From 1376 to 1400 scholars	...
From 2801 to 2850 scholars	...	From 1401 to 1425 scholars	...
From 2851 to 2900 scholars	...	From 1426 to 1450 scholars	...
From 2901 to 2950 scholars	...	From 1451 to 1475 scholars	...
From 2951 to 3000 scholars	...	From 1476 to 1500 scholars	...
From 3001 to 3050 scholars	...	From 1501 to 1525 scholars	...
From 3051 to 3100 scholars	...	From 1526 to 1550 scholars	...
From 3101 to 3150 scholars	...	From 1551 to 1575 scholars	...
From 3151 to 3200 scholars	...	From 1576 to 1600 scholars	...
From 3201 to 3250 scholars	...	From 1601 to 1625 scholars	...
From 3251 to 3300 scholars	...	From 1626 to 1650 scholars	...
From 3301 to 3350 scholars	...	From 1651 to 1675 scholars	...
From 3351 to 3400 scholars	...	From 1676 to 1700 scholars	...
From 3401 to 3450 scholars	...	From 1701 to 1725 scholars	...
From 3451 to 3500 scholars	...	From 1726 to 1750 scholars	...
From 3501 to 3550 scholars	...	From 1751 to 1775 scholars	...
From 3551 to 3600 scholars	...	From 1776 to 1800 scholars	...
From 3601 to 3650 scholars	...	From 1801 to 1825 scholars	...
From 3651 to 3700 scholars	...	From 1826 to 1850 scholars	...
From 3701 to 3750 scholars	...	From 1851 to 1875 scholars	...
From 3751 to 3800 scholars	...	From 1876 to 1900 scholars	...
From 3801 to 3850 scholars	...	From 1901 to 1925 scholars	...
From 3851 to 3900 scholars	...	From 1926 to 1950 scholars	...
From 3901 to 3950 scholars	...	From 1951 to 1975 scholars	...
From 3951 to 4000 scholars	...	From 1976 to 2000 scholars	...
From 4001 to 4050 scholars	...	From 2001 to 2025 scholars	...
From 4051 to 4100 scholars	...	From 2026 to 2050 scholars	...
From 4101 to 4150 scholars	...	From 2051 to 2075 scholars	...
From 4151 to 4200 scholars	...	From 2076 to 2100 scholars	...
From 4201 to 4250 scholars	...	From 2101 to 2125 scholars	...
From 4251 to 4300 scholars	...	From 2126 to 2150 scholars	...
From 4301 to 4350 scholars	...	From 2151 to 2175 scholars	...
From 4351 to 4400 scholars	...	From 2176 to 2200 scholars	...
From 4401 to 4450 scholars	...	From 2201 to 2225 scholars	...
From 4451 to 4500 scholars	...	From 2226 to 2250 scholars	...
From 4501 to 4550 scholars	...	From 2251 to 2275 scholars	...
From 4551 to 4600 scholars	...	From 2276 to 2300 scholars	...
From 4601 to 4650 scholars	...	From 2301 to 2325 scholars	...
From 4651 to 4700 scholars	...	From 2326 to 2350 scholars	...
From 4701 to 4750 scholars	...	From 2351 to 2375 scholars	...
From 4751 to 4800 scholars	...	From 2376 to 2400 scholars	...
From 4801 to 4850 scholars	...	From 2401 to 2425 scholars	...
From 4851 to 4900 scholars	...	From 2426 to 2450 scholars	...
From 4901 to 4950 scholars	...	From 2451 to 2475 scholars	...
From 4951 to 5000 scholars	...	From 2476 to 2500 scholars	...
From 5001 to 5050 scholars	...	From 2501 to 2525 scholars	...
From 5051 to 5100 scholars	...	From 2526 to 2550 scholars	...
From 5101 to 5150 scholars	...	From 2551 to 2575 scholars	...
From 5151 to 5200 scholars	...	From 2576 to 2600 scholars	...
From 5201 to 5250 scholars	...	From 2601 to 2625 scholars	...
From 5251 to 5300 scholars	...	From 2626 to 2650 scholars	...
From 5301 to 5350 scholars	...	From 2651 to 2675 scholars	...
From 5351 to 5400 scholars	...	From 2676 to 2700 scholars	...
From 5401 to 5450 scholars	...	From 2701 to 2725 scholars	...
From 5451 to 5500 scholars	...	From 2726 to 2750 scholars	...
From 5501 to 5550 scholars	...	From 2751 to 2775 scholars	...
From 5551 to 5600 scholars	...	From 2776 to 2800 scholars	...
From 5601 to 5650 scholars	...	From 2801 to 2825 scholars	...
From 5651 to 5700 scholars	...	From 2826 to 2850 scholars	...
From 5701 to 5750 scholars	...	From 2851 to 2875 scholars	...
From 5751 to 5800 scholars	...	From 2876 to 2900 scholars	...
From 5801 to 5850 scholars	...	From 2901 to 2925 scholars	...
From 5851 to 5900 scholars	...	From 2926 to 2950 scholars	...
From 5901 to 5950 scholars	...	From 2951 to 2975 scholars	...
From 5951 to 6000 scholars	...	From 2976 to 3000 scholars	...
From 6001 to 6050 scholars	...	From 3001 to 3025 scholars	...
From 6051 to 6100 scholars	...	From 3026 to 3050 scholars	...
From 6101 to 6150 scholars	...	From 3051 to 3075 scholars	...
From 6151 to 6200 scholars	...	From 3076 to 3100 scholars	...
From 6201 to 6250 scholars	...	From 3101 to 3125 scholars	...
From 6251 to 6300 scholars	...	From 3126 to 3150 scholars	...
From 6301 to 6350 scholars	...	From 3151 to 3175 scholars	...
From 6351 to 6400 scholars	...	From 3176 to 3200 scholars	...
From 6401 to 6450 scholars	...	From 3201 to 3225 scholars	...
From 6451 to 6500 scholars	...	From 3226 to 3250 scholars	...
From 6501 to 6550 scholars	...	From 3251 to 3275 scholars	...
From 6551 to 6600 scholars	...	From 3276 to 3300 scholars	...
From 6601 to 6650 scholars	...	From 3301 to 3325 scholars	...
From 6651 to 6700 scholars	...	From 3326 to 3350 scholars	...
From 6701 to 6750 scholars	...	From 3351 to 3375 scholars	...
From 6751 to 6800 scholars	...	From 3376 to 3400 scholars	...
From 6801 to 6850 scholars	...	From 3401 to 3425 scholars	...
From 6851 to 6900 scholars	...	From 3426 to 3450 scholars	...
From 6901 to 6950 scholars	...	From 3451 to 3475 scholars	...
From 6951 to 7000 scholars	...	From 3476 to 3500 scholars	...
From 7001 to 7050 scholars	...	From 3501 to 3525 scholars	...
From 7051 to 7100 scholars	...	From 3526 to 3550 scholars	...
From 7101 to 7150 scholars	...	From 3551 to 3575 scholars	...
From 7151 to 7200 scholars	...	From 3576 to 3600 scholars	...
From 7201 to 7250 scholars	...	From 3601 to 3625 scholars	...
From 7251 to 7300 scholars	...	From 3626 to 3650 scholars	...
From 7301 to 7350 scholars	...	From 3651 to 3675 scholars	...
From 7351 to 7400 scholars	...	From 3676 to 3700 scholars	...
From 7401 to 7450 scholars	...	From 3701 to 3725 scholars	...
From 7451 to 7500 scholars	...	From 3726 to 3750 scholars	...
From 7501 to 7550 scholars	...	From 3751 to 3775 scholars	...
From 7551 to 7600 scholars	...	From 3776 to 3800 scholars	...
From 7601 to 7650 scholars	...	From 3801 to 3825 scholars	...
From 7651 to 7700 scholars	...	From 3826 to 3850 scholars	...
From 7701 to 7750 scholars	...	From 3851 to 3875 scholars	...
From 7751 to 7800 scholars	...	From 3876 to 3900 scholars	...
From 7801 to 7850 scholars	...	From 3901 to 3925 scholars	...
From 7851 to 7900 scholars	...	From 3926 to 3950 scholars	...
From 7901 to 7950 scholars	...	From 3951 to 3975 scholars	...
From 7951 to 8000 scholars	...	From 3976 to 4000 scholars	...
From 8001 to 8050 scholars	...	From 4001 to 4025 scholars	...
From 8051 to 8100 scholars	...	From 4026 to 4050 scholars	...
From 8101 to 8150 scholars	...	From 4051 to 4075 scholars	...
From 8151 to 8200 scholars	...	From 4076 to 4100 scholars	...
From 8201 to 8250 scholars	...	From 4101 to 4125 scholars	...
From 8251 to 8300 scholars	...	From 4126 to 4150 scholars	...
From 8301 to 8350 scholars	...	From 4151 to 4175 scholars	...
From 8351 to 8400 scholars	...	From 4176 to 4200 scholars	...
From 8401 to 8450 scholars	...	From 4201 to 4225 scholars	...
From 8451 to 8500 scholars	...	From 4226 to 4250 scholars	...
From 8501 to 8550 scholars	...	From 4251 to 4275 scholars	...
From 8551 to 8600 scholars	...	From 4276 to 4300 scholars	...
From 8601 to 8650 scholars	...	From 4301 to 4325 scholars	...
From 8651 to 8700 scholars	...	From 4326 to 4350 scholars	...
From 8701 to 8750 scholars	...	From 4351 to 4375 scholars	...
From 8751 to 8800 scholars	...	From 4376 to 4400 scholars	...
From 8801 to 8850 scholars	...	From 4401 to 4425 scholars	...
From 8851 to 8900 scholars	...	From 4426 to 4450 scholars	...
From 8901 to 8950 scholars	...	From 4451 to 4475 scholars	...
From 8951 to 9000 scholars	...	From 4476 to 4500 scholars	...
From 9001 to 9050 scholars	...	From 4501 to 4525 scholars	...
From 9051 to 9100 scholars	...	From 4526 to 4550 scholars	...
From 9101 to 9150 scholars	...	From 4551 to 4575 scholars	...
From 9151 to 9200 scholars	...	From 4576 to 4600 scholars	...
From 9201 to 9250 scholars	...	From 4601 to 4625 scholars	...
From 9251 to 9300 scholars	...	From 4626 to 4650 scholars	...
From 9301 to 9350 scholars	...	From 4651 to 4675 scholars	...
From 9351 to 9400 scholars	...	From 4676 to 4700 scholars	...
From 9401 to 9450 scholars	...	From 4701 to 4725 scholars	...
From 9451 to 9500 scholars	...	From 4726 to 4750 scholars	...
From 9501 to 9550 scholars	...	From 4751 to 4775 scholars	...
From 9551 to 9600 scholars	...	From 4776 to 4800 scholars	...
From 9601 to 9650 scholars	...	From 4801 to 4825 scholars	...
From 9651 to 9700 scholars	...	From 4826 to 4850 scholars	...
From 9701 to 9750 scholars	...	From 4851 to 4875 scholars	...
From 9751 to 9800 scholars	...	From 4876 to 4900 scholars	...
From 9801 to 9850 scholars	...	From 4901 to 4925 scholars	...
From 9851 to 9900 scholars	...	From 4926 to 4950 scholars	...
From 9901 to 9950 scholars	...	From 4951 to 4975 scholars	...
From 9951 to 10000 scholars	...	From 4976 to 5000 scholars	...

Note.—No grant shall be made in either case for a school of less than 15 scholars.

STORM WATER DRAINAGE SCHEME OF THE FEROZEPORE CITY.

618. Mr. E. Maya Das : (a) Is it a fact that the storm water drainage scheme of the Ferozepore city municipal area has been under consideration for a long time ?

(b) Is it a fact that some difficulties have arisen and are holding up the scheme, if so, what is the nature of these difficulties and by what date may the scheme be expected to be completed ?

The Honourable Malik Firoz Khan, Noon : Ferozepore drainage extension scheme, parts I and II (Drainage of bastis and storm water disposal) was sanctioned by Government early in 1927, at an estimated cost of Rs. 82,944.

The drainage scheme for bastis was taken in hand and has nearly been completed.

The scheme of storm water disposal, on the other hand, could not be taken in hand for the reasons given below :—

- (i) This scheme provided for the construction of two subsidiary storm channels aligned to run on the outside of the circular road so as to bring the whole of the storm water from three-quarters of the area of the town to a point outside the Kasuri Gate, whence the storm outfall had to be taken in a westerly direction into an old creek of the Sutlej, where, after crossing the Holmes protective bund, it would discharge into a large depression. Heavy type tidal flaps were proposed to be provided at the outlet point to prevent the heading back along the storm channel of river water during heavy floods. The building of the Ferozepore weir and the consequent ponding up of the river water behind the weir has however rendered the proposal described above impracticable in its original form.
- (ii) Meanwhile the Sanitary Engineer learnt that with a view to preventing waterlogging near Ferozepore as a result of the construction of the Ferozepore weir, the Irrigation Department had convened a committee of experts, who had advised the adoption of the following remedial measures :—
- (a) a line of tube wells to be sunk between the river embankment and the city ;
 - (b) a catch water drain to be provided at the foot of an intermediate embankment to be built between the lake and the Holmes bund ;
 - (c) a collecting sump with a leading channel to the Bikaner Canal and pumping plant to be provided.

The Superintending Engineer, 1st British Circle, Sutlej Valley Project, who is working out the technical details and estimates of these measures has promised to supply to the Sanitary Engineer detailed information regarding them, on receipt of which it will be seen if the storm drainage scheme for Ferozepore could be given practical shape in conjunction with them.

LICENSES FOR KEEPING REVOLVERS.

619. Sardar Ujjal Singh : (a) Will the Honourable the Revenue Member please state whether instructions have been given to Deputy Commissioners for restricting the number of licenses for keeping revolvers?

(b) If so, what are the reasons for the same?

The Honourable Mian Sir Fazl-i-Husain : A comparison of the licenses for revolvers and pistols in the Punjab in 1919 with those in 1924 showed that they had increased very considerably more than doubled, so Deputy Commissioners were requested to exercise caution in the grant of new licenses for revolvers. Keeping in view the facility with which revolvers lend themselves to commission of crime, caution was desirable.

HEAD-QUARTERS OF THE PROPOSED SUB-DIVISION OF NAROWAL
AND SHAKARGARH TAHSILS.

620. Khan Muhammad Abdullah Khan : Is it proposed to amalgamate tahsil Shakargarh with the Sialkot district and then to convert the Narowal and Shakargarh tahsils into a sub-division? If so, which is the more central place, Zafarwal or Narowal, for the head-quarters of the proposed sub-division?

The Honourable Mian Sir Fazl-i-Husain : Government is not aware of such a proposal.

ADMISSION AS PETITION-WRITERS IN THE MIANWALI DISTRICT.

621. Khan Sahib Khan Muhammad Saif Ullah Khan : Will the Government kindly give the number of Muslims, who have been refused admission to be enlisted as petition-writers in the Mianwali district?

The Honourable Sir Geoffrey deMontmorency : One this year.

DISTRICT BOARD MIDDLE AND PRIMARY SCHOOLS.

622. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state—

- (a) the area and population which a district board middle school generally serves;
- (b) the number of district board primary schools, on the average which feed a middle school;
- (c) what will be the total number of district board middle schools and district board primary schools in the province, when the complete programme has been worked out;
- (d) of the total number, how many buildings of middle and primary schools have been constructed and what number remains to be constructed;
- (e) what is the average cost of construction of a middle school and a primary school building;
- (f) what will be the total cost of construction;
- (g) what is the average cost of annual maintenance of a district board middle school and primary school building?

The Honourable Mr. Manohar Lal : The information is not available. It will be supplied to the honourable member when it has been collected.

MUSICAL TALENT IN RURAL AREAS.

623. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state what steps have been taken to encourage musical talent in rural areas?

The Honourable Mr. Manohar Lal : No particular steps have been taken to encourage musical talent in schools in rural areas, but I do not know if any steps have been taken to encourage the talent otherwise in these areas. A certain amount of singing takes place occasionally in some schools where local feeling favours it, and this movement has acquired a little importance in the Ambala Division, but this is all.

SUB-SOIL WATER LEVEL NEAR FEROZEPUR CITY.

624. Mr. E. Maya Das : (a) Is it a fact that the sub-soil water level near Ferozepur city is rising?

(b) If so, to what causes is this due?

(c) What steps does the Honourable Revenue Member propose taking to keep down the sub-soil water level?

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

(b) In the past due to irrigation from the Sirhind Canal and at the present accentuated by the impounding of water at the Ferozepur Headworks.

(c) Pumping from tube wells is being adopted on a line between the city and the river.

SALE PRICE OF LANDS BY DISTRICTS DURING 1926.

625. Mr. E. Maya Das : Will the Honourable Member, Revenue, be pleased to lay on the table a statement showing the average sale price of lands by districts during 1926—

(a) Barani;

(b) Chahi;

(c) Nahri;

(d) Chahi-Nahri?

The Honourable Mian Sir Fazl-i-Husain : A statement containing the information required is laid on the table.

	Barani.	Chahi.	Nahri.	Chahi-Nahri.
	Average sale price per acre.	Average sale price per acre.	Average sale price per acre.	Average sale price per acre.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
1. Hissar	53	..	281	..
2. Rohtak	295	393	393	..
3. Gurgaon	182	304	578	..

	<i>Burari.</i>	<i>Chak.</i>	<i>Nagri.</i>	<i>Chak. Nagri.</i>
	Average sale price per acre.	Average sale price per acre.	Average sale price per acre.	Average sale price per acre.
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
4. Karnal	188	516	358	..
5. Ambala	478	1,841	240	..
6. Simla	1,559	..	..	..
7. Kangra	216	..	724	..
8. Hoshiarpur	814	3,456	480	..
9. Jullundur	965	2,860	..	..
10. Ludhiana	462	1,730	811	..
11. Ferozepore	338	687	394	249
12. Lahore	332	1,135	441	..
13. Amritsar	321	915	1,390	..
14. Gurdaspur	437	598	595	985
15. Sialkot	432	725	540	..
16. Gujranwala	223	415	264	218
17. Sheikhupura	6	263	566	..
18. Gujrat	517	730	981	283
19. Shahpur	515	641	1,320	290
20. Jhelum	308	1,182	..	..
21. Rawalpindi	329	861	915	..
22. Attock	148	1,541	311	..
23. Mianwali	127	..	882	..
24. Montgomery	455	422	610	508
25. Lyallpur	..	..	918	..
26. Jhang	..	626	115	..
27. Multan	..	214	388	408
28. Muzaffargarh	..	764	143	298
29. Dera Ghazi Khan	100	194	126	235

UNIVERSITY AND GOVERNMENT SCHOLARSHIPS.

626. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state—

- (a) the total number of University and Government Scholarships granted to students on passing the Matriculation Examination ;
- (b) the number exclusively meant for girls ;
- (c) when the scholarships for boys were originally established ;
- (d) the object with which these scholarships were brought into existence ;
- (e) the number of boys that appeared for the Entrance Examination in those days and the number that appears now ?

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

COMPENSATION TO OWNERS WHOSE LANDS ARE DUG UP FOR EXTRACTION
OF KUNKER.

627. Sardar Ujjal Singh : Will the Government be pleased to lay a statement on the table showing by districts the rates at which compensation is paid to owners whose lands are dug up for extraction of kunker ?

The Honourable Mian Sir Fazl-i-Husain : No such scale of compensation has been fixed by districts. The rate varies accordingly to circumstances from annas 4 to annas 8 per 100 cubic feet and custom generally determines the rate in any particular district. This compensation is for disturbance and is quite apart from payment on account of royalty.

BORING FEES.

628. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Minister for Agriculture be pleased to state whether at one time the Government announced that no boring fee would be charged from the zamindars for setting up pipes and tube-wells ?

(b) Has it come to the notice of the Honourable Minister that a boring fee of Rs. 50 is charged from the zamindars by the Agriculture Department ?

(c) Is the fee charged with the approval of the Government ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) Yes.

(c) Yes, but orders have recently issued abolishing the overhead charge of Rs. 50 per successful well bore.

BORING PIPES.

629. Chaudhri Muhammad Abdul Rahman Khan : (a) Has it come to the notice of the Honourable Minister for Agriculture that the price charged by the Agriculture Department for the boring pipes is much higher than their market value ? If so, will the Honourable Minister kindly state the reasons why ?

(b) What objection, if any, does the Government have to do the boring operations in case the zamindars themselves supply the pipes ?

The Honourable Sardar Jogendra Singh : I regret the answer to this question is not yet ready. A reference has been made to the Director of Agriculture, Punjab.

BORING OPERATIONS.

630. Chaudhri Muhammad Abdul Rahman Khan : Why does not the Government do the boring operations for the zamindars when they desire to set up pipes and tube-wells on their own responsibility as an experimental measure ?

The Honourable Sardar Jogendra Singh : The question is under consideration

AGRICULTURAL WORKS.

631. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Agriculture kindly state whether there is any engineering staff under the department of agriculture to prepare estimates of agricultural works for the zamindars, and if so, whether this staff does this work free of charge ? If not, why not ?

The Honourable Sardar Jogendra Singh : Work of this nature is done free of charge by the Engineering Section under the Agricultural Department as far as staff permits.

SUPPLEMENTARY EXAMINATIONS.

632. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education be pleased to state —

- (a) whether in the Western Universities a candidate failing in a particular subject or subjects is examined in that particular subject or subjects only ;
- (b) whether that system is in force in the Punjab University ; if not, why not ;
- (c) why supplementary examinations of plucked candidates can not be held quarterly instead of being held annually ?

The Honourable Mr. Manohar Lal : (a) There is no uniformity of practice in Western Universities.

(b) The Compartment system is in vogue in all the University Examinations under certain conditions as specified in the University Calendar, except the Matriculation, M.O.L., M.A., M. Sc., M. Sc. (Agriculture), First Examination in Commerce, Doctor of Oriental Learning, Doctor of Literature, Doctor of Science, Honours-in-Law, Doctor of Laws, Doctor of Medicine and Master of Surgery Examinations.

(c) Because such a system is unsound educationally and would be most inconvenient administratively.

COMPARTMENT SYSTEM FOR ALL EXAMINATIONS.

633. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education kindly state—

(a) why the compartment system has not been introduced for all examinations ;

(b) why the system of examination obtaining in the medical and veterinary colleges has not been introduced in the Arts Colleges, and why the professors of these colleges do not examine their own students ?

The Honourable Mr. Manohar Lal : (a) The proposal to introduce the compartment system in the first instance originates from the Board of Studies concerned and the system has been very extensively extended. It prevails in the Intermediate, B.A., B.Sc., Law and Medical Examinations, and the Proficiency and High Proficiency Examinations in Vernacular Languages and Diplomas and Literary Titles in Oriental Languages.

(b) No demand for this has been made. The professors in the Arts Colleges do not examine their own students because the answer-papers in the Intermediate and the B. A. Examinations are not, as in the case of the Medical Examinations, marked by two examiners conjointly. In post-graduate and the Honours Schools examinations, the teachers conjointly with other examiners examine their own students.

PUNJAB UNIVERSITY.

634. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education be pleased to state (a) the number of zamindars and non-zamindars, respectively, who are serving on the Senate and Syndicate of the Punjab University ;

(b) whether the Government has been considering any proposals to reform the constitution of the University, if so, since when ;

(c) why the proposals have not yet materialised ;

(d) how long it will take the Government to finally decide upon the changes it proposes to introduce in the University constitution ?

The Honourable Mr. Manohar Lal : The reply to this question is not yet ready, and will be communicated to the honourable member when available.

AGRICULTURE.

635. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education be pleased to state whether it is a fact that, with the exception of the Lyallpur college, the subject of agriculture is not taught in any of the schools or colleges in the province ? If not, why not ?

The Honourable Mr. Manohar Lal : It is not a fact. Practical agriculture is taught in some 122 district board vernacular middle schools and in a certain number of high schools, while Government maintains seven agricultural centres for groups of high schools in accordance with the policy laid down in the C. M. No. 77 of 19th February 1919 and No.

1125-G. S. of 20th September, 1923 (copies of which are laid on the table). The subject is taught in many training institutions and in an intermediate college. It may be added that a committee is now sitting to review the problem in all its aspects.

(Circular letter from the Under-Secretary to Government, Punjab (Ministry of Education) to all Commissioners, Deputy Commissioners and Inspectors of Schools in the Punjab, C. M. No. 1125-G.S., dated Simla, the 21th September 1923.

I AM directed to refer to Mr. Richey's C. M. No. 77, dated February 19th, 1919, in regard to agricultural education in the Punjab.

2. The main proposals of that circular were as follows :—

(a) *Primary Education*.—No attempt should be made to teach technical agriculture and horticulture in primary schools. In consequence, efforts to teach practical agriculture in normal schools (in which the primary teachers are trained) were abandoned. But it was resolved that nature study should form an essential part of the teaching in primary schools : and that text-books in use in rural primary schools should be adapted to the environment of the pupil.

(b) *Vernacular Secondary Education*.—A very important departure from prevalent practice was agreed upon in this respect. In the first place, it was decided to include, and to provide for, teaching in agriculture in the ordinary vernacular middle schools rather than to start agricultural middle schools of a special type. The aim was therefore to enrich the middle course in rural areas by the inclusion of agricultural teaching and thus to bring it more in keeping with the lives of the pupils, rather than to provide a purely vocational course at this early stage. The object was to use agriculture as a means of mental discipline and training and as an accessory to the general subjects taught in these schools. In the second place, having declared its educational objective in inaugurating the new scheme, the Punjab Government decided that the training should be of a practical as well as of a theoretical nature. For the fulfilment of this object, it was proposed to attach to thirty vernacular middle schools of the province school farms of about three acres each. It was estimated that the average initial cost of each farm (including the purchase of the land) would approximate Rs. 3,500. In the third place, the aim being mainly educational rather than agricultural, it was decided that the teaching should be conducted by specially selected and trained teachers of the senior-vernacular grade rather than by men with agricultural qualifications who had received a course in pedagogy. In consequence, plans were prepared to provide annually for the training of twenty teachers at the then proposed senior-vernacular college at Lyallpur, who would be eligible for an allowance of Rs. 10 per mensem for teaching agriculture in the schools.

[Hon. Mr. Manohar Lal.]

(c) *Anglo-vernacular Secondary Education*.—It was resolved to substitute, in anglo-vernacular middle schools, a course of agricultural science for the present science course; and that it should be succeeded by teaching during the high school stage, whose main object should be the inculcation of sound agricultural principles. This theoretical teaching was to be accompanied by some practical training. For this purpose it was proposed to open twenty agricultural high school centres, at an estimated cost of Rs. 7,750 each. The farm of each centre was to approximate an area of five acres; and the centre was to be available to all high schools in the vicinity.

3. The Minister is of opinion that the time has now arrived to review the results of these experiments and to make such modifications in the original proposals as seem necessary in the light of experience and in view of the existing financial stringency. It may here be remarked that the Government of India sanctioned a grant of Rs. 4,69,000 from Imperial revenues to enable the several proposals to be carried into effect. It is also important to note that the scheme of agricultural teaching in vernacular middle schools was discussed and generally approved by a conference of agricultural experts at Pusa in the early part of 1922, at which the Director of Agriculture and the Director of Public Instruction, Punjab, were present.

4. *Primary Education*.—The Minister is still of opinion that no attempt should be made to teach practical agriculture in primary schools. Indeed, the experience of the past few years has indicated the advisability of a further simplification of the primary course, a matter which has recently been discussed and reported upon by a committee appointed for that purpose. It is not therefore considered desirable to emphasise the practical aspect of nature study as a separate subject because the efforts of teachers in primary schools must necessarily be mainly directed for some time to come to instruction which has for its chief object the removal of illiteracy. On the other hand, the Minister endorses the policy of adapting the material of the readers to the environment of the pupils, and hopes, when the report of the Committee referred to above has been examined, to indicate lines along which more suitable readers may be prepared. It will then be necessary to train the teachers so to teach that pupils shall not only learn to read but also to understand and to assimilate the material thus placed before them in the readers. The object in view should be that, on leaving a primary school, the pupils shall have learnt not merely to read and write, but also to take an intelligent interest in things around them.

5. *Vernacular Middle Schools*.—Very considerable progress has been made in carrying out the original policy, as many as 23 vernacular middle schools having school farms attached to them; and there are proposals for other farms which are denied completion merely by the financial stringency. There are also several schools in which temporary arrangements of a more or less satisfactory nature for practical training have been made. The reports which have been received on the working of the system have been, on the whole, most satisfactory. Some of the farms have achieved most excellent results and are self-supporting. Some, again, have attracted the favourable attention of the farmers in the vicinity. The pupils have shown

considerable interest and have been in no way reluctant to undertake the practical work of the farm. The courses and readers which have been prepared by the Inspector of Agricultural Training, have supplied a long-felt need; and the teachers who have been trained at Lyallpur have shown marked aptitude for the work. The theoretical side of the training has also stimulated an intelligent interest by the pupils in the phenomena of nature. The Pusa Conference was well satisfied by this experiment.

6. The success and the experience that have attended this important experiment can now be used to indicate both modifications and expansions of the original scheme. The most important modification, however, has been dictated by the financial stringency. It is not possible, in the first place, for Government to include a large sum each year in the budget; and, indeed, Rs. 20,000 only were included in the Budget for the current year. Thus, taking the average estimate of each farm for initial expenditure at Rs. 3,500 (as laid down in Mr. Richey's Circular, paragraph 5), it is not possible to start more than a few farms each year. Moreover, though considerable reductions are possible through the hire instead of the purchase of bullocks and through a reduction in the cost of the farm buildings, the cost of acquiring the land is now found to be far more than was originally estimated. It has already been suggested that the land might be leased instead of purchased. In the second place, district boards find it increasingly difficult to afford the allowance of Rs. 10 per mensem for the teacher and to meet the deficit that often results on the working of the farm in its initial stages.

7. The Punjab Government (Ministry of Education) does not desire, in view of the success of many of these farms, that they should be abandoned. Indeed, it hopes that, with increased experience, these farms will play an even more important part in future in identifying rural education with rural requirements. But, in view of the financial stringency, it is able to contribute towards the creation of only two new farms in the province next year and, in selecting these, will give preference to those for which complete proposals have already been forwarded to this Department. In order that these 25 farms can be continued without serious embarrassment to district boards, Government is prepared, subject to budget provision and the vote of the Legislative Council, to meet the allowance of Rs. 10 for each approved teacher who has satisfactorily completed the Lyallpur course, and also to contribute towards the loss on the working of an efficiently worked farm up to a maximum of Rs. 100 per annum for a period of five years from the date of the institution of each farm. It is hoped that this maximum of loss will rarely be reached, but it is realised that farms which are intended for demonstration of agricultural processes are often debarred for this very reason from becoming paying propositions. Special farms will be provided for keeping the farm accounts. These accounts, after scrutiny by the inspecting staff and approval by the inspector, should be forwarded by the latter officer to this Department. All expenditure on account of farms (including the allowances, but excluding the salaries of the teachers) should be kept entirely separate from the expenditure on vernacular education in accordance with the five-year programme.

8. It is also felt that considerable advance can be made, in the promotion of agricultural teaching, alongside of the schools with three acre

[Hon. Mr. Manohar Lal.]

farms, by the use of small garden plots (up to a maximum of half an acre in area) attached to other vernacular middle schools, especially in view of the changes in the curriculum which are discussed below. This should result in a largely decreased initial expenditure. The miniature farm or garden might be provided in the school compound or acquired at little or no expense. Bullocks will not be required; and the necessary implements will be few in number and small in cost. Subject to budget provision and to an approved maximum which will be communicated each year, Government is willing again to meet the allowance of Rs. 10 per mensem for each teacher employed who has successfully completed his course of training at Lyallpur, to contribute towards initial expenditure up to a maximum of Rs. 300 per plot, and towards the net deficit on the working of the plot up to a maximum of Rs. 30 per annum for a period of five years from the date of commencing work.

9. The Minister is also of opinion that the school courses should be reviewed. The Committee referred to above has recommended that the present teaching of agriculture might well be expanded into a new subject of rural science, which would include the existing course in agriculture (theoretical as well as practical), would substitute agriculture for pure science, and would embrace subjects such as elementary civics, hygiene, sanitation, physical geography and the principles of co-operation. A revised course along these general proposals is under consideration. It is hoped that this new course will be successful not only in maintaining interest in agriculture, but also in adapting the teaching of rural pupils to rural needs and associations.

10. In regard to the training of teachers in agriculture, a departure has been made from the original proposals discussed in Mr. Richey's Circular. The class has been attached directly to the College of Agriculture at Lyallpur; and not to the senior vernacular college in the same place, the proposals for which have been abandoned. This change was effected mainly in the interests of economy, but it is thought that it has also been beneficial in associating the teachers more intimately with agricultural surroundings. It is now intended so to expand the course of training that the teachers shall become competent to undertake the revised course explained in the previous paragraph. Teachers who successfully complete this revised course will also be eligible for the allowance of Rs. 10 per mensem, when they return to work in the schools and provided that they are placed in charge of the teaching of rural science.

11. *High Schools.*—Very little advance has been made in the completion of this part of the scheme. In very many cases the cost of acquiring a farm of five acres in a large urban centre has proved prohibitive. It has also been most difficult to find suitable teachers. The main objection to the scheme, however, has been that vocational training of this nature is out-of-place in a high school, while the theoretical training in most schools is of an indifferent nature. For those pupils who desire to proceed to a professional college, it is the province of a high school to provide that basis of general training which should precede all professional training. No new high school agricultural centres should therefore be started. In existing centres strict accounts should be kept and submitted to the inspector. If and when

intermediate colleges, comprising the two high and the two intermediate classes are started, the intention is that these colleges shall provide, alongside of the ordinary courses in arts and science, a suitable foundation for professional training not only in agriculture but also in other subjects.

(Circular letter from the Under-Secretary to Government, Punjab, Home (Education) Department, to all Commissioners, Deputy Commissioners and Inspectors of Schools in the Punjab, C. M. No. 77, dated 19th February 1919.)

I AM directed to address you on the subject of Agricultural Education in the Punjab.

The resolutions of the All-India Conference on Agricultural Education held at Simla in June, 1917, were considered by the Punjab Agricultural and Education Departments, and tentative proposals were submitted to a provincial conference on Agricultural Education held in April, 1918, under the chairmanship of the Honourable Mr. H. J. Maynard, C.S.I., and attended by leading representatives of the agricultural community. This conference dealt primarily with elementary and vernacular agricultural education. A second conference held in Simla in July under the chairmanship of the Honourable Mr. C. J. Hallifax, C.B.E., after considering the question further in its relation to Anglo-vernacular education, submitted a complete scheme for agricultural education in the Punjab, together with an estimate of its initial cost.

The Punjab Government accepted the recommendations of the two provincial conferences and forwarded them to the Government of India, with a request for financial assistance towards the introduction of the scheme.

The Government of India signified its approval of the scheme, which is described in this letter, by sanctioning a grant from imperial revenues of Rs. 4,69,000 to enable it to be brought into effect.

2. It will be convenient to deal with the scheme under the three heads. Primary, Vernacular Secondary and Anglo-vernacular Secondary Education.

I.

Primary Education.—The Local Government accepts the recommendation of the provincial conference, which is also that of the All-India Conference, that no attempt should be made to teach technical agriculture and horticulture in primary schools. Universal experience has shown that experiments at this early stage are likely to do more harm than good.

On the other hand, the Lieutenant-Governor agrees with the views of the conference that—

- (a) nature study should form an essential part of the teaching in primary schools; and that
- (b) the text-books in use in rural primary schools should be adapted to the environment of the pupils.

The following changes in the existing system are involved in the acceptance of these proposals—

- (i) the attempt to teach practical agriculture in normal schools, no use of which is made by the students on their subsequent employment in primary schools, will be definitely abandoned;

[Hon. Mr. Manohar Lal.]

- (ii) the present series of object-lessons for primary schools being of little use, a revised course of nature study, drawn up by the Education and Agricultural Departments in consultation, will be substituted. Students in normal schools will be trained to teach this course; and
- (iii) the Punjab Text-Book Committee will be asked to revise the books in use in rural schools in order to incorporate in them lessons dealing with rural life, e.g., the arithmetic books should contain problems such as may arise in the ordinary course of agriculture.

II.

3. *Vernacular Secondary Education.*—The Punjab Conference agreed with the All-India Conference that it is at the secondary stage that the practical and technical teaching of agriculture should be introduced, but differed from the All-India Conference in the method proposed for its introduction.

The All-India Conference had recommended the institution of a number of agricultural middle schools, somewhat on the lines of the school maintained by the Bombay Government at Loni. The Punjab Conference was of opinion that the number of boys willing to attend such special agricultural schools would be small, and their intellectual quality probably poor, since attendance at such a school would mean the definite renunciation by the student of any hope of higher education. For these reasons the conference recommended that the ordinary vernacular middle schools of the Punjab should be utilised for the diffusion of agricultural education. There are 148 of these schools in existence at present with an enrolment of 26,894 and it is contemplated ultimately to raise the number of schools to 446. The number of boys thus receiving practical instruction in agriculture, though small in comparison with the rural population of the Punjab, would be very much larger than the probable attendance at special agricultural schools. The conference considered that, since vernacular middle schools are primarily intended for the agricultural community, it would be justifiable to make agriculture a compulsory part of their curriculum, provided that no boy should thereby be precluded from pursuing his general studies further in a high school and college should his parents so desire. "The committee, however, would for the present give discretion to each district board concerned to adopt either the compulsory or the voluntary introduction of agricultural teaching as it thought fit. This will doubtless furnish such practical experience of the working of both systems as will enable a definite conclusion to be arrived at later, if necessary, as to which system should be ultimately prescribed."

4. The Punjab Government has accepted the views of the provincial conference, and proposes to make use of the vernacular middle schools of the province as the vehicle for the spread of agricultural education.

In order to carry out this policy it is necessary—

- (i) to provide teachers capable of giving instruction in Agriculture in middle schools;
- (ii) to provide land for practical work in proximity to the school, and necessary equipment; and

(iii) to modify the curriculum of these schools in order to work in the new subject.

5. The Punjab Government consequently proposes to take the following steps to fulfil those objects; certain steps indeed it has already taken:—

- (a) The most urgent need being teachers, the Local Government, without waiting for the detailed scheme, opened a class for agricultural teachers at Lyallpur in June last to which twenty S. V. (senior vernacular) teachers were admitted. This was in accordance with the decision of the first provincial conference that for the agricultural teachers of middle schools it would be better to take well-trained vernacular teachers and send them for a year's course in agriculture than to take men with agricultural qualifications and give them a course in pedagogy. Men of the former class, many of whom are agriculturists by birth, have definitely adopted teaching as their profession, and will not therefore be discontented, as the agricultural expert might be, with the life of a teacher. The inducement of an additional allowance of some Rs. 10 per mensem for agricultural teaching should be sufficient to attract the best senior vernacular teachers to this branch of vernacular education. A much higher salary might be asked by a man claiming to be an agricultural expert.

The present arrangement is, however, only temporary. It is intended to establish at Lyallpur a second Training College for senior vernacular teachers [where a course for English agricultural teachers (*vide* paragraph 10) will also be provided]. The senior vernacular classes will be removed from Lahore to the new college, which will be in close touch with the Lyallpur Agricultural College, and a selected number of teachers, after taking their senior vernacular certificate, will be put through an agricultural course similar to that conducted this year at the Agricultural College. A sum of Rs. 1,00,000 has been given by the Government of India towards the cost of this project.

- (ii) For practical agricultural teaching, schools must have land. It is therefore essential to provide land for the twenty schools in which such teaching will be introduced next year, and the committee was of opinion that provision should immediately be made for at least 90 schools, for, if any measure of success is secured in the schools in which it is first introduced, practical agricultural teaching will in the immediate future undoubtedly be extended to at least one school in each district.

The committee was of opinion that each school would require on an average 3 acres of land. This must be taken up out of the cultivated land in the immediate neighbourhood of each school. The average price of cultivated land in the Punjab is now about Rs. 220 per acre. An addition of 15 per cent. must be made for compulsory acquisition. Therefore, an expenditure, say, of Rs. 250 per acre is likely to be incurred in the provision of land. For the purchase of 90 acres for 90 schools an allotment of Rs. 22,500 will be necessary.

[Hon. Mr. Manohar Lal.]

On account of bullocks, implements and plant for the working of the lands, the expenditure required, though excessive from the point of view of the economic farmer, is unavoidable from the educational point of view. To provide sufficient facilities for practical training each school should have two pairs of bullocks and duplicate sets of ploughs, harrows, drills and other implements. Each school will also require a shed for its bullocks and chaff-cutter, with accommodation for implements, a store-room and quarters for a chaukidar. Finally, expenditure will be necessary in some schools on the provision of well water and in all schools on miscellaneous requirements.

It was estimated by the conference that the cost of a pair of bullocks would be about Rs. 200, that Rs. 200 per school would be required for implements and Rs. 2,000 for buildings, while some Rs. 150 should be provided for miscellaneous expenditure.

The annual capital cost for each school is therefore calculated to be—

	Rs.
Land	750
Bullocks (2 pairs) .. .	400
Implements .. .	200
Buildings .. .	2,000
Miscellaneous .. .	150
Total .. .	3,500

A sum of Rs. 1,05,000, sufficient to equip 30 schools on the above scale has been received from imperial revenues.

(iii) As regards the curriculum, much will of course depend on whether the board decides to make agriculture a compulsory, or an optional, subject.

The committee suggested that, since in the first year only 20 schools would be affected, it would be possible to select for the experiment places where agriculture could be easily introduced as a compulsory subject.

A modified curriculum for middle schools, allowing both for the introduction of agriculture and of optional English will be found in my note on school courses forwarded with Chief Secretary's letter No. 1382-S., dated June 19th, 1918.

III.

6. *Anglo-vernacular Secondary Schools.*—The conference which met in July noted that there is a material difference in the aim of agricultural education in vernacular middle schools and in Anglo-vernacular secondary schools. In consequence the character also of the agricultural education appropriate in these two classes of schools is materially different. The students of vernacular middle schools for the most part end their education on leaving school. For those who are drawn from the agricultural classes—a large proportion—it is feasible to provide in such schools a course of practical teaching in agriculture which will be complete in itself and will help to equip those who undergo it for work as practical agriculturists in se

far as this is possible in the period and with the material available. But the course at an Anglo-vernacular middle school is, as a general rule, followed by two years' study in a high school. A complete course of practical agriculture cannot be given in the middle department. Its curriculum has been arranged to meet the requirements of the majority of its students, *viz.*, preparation for the high department, and in consequence practically all subjects except languages have been made compulsory. The time available in the middle department for optional subjects will not therefore suffice for an adequate course of practical agriculture. The two years spent in a high school are not long enough for the efficient teaching of practical agriculture. A complete course extending over the whole period usually spent in Anglo-vernacular secondary schools could, it is true, be arranged by undertaking a more or less radical revision of the current curriculum. But the class of students in these schools is not the same as in vernacular middle schools. Their ambition is ordinarily not a return to the land; they are not therefore likely to appreciate a course of practical agriculture; and little good would result from providing one for them. In this connection the conference noted that the efficient teaching of practical agriculture could of course be introduced in Anglo-vernacular secondary schools if circumstances justify a change of policy in respect of secondary education that would amount practically to a revolution. The Lieutenant-Governor agrees with the conference that this is at present out of the question. An interest in agriculture as a profession does not exist and cannot be created in the students who comprise the majority of the students of Anglo-vernacular secondary schools. To compel these to undergo agricultural teaching would arouse opposition and discourage education. On the other hand the conference was advised that there is no serious objection to a change in the present science teaching of these schools so as to convert it into a teaching in agricultural science. The conference therefore recommended that, instead of the present science course, a course of agricultural science should be made general and compulsory in Anglo-vernacular middle schools, and should be so devised as to lay the foundation of agricultural knowledge which the student can develop by taking a further course of agriculture when he proceeds to a high school. This measure is all that in the existing circumstances is practicable, and it should, the conference thought, be introduced at once.

7. The preceding paragraphs outline the policy accepted by Government so far as the middle departments of Anglo-vernacular schools are concerned.

The course in elementary agricultural science to which reference is made will be prepared by the Agricultural Department in consultation with the Education Department.

8. About 50 high schools already teach agriculture, but not in a practical form. In the opinion of the conference some practical instruction is essential. Most of the students who go through a high school course of agriculture will probably do so with the intention of qualifying themselves for a degree in science or agriculture. Therefore the agricultural teaching of a high school must not be purely vocational, as in vernacular middle schools, where many of the students intend on leaving to adopt farming

[Hon. Mr. Manohar Lal]

as a calling. It must be optional, and it should aim at turning out men who, even if they do not adopt practical agriculture as their means of livelihood, will still have the ability and interest to diffuse sound agricultural knowledge.

The main lines of agricultural teaching in high schools should be the inculcation of sound principles of agriculture. But, as already noted theoretical teaching by itself is not sufficient for this. The conference therefore recommended for high schools a course of theoretical teaching accompanied by some practical training, and that all students in the agricultural classes of high schools should spend a reasonable number of their study periods in practical work on land set apart for the purpose and in observing agricultural processes and experiments practically demonstrated on that land.

9. It may be objected that the conference has so limited the scope of its recommendations as to fall far short of securing from Anglo-vernacular secondary schools an outturn of practical farmers. But it is not a function of secondary education to equip ploughmen with degrees, and the recommendations made are calculated to secure the inculcation of sound agricultural ideas in the minds of a large number of students, which will in itself be a great advance. The conference was of opinion that the system of agricultural education in secondary schools recommended by it would be very valuable in leading a student up to a point from which he can either become a practical farmer or go on for a university degree. If he prefers the former alternative, it will be open to him to proceed to Lyallpur or some other similar institution, which, if the demand arises, will no doubt be created, to finish his education as a practical farmer. All that he will require will be a short practical course to supplement the knowledge that he has already acquired. Thus the system recommended by the conference avoids the pitfall of rendering an agricultural student unfit for anything but the life of a farmer.

10. To carry these proposals into effect it would be necessary, as in the case of vernacular schools—

- (i) to provide the teachers ;
- (ii) to provide the land and equipment ; and
- (iii) to modify, if necessary, the curriculum.

As regards (i), it was recommended by the conference that for the middle department selected junior Anglo-vernacular teachers should undergo a course of agricultural science at the new Training College at Lyallpur. It is possible that this may be arranged during the ordinary second year of the junior Anglo-vernacular course for teachers who elect to specialise in science.

For the high department the system of taking trained teachers (in this case with senior Anglo-vernacular or B. T. qualifications) and giving them a course of agriculture at the Agricultural or new Training College at Lyallpur would no longer be suitable. Such men, even if agriculturists by birth, would have been too long divorced from the land to be competent to teach agriculture practically.

The instructors should clearly be graduates of Lyallpur Agricultural College who have undergone a fifth year's training in practical pedagogy. It is proposed to arrange for this fifth year at the new Lyallpur Training College.

(ii) For the present, and as a beginning, the conference recommended that in Anglo-vernacular secondary schools arrangements for the practical teaching of agriculture should be made only in places where there are two or more high schools having agricultural classes. The students of the different high schools would attend their own schools for tuition in all subjects other than agriculture, but in this subject they would receive tuition in a centre common to them all. The teachers, land and other requirements of the centre should, in the opinion of the conference, be provided at the expense of Government. This would be much more economical and efficient than to require each high school with agricultural classes to make its own arrangements for its agricultural teaching with the aid of grants from provincial revenues. This is the system which is already being introduced in connection with manual training, which may naturally form an alternative subject to agriculture.

It was reckoned that six agricultural classes, each containing not more than 20 students, could be taught at an agricultural centre by a teacher specially selected and certified as competent to teach practical agriculture.

The conference considered that not less than five acres of land would be required for practical work at each centre. As this land would be in proximity to large centres of population, it would be considerably more expensive than that to be acquired for vernacular middle schools.

An average rate of Rs. 1,000 per acre was estimated by the committee as the cost of acquiring such land.

The other expenses, e.g., bullocks, tools, etc., necessary for establishing each high school centre, would be the same as for a vernacular middle school.

The total cost of a high school agricultural centre is therefore estimated to be—

	Rs.
(i) Land	5,000
(ii) Bullocks	400
(iii) Implements	200
(iv) Buildings	2,000
(v) Miscellaneous	150
Total	7,750

(iii) Since agriculture would continue to be as at present an optional subject in the high department, no alteration in the curriculum is necessary. But the conference "appreciated the necessity of recommending to the University that it should make changes in its matriculation test in agriculture so as to eliminate the advantage now enjoyed by the students, who have only a theoretical knowledge of agriculture, and to substitute a test, including the elements of practice as taught in high schools."

[Hon. Mr. Manohar Lal.]

This, however, will only be practicable when the arrangements proposed for the practical teaching of agriculture have been brought into force and it is not a matter of immediate moment.

11. The Punjab Government has not only accepted the foregoing recommendations, but has received a grant from the Government of India of Rs. 1,55,000 to cover the initial cost of opening twenty such agricultural centres.

12. There will remain, however, a certain number of isolated high schools which will not be able to avail themselves of instruction at any agricultural centre, although desirous of teaching agriculture in their high departments. The conference recommended that, till trained teachers are available, certificates should be awarded and staff grants should be given by the Education Department to teachers in these schools recommended by the Agricultural Department as qualified to give the instruction required.

The conference further recommended that Government should give assistance to such aided schools towards providing them with land required for practical teaching by—

- (a) the use of the Land Acquisition Act for the purchase of the plots ; and
- (b) by capital grants not to exceed half the cost of the land required, provided the area is reasonable, in view of the number of agricultural students in the school.

The Punjab Government has accepted these recommendations of the conference and—

- (i) staff grants will be given for agricultural teachers fulfilling the requisite conditions ;
- (ii) rules for the acquisition of land for the use of aided schools have been recently published in the *Punjab Gazette* ; and
- (iii) a sum of Rs. 50,000 of the Government of India grant is set aside for capital grants to aided schools for the purchase of land and equipment for practical agriculture.

13. In order that the agricultural work in vernacular middle schools and at the high school agricultural centres should be efficient, it is necessary that it should be subject to supervision and inspection such as the Education Department cannot supply. This supervision in the case of vernacular middle schools will be exercised by the teacher in charge of the nearest high school centre, who will, as a trained graduate of the Lyallpur College, be quite competent to undertake this work. The inspection of the high school centres will be entrusted to the agricultural staff of the new Lyallpur Training College.

14. The policy of Government having thus been described. It remains to indicate the action which is required from local officers to give effect to this policy.

(a) *Vernacular Middle Schools*.—The district boards who have supplied the 20 senior vernacular teachers now under training at Lyallpur should at once select the vernacular middle schools in their districts to which the teachers will be attached after training, i.e., in June next.

These teachers are entitled to an allowance of Rs. 10 per mensem for their agricultural teaching after successfully completing their course.

District boards should also make arrangements for the purchase of the land required for practical teaching at each school, and for the necessary buildings and equipment. Application for the Government grant to meet these charges (Rs. 8,500 in each case) should not be made till all arrangements are complete.

Where a larger area than three acres can be obtained within the provision sanctioned, or where the board desire to add to that provision to increase the area, there need be no hesitation in acquiring a larger area.

(b) *Anglo Vernacular Schools.*—Inspectors of Schools should suggest

Rohtak.
Ambala.
Hoshiarpur.
Jullundur.
Ludhiana.
Ferozepore.
Lahore.
Amritsar.
Gurdaspur.

Sialkot.
Gujranwala.
Gujrat.
Shahpur.
Rawalpindi.
Lyalpur.
Jhang.
Multan.

suitable sites for the establishment of high school agricultural centres. (The marginally-noted towns were suggested by the conference as likely to prove successful centres.) At the centres suggested suitable plots of land of some five acres in extent should be chosen by the Inspector, in consultation with the Deputy Commissioner, and estimates made of the cost of acquisition. But, if a demonstration farm is suitably situated at a selected centre, the purchase of additional land may be unnecessary; where the opening of a new demonstration farm is under consideration, the possibility of its being used for educational purposes under this scheme should not be overlooked when the site is selected.

In the case of isolated high schools where agriculture is taught, enquiry should be made as to the need for land for practical teaching and, where necessary, a grant towards its purchase suggested.

PANCHAYATS.

636. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable Minister for Local Self-Government kindly state—

- the number of panchayats in the Jullundur district;
- whether the existing number of panchayats is for experimental purposes;
- the reasons for selecting the existing villages for the establishment of panchayats;
- whether it proposes to establish panchayats in all the villages of the province;
- whether the panchayat board has done any particular work up to this time; if not, when it proposes to start its work?

The Honourable Malik Firoz Khan, Noon: (a) 15.

(b) No.

(c) Panchayats were established in these villages because the inhabitants asked for them and the circumstances of the villages were suitable.

(d) No, but in as many as possible.

(e) There is no such board in existence in the Punjab.

DISTRICT BOARD, JULLUNDUR.

637. Chaudhri Muhammad Abdul Rahman Khan : (a) Is the Honourable Minister for Local Self-Government aware that from tahsil Nawanshahr, district Jullundur, only one Muhammadan member has been elected to the district board? If so, will he please state the reasons for not nominating some Muhammadans to make up the deficiency?

(b) Is Rai Sahib Thakar Singh, who has been nominated to the district board, Jullundur, an agriculturist or non-agriculturist?

The Honourable Malik Firoz Khan, Noon : (a) Yes. The representation of communities on a district board is determined for the district as a whole and not by tahsils. At the last elections, Muslims obtained 11 elected seats against 12 to which they were entitled. They were given three out of five appointed seats assigned to non-officials.

(b) Non-agriculturist.

POPULATION OF RAHON.

638. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government please state the reasons for the continuous decrease during the last two or three generations in the population of Rahon?

(b) Has the Government ever taken any steps to prevent the depopulation of this town? If not, does it propose to take any steps now? If not, why not?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the information required by the honourable member will be communicated to him in due course.

ROADS.

639. Chaudhri Muhammad Abdul Rahman Khan : (a) Has the attention of the Government ever been directed to the fact that generally the roads in villages are blocked up and in consequence the villagers experience great hardship? If so, was any action ever taken? If not, why not?

(b) Has the Government ever taken necessary steps for the alignment of the village roads so as to prevent private persons from encroaching upon public roads?

The Honourable Sardar Jogendra Singh : (a) The care of village roads is primarily a matter which should engage the attention of district boards.

Since 1924, the Communications Board has endeavoured to help district boards in improving village roads by making and offering to make a grant-in-aid of $\frac{2}{3}$ of the cost. As these schemes usually involve acquisition of land district boards have been backward in promoting them.

A grant of 75 per cent. on Rs. 15,000 was made during the financial years 1926-28 to the district board of Muzaffargarh for this purpose and it is proposed to make a similar grant to the district board of Sialkot.

(b) No action has been taken by Government to prevent encroachment by private persons on village road land as it is presumed that villagers themselves will look after their village roads.

ROADS.

640. Chaudhri Muhammad Abdul Rahman Khan : Will the Government kindly state—

- (a) whether it has ever diverted its attention to the fact that the roads in villages are very narrow and bound in swamps caused by the overflowing of water from the mogas ;
- (b) what action, if any, it proposes to take to have the roads improved ?

The Honourable Sardar Jogendra Singh : (a) The honourable member is referred to the answer to part (a) of question No. 639 ante.

- (b) Action lies in the first instance with the district board.

GRANT-IN-AID TO PANCHAYATS.

641. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Minister for Local Self-Government be pleased to state if the Government has so far helped any panchayat in the province with grant-in-aid ? If so, will he kindly lay on the table a statement showing—

- (i) the names of such panchayats ;
- (ii) the amount of the grant-in-aid ;
- (iii) the date of such payment of that amount ?

(b) Is it a fact that the Zamindara League has requested the Government by means of a resolution to give grants-in-aid to the panchayats ? If so, what action has been taken on that request ? Does the Government propose to comply with the request ? If not, why not ?

The Honourable Malik Firoz Khan, Noon : (a) No. Parts (i), (ii) and (iii) therefore do not arise.

(b) Such a resolution was passed, but no action was taken on it as Government in reviewing the reports on the working of panchayats for 1924-25 had already given public intimation that any panchayat, which was prepared to raise some portion of the cost of any work designed to improve sanitary conditions, might count upon the sympathetic consideration by the Sanitary Board of any application for a grant-in-aid, while applications for grants for other purposes would no doubt receive similar treatment at the hands of the departments concerned.

'BANNA SHIKNI.'

642. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Government kindly state whether the question that there are frequent cases of "Banna Shikni" in the province and they are a fruitful cause of dispute among the zamindars, very often leading to civil, criminal and revenue litigation, has ever engaged the attention of the Government ? If so, has it ever taken any steps to avert such disputes ?

(b) Is it a fact that in a largely attended public meeting held under the auspices of the District Zamindara League, Ludhiana, a resolution was passed inviting the attention of the Government to the "Banna Shikni" evil and a copy of the same was sent to the Government ? If so, what action has been or is proposed to be taken on that resolution ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) This question is at present under the consideration of Government.

DAMAGE DONE BY THE RIVER SUTLEJ.

643. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Member for Revenue kindly state the names of the villages in the Ludhiana and Jullundur districts with their respective areas (i) that have been partially washed away, and (ii) that have been wholly washed away by the river Sutlej during 1927 showing the extent of the damage done to the zamindars of these villages ?

(b) Will the Honourable Member for Revenue kindly state what steps the Government has taken to afford relief to the zamindars generally and to those of them particularly whose lands, homes and property have been completely washed away ?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated certain enquiries from the local officers which are not yet complete. An answer will be communicated to the honourable member when it is ready.

GOVERNMENT'S DEMANDS FOR GRANTS.

POLICE GRANT—(concluded).

Mr. President : The Council will now proceed with the discussion of Rana Firoz-ud-Din Khan's *motion.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban] (Urdu) : Sir, there has been a long standing complaint against the Police for their rude conduct towards the public.

Rana Firoz-ud-Din Khan : On a point of order, Sir. Khan Bahadur Captain Sardar Sikandar Hayat Khan was speaking yesterday at the time when the Council adjourned and he had not finished his speech.

Mr. President : When a debate is adjourned upon the interruption of a day's business, the member who was in possession of the House at the time of the adjournment, is entitled on resumption of the debate on another day, to continue his speech. But if he does not care to avail himself of that privilege it is not the duty of the Chair to call upon him. I waited for Captain Sikandar Hayat Khan for more than a minute, but he did not rise to resume his speech. So, I had to call upon another member who wished to speak.

Lala Bodh Raj (continued in Urdu) : Sir, as I was going to say, the treatment of the police officers towards the public is very objectionable. On several occasions vote of censure has been passed by this House against that attitude of the police and on each of such occasions Government has assured us that instructions will be issued to the effect that in future police officers should behave properly towards the public. But, Sir, we find that our complaint still exists in the same form as it existed before. Sir, you will recollect that last year a circular letter appeared in one of the columns of the *Tribune* purporting to have been issued by the Commissioner of Police,

*Vide page 700 *infra*.

London to his subordinates that if any complaint reached him against the conduct of any of them, serious punishment will be awarded to the defaulter. You will also recollect, Sir, that my honourable friend on my right drew the attention of the Government to that circular and enquired by means of a question whether Government was prepared to take similar steps to ensure the proper behaviour of the police towards the public. I think I will do well if I read the answer that that question avoked from the Government and it is as follows :—

- “(b) (i) No such circular letter has been issued but the subject matter forms part of the instruction in District Police Schools and in the Provincial Training School. The honourable member is also invited to peruse vernacular *Police Gazette* No. 51, dated the 22nd December 1926.
- (ii) Government do not admit the accuracy of this charge and are satisfied with the measures taken to prevent occasion for complaint arising.”

Now as is apparent from the second part of the answer, Government is not prepared to admit that the conduct of the police officers is otherwise than what is desired and I think that it will never be prepared to admit that charge even if we were to give hundred and one instances of the misbehaviour of the police. And in fact, what is the use of giving such instances? Because from the study of the debates of the last so many years, we find that whenever any specific complaint has been made against any police officer, we have received one and the same reply and that was that the complaint so made was found on enquiry groundless or that it was not substantiated. Even in one instance we have not been told that the complaint made was true and that the officer concerned was given proper punishment. We have now come to regard that Government is perhaps fully satisfied with the working of the police. But, Sir, that is not the opinion of the honourable members of this House and the public outside, and the opinion of the Government is not shared by the members of the Police Enquiry Committee as well. I will read one relevant sentence of the report of that Committee on the point. They say that :—

“We suggest however that something more might be done to inculcate the necessity of more courteous treatment to the public.”

continuing further they say that :—

“Corruption is admittedly rife in the department but the evidence before us shows conclusively that part of the outcry against the department is due to the failure on the part of many members of the force to appreciate their real position *quo* the public. The *Hakim* aspect is apt to overshadow the *Mulazim*. It should be made clear to the members of the School that while the powers invested in the police are to be sternly enforced against the evil doers, the rest of the community is entitled not only to protection but to courtesy.”

That leaves no room for doubt that the police is not only corrupt but it also does not behave properly towards the public. If further proof

[Lala Bodh Raj.]

of the misbehaviour of the police is wanted, it is supplied by the incident that occurred in Lahore on the 10th March 1928. In the face of such facts how are we to believe that instructions have ever been issued directing the police officers to behave respectfully towards the citizens with whom they may come in contact. You are aware, Sir, that on the 10th of March both sections of the people—the loyalists and the extremists—went to receive the Simon Commission at the Lahore railway station of course in their own different ways. It is really satisfactory to note that the demonstrationists behaved wonderfully and no untowards incident happened at the station. But when the demonstrationists were coming back to the city as peacefully as they had gone to the station, the police that seemed to be infuriated at the success of the demonstrationists let loose its anger which it had perhaps been keeping under control under instructions from their superiors. I need not go into the details of what happened near the house of Lala Lachhe Shah. But one thing I can not account for. I have not been able to understand why the friends and relatives of Lala Lachhe Shah were allowed to molest the public when police was posted in every street and corner of the city. Why it is that they were not prevented from disturbing the peaceful crowd of people when it was passing the house of Lala Lachhe Shah...

Mr. President : May I ask the honourable member to direct his speech to the question now before the House? He is discussing the details of a local occurrence and not speaking to the motion.

Lala Bodh Raj (continued in Urdu): Sir, the question before the House is about the efficiency of the police and I am trying to show by reference to that incident that police officers are very inefficient. They claim to be the custodians of peace and order, but proofs are not wanting to show that on all public functions and occasions, if any unpleasant incidents occur, it is because the police officers on duty are either negligent or they connive at the activities of the mischief mongers. Their roughly handling the public sometimes results in untoward occurrences on such occasions. I think that the police cannot in any way justify its conduct on the 10th March outside Lohari Gate. Most of the leading national leaders were assaulted and beaten mercilessly by the police. The injuries that they received on that day are eloquent proof of the behaviour of the police. Some of the national workers were dragged down to the gutter and beaten while lying there helpless.

Mr. President : I would again ask the honourable member to speak to the question before the House and not discuss in detail the facts of an incident which took place two or three days ago. As an ingenious orator, I think, he can break through all rules of relevancy in spirit and yet observe them to the letter. He should not discuss threadbare the full details of the particular incident but should confine his speech to the general efficiency of the police in the Punjab.

Lala Bodh Raj (continued in Urdu): Sir, I am dilating on this incident at a little length simply to show that if such irregularities are permitted to the police at the seat of the Government and at a place where not only all the high officials are present, but where the Council is in session,

then it is but natural for us to conclude that the reports that we receive every day about the high-handedness of the police in mofassils and which are published in papers must be true in their entirety. But the Government sits unmoved all the time and it has never cared to warn the police officers that if any complaint of their misbehaviour reaches it, serious action will be taken thereon. On the other hand we find that the police officers are shielded against public criticism and they are allowed at the expense of the Government to prosecute any and every one who dares to raise his voice against them.

Sir, I have yet to relate another incident of this kind which occurred in Multan when the Hindus were enjoying their Holi festival. That again reflects on the efficiency of the police. Sir, one Sub-Inspector of police posted at Multan freely and indiscriminately used his hunter on that occasion. I cannot say what enraged that god, but I know that even the children and ladies, who happened to pass that thoroughfare, did not escape the blows that were raining from that hunter. It is possible that some one might have failed to act as desired by him, but that was no reason why he should have used his hunter on all men, women and children alike. Perhaps he was sure that he would never be called upon to explain his conduct. There are any number of instances to show that the claim of the Government that courtesy is taught to the police officers in District Police Schools and in Provincial Training School has no basis in truth. But I need not dilate on this point because it has already been dealt with by others.

With these observations I support the motion before the House.

Rai Bahadur Lala Rattan Chand [Non-official (nominated)] (Urdu) : Sir, it is the duty of the Council as well as of the Government to see that if there are any defects in any department of Government they must be removed. I do not say that police department is above criticism and I admit that like other Government departments, there are certain defects to be found in the department under discussion. I admit also that police department has got comparatively more defects. But at the same time I must point out that as lovers of truth if you criticise the actions of the police officers, you should also discourage those who take pleasure in interfering with the working of the police. The honourable member from Multan has referred to the incident of the 10th March that occurred in Lahore. I was also one of the eye-witnesses of some of the objectionable activities of the demonstrationists and it gives me pain to remark that the so-called leaders keep themselves concealed behind the scenes and push forward into the arena inexperienced youths and irresponsible students of schools and colleges. These inexperienced and unseasoned youths indulge in many an indiscrete and objectionable act and I know how I and other respectable citizens were teased and badly treated by them on that day. They said many objectionable things to our face simply because we happened to differ from them and went to the station to welcome the Commission according to our own convictions. And if the police prevented them from indulging in objectionable activities, I think it did not do anything undesirable.

[R. B. Lala Rattan Chand.]

Had my honourable friend from Multan and others who have supported him gone to the railway station on the tenth, I am sure that they instead of criticising the police would have condemned the action of the mob.

Sir, similar incidents have also occurred in Amritsar on many occasions and I know that on every such occasion these irresponsible persons were goaded on to disgrace many respectable and loyal subjects of His Majesty. They gathered in front of their houses, abused them and gave them every sort of provocation. Certainly these are objectionable activities and if the police does not allow these people to disgrace respectable persons, it only does its duty and nothing more. I do not say that all political activities should be stopped, but what I say is that everything should be done in a way to which no one may be able to take objection.

Mian Ahmad Yar Khan, Daultana [Multan East (Muhammadan), Rural]: Sir, I agree to a great extent with the honourable mover of this motion in what he said in his moderate opening speech. But when I see the wording of the motion, I find it difficult to persuade myself to support this motion. It pains one to a considerable extent to find so many bad things said about an organisation which is mainly responsible for the peace and safety of this province. No doubt there is room for improvement in this department; but at the same time it is regrettable and unfair to indulge in condemning the vices of this department in a destructive criticism instead of bringing about constructive criticism and to ignore the virtues of the institution. (*Hear, hear*). I think the honourable mover has not read the report of the Police Committee. (*Rana Feroz-ud-din Khan: I have*). Otherwise I think he would have moved a motion urging Government to take action on that report instead of moving the motion that is now before us. I have read the extracts of that report, and I find that it is so reasonable and so transparently honest that if we had one or two of our nationalist friends on that committee, they could not have given us a better report and I congratulate the gallant captain who is sitting before me on such a successful and good report.

Sir, corruption and inefficiency exist everywhere in this country and they do exist in the police department too (*Hear, hear*). Corruption exists in the official quarters as well as in the non-official circles of this province. (*Laughter*). Taking in view the opportunities and the facilities that this department has to take bribes, I think other departments of Government and non-official circles are in no way better, if they are not worse, than the police department. The police department is more notorious in this line because the other departments of Government return to the giver of a bribe at least double the amount that they get from the Government coffers and the police gets their share of corruption as a penalty for an offence committed which every offender naturally wishes to prevent its detection. Their duties are so very unpleasant and very often they have to make themselves felt while detecting crime. The subordinate staff of the police no doubt are rightly unpopular when they extort money or try to involve an innocent person in an offence because they have been paid by another fellow who bears him a grudge and wants to satisfy his revenge and sometimes even

the higher officials of the police department become a curse of Government when they are over-zealous and according to Shakespeare—

“ Who take their humours for warrant
And on the winking of authority
To understand a law ;
To know the meaning of dangerous majesty
When perchance it frowns
More upon humour than advised respect.”

But, Sir, in spite of that we in the zeal for reform do forget that thorough efficiency can only be reached after passing through several stages of gradual evolution. If all that is said about the police department was correct, then instead of finding this province in an ordinary and peaceful manner, one would come across a place full of disturbance and chaos. Sir, we should only study the gradual and constant improvement effected by the officers of this department. You cannot have full efficiency and complete honesty in the force in one day and if we carefully analyse the annual reports of the police department, I think one will find some improvement in this department. (*A voice: What improvement?*) An honourable member asks me what improvement is found in these days. You will come across many cases in which corrupt officers have been punished in a greater degree in the last 3 or 4 years than they were in the previous 10 years. But you cannot reform any of the departments of Government without the co-operation of the public. To make a general complaint is not a healthy form of co-operation. We should bring concrete examples of individual dishonesty to the notice of Government and if no action is taken on them, then we are entitled to attack Government and I think in that case the victory is at our feet. My experience, though in its infancy, encourages me to say that very often when the police department takes action many of our non-official friends go to the heads of the department and either recommend that fellow or beg for mercy and I am ashamed to say that I have been a party to three of such deputations. Sir, in order to improve the integrity and the efficiency of this department, we must select the controlling agency from amongst the class that fills the ranks of this department. (*Hear, hear*). Common sense and courage are more essential for a police officer than mere academic qualifications. My honourable colleague from Hoshiarpur the other day said that a class which fills jails or those who commit dacoities are not suitable to be officers in the police department. The class referred to do not commit dacoities as a hobby ; but the intellectual dacoities of a class may force them to commit physical dacoities which in my opinion, is a more honest form than either of the two dishonest enterprises. (*Hear, hear and applause*). The integrity of the department mainly depends on the integrity of its ranks. The present pay of the police constable is very low and even a man who tries his best to live honestly cannot do so. We should not expect the achievements of a polo horse while the wages that we give are hardly sufficient to feed a loading donkey.

I also feel called upon to say one or two words about the remarks made by the members on this side in general and the member from Amritsar in particular. It is generally said that zamindars in general and Muhammadans in particular are conspicuous in the military or semi-military forces, because their lives are cheap, they possess no brains while the members

[Mian Ahmad Yar Khan, Daultana.]

of their class are wealthy, clever and consider it below their dignity to undergo such onerous duties for a score of silver coins. (*A voice*: That was said only in fun). The sentiments and terms in which these were expressed were shockingly discouraging and grossly wanton. May I take this opportunity of reminding my friend from Amritsar that it is the consciousness of the responsibility for the well-being of the native soil in which he has so many stakes and the spirit of courage which he has inherited from his honest forefathers and the love for enterprise and deeds of heroism, that inspire a Muhammadan and a zamindar to accept such responsible and dangerous duties, while it is the love of money, fear of death and the lack of sense of responsibility that keeps the others out of it? It is very easy for my friend from Amritsar to say that in these days sturdy and strong people are not required because any man can fly in an aeroplane and fire a machine gun. I have only one question to ask him and that is, can a man who lacks courage fly in an aeroplane and fire a machine gun in a horizon where the aeroplanes and machine guns of the enemy are also at work and it is impossible to get a shelter? This reminds me the famous verse of Sadi—

تو کار زمین را نکو ساختی که با آسمان نیز پرداختی

Sardar Bahadur Sardar Sheo Narayan Singh [Non-official (nominated)] (Urdu): Sir, it is very easy to find fault with anything and everything if one were so minded. Similarly it is not very difficult to point out certain defects in the Police department. But the allegation made to-day that police officers send for the people to appear before them during investigation without any written order is not true. In this connection I submit, Sir, that now those times are gone when police could send for any and every person with a verbal order. Education having spread in villages every one now knows and understands the rules and regulations on the point and no one even obeys verbal orders of police. Besides the police have instructions to enter such orders in *zimmis* which are submitted to the Superintendent of Police. Under these circumstances, the police officers do not and cannot act against the rules. Further it is not only inconvenient for the investigating officer to call every suspect by sending one of his subordinates to every one of them, but it is also impossible for him to do so because the number of police officers is not equal to that of the persons concerned in any way with cases under investigation. If you object to the summoning itself of the people for appearing before the police officers I may say that in cases in which the files grow bulky it becomes very difficult for the police officers to go to every person individually who are connected with such a case. It is feared and rightly too that papers might be lost while going from one person to the other.

Then it has been alleged that police officers beat and roughly handle the suspects in course of investigation. As I have already indicated, people now know and understand everything and I am aware of many such instances in which the suspects themselves, who were beaten by the police, or their relatives have complained orally or in writing to the Superintendents of Police against the conduct of the police officer concerned. In addition to that the suspects have got the right to bring to the notice of

the Magistrate, at the time they are presented before them by the police, for remand, any act of high-handedness of the police and if on medical examination of the complainant it is proved that the police had beaten him, the officer concerned can be prosecuted. In the presence of so many safeguards I do not think that now-a-days the police officers are guilty of beating the people during investigation.

The third allegation was that the way in which cases were investigated was defective and unscientific. If the honourable member, who made that allegation, had attended the annual session held at Phillaur, which I had the honour to attend, he would have certainly changed his opinion. As an example of the modern ways that are employed in the course of investigation I may mention that melted tar and pitch is spread over the paper and the footprints of the suspects are obtained over that paper. Thus the footprints are preserved carefully and for any length of time so that if the suspects are arrested even after sometime of the occurrence of an offence, such footprints may be used to lay hand on the real culprit. If necessary the impression of these footprints is taken with the help of glass.

A reference was also made to the ways in which crowds of people are dispersed. In this connection I have only to say that police have instruction to use the minimum force for dispersing crowds as the law allows it. So far as the question of corruption in the police department is concerned I can say that in Jullundur District at least this evil has been checked to a great extent since the present Superintendent of Police (Mr. Jenkins) has taken over charge of the District. The proof of it is found in the resolution that was passed in a public meeting of the citizens of Jullundur to convey their thanks to Mr. Jenkins for the pains he had taken to put a check to corruption. With these observations I oppose the motion.

Chaudhri Muhammad Abdul Rahman Khan [Jullundur (Muhammadan) Rural] (Urdu) : Sir, being a representative of the Jullundur Muslim Rural Constituency, I feel called upon to draw the attention of the Government to the troubles from which my constituents are suffering at the hands of police. Sir, our first complaint is that whenever any cattle is lifted from any of the villages in this constituency and the owner of it desires to have a complaint about it registered, the police refuses to register the complaint in the first instance and if he is able to persuade the police by some means or other to record the report, only this much is entered in the Police Diary that the cattle has gone astray although it may have been lifted from within the compound of the house. This happens in almost all cases unless the police knows that the person concerned has got means to approach the higher authorities. The report of the people are distorted as it suits the pleasure of the police officer registering the complaints and the contents of the first information report, therefore, do not tally with the account given by the complainant. I will illustrate my point by one instance. Only recently the house of a villager was broken into at night and in the morning he came to the Lambardar of the village and told him of the occurrence saying that only a few unbaked earthen ware pots belonging to him had been stolen. The Lambardar advised him to keep quiet and not to inform the police about the matter because he knew that if the latter informed the police

[Chaudhri Muhammad Abdul Rahman Khan.]

he would be insulted and abused by the Sub-Inspector of Police. On this the villager reminded the Lambardar that if he did not make the report and the police came to know that a case of theft had occurred he would get into trouble. This argument appealed to the Lambardar who agreed to accompany him to the police station. I need not give further details of what happened afterwards beyond saying that the Lambardar was abused and threatened by the Sub-Inspector for coming to report such a petty affair. If you allow me, Sir, I would like to give another instance to make my point clear. Sir, in Garhi Fateh Khan a woman was burnt along with the *charpai* on which she was sleeping at night because she was childless and her relations were anxious to take possession of her property. When in the morning people found her dead in the house, they reported the matter to the police. The Sub-Inspector went to the spot to make investigation. Fortunately for the police the culprit admitted how he had first strangled the victim and then burnt her along with the *charpai* on which she was sleeping. Do you know what the *Thanadar* gained for all the trouble he took to go to the spot? There were about 35 peasant proprietors in that village and from each of them he extorted a certain amount of money as his fee for the trouble he had taken. Before I proceed further I acknowledge with thanks that through the efforts of Mr. Slessor and Mr. deGale, who came one after the other as Superintendent of Police in our district some check has been placed over the malpractices of the police officers. Now Mr. Jenkins, the present Superintendent of Police is doing his best to put a stop to corruption although I am sure that it will never be possible to root out this evil altogether. In this connection I am sorry to point out that Superintendents of Police do not find support from the higher officers for the measures they may like to take to stop corruption. I say so on the ground because in spite of the best efforts our Superintendent of Police could not have the Sub-Inspector of our Thana dismissed. This Sub-Inspector was very corrupt and some time ago he was hauled up in the court on a charge of accepting bribery. The Superintendent of Police did his best to procure best evidence against him but the Sub-Inspector managed some how or other to persuade witnesses to give inconsistent statement before the Magistrate. The charge not being substantiated, the Sub-Inspector was acquitted. However we were sure that he must be dismissed at least if he was not convicted. The Superintendent of Police also recommended for his dismissal because he was convinced that the Sub-Inspector was very corrupt. But he has since been re-instated by the higher authorities although we understand that a police officer is not considered fit to be retained in the department if he comes to have a bad reputation. We have been told on many occasions that unless the public is not prepared to co-operate with the Government it is not possible for the latter to put an end to corruption. I admit that is true but the difficulty is this that the people are very much afraid of the police officers and they dare not report against them. Before the present Superintendent took over charge of our district no complaints had ever been made against police officers.

The reason is that if ever any person, from whom money has been extorted or whose case has been spoiled, makes a complaint against the Sub-Inspector, the Inspector is deputed to find out the truth or otherwise of the

complaint. The Inspector invariably reports that the complaint is groundless. When the complaint is thus disposed of the Sub-Inspector comes down upon the complainant with all his fury and to feed fat his grudge, he gets his name entered in register No. 10. After that whenever there is any case of theft or murder he is sent for and put to many hardships by the police. It is why the public does not come forward to help the Government.

Since I have become a member of the Council, I have heard it repeated on many occasions that if any substantial progress is to be made in the country and if corruption is to be stopped, we must first raise the standard of the integrity of the public. I revolved over this problem and when I was convinced that this proposition was true I called in a meeting of the zamindars at Rahon. The object of holding this meeting was to consider the means by which corruption rife in the police could be stopped and to stop which the Government itself was anxious. Chaudhri Afzal Haq was elected president of that meeting. But he was not willing to take the chair because he explained that he would never take part in any such assemblage whose object was to beg any concessions from the Government. However on my further request he accepted the chair after great reluctance. In that meeting many resolutions were passed regarding various subjects, for example consolidation of holdings and agricultural and commercial improvements. Besides some other things, it was decided in that meeting that in future neither we should offer bribe nor help the police in taking bribes and that if any police officer extorted money from any of the people he should be reported against. I may make it clear that this meeting was held with no other object but to bring to the notice of the Government certain legitimate grievances of the people by legitimate means. It was not a political meeting, nor had it ever entered my mind that anything even approaching politics would be discussed in that meeting. I could not think of politics. I am as loyal to the Government as any other person can be. My services are fully known to the Government. The Honourable the Finance Member personally knows the services that I have rendered during the war because he happened to see my book which contains certificates granted to me in recognition of my services. My family is also known for its loyalty to the Crown. But I was taken aback when during my interview with the Deputy Commissioner after a few days of the date of the meeting, I was threatened by him. He told me in plain words that he did not care whether I was a member of the Council and that he could send me to jail at once (shame). I naturally enquired as to what I had done to incur his displeasure. His reply was that I was responsible for holding a political meeting at Rahon. In explanation I submitted that if I would have been inclined towards the agitators, I would never have given him that splendid and hearty reception that I had given him a few days back. But this explanation given by me did not satisfy the Deputy Commissioner and he went on abusing me and others who had participated in that meeting. He said when *حرامزادے* (Harmzade, i.e., the illegitimate sons) rogues like Afzal Haq and Mohindar Singh were the president and secretary respectively of the meeting, it did not require any further proof to convince a man that the meeting was a political one. I forgot to tell that we had decided in that meeting that in future a non-official member should be elected

[Chaudhri Muhammad Abdul Rahman Khan.]

as the President of the District Board and that the Government be requested to abolish the *chaukidara* tax. The meeting further decided to represent to the Government that the system of the *Thikri Pahra* should be done away with, because the villagers find it difficult to discharge that duty after hard labour for 12 hours in the day. I do not think that there was anything objectionable in arriving at these decisions but the Deputy Commissioner told me that he took strong objection to all these decisions and that they were clear indication of the fact that I entertained ill-will against the Government. I was then compelled to say that I could not put up with any further disgrace and therefore I must go away. Before leaving his presence I told him that if I had committed any offence and if on that ground I would be prosecuted, I would answer the charge. And if I had grown a seditious because I had been a member of the Council for the last 12 months I was prepared to resign my seat at once, provided thereby I could please him. Sir, with these observations I support the motion before the House.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), rural] (Urdu): Sir, I would simply draw the attention of the House to the work done by the Lahore police during the last fortnight, and leave it to the honourable members to decide whether our police is good, bad or indifferent. Nearly two weeks prior to the advent of the Simon Commission in Lahore, the Congress Committee decided to hold meetings at different places in Lahore, with a view to impress upon the masses the futility of the Simon Commission and to persuade them to observe *hartal* on the day when it should come to their city. Accordingly, Sir, a meeting was held near the city police station in which vigorous speeches were made by the prominent congressmen, persuading the masses to carry out the mandate of the Congress. But the police took exception to the meeting and desired that such meetings should not be held in future. Another meeting was, however, advertised to come off at the same place, a few days later. But before it could be held, Sir, 4 or 5 Musslamans came to the organisers of the meeting and asked them to abandon it, as it would disturb the Musslamans in their Jumma prayers. Sir, as we did not like to create Hindu-Muslim question in the city, we readily accepted their proposal and postponed the meeting. But Sir, the persons who asked for the postponement of the meeting seemed to be persons who probably have never said their prayers and the Jumma prayers was only a subterfuge to prevent us from holding the meeting. Only a day before the arrival of the Simon Commission in Lahore, the Congress Committee, again proposed to hold a mass meeting outside Delhi gate near the City Police Station and issued hand bills and advertisements to that effect. But Sir, when we went to the appointed place, we saw heaps of bricks and broken lorries placed there and on inquiry it transpired that our friends, the police, have very kindly deposited those bricks and lorries there. Sir, it clearly shows how ingenious and resourceful our police has become. Such things would not occur to the ordinary mind.

Again, Sir, it was proclaimed in the city by beat of drums and also published in newspapers that Section 144, Criminal Procedure Code, had been proclaimed in the city in connection with the Simon Commission and

those who would disobey it would do so at their own responsibility and risk. But the Government says that it was done without its knowledge or approval. Well Sir, if the Government had no hand in it, who else could have done it? Was it not the duty of the police to find out the person or persons who did it? But, Sir, so far our efficient and good police have not succeeded in capturing the offender or offenders. Is it not intentional? Sir, another matter which throws a flood of light on the efficiency of the police is the sad incident which took place on the 10th instant outside Lohari Gate. The people had collected there in large numbers to protest against the Simon Commission, and for reasons best known to the police, it took into its head to disperse the crowd, and beat it with '*dundas*' and sticks so much so that several prominent men received severe injuries. Does it not Sir, testify to the efficiency, good training and sense of duty of the police?

In my humble judgment, Sir, the duty of the police should be confined only to the prevention of theft, robbery and other offences mentioned in the Indian Penal Code, and it should not be allowed to interfere in the suppression of the political work as has been done in the past in this country, contrary to the practice obtaining in England and other civilised countries of the world. Nor should our police be called upon to do duties which it is incapable of performing.

Risaldar Bahadur Nur Khan [Rawalpindi (Muhammadan), rural] (Urdu): Sir, the abuses rife in the police administration and the shortcomings of the police officials have been discussed at great length in the House and severe criticism has been levelled at them by the various honourable members of this Council. But I do not propose to prolong the discussion and would therefore content myself with making a few observations on the conduct of the police and the local officers of the Rawalpindi district during the great fire which broke out in 1926 in the grain market. I admit, Sir, that some police officials are inefficient and bad, but there are others whose honesty of purpose and sense of duty are above reproach. It is officers of this stamp who are the pride of the Government and the public as well since there are black sheep in every department, we should not in their account condemn the whole department; and in censuring others we should always bear one fact in mind, Sir, that it is God alone, who is free from defects and shortcomings.

During 1926 at nine in the night a big fire broke out in the grain market of Rawalpindi. In the surrounding and neighbouring districts of Rawalpindi, a blood-thirsty and a wild people live in large numbers. When the news of the fire reached them they came in thousands to attack and loot the city and mercilessly murdered seven or eight persons on the spot. The safety of the people and their property was at stake. If those wild people could have penetrated into the other parts of the city, the whole city would have been reduced to cinders and all the wealth of the people would have been looted. But the police under the guidance of their able Senior Superintendent of Police at great personal risks came to the rescue of the citizens and drove those wild people out of the city. The Police showed great courage and pluck at that critical juncture, and it would be sheer ingratitude if we do not congratulate the police on its bravery.

[Risaldar Bahadur Nur Khan.]

Sir, now the Deputy Commissioner and the Superintendent of the Police of Rawalpindi are taking great pains to remove the defects of the police of the district. These officers tour the district every now and then, and opportunity is given to all and sundry to voice their genuine grievances against the police before them and steps are taken to redress them immediately. Corrupt officers are either discharged, dismissed or transferred to other places and no mercy is shown on the defaulter. Moreover the Police department is trying to recruit better and more honest persons. Under these circumstances, Sir, when the Police department is alive to the shortcomings of its officials and tries to remove them, I think it would not serve any useful purpose if the cut moved is passed. With these words I support the grant under discussion.

Mr. H. W. Emerson (Chief Secretary) : Sir, the honourable member for Jullundur-cum-Ludhiana referred to the conduct of the Lahore police during the last few weeks. I wish to place the case of their conduct under very trying circumstances before the sense of justice of the members of this House. For many weeks past the police of Lahore have had an extremely trying and arduous time. Almost every night there has been a meeting at one place or another in the vicinity of the city at which police and magisterial arrangements have had to be made. There has been no prohibition whatsoever issued by Government regarding those meetings, although from the reports I have seen, and seen daily, there has not been a single meeting at which one or more speaker has not made speeches which have rendered them liable to prosecution under the criminal law. Government have deliberately refrained from prosecution because they did not wish to prevent those who were opposed to the Simon Commission from giving expression to their opinions—and they have been allowed to give them with the greatest possible latitude. The honourable member referred to the action of the police in spoiling meetings of these agitators in the city itself. The facts as they are known to me are that they desired to hold meetings at various centres in the city against the general wishes of the citizens of Lahore (*A voice : Question*) and in one or two places in which they attempted to hold meetings, there would have been collision between them and the adjacent shopkeepers had the police not intervened. The attempts they made to hold meetings there ended in utter and complete failure. We next come to the events of Friday and Saturday last. On Friday last a large meeting was held outside the city where those responsible declared it as their intention to hold a large mass meeting inside the city next day and to take a procession largely composed of people summoned from outside Lahore for the purpose. There was again no proclamation, by the District Magistrate or anybody else authorised to make a proclamation that such procession would be forbidden, nor was in actual fact the procession forbidden. It was doubtful whether a procession could safely be taken through the city having regard to the feelings of all communities in the city itself that the procession was undesirable and did not represent the views of the great majority of the shopkeepers of Lahore. Eventually however it was considered safe to take that procession through the city under police protection and the police protected them from shopkeepers who might

otherwise have come into collision with the demonstrators (*Raizada Hans Raj : Thank you*). Again in pursuance of the policy of giving those who were opposed to the Statutory Commission an opportunity of registering their personal protest, every facility was given to the demonstrators who gathered at the railway station. Under very great provocation—and the extent of that provocation the honourable members who were present at the railway station can judge—the police showed wonderful patience (*hear, hear*). One incident occurred to which reference is made in the vernacular press and in regard to which I am only too glad to have the opportunity of contradicting false reports in regard to it. It is alleged that the Deputy Commissioner of Lahore gave an assurance to certain members of the crowd outside the railway station that the Simon Commission would pass that way and that at the last minute, he took the Simon Commission by a ruse another way. The facts are these. The Deputy Commissioner and the police officers there assured the demonstrators that if they obeyed the orders given them regarding the avoidance of obstruction to traffic and if they spread themselves in an orderly fashion along the Empress Road, then they gave their word that the members of the Simon Commission would pass that way and the demonstrators would have the opportunity of giving a demonstration. In defiance of the orders of the police, a small band insisted on staying inside the station yard and they were in the sequel prevented from making their demonstration (*hear, hear*). Had they acted on the promise of the Deputy Commissioner and the police officers and had simply moved up, they would have been given, as the rest of the demonstrators were given, every opportunity of registering their protest. I am aware that many members of this House were present on Saturday. I know it was the desire of most of the members of this House that Government should avoid repressive measures as far as it was possible to avoid and I think every fair-minded member of this House will agree that Government in following that policy carried toleration and forbearance to the utmost limit and that every credit is due to the police for loyally carrying out the policy of Government and for keeping their temper and avoiding any breach of peace under great provocation and under very trying circumstances. I am only too glad to have this opportunity of clearing up one or two misunderstandings that have crept into the vernacular Press on this subject.

Chaudhri Afzal Haq [*Hoshiarpur-cum-Ludhiana (Muhammadan) Rural*] (Urdu): Sir, the Chief Secretary has elaborately discussed the situation arising in Lahore on account of the arrival of the Simon Commission and the part played by the police in the preservation of peace and order in the city. But, Sir, he has discussed the whole matter from the Government standpoint and has carefully avoided the mention of the public view point. As a representative of the people, Sir, I would state the latter point of view and would tell the House their feelings on the part played by the police. Sir, the Chief Secretary was pleased to remark that a few days prior to the arrival of the Simon Commission in Lahore, the local Congress Committee convened several meetings in the different parts of Lahore city where inflammatory and seditious speeches were made by prominent Congressmen, but the Government displayed utmost forbearance and patience inasmuch as it did not take any action against those speakers who were responsible for making speeches that rendered them liable to prosecution under the

[Chaudhri Afzal Haq.]

criminal law. Sir, if the Government has refrained from taking any action in the matter, that is its own look out and I am not concerned with what the speakers really said and how far their speeches came within the purview of sections 124 or 153, I. P. C. I do not know, nor can I say definitely whether the report on the basis of which Mr. Emerson was pleased to term those speeches as inflammatory was correct or otherwise. If they were taken down by the police reporters in their usual manner, that is to say, the speeches made in two hours are generally reported in five lines. I have grave doubts as to the veracity of those reports. Moreover if the Government has really shown any pity on the opponents of the Simon Commission, it is equally guilty in showing greatest possible latitude to those who spoke in favour of the Simon Commission. If the speeches made by the boycotters of the Commission fell within the purview of section 124, I. P. C. the speeches delivered by the supporters of the Commission also came under section 153 I. P. C. and if any testimony is needed of the truthfulness of my assertion, let the Government read the local newspapers and it will find that the Muslim papers termed the speeches delivered by the Hindu boycotters of the Simon Commission as inflammatory and those Hindu newspapers who were against the Simon Commission considered that the speeches made by the supporters of the Commission came under section 153 I. P. C. In the meetings convened by the Congress, supporters of the Simon Commission were cordially invited to attend and express their views with a view to convince us or get themselves convinced by us. But these supporters of the Simon Commission created such an atmosphere by their speech, that it was with the greatest difficulty that we could keep the people under control. If therefore the Government has shown pity on the opponents of the Simon Commission, it has showed equal rather greater leniency on the supporters of the Commission.

Sir, the honourable Chief Secretary has laid much stress on another point, viz., the gentlemanly conduct and the display of greatest possible forbearance by the police on the 10th instant under the gravest provocation and in the most trying circumstances, while the demonstrators left nothing to provoke a riot in the city and showered insults on the heads of the supporters of the Commission. In this connection, I beg to submit that that momentous day would have passed quite peacefully if the police had not taken a menacing attitude and unnecessarily beaten the processionists. Sir, the procession passed quietly throughout the City although the shop-keepers who were against observing *Lartal* greeted them with abuses and invectives, till at last it reached the railway station. There the police mercilessly beat the students and in consequence they began to cry 'shame' on the supporters of the Commission. This happened before the arrival of the Honourable the Finance Member whose presence, I must admit had a very desirable effect upon the police. Now, it is abundantly clear that if the police had not beaten the students even the cries of 'shame' would not have greeted the delicate ears of the Government officials and their supporters. If in England such a huge crowd which is differently estimated from 30,000 to 50 only, were to give out such a demonstration would it pass off more quietly? I believe if the crowd had not smashed the motors, it would at least have welcomed them with rotten eggs. I admit,

Sir, that the cry of 'shame' is not a desirable thing but it is not unparliamentary and is the order of the day in England and other European countries of the world. If our processionists had killed or wounded any one we could be justly blamed, but to cry 'shame' and putting hand bills in their motors is not as bad a thing as the beating of the leaders outside the Lohari gate, Lahore. If Sir, the dispersal of the crowd outside the Lohari gate was really necessary in the interests of the peace and tranquillity of the city, the Government should have done it in a more statesmenlike way and it was not at all proper for the police and the Deputy Commissioner and other gazetted officers to attack the crowd and pursue the leaders and throw Achant Ram in the ditch, beat Dr. Satyapal and break the arm of Kidar Nath Sahgal.

Mr. H. W. Emerson : May I make a personal explanation? I purposely refrained from saying anything about the incidents at the Lohari Gate and Lachhe Shah's house as both these incidents are likely to be the subject of judicial enquiry. I confined my remarks to what happened at the railway station.

Chaudhri Afzal Haq : The Government in my humble judgment has used the maximum force in putting down a minimum offence, and I would have praised the Government for its even-handed justice if it also had taken the trouble of censuring the policy and other officials who had mercilessly beaten the leaders of the people.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural] : Sir, I had no intention of taking part in the debate to-day, but somehow or other the debate has drifted into a narration of events which took place on the day the Simon Commission arrived here in Lahore, and I wish to add here a few personal observations which perhaps will help to clear the situation at the present time. I, along with a number of friends, went to the railway station to receive the Simon Commission. . . .

Raizada Hans Raj : Shame.

Mr. President : Order, order. It is unparliamentary to use the word "Shame" for a member of the House. Therefore I ask the honourable member to withdraw it.

Pandit Nanak Chand : It is all right, Sir. I do not mind his calling out shame.

Mr. President : Whether the honourable member minds or not. The dignity of the House requires that a member should not use the word "shame" for another member.

Raizada Hans Raj : If that is so, Sir, I am sorry and I withdraw.

Pandit Nanak Chand : A number of friends went to the railway station with me and we passed through MacLeod Road, but we were not greeted with any cries of 'shame' either by students or anyone else. After we had received the Simon Commission and they had gone in their cars and we were returning we did meet a number of people crying out shame. I personally did not attach the slightest importance to these cries. I think they are the order of civilised society to-day (laughter). That is an every day affair and personally I have heard many people shouting shame at me and

[Pandit Nanak Chand.]

hissing me and so on and when they had done that, I merely said "bas". We should take these things in good spirit. At the same time I cannot help admiring the tact of the police at the railway station. I found from my personal observation at the railway station that the arrangements were very admirable. People were not troubled in any way by the police. Not only was this my personal observation but I have heard a number of people making similar statements. From my own observations and from the observations of my friends, I can say that so far as the police arrangements at the railway station were concerned there was nothing that was condemnable. For myself I am ready to support the Government, but here the narration of the Chief Secretary stopped. The gravamen of the charge against the police is this, that when this crowd, which had collected at the railway station, and which had divided into various parties, was coming back to the city it was severely handled by the Police outside Lohari Gate. Only yesterday I was congratulating Mr. Ogilvie on the admirable arrangements made by him, but then I did not know anything about these various happenings at the Lohari Gate and I learnt of them from the *Tribune* on my return. It is alleged that when the crowd came outside Lohari Gate the Police dealt very severely with a certain number of people who included not the riff-raff of the town but among those who received a severe handling were men who had taken a prominent part in the public life of the Province. I personally differ from Dr. Satyapal's politics and we have often spoken from different platforms, but I think we must give him credit for the service which he has rendered, according to his own lights to his country just as these people must give credit to us for the service that we have rendered to the country according to our light. But that is no justification for the police or for Government officials to handle these men severely. If they had anything against them, a complaint could have been brought in a court of law and they could have been dealt with according to law. That is a matter on which I would like the Government members to say something, because we are absolutely in the dark whether these people were hit or not or whether some of them were thrown into the gutters or not, whether these people who had taken such a prominent part in the life of this Province were treated by the Police as ruffians and blackguards. This is a matter on which I want Government members to throw some light. Mr. Emerson's narration of facts stopped at what happened at the railway station and there I support Mr. Emerson in paying my compliments to the police, that their arrangements were good and praiseworthy and no one could possibly have a grievance against the police. If the statements made in the press as to what happened outside Lohari Gate are correct, then I must severely condemn the action of the police. If the statements are true, then they have lost all the credit which they otherwise deserved. Here in the Punjab and especially in Lahore, the two parties—those who were in favour of co-operation with the Simon Commission and those who were in favour of boycott—were fighting out their battles in a constitutional manner and no doubt the popular verdict would have gone in favour of those who were for co-operation. I can say definitely that so far as *hartal* is concerned and so far as others matters connected with these matters are concerned, the co-operators had a decided victory and this victory was won in a constitutional manner.

But as a citizen of the Punjab and as a respecter of law and order, I feel that in throwing these people in the gutters and in treating them in the manner in which they are alleged to have been treated, the police had really destroyed the good work that was being done by those who stood for co-operation with the Simon Commission and I ask for an impartial inquiry on the part of Government. I suggest that there should be appointed a committee of enquiry composed of official and non-official members. That is the only thing which will satisfy us.

Mr. President : Order, order. The honourable member is not quite in order in proposing a committee of enquiry.

Pandit Nanak Chand : Sir, I will not move this motion, but I will throw a suggestion to Government that in order to satisfy the public they should do something in this matter which will justify the good name of the police which Government wishes to justify or to satisfy the public which has been very much disturbed by these happenings.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : Sir, I am grateful to the honourable member who moved this cut for raising discussion on a subject, which is of great importance and also of great interest not only to me but to the other honourable members of this House, that is the subject of efficiency or inefficiency of our police force. The honourable member who moved the cut put forward his case with great logic, with great moderation and at the same time with great force; and all who heard him yesterday must have come to the conclusion that on point of principle the questions which he raised were of the very first importance and that it was desirable that the House should have full statement and full information as to what Government had done or proposed to do in regard to the various propositions which he put forward. The honourable member made the point that no real efficiency can be obtained in police working nor can the police perform their duties as regards peace, law and order and the protection of property without the help and co-operation of the people. He went on to say that the help and co-operation of the people cannot be obtained unless the police can win the respect and esteem and trust of the people. He further pointed out that this trust, respect and esteem can only be won if the police establish good relations with the people and if there is a change in their attitude when it needs change towards the public and if those who adopt overbearing manners amend their attitude, that it can only be won if there is a realisation that they are public servants and if in the execution of their public duties they keep within the powers given to them by the law and do not move outside them. Sir, with those three general principles I and Government are generally in agreement; and I am sure the other members of this House also agree in these with the honourable member who moved the motion. In raising further points in connection with these principles, the honourable member enquired what steps Government had taken in training the Police to impart to them a correctness of attitude and the sense that they are public servants. He also enquired what steps have been taken or will be taken to improve their technical efficiency. He went on to illustrate his meaning by saying that in many cases he felt that technical efficiency was wanting and in its

[Hon. Sir Geoffrey deMontmorency.]

place unauthorised measures of pressure were employed. He also had some observations regarding honesty and the conduct of investigations generally. He ended by pointing out that while Government in the budget proposals proposed certain improvements in pay, they did not make it clear what administrative reforms they had introduced or would introduce and that the latter were in no sense less important and were indeed more vital than the former.

As regards efficiency generally, I should like to make a few observations founded on actual record so that it should not be understood that I accept without qualification the assertion that the police are inefficient. Taking the last five years from 1922 to 1926, convictions in admitted cases of cognisable crimes have risen from 26 per cent. in 1922 to 33 per cent. in 1926. This may not be a startling rise; it may not be a showy rise; but it does show improvement in this respect. Take burglary, which is what I may call perhaps one of the staple crimes of the province. It is a crime which is common but which should be preventable and punishable and we should be able to make progress in its detection. In 1922 the number of admitted cases was 18,847 of which only 2,071 were convicted. In 1926 the number of admitted cases had sunk to 13,700, a fall of 4,500 cases and the number of convicted cases was 2,251. These are the figures for the whole province. This shows that in the admitted cases there has been a fall and that there has been a rise in the number of convicted cases. The figures for 1927 are still more striking. There is a fall to 13,503 of admitted cases whereas the figure of convictions rose to 2,469. These figures appear very striking.

As regards dacoities, the number of dacoities was 849 in 1922; it has fallen to 147 in 1926. The percentage of cases convicted to the cases admitted has risen from 23 to 43 per cent. The figures for 1927 are 149 admitted cases and 63 convictions. Here too I venture to point out there is a clear record of progress in efficiency.

Now, as regards training, there is in the Phillaur School a definite course of lectures on the attitude of the police to the public and how they should behave towards the public, and these lectures are written from the point of view of bringing into the minds of those who go for education to Phillaur the fact that they are public servants and that their duty is to serve the public. I have tried since yesterday to obtain a copy of one of these lectures which I myself have seen, but have not been able to obtain it in time; otherwise I would have laid one of these lectures on the table of the House so that honourable members might judge for themselves the character of the instructions given. The same sort of instruction is given to the lower ranks in the lines in all districts of the province. We hope as time goes on that that class of instruction will become more complete. Hitherto owing to the inadequacy of reserves and training staffs training of the lower ranks in the lines has left a good deal to be desired. In the budget proposals before the Council it is proposed to add an assistant sub-inspector, specially trained, to be in charge of recruits and recruits' school in the lines. This training is at present done by the head constable from the reserve under the lines officer. In future it is hoped that this will be done by a specially trained and more efficient agency. Besides, hitherto the reserves have

been at such a low figure that very often casualties, sickness or requirements of leave necessitated the keeping of recruits in the lines for too short a period and sending them out prematurely not fully equipped for the duties they had subsequently to perform. The raising of the figure for the reserves from 15 per cent. of head constables and constables to 16.5 per cent. will enable a far more efficient and lengthy training to be given to recruits. In the same way the improvement in the reserves for head constables should enable the training of that branch of the service to be carried out with greater degree of efficiency.

There are other methods of improving our training under consideration. The ones I have alluded to before are proposed to be undertaken at once. There are other methods under discussion such as centralising training or supplying the Inspector-General or other authority with a specially trained officer to inspect training just as in the army the Directorate of Training and Commands have at their disposal a staff officer who goes round, judges the training of all troops which takes place in different places and compares results and points out defects. It has not however been yet adopted and does not therefore form part of our proposals in the budget.

Many speakers alluded to matters affecting the public in investigations and of the unlawful and unauthorised proceedings by the police in connection with such enquiries. Steps are being taken to remedy this and instructions are being incorporated in the new police rules. One of the matters which will be emphasised is the necessity of the issue of written orders by the investigating officer to each person whose presence is required at an investigation. A copy will be given to the person, who is summoned, stating the date and time at which he joined the investigation and the date and time at which he left it. This will prevent, it is hoped, the summoning of all and sundry and the unnecessary detention for a prolonged period in connection with investigations.

The second improvement relates to tampering with *ziminis*. A new method of duplicating is now being introduced and will be shortly enforced in every police station by which case diaries will be promptly submitted to the police head office and the magistrate in charge of the *ilaga* and it will not be possible to delay them or subsequently tamper with them.

Another matter which has been taken in hand is that of saving the complainant from going to the police station and making reports in person. The complainants have often complained that they are bound under the present arrangements to go in person to the police station where they are often detained for some time and even then they are not sure that the statement, which they make, is what is actually recorded by the moharrir. To obviate this, new instructions are being issued. First of all, under the existing rule police officers in charge of police stations are authorised to take action on *rugga* sent by the village headman, *zaildars*, *inamdars* and *patwaris*.

More publicity will be given to this rule and all villages will be supplied with forms which these persons can use for making such reports. But in addition it is proposed to make an addition to the police rules to enable an investigating officer to take action to begin investigation into cognisable crime on *rugga* or written report or even from a telegram from a respectable person when he has no doubt as to his *bona fides*. Such action has already

[Hon. Sir Geoffrey deMontmorency.]

begun to be taken; and I have seen a number of cases which started from such written reports which were not received from any village official, but only emanated from somebody in a village of whose *bona fides* the police had no reason to entertain doubts. The advantage of incorporating this rule is that as things stand at present, or rather, as things stood before, a police officer in charge of a station could refuse to take action on such written communications. But now he cannot. The honourable mover also referred to the desirability of improvement in technical matters. He said that we wanted more modern methods for tracing out crime. In this, I think he is right. But these methods are already being studied. They form, as one honourable member has told the House, part of the technical instructions at Phillaur; and also in the district in which the honourable member now resides, he probably has not failed to make the acquaintance of what is known as the *modus operandi* method. Many crimes, burglaries and thefts in particular are not committed by casual criminals but are committed by persons belonging to criminal classes. However much care these persons may take, nature has implanted into everybody certain tricks or habits of which they themselves may be unconscious but which are unconsciously repeated in their actions and leave this trace behind. The *modus operandi* system requires a very careful investigation of the places and the circumstances and the scene of a crime and how it was committed; and by devoting extreme care to this, by scheduling methods which occur in the case of all crimes that are committed and in keeping a record of the method that was employed and observed in the case of crimes committed by persons, in the past, who had to suffer punishments for them but who are now at large, the police are enabled in very many cases definitely to say that such and such a crime was probably the work of a certain skilled criminal or of his associates. This method has led to great success in Lyallpur. It has formed the subject of departmental conferences and it is being adopted in other districts also. As regards its success in Lyallpur, I should like to point out that in 1922, out of the number of cases of serious cognisable crime of classes 1 to 5, the number of true cases recorded in that year was 2,375 and the figures continued to be well over 2,000 for the next three years. Now, Sir, in 1922, out of those 2,375 cases, 608 were sent to court and 370 of those were convicted. In 1927, the year that has just passed, after Mr. Scott, the Superintendent of Police had been working at this new scheme for sometime and also had generally toned up the whole criminal administration of the district, the figures of cognisable crime in classes 1 to 5 had sunk to 1,428 cases of which 856 were put into court and of those 856, 645 were convicted. That is over 75 per cent. of the cases sent to court. This shows both a remarkable diminution in the volume of crime and a remarkable degree of success in the cases sent before the courts. In burglaries in Lyallpur the result is even more striking. In 1922, 1,404 cases of burglary were admitted as true cases, 113 of these sent to trial and 72 cases were convicted. In 1927, the figures are that only 557 true cases of burglary were admitted and of these, 163 were sent to court and of those 163, 130 ended in convictions. That is 80 per cent. of the cases sent to court ended in convictions. These are very remarkable figures and we have no reason to suppose that when these methods have been studied, as they are being studied, by our police officers, that

similarly good technical results will not be secured in other districts also. Another method by which we propose to strengthen and improve investigation is by attention to the strength of the thana staffs. These have now been very carefully and fully gone into and thana staffs will be revised on the strength of the examination of the provincial police committee, the idea being that the ordinary thana registering approximately 75 cases will have one sub-inspector, one assistant sub-inspector, one head constable and ten constables. Many thanas at present have under 10 constables. I think there are more than 32 in the whole province which have these very small staffs of 8 or 9 constables in all. In addition it is proposed, as pointed out, to strengthen the investigating staff by the appointment of assistant sub-Inspectors. Many complaints have been received in the past of the material that goes out to conduct investigations. By the creation of assistant sub-Inspectors we hope to draw into the agency for investigation a better qualified and better trained persons, to add one who will be of some real assistance to a good Sub-Inspector in investigating and in going out and taking up cases which might have gone under existing circumstances to an inferior agency. We also hope in those big thanas registering a large number of cases, which have now more than one sub-inspector, to do away with the present rather unsatisfactory situation. Take big thanas such as Zira with 130 cases and two Sub-Inspectors, Moga with 200 cases and two sub-inspectors, Tarn Taran with 220 cases and two sub-inspectors and Ajnala with 200 cases and two Sub-Inspectors (there are a number of cases like these in the province of heavily worked thanas). The trouble in those thanas is like having two Kings in Brentford. The sub-inspectors do not work well with one another, jealousies crop up and the staff of the thana is found to side with one sub-inspector or the other. Under the new system, the assistant sub-inspector will be definitely under and in a different grade from the person in charge of the thana and is likely to prove more efficient and whole hearted in co-operating in work in consequence. In other directions, it is proposed to raise the general educational standards of those employed in the force. The creation of a selection grade among the constables is likely to attract more and more literates to the ranks of the constables in the police force. Many matriculates are already enlisting as such. The next above this will be head constables. Here too the qualification is matriculation though persons of higher educational qualifications are seeking the post if they see an opportunity of soon rising from it in the grades above. The qualifications laid down for assistant sub-inspectors have been fixed as F.A. or better. The same qualifications exist now in the case of sub-inspectors and here too a number of persons with superior qualifications, such as B.A. are seeking the appointment. It is hoped that with improved pay and prospects the police will offer attractive employment to better educated classes of men every year and that this in itself will have great effect on the technical efficiency of the force.

I admit that one of the most important things—and it has not been neglected—is the question of supervision and that it will be impressed on all the gazetted ranks. They will be reminded also of the supreme importance of accessibility, of constant inspection and of knowing everything that goes on in their charges. By these means alone can irregularities be wiped out. As regards honesty, I do not deny that there is unfortunately

[Hon. Sir Geoffrey deMontmorency.]

some dishonesty in the force as in other departments. It is a real problem what should be done to encourage the honest worker and what should be done to punish dishonesty. The provincial committee pointed out that the scales were heavily weighted against the honest man. As regards encouraging honesty, steps taken are as follows: Throughout the police now there are selections to either selection grades or to the higher posts. In the new proposals it is proposed that for one-fourth of the force of constables there shall be a selection grade. Above the constables is the rank of the head constables whose pay it is proposed to improve and to this rank of head constables there will be promotions from the ranks of constables. Above the rank of head constables in turn there is the assistant sub-inspector again better paid than the constables and again than the head constables and again partly recruited from the ranks of the more promising head constables. Above him again is the sub-inspector and at the top of the sub-inspector's grade are a number of selection grades and in addition the ranks of inspector are recruited to a large degree from the better sub-inspectors. Now, Sir, orders are being issued that no promotion is to be made to a selection grade or to a grade above unless the person concerned has outstanding reputation for honesty. That is to be the best qualification for this kind of promotion. I was interested to find out the other day how far this process is receiving effect, how far promotion is really barred for the corrupt police officer, how far this condition of integrity is really being kept up to. On making enquiries I found that in the selection grade of sub-inspectors in the central range in which there are 64 posts, 17 were not filled up in the last year because officers were still trying to satisfy themselves what persons really had this reputation and deserved their promotion to the selection grade; and until they are satisfied themselves of that, they refuse to make these promotions. That, Sir, I think is proof that an honest attempt is being made to work this system of promotion only for those with real integrity. Another question is the question of punishing dishonesty. As regards that the orders now are—let us take the case of sub-inspectors—that if a sub-inspector is charged with dishonesty in a specific case or a series of cases an investigation shall at once be begun. If the case is an intricate one and one that will take time and one that is not likely to be properly and thoroughly handled in the ordinary time at the disposal of the Superintendent of Police or his assistants, that officer may apply to the Inspector-General for some one from a panel of retired officers, say a Deputy Superintendent of Police of approved integrity, to help him in the preliminary investigation. This will prove a considerable assistance in taking up intricate investigations. Then after the preliminary enquiry, a conclusion will be come to as to whether there is a *prima facie* case against the official concerned. If there is a *prima facie* case fit to be sent into court, that case will be sent into court. If there is a *prima facie* case but not strong enough going to court, that case will form the subject of departmental charge and proceedings and from the moment it has been decided that there is either a *prima facie* case strong enough to put into court or there is a *prima facie* case not strong enough to put into court but strong enough for a departmental proceedings, the officer will be suspended. As regards charges of general corruption, these are more difficult. There are jealousies, there are many people who fancy they have

been injured by the police or whose relations have suffered in connection with crimes or something like that, there are communal differences and so on; and in consequence general charges of corruption are very much more difficult and more delicate matters. All that can be done in this respect is that when there is a charge of general corruption, not about a specific case, if the Superintendent of Police is satisfied in regard to that matter, he would ask the officer concerned to explain; and if it cannot be explained away, he would give him a warning and get him transferred to another district. If even in the other district the experiences are the same, then when 3 black marks have been accumulated of that officer on general charges, which, of course, he should have full opportunity of explaining, his case will be put before the committee consisting of Deputy Inspector-General and the Commissioner and he will be allowed to explain his conduct and they will make recommendations in regard to him. This, I think Sir, gives an indication that there is a real and genuine effort both to reward those that are honest and punish those who are dishonest and, I may add also, who are inefficient. If further proof is needed, I would point out that in no department is discipline in my view more strictly enforced than in the police; and in no other department where persons are alleged to be dishonest or to be inefficient, are the investigations so quickly held or so thoroughly made and the men if found guilty so promptly punished. Looking through the last few years—I see in the report for 1924 that 4 officers and 216 men were dismissed from the force and some 840 officers and men received minor departmental punishments. In 1925, 5 officers and 213 men were dismissed from the force and 880 officers and men received minor departmental punishments. In 1926, one officer and 222 men were dismissed from the force and 792 received minor punishments. It may be said that these are signs that there are bad men in the police. I do not agree with that, but I think they are a sign of great vigilance and great effort to keep both efficiency and purity in the police at a high standard. Some instances of bad working of the police, no doubt, can be made by some of those here; but on many occasions, as is well-known to me from the many reports that come to me, that the police show both exceptional qualities of bravery and exceptional qualities of perspicacity in the interests of the public. (*Hear, hear*). I should like to quote only a very few cases out of many, all occurring within a very short time. On the 8th of August last a single constable returning from patrol duty noticed near Khanna station in Ludhiana three men sitting near the railway line with bundles and in one bundle he observed what he thought it was the stock of a gun. He went up to these three persons and said he would like to see what was in their bundles. He was knocked down to the ground with a blow from a bludgeon. In spite of that he got up and ran to the thana and there fortunately just as he arrived a mounted head constable came in and this head constable seizing a musket rode off on a horse in the direction indicated by the constable. The head constable was accompanied by another constable who was a good runner. These two went on in front followed by others. They came up to the three men who took to their heels and began to fire at the police who were pursuing them. They pursued them for 5 miles of country and eventually ran them down in a sugarcane field.

[Hon. Sir Geoffrey deMontmorency.]

They kept them at bay till the rest of the police and some villagers came up. The party continued firing at them and the police returned their fire wounding two and eventually the three men were rounded up and captured. The leader turned out to be a well-known dacoit who was wanted for a series of crimes.

I will quote another case of, what I may call, an observant head constable. This head constable was on duty at Batala in the Gurdaspur district. He saw a young Muslim girl accompanied by a Sikh going in a lorry. This rather excited his curiosity and he went up and made enquiries, and got evasive replies. Finally, it turned out that this man was one of those people who take away girls with the intention of selling them and that in this case in order that he might command better price, her infant baby had been murdered and the body was subsequently discovered by the police. That case occurred in November last.

I will quote one case in Multan. On the night of the 28th May a constable was returning from duty to his quarters to sleep. He heard an outcry of 'thief.' He got ready to catch the thief, but when the thief came down the lane in which the constable was, he stabbed the constable to the heart. Nevertheless the constable pursued him till he fell unconscious leaving a track of blood to testify to his devotion to duty. (*Hear, hear*).

I will quote only one more case of perspicacity and courage combined. A very dangerous gang of dacoits on the 10th February last were operating in the Attock district. They visited a small village which has a number of Hindu inhabitants. The gang consisted of 11 dacoits armed with rifles. They shot a villager and placed armed men on the top of a house from which they fired at all corners and then began to loot a Hindu house. A constable arriving there on patrol duty, although he was only one in the midst of eleven men armed with rifles, he acted in what I consider a very brave manner. He borrowed a blunderbuss in the village, the only arm he could get. He arranged with three drummers in the village to keep constantly beating their drums and he went round from place to place about this quarter firing the blunderbuss at the dacoits. This action of firing from different quarters coupled with the drumming gave the dacoits the impression that a large rescue party had come and was about to surround them and so they took to their heels. They committed another serious dacoity in the Attock district, but fortunately they were rounded up by Chighus across the Indus. Some of them were captured and some others were killed.

These are some of notable instances of the good work of the police. These are instances of work done by men who are constables and who begin on Rs. 17 a month and after 17 years reach Rs. 20 and on that magnificent figure they expect to remain until they either die or reach the age of 55, when they retire on pension. As regards constables their present prospects also are not particularly rosy. They start at present on Rs. 25 a month and their eventual hopes are centred in reaching the grade of Rs. 40, in which there is only 15 per cent of head constables. The sub-inspector starts on Rs. 80 and he gets an annual increment of Rs. 10 after five years and he has to provide himself under the present conditions with his uniform, sword and

equipment. Attempts are made in the proposals in the budget to try and make these provisions a little more liberal, prospects little more bright and try to hold out an outlook to the force which will give them a sense of contentment and self-respect; I trust that the efforts on that behalf will meet with the approval of this Council.

Before I conclude I should like to say a very few words about certain episodes to which various members have alluded. One honourable member opposite referred to the reception to the Simon Commission on arrival at the station. I should like to point out that full opportunity was given, as the Chief Secretary has explained, to those who wished to demonstrate that they were displeased with the coming of the Simon Commission. They were told that they could come down and take their station on the Empress Road. That invitation was availed of and directions given faithfully followed by certain leaders, notably by Kharak Singh. They took up their position with their flags and mottos and so forth on the Empress Road and they were subjected, as far as I know, to no trouble by anybody. They were merely asked to keep back and keep the road clear for traffic along which the Commission was moving. That they did. Other crowds forced their way round the corner into the opening of the station yard. They were asked to go down the Empress Road, as Kharak Singh had done, and take their station there. I believe their so-called leaders tried for a long time to get them follow this advice. But this proved abortive and they remained at those corners inside the entrance to the station yard. When the Commission arrived the persons who were on the Empress Road made their demonstrations and as far as I know the police in spite of the great crush and pushing and so forth, did their best to allow them to make their demonstration and the only force they used was to prevent the road getting blocked so that cars could not get through. I myself was taking down one of the members of the Commission and experienced considerable difficulty. I was in the last car and had a hard task in getting my car through. Flags, etc., were thrown into my car and I had distinct physical difficulty in getting on my way because these demonstrators had crowded there and by sheer weight of numbers had forced the police more or less into the middle of the road. But every one seemed to be good tempered. While one party had its demonstration inside the station, the other party had equally free demonstration of their views along the Empress Road. There was latitude on both sides. As regards the events near Lachhe Shah's house I have not yet seen the official record which is being submitted on the subject. I thoroughly agree with my friend Mr. Nanak Chand that prior to this attack, in the matters I have referred to already, battles were being fought out in a more or less constitutional manner. But I shall reserve judgment until I have seen the reports and had the necessary enquiries made as regards the incidents that took place near Lachhe Shah's house. But from the complaints which were lodged by his neighbours at the Kotwali it seems to me that there is some presumption that at that particular spot one party had ceased to fight in a constitutional manner; nor indeed it is easy to understand in connection with constitutional action what prompted a congregation before this particular gentleman's house. I hope the assurance I have given the honourable mover of the motion will satisfy him as regards the good intentions of Government for removing inefficiency in the police. (*Cheers*).

5 P.M.

Mr. President : Demand under discussion;
motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 83,23,340—Total pay of establishment—26-B—Police—District Executive Force."

The question is that that motion be adopted.

The motion was lost.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,09,77,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Police."

The motion was carried.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS (TRANSFERRED) GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 15,08,700 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Scientific and Miscellaneous Departments (Transferred)."

The motion was carried.

EDUCATION (RESERVED) GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 7,09,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Education (Reserved)."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,58,54,000 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, 1929 in respect of Education (Transferred)."

The motion was carried.

MEDICAL AND PUBLIC HEALTH GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 69,79,300 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Medical and Public Health."

The motion was carried.

AGRICULTURE GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 54,66,000 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, 1929 in respect of Agriculture."

The motion was carried.

INDUSTRIES GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 9,13,700 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Industries.”

The motion was carried.

INDUSTRIES (CAPITAL) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 4,97,500 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Industries (Capital).”

The motion was carried.

MISCELLANEOUS DEPARTMENTS (RESERVED) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 20,45,500 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, 1929 in respect of Miscellaneous Departments (Reserved).”

The motion was carried.

CIVIL WORKS (RESERVED) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 1,27,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Civil Works (Reserved).”

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 2,08,44,000 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, 1929 in respect of Civil Works (Transferred).”

The motion was carried.

CIVIL WORKS (CAPITAL) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 26,83,000 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, 1929 in respect of Civil Works (Capital).”

The motion was carried.

HYDRO-ELECTRIC SCHEME (TRANSFERRED) (CAPITAL) GRANT.

Mr. President : The question is—

“That a sum not exceeding Rs. 39,83,530 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, 1929 in respect of Hydro-Electric Scheme (Transferred) (Capital).”

The motion was carried.

FAMINE RELIEF AND INSURANCE GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 1,81,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Famine Relief and Insurance."

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 20,27,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Superannuation Allowances and Pensions."

The motion was carried.

COMMUTED VALUE OF PENSIONS (CAPITAL) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 5,58,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Commuted Value of Pensions (Capital)."

The motion was carried.

STATIONERY AND PRINTING (RESERVED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 10,95,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Stationery and Printing (Reserved)."

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 34,000 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, 1929 in respect of Stationery and Printing (Transferred)."

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENT (RESERVED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 14,23,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Loans by Provincial Government (Reserved)."

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENT (TRANSFERRED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 23,75,000 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Loans by Provincial Government (Transferred)."

The motion was carried.

REFUNDS (RESERVED) GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 3,81,100 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, 1929 in respect of Refunds (Reserved)."

The motion was carried.

REFUNDS (TRANSFERRED) GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 12,04,000 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Refunds (Transferred)."

The motion was carried.

GRANT FOR EXPENDITURE IN ENGLAND (OTHER THAN STORES) UNDER THE CONTROL OF HIGH COMMISSIONER FOR INDIA.

Mr. President : The question is—

"That a sum not exceeding Rs. 5,77,500 be granted to the Governor in Council and Ministries of Agriculture, Education and Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Expenditure in England (other than stores) under the control of the High Commissioner for India."

The motion was carried.

GRANT FOR EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE.

Mr. President : The question is—

"That a sum not exceeding Rs. 17,330 be granted to the Governor in Council and Ministry of Local Self-Government to defray the charges that will come in course of payment for the year ending the 31st of March, 1929 in respect of Expenditure in England under the control of the Secretary of State."

The motion was carried.

The Council then adjourned till 2 p.m. on Wednesday, the 14th March 1928.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

343 PLC-390-23-3-28-SGPP Lahore.

INDEX
TO
DEBATES
OF THE
PUNJAB LEGISLATIVE COUNCIL.
Vol. XI.

	PAGES.
ABDUL QADIR, SHAIKH, SIR—	
Resolution re Amritsar Medical School	64-9, 79
Resolution re grant of loans to zamindars of Roh- tak, &c., districts	859-60
Resolution re Unani and Ayurvedic Systems of medi- cine	56-7
ABIANA—	
Question re — in Dipalpur tahsil	993
ABIANA KHATAUNIS—	
Question re —	555
ABDUR RAHMAN, GHAZI—	
Question re Maulana Atta Ullah and —	231-32
ACT—	
Question re Land Alienation	450
Question re Muhammadan Waqf —, 1928	349
ADDITIONAL GRANTS—	
Government's Demands for Supplementary and —	809-811
ADMINISTRATION OF JUSTICE GRANT—	537-46, 562-600, 805
Recruitment of services in charge of High Court	537-46, 562-86
Recruitment of zamindar Sub-Judges	586-599
ADMISSION—	
Question re — as petition-writers in Mianwali dis- trict	659
ADULTERATION OF FOOD (AMENDMENT) BILL—	
Punjab —	811-13
ADVERTISEMENTS—	
Budget : Government — to newspapers	432-90
Question re newspapers and Government —	132, 1053
Question re prosecution of newspapers for obscene —	13-14, 17-18

	PAGES.
AFZAL HAQ, CHAUDHRI—	
Amendment of Standing Orders	166-67
Budget : Arms, facilities for keeping	517-19, 520-21
Budget : Excise policy	378-81
Budget : Government advertisement to newspapers ..	482-84, 489-90
Budget : improvements in Jail Administration ..	686-37
Budget : Judicial and executive functions, separation of	456-59
Budget : Lack of efficiency in the police	687-89
Budget : Political prisoners	616-18, 633-35
Budget : Reafforestation Chos policy	321-22
Budget : Recruitment of services in charge of High Court	572-74
Education (Transferred) Grant	806-07
General discussion of the budget	214-17
Motion for adjournment	768, 1189-41
Motion re committee to co-operate with the Indian Statutory Commission	719-21
Punjab Land Revenue (Amendment) Bill	895-96, 910-11, 916, 927-28, 952-53, 976-77, 1019-22, 1111- 12, 1124-25, 1181-92, 1184
Resolution re application of the principles of assess- ment of income-tax to the assessment of land revenue	104-06
Resolution re military training for college students ..	873-74
Resolution re Unani and Ayurvedic Systems of medi- cine	54-5
Stationery and Printing (Reserved) Grant	808
AGRICULTURE(AL) (ISTS)—	
Question re — Extra Assistant Commissioner candi- dates	148
Question re — Patwar candidates	399
Question re — students	351
Question re — tribes	1
Question re — works	657
Question re fee concessions to — students	146-47
Question re Hindu —	794-95
Question re improvement of —	448, 1807
Question re purchase of land by non— from — ..	1050-51
Question re recruitment of Statutory — of Jhang to the Police Department	986
Question re Standing Committees on — and Co-oper- ative Societies	844
Question re statutory —	154, 794
Question re teaching of — in schools and colleges ..	658-71
Question re transfer of Hissar Government Cattle Farm from Veterinary to — department	448

	PAGES.
AGRICULTURE(AL) (ISTS)—CONCLUDED—	
Steps for encouraging — education	278
AGRICULTURE—	
Grant	700
AHIRS—	
Question <i>re</i> treatment of — as educationally backward class	939
AHIR HIGH SCHOOL—	
Question <i>re</i> —, Rewari	939
AHMAD BAKHSH, CHAUDHRI—	
Question <i>re</i> —, member, municipal committee, Moga	149
AHMAD BAKHSH, MUNSHI—	
Question <i>re</i> —	397, 881
AHMAD YAR KHAN, DAULTANA, MIAN—	
Budget : Lack of efficiency in the police	678-80
Budget : Settlement operations in Montgomery	330
AIDED INDIAN SCHOOLS—	
Question <i>re</i> grant for —	892
AIDED MIDDLE SCHOOL—	
Question <i>re</i> —, tahsil Daska	230, 1302
AIK NALLA—	
Question <i>re</i> — and Dek Nallah	349-50
AKALI—	
Question <i>re</i> Master Mota Singh, an — prisoner	22-3
AKBAR ALI, PIR—	
Budget : Bhakra Dam Scheme	426
Budget : Point of order <i>re</i> abolition of Divisional Commissioners	436
Punjab Land Revenue (Amendment) Bill	914, 923, 955-56, 964-65, 1112
Resolution <i>re</i> grant of loans to zamindars of Rohtak, &c., districts	860-61
AKHBARAT COMPANY, THE PUNJAB—	
Question <i>re</i> case of Rai Sahib Lala Janna Das <i>versus</i> —	140-41
ALLEGATIONS—	
Question <i>re</i> — against Chaudhri Faiz Ali, Tahsildar, Sirsa	606
Question <i>re</i> — against teachers of Pind Dadan Khan municipal schools	188
ALLOWANCE—	
Question <i>re</i> Hill —	714
AMENDMENT—	
— of Standing Orders	166-72
ANAJ MANDI—	
Question <i>re</i> land round the tomb of Lakhi Shah in the —	290

ANGLO-INDIAN CANAL OFFICER—	
Question re complaint against an — of the Montgomery division	15
ANGLO-VERNACULAR MIDDLE SCHOOL—	
Question re grant-in-aid for —, Sambrial	608
Question re Headmaster —, Machhiwara	712, 1366
ANNOUNCEMENT FROM THE CHAIR	
House Committee	818
APPEALS—	
Question re Civil — in the High Court	803
APPLICATIONS—	
Question re — for passport	1048
Question re — for plying motor cars on hire	985
APPOINTMENT(S)—	
Question re — of Commissions	1047
Question re — in the Subordinate Educational Service	895-96
ARHATIS—	
Question re Bansi Ram, Baboo Ram, —, of Pathankot	985
ARMS—	
Budget : facilities for keeping —	517-21
ARMS ACT—	
Question re Indian —	451
ARMS LICENSES—	
Question re —	134
ARREST—	
Question re — of Khan Shafat Ullah	131
Question re — of some College students	496
ARTIFICIAL ATTA—	
Question re —	888
ARTIFICIAL BREEDING—	
Question re — of fish	345
ARTS GRADUATES—	
Question re supersession of — by graduates with Munshi Fazil qualifications	180
ASHTON, MR. H. F.—	
Budget : Irrigation Grant	423
General discussion of the budget	247-48
Oath of office	1045
Resolution re Mr. Anderson's report regarding Muzaffargarh	1090-93
Supply of water in existing canals not affected by extension of canal irrigation	247
Supply of water in Sutlej Valley Project Canals	248
ASSISTANT AND DEPUTY SUPERINTENDENTS—	
Question re — of Jails	445-46
ASSISTANT DIRECTOR OF PUBLIC HEALTH—	
Question re —, Rawalpindi	398

	PAGES.
ASSISTANT DISTRICT INSPECTOR(S) OF SCHOOLS—	
Question <i>re</i> —, Fazilka	150-51
Question <i>re</i> teachers and —	1056
ASSISTANT SURGEONS—	
Question <i>re</i> Civil —	22, 351, 391
ATTA—	
Question <i>re</i> artificial —	888
ATTA ULLAH, MAULANA—	
Question <i>re</i> — and Ghazi Abdur Rahman ..	231-32
AUCTION—	
Budget : Government waste land, sale by — of ..	371-75
AUTAR SINGH, SARDAR—	
Question <i>re</i> election of — to small town committee, Tandlianwala	13, 877
B.	
BABOO RAM—	
Question <i>re</i> Bansī Ram, —, Arhatis of Pathankot..	985
BALBIR SINGH, RAO BAHADUR, CAPTAIN—	
Punjab Land Revenue (Amendment) Bill ..	956-57
Resolution <i>re</i> grant of loans to zamindars of Rohtak, &c., districts	847
BALDEO SINGH, CHAUDHRI—	
Budget : improvements in jail administration ..	637-38
Budget : Judicial lock-ups	615
Budget : Political prisoners	623-24
Resolution <i>re</i> grant of loans to zamindars of Rohtak, &c., districts	839-44, 867
BANASPATI GHI—	
Question <i>re</i> —	886
BANK(S)—	
Question <i>re</i> Central Co-operative —	346-47, 787
Question <i>re</i> mortgage —	443-44
BANSI RAM—	
Question <i>re</i> —, Baboo Ram, Arhatis, of Pathankot ..	985
“BANNA SHIKNI”—	
Question <i>re</i> —	673-74
BANNERJI, MR.—	
Motion for adjournment <i>re</i> —, a C. I. D. employee..	1106, 1139-60
BAR—	
Question <i>re</i> recruitment of District and Sessions Judges from the members of —	240
BATAI—	
Question <i>re</i> —	406
BHAGAT SINGH—	
Question <i>re</i> —	1000-1001
BHAGWAN DAS, LALA—	
Question <i>re</i> — of the D. A.-V. College	823

	PAGES.
BHAGWAN DAS, MALIK—	
Question re — Hindu High School, Chiniot ..	155
BHAKRA DAM SCHEME—	
Budget : —	424-27
Question re committee on storage projects ..	145
BHANA RAM, LALA—	
Question re —	787
BHATTU-FATEHABAD-JAKHAL RAILWAY—	
Question re —	175
BILL(S)—	
Punjab Adulteration of Food (Amendment) Bill ..	811-13
Punjab Land Revenue (Amendment) — ..	814, 895-981, 949-981, 1007- 1044, 1106-1139, 1161-91, 1195-97
Punjab Medical Registration (Amendment) — ..	30-31
Punjab Pre-emption (Amendment) — ..	31-51, 394-95
Question re amount of — outstanding in Ambala City municipal committee	289-90
Question re new University —	793
Question re Money-lenders' —	705, 792
BOARDING HOUSE—	
Question re search of —, Normal School, Ferozepore City	149-50, 1360
BOAT BRIDGE—	
Question re — at Qureshi ferry	444
BODH RAJ, LALA—	
Budget : Lack of efficiency of police	674-77
Budget : Recruitment of services in charge of High Court	563-64
General discussion of the budget	264-66
Motion for adjournment	768-69
Motion re Committee to co-operate with the Indian Statutory Commission	726-29
Punjab Pre-emption (Amendment) Bill	88-9
BOOK(S)—	
Question re — entitled " Nagma Zar "	888
Question re — of Text-Book Committee	803
BORING FEES—	
Question re —	556-57, 1362
BORING OPERATIONS—	
Question re —	657
BORSTAL INSTITUTION—	
Question re Criminal Investigation Department Officers at the Lahore Central Jail and — ..	341
BOY SCOUTS—	
Question re —	888-89
PRAYNE, Mr.—	
Question re development scheme of —	604, 828, 893
Question re " Uplift Scheme " of —	609

BRIDGE(S)—

Question re boat — at Qureshi ferry	444
Question re — for drain No. 8 between Gohana and Rohtak	848-44
Question re — over the river Sutlej	20
Question re Canal — near village Chatana	792

BROAD GAUGE LINE—

Question re — between Jakhal and Sirsa	447
--	-----

BUDGET—

(For the various items under each budget grant,
please see the various grants, indexed separately
in their respective alphabetical order).

Administration of Justice Grant	537-46, 562-600
Agriculture Grant	700
Civil Works (Capital) Grant	701
Civil Works (Reserved) Grant	701
Civil Works (Transferred) Grant	701
Commuted value of Pensions (Capital) Grant	702
Debt Services Grant	435
Education (Reserved) Grant	700
Education (Transferred) Grant	700
Excise Grant	375-88
Famine Relief and Insurance Grant	702
Forests Grant	407-22
Forests (Capital) Grant	422
General Administration (Reserved) Grant	435-41, 453-90, 509-37
General Administration (Transferred) Grant	537
General discussion of —	187-227, 240- 288
Grant for expenditure in England under the control of the Secretary of State	703
Grant for expenditure in England (other than stores) under the control of the High Commissioner for India	703
Hydro-Electric Scheme (Transferred) Capital Grant	701
Industries Grant	701
Industries (Capital) Grant	701
Irrigation Grant	423-24
Irrigation (Capital) Grant	424-35
Jails and Convict Settlements Grant	613-44
Loans by Provincial Government (Reserved) Grant	702
Loans by Provincial Government (Transferred) Grant	702
Medical and Public Health Grant	700
Miscellaneous Departments (Reserved) Grant	701
Police Grant	644-47, 674-700
Presentation of —	156-66
Refunds (Reserved) Grant	703]

BUDGET—CONCLD.

Refunds (Transferred) Grant	708
Registration Grant	422-23
Scientific and Miscellaneous Departments (Transferred) Grant	700
Stamps Grant	406-07
Stationery and Printing (Reserved) Grant	702
Stationery and Printing (Transferred) Grant	702
Superannuation Allowances and Pensions Grant	702
Question re —	796-97

BUDHA NALLAH—

Question re —, Ludhiana District	548
--	-----

BURGLARY CASES—

Question re — in Amritsar	137
---------------------------------	-----

BUTA SINGH, SARDAR—

Budget : Forest Policy	409-10
Budget : Judicial and executive functions, separation of —	469-71
Motion re Committee to co-operate with the Indian Statutory Commission	753-56

C.

CANAL(S)—

Question re — bridge near village Chatana	792
Question re closure by — department of Rajbaha Kassohe and Rajbaha Juryan (Lower Gugera)	152
Question re complaint against an Anglo-Indian — Officer of the Montgomery Division	15
Question re complaints of cultivators of 11-L Montgomery — Division against a — officer	10-11
Question re demolition of — embankments	178
Question re irrigation on the Lower Jhelum —	831
Question re Kitchen —	11
Question re Lower Bari Doab —	342-43
Question re Lower Chenab and Lower Jhelum —	1100-1101
Question re posting of Muslim — Officers for Dipalpur Division	611-13
Question re <i>Rajbahas</i> and <i>Khals</i> on the Lower Bari Doab —	556-57
Question re signallers in — Department	178
Question re Sind Sagar —	559
Question re Sirsa Branch of Western Jumna —	447, 828
Question re system of <i>Killa Bandi</i> in Upper Bari Doab — Colony	149
Question re Thal —	182
Question re Upper Bari Doab —	548
Supply of water in existing — not affected by extension of — irrigation	247

	PAGES.
CANAL TELEGRAPH OFFICE—	
Difficulties in opening — for public use ..	1073
CANDIDATES—	
Question re Agriculturist Extra Assistant Commissioner — ..	148
Question re — for Extra Assistant Commissioner ..	508-09
CANDIDATE ZILLADARS—	
Question re —	293
CANTONMENT BOARD—	
Question re election of Government servants on — ..	802
Question re Lahore —	713
CATTLE—	
Question re special — theft police	1-2
CATTLE-BREEDING—	
Question re grants of land for —	141
CATTLE-FAIRS—	
Question re —	176, 1295
CATTLE FARM—	
Question re communal representation in Government—, Hissar	448
Question re Government —, Hissar	999
Question re officers attached to Government — ..	449
Question re Superintendent, Government —, Hissar ..	830
Question re transfer of Hissar Government — from Veterinary to Agriculture Department ..	8 448
CATTLE-LIFTING—	
Question re special police to stop —	134
CATTLE-TAX COMMITTEE—	
Budget : Recommendations of —	412
Question re —	492-95
CENTRAL CO-OPERATIVE BANKS—	
Question re —	846-47, 787
CENTRAL JAIL—	
Question re Criminal Investigation Department officers at the Lahore — and Borstal Institution ..	341
CENTRAL LEGISLATURES—	
Budget : Elections to the provincial and — ..	522-87
CHAHI NAHRI—	
Question re —	443
CHAHI RATES—	
Question re —	942
CHAKS—	
Question re — on the Gugera distributary ..	14-15
CHAK ARA—	
Question re area sown in —	351, 1306
CHAK THAL—	
Question re Settlement for —	350-51

CHAUBARA-LEIAH ROAD—

Question <i>re</i> —	500, 709, 881-82, 1309
------------------------------	------------------------

CHAUKIDARA TAX—

Question <i>re</i> —	148, 560
------------------------------	----------

CHEMICAL FORMULA—

Question <i>re</i> — for certain products	711
---	-----

CHHOTU RAM, RAI SAHIB, CHAUDHRI—

Budget : Bhakara Dam Scheme	424-25
Budget : Extra Assistant Commissioners and Tahsildars, meagre representation of zamindars among	510-12, 516-17
Budget : Point of order <i>re</i> abolition of Divisional Commissioners	436
Budget : Point of order <i>re</i> abolition of the staff of Divisional Commissioners	438
Budget : Recruitment of zamindar Sub-Judges	586-90
Excise Grant	804
General discussion of the budget	203-14
Motion for adjournment	777-78
Punjab Land Revenue (Amendment) Bill	962, 969-70, 1007-08, 1024-27, 1162-63.
Resolution <i>re</i> Amritsar Medical School	76-7
Resolution <i>re</i> application of the principles of assessment of income-tax to the assessment of land revenue	79-88
Resolution <i>re</i> Unani and Ayurvedic systems of medicine	59-60

CHIEF ENGINEER—

Question <i>re</i> office of — Hydro-Electric Branch	890
--	-----

CHINIOT SUB-DIVISION—

Question <i>re</i> —	147-48
------------------------------	--------

CHIRANJI LAL, LALA—

Question <i>re</i> prosecution by Government against —	497-98
--	--------

CHOS—

Budget : Re-afforestation — policy	320-26
--	--------

CIVIL APPEALS—

Question <i>re</i> — in the High Court	303
--	-----

CIVIL ASSISTANT SURGEONS—

Question <i>re</i> —	22
------------------------------	----

PAGES.

CIVIL CASES—

Question re judgment in Criminal and — .. 29-30

CIVIL PRISONERS—

Question re — 989

CIVIL SECRETARIAT—

Question re officers in the — 285

CIVIL SERVICE—

Question re members of Indian — 287

Question re members of provincial — 286

CIVIL VETERINARY DEPARTMENT—

Question re — 195

CIVIL WORKS (CAPITAL) GRANT 701

CIVIL WORKS (RESERVED) GRANT 701

CIVIL WORKS (TRANSFERRED) GRANT .. 701, 807-08

CITIZENS—

Question re memorial from the — and tax-payers of
Sheikhupura 4-5

CLERICAL ESTABLISHMENT—

Question re — 705

Question re — in Irrigation Department .. 284

Question re — in the Public Works Department, Irriga-
tion Branch 294-95, 880

COLLEGE(S)—

Question re arrest of some — students .. 496

Question re Central Training — .. 998-99

Question re complaints against Principals and Head-
masters of Government — .. 987

Question re contracts for building Mughalpur En-
gineering — 798-99

Question re economics in the second grade — .. 21

Question re first grade — in the Ambala division .. 449

Question re Government Intermediate — .. 949

Question re Government —, Gujrat .. 987

Question re Government Intermediate —, Hoshiarpur 1002

Question re Government —, Lahore .. 1003

Question re Government —, Ludhiana .. 948-49, 1002

Question re Government Intermediate — at Shahpur 831-32

Question re Intermediate — at Hissar .. 146

Question re Intermediate — at Shahpur .. 507

Question re Lala Bhagwan Das of D. A.-V.— .. 828

Question re MacLagan Engineering — .. 506, 941

Question re Oriental Training — .. 998

Question re post-graduate course, Veterinary — .. 186

Question re Principals of Intermediate — .. 789-90

Question re Professor of Zoology, Government —,
Lahore 791-92

Question re teaching of agriculture in schools and — .. 658-71

Question re Veterinary — .. 507, 795-96

Question re working days in Government —, Lahore 799

COLONIST—

Budget : Essentials for a man to be selected a — .. 364

COLONIZATION POLICY—

Budget — 356-68

COMMISSIONS—

Question re appointment of — 1047

COMMISSIONER (S)—

Budget : Abolition of Divisional — involves the
amendment of Land Revenue Act 497

Question re — and District offices 558

Question re Mr. Hafiz Muhammad, Municipal —, Pind
Dadan Khan 138

COMMITTEE(S)—

Budget : Reasons why no immediate action was
taken on the report of — on separation of judicial
and executive functions 464

Non-official Presidents for Small Town and Notified
Area — 269

— to co-operate with the Indian Statutory Commis-
sion 894, 1191-95

Question re allegations against teachers of schools
conducted by Pind Dadan Khan Municipal — .. 138

Question re alleged mismanagement of Pind Dadan
Khan municipal — 138

Question re Ambala City municipal — 289-90, 1305

Question re Cattle tax — 492-95

Question re Chauchri Ahmad Bakhsh, member,
municipal —, Moga 143

Question re Chimot municipal — 139

Question re — on storage projects (Bhakkra Dam
Scheme) 145

Question re communal representation in municipalities
and small town — 180-88, 290

Question re dispossession of lands of small town —,
Jaranwala 601

Question re election of office bearers for municipal —,
Kasur 301-02

Question re election of S. Autar Singh to small town
—, Tandlianwala 13, 877

Question re election system in Isa Khel municipal — 714, 1866

Question re establishment of a small town —,
Okara 177

Question re Ferozepore City municipal — 550

Question re grant to Mission School by municipal
—, Kasur 301

Question re inspection of municipal and small town — 28

Question re Malik Lal Khan, member of Gujranwala
municipal — 303

Question re municipal —, Abohar 1103

PAGES.

COMMITTEE(S)—CONCLUDED—

Question re municipal —, Jagadhri	24-5
Question re municipal —, Kasur	296-301,
	302-03, 880
Question re municipal —, Khushab	820
Question re municipal —, Ludhiana	885
Question re municipal and small town —	819
Question re Nankana Sahib notified area —	152
Question re Pind Dadan Khan municipal—	878
Question re Punjab Jails—	446
Question re Punjab Police Enquiry — report	1045-46,
	135, 1047-48
Question re Shopkeepers' — at Bhera	495-96
Question re Shopkeepers' — Jhang and Lyallpur	178
Question re small town —	811
Question re small town —and non-official pre-idents	445
Question re small town —, Jaranwala	399-400
Question re small town —, Kot Adu	296
Question re small town —, Kot Adu, and Road Tax	16, 878, 1294
Question re small town —, Sheikhpura	607
Question re small town —, Zafarwal	25
Question re Standing —	1004-05
Question re term of membership of <i>ex-officio</i> members of small town —	12
Question re Text-Book —	940
Question re Tohana small town —	143-45, 830

COMMUNAL PROPAGANDA—

Question re — in Alipur	16
Question re — in Muzaffargarh	187-88

COMMUNAL REPRESENTATION—

Question re — among patwaris	450
Question re — among patwaris and girdawar qanungos	234-35
Question re — among students in different training institutions	292
Question re — among zilladars	452-53
Question re — in Civil Veterinary Department	185
Question re — in direct appointments as tahsildars	561
Question re — in municipalities and small town com- mittees	180-83, 230
Question re — in the Government Cattle Farm, Hissar	448

COMMUNAL RIOTS—

Question re —	17, 828-29
---------------------	------------

COMMUTED VALUE OF PENSIONS (CAPITAL)
GRANT

702

COMPARTMENT SYSTEM—

Question re — for all examinations	658
--	-----

	PAGES.
COMPENSATION—	
Question <i>re</i> — to owners whose lands are dug up for extraction of kunker	656
COMPLAINT(S)—	
Question <i>re</i> — against an Anglo-Indian Canal officer of the Montgomery division	15
Question <i>re</i> — against Chaudhri Fateh Muhammad Khan	1109
Question <i>re</i> — against Headmaster, High School, Kharar	10
Question <i>re</i> — against Jail officials	450
Question <i>re</i> — against officers of the Education De- partment	790
Question <i>re</i> — against principals and headmasters of Government colleges	987
Question <i>re</i> — of cultivators of 11-L., Montgomery Canal Division, against a Canal officer	10-11
Question <i>re</i> — of District Inspector of Schools, Mu- zaffargarh, against Munshi Ahmad Bux	997
Question <i>re</i> — <i>re</i> use of sajji in prisons	997
COMPULSORY RESIDENCE—	
Question <i>re</i> — in Government quarters	291
CONFIDENTIAL REPORTS—	
Question <i>re</i> — <i>re</i> teachers	292
CONSOLIDATION OF HOLDINGS—	
Question <i>re</i> —	502-05, 829
CONSPIRACY CASE—	
Question <i>re</i> Lahore —	551-55
CONSTABLES—	
Question <i>re</i> direct recruitment of Head —	12
Question <i>re</i> head —	452, 1308
Question <i>re</i> Police —	986
CONSTITUENCY(IES)—	
Question <i>re</i> — of district board	893
Question <i>re</i> Punjab University —	148
CONTINGENCIES—	
Question <i>re</i> school —	650-51
CONTRACT—	
Question <i>re</i> — for building Mughalpara Engineering College	798-99
CONTRACTOR—	
Question <i>re</i> profit of — in Public Works Department estimates	797-98
CONTROLLER OF STORES—	
Question <i>re</i> supply of material through —	946
CONVICTIONS—	
Question <i>re</i> percentage of — amongst Heris	146
CO-OPERATION—	
Question <i>re</i> — between the Reserved and Transferred Halves of Government	984

PAGE.

CO-OPERATION—CONCLUDED—	
Question <i>re</i> help and — from the Legislative Council..	983-84
CO-OPERATIVE BANKS—	
Question <i>re</i> Central —	846-47, 787
CO-OPERATIVE DEPARTMENT—	
Question <i>re</i> — in Sialkot and Gujranwala districts ..	847
CO-OPERATIVE SOCIETIES—	
Question <i>re</i> Inspectors of —	998-94
Question <i>re</i> Standing Committees on Agriculture and —	844
COPIES—	
Question <i>re</i> application for — in Courts	1100
CORRUPTION—	
Question <i>re</i> allegations of — against teachers of Pind	
Dadan municipal schools	188
Question <i>re</i> —	1047
Question <i>re</i> Police and —	788, 1311
COTTON CROP—	
Question <i>re</i> area of wheat and — in Montgomery	
district	848
Question <i>re</i> —	152-53
COURTS—	
Question <i>re</i> application for copies in —	1100
Question <i>re</i> holidays in Civil and Criminal — ..	947-48
COURT-FEES—	
Budget : Reduction of — cannot be effected without	
altering the law	406
COURT ROOMS—	
Question <i>re</i> — at Okara	177
COWAN, MR. H. M. —	
Oath of office	819
Punjab Land Revenue (Amendment) Bill ..	1017-19
COWS—	
Question <i>re</i> — and plough cattle	885
CRAIK, MR. H. D.—	
Budget : Colonization policy	863-66
Budget : Essentials for a man to be selected a	
colonist	864
Budget : Locals, grant of lands to —	854-56
Budget : Point of order <i>re</i> abolition of the staff of	
Divisional Commissioners	487
Motion for adjournment <i>re</i> Bannerji, a C. I. D.	
employee	1154-56
Oath of office	1, 173, 819
Point of order <i>re</i> power of a local legislature to pass	
legislation extending powers of a High Court ..	1118
Resolution <i>re</i> Mr. Anderson's report regarding	
Muzaffargarh	1088-90

CRIMINAL CASES—

Question re judgment in Civil and — 29-30

CRIMINAL INVESTIGATION DEPARTMENT—

Question re — officers at the Lahore Central Jail and
the Borstal Institution 341

CRIMINAL TRIBES—

Question re — 146, 154, 1054

CROPS—

Question re area under irrigated — in the Rohtak
district 342

CROWN LAND—

Question re — 786, 1049

CRUMP, MR. R. H.—

Oath of office 53

CULTIVATORS—

Question re complaints of — of 11-L, Mont-
gomery Canal Division against a Canal officer .. 10-11

Question re — in the Jullundur district 1050

CULTURABLE LAND—

Question re — known as Rakh Kuthiala near
Muridke 502

D.

DACOITY—

Question re — in Garh Maharaja 186

DAM—

Question re — across the Sutlej at Bhakra 341

Question re — on the river Kurram 560

DAMAGE(S)—

Question re — by floods 984

Question re — by the Sutlej river 151, 674, 1363

Question re — due to change of Moghas 1057

Question re — to ginning factories by rain water 141

Question re — to wheat crops by kungi 984

Question re — to zamindars of Khawaja Bain 933

D. A.-V. COLLEGE—

Question re Lala Bhagwan Das of — 823

DEBT SERVICE GRANT

435

DEFAMATION CASES—

Question re — against newspapers 135-37

DEG NALLA—

Question re — 820

Question re Aik Nallah and — 349-50

DELHI-MONTGOMERY ROAD—

Question re — 606

DEMOLITION—

Question re — of Canal embankments 178

PAGE.

DEMONSTRATION—

Question re — against Simon Commission ..	994-95, 987-88
---	-------------------

DE MONTMORENCY, THE HONOURABLE SIR GEOFFREY—

Administration of Justice Grant	805
Budget: Action of Government on criticism of High Court in Taj Mahmood case	464
Budget: Administration of Justice Grant	587
Budget: Divesting District Magistrate of all judicial functions, time not ripe for —	466
Budget: Effects of making appointments on rigid communal proportion	579-80
Budget: Extra Assistant Commissioner and Tahsildars, meagre representation of zamindars among—	516
Budget: General Administration (Reserved) Grant	435
Budget: improvements in Jail administration	641-44
Budget: Jails and Convict Settlements Grant	614
Budget: Judicial and executive functions, separation of —	469-67
Budget: Judicial lock-ups	615-16
Budget: Lack of efficiency in the Police	691-99
Budget: Police Grant	644
Budget: Political prisoners.. ..	681-68, 695-86
Budget: Reasons why no immediate action was taken on the report of the Committee on separation of judicial and executive functions	464
Budget: Recruitment of services in charge of High Court	578-82
Budget: Separation of Provincial Civil Service officers who do executive work from those who do magisterial work	465
Budget: Stamps Grant	406
Budget: Withdrawal of magisterial powers from departmental officers	465
Debt Services Grant	435
General Administration Grant	805
General discussion of the budget	282-88
Grant for expenditure in England under the control of the Secretary of State	811
Industries. Starting of — difficult in the absence of mineral wealth.. ..	284
Jails and Convict Settlement Grant	806
Motion for adjournment	765-67
Motion for adjournment re Bannerji, a C. I. D. employee	1141-43

	PAGES.
D^RMONTMORENCY, THE HONOURABLE SIR	
GEOFFREY—CONCLUDED—	
Police Grant	806
Policy of Government in assisting land-owners and agriculturists	849
Presentation of the budget	156-86
Principle and method of land revenue assessment	101-02
Provincial Loans and Advances (Reserved) Grant	811
Punjab Land Revenue (Amendment) Bill	970, 1038-40, 1180-81
Receipts from sales of land not to be used to meet ordinary revenue recurring expenditure	288
Recommendations of University Training Corps	1063-69
Resolution <i>re</i> application of the principles of assessment of income-tax to the assessment of land revenue	100-04
Resolution <i>re</i> grant of loans to zamindars of Rohtak, etc., districts	847-49
Resolution <i>re</i> military training for college students	1067-72
Resolution <i>re</i> opening of Canal Telegraph offices for public use	1075-76
Simla Session, saving of cost in the holding of —	287
Sugar mill scheme— terms of Government help, based on sound data	284
DENOMINATIONAL SCHOOLS—	
Question <i>re</i> grant-in-aid to —	832-33
DEPARTMENT—	
Question <i>re</i> Education — in Lyallpur district	784
DEPARTMENT OF FISHERIES—	
Question <i>re</i> —	345
DEPARTMENTAL OFFICERS—	
Budget : Withdrawal of magisterial powers from —	465
DEPARTMENTAL REPORTS —	
Distribution of — free of charge	809
DEPRESSED CLASSES—	
Encouragement of education among —	278-79
Question <i>re</i> —	707, 1310
Question <i>re</i> —in the Police service	9, 19
Question <i>re</i> education of the —	5-9, 19-20, 862-88
DEPUTY COMMISSIONERS—	
Question <i>re</i> Muslim Superintendents and Head Vernacular Clerks of offices of —	608-10
Question <i>re</i> remarks passed against —, Shahpur	1101
Question <i>re</i> Superintendents and Head Clerks in offices of —	27, 1051
Question <i>re</i> Superintendents of offices of — in Rawalpindi division	610
DEPUTY INSPECTOR OF SCHOOLS—	
Question <i>re</i> Kanhaya Lal, Bedi —	790

	PAGES.
DEPUTY PRESIDENT—	
Amendment of Standing Orders	814
DEPUTY SUPERINTENDENTS—	
Question <i>re</i> Assistant and — of Jails .. .	445-46
Question <i>re</i> — of Police	1046-47
Question <i>re</i> posts of —, etc., in the Veterinary Department	558-59
DEVELOPMENT SCHEME—	
Question <i>re</i> —of Mr. Brayne	604, 828, 833
DHANPAT RAI, RAI BAHADUR LALA—	
General discussion of the budget	248-51
DIN MUHAMMAD, Mr.—	
Budget : Government advertisement to newspapers	485
Budget : Improvements in jail administration	638-40
Budget : Judicial and executive functions, separation of	462-63
Budget : Political prisoners	621-23
General discussion of the budget	261-64
Punjab Pre-emption (Amendment) Bill	42-4
Resolution <i>re</i> Amritsar Medical School	70-71
Resolution <i>re</i> application of the principles of assessment of income-tax to the assessment of land revenue	98-100
DIRECTOR—	
Question <i>re</i> office of — of Industries	890
DIRECTOR OF PUBLIC HEALTH—	
Question <i>re</i> Assistant —, Rawalpindi	398
DISPENSARY—	
Question <i>re</i> Municipal Board School and —, Miani	1102
DISPENSARIES—	
Number of aided —	269
DISPUTE—	
Question <i>re</i> — <i>re</i> tharrah in Daira Din Panah	229, 508, 879
Question <i>re</i> Hindu-Muslim — regarding a well and a vacant site in Multan	500
Question <i>re</i> Hindu-Muslim — regarding cutting of a pipal tree in Daira Din Panah	501
DISTRIBUTARY—	
Question <i>re</i> Chaks on the Gugera —	14-15
DISTRICT AND SESSIONS JUDGES—	
Question <i>re</i> recruitment of —	268, 240
DISTRICT BOARD(S)—	
Franchise, extension of, in —	269
Improvement of — finances	270
Question <i>re</i> constituencies of —	898

	PAGES.
DISTRICT BOARD(S)—CONCLUDED—	
Question re Ferozepore —	149
Question re —, Ambala	886
Question re —, Jullundur	672
Question re —, Karnal	2-3
Question re —, Middle and Primary Schools ..	658
Question re —, Multan	718
Question re Ferozepore —	549-50
Question re Gurgaon —	718
Question re Hissar—	1000
Question re income of —, Gurgaon	608
Question re Ludhiana — 156,	892-93, 943-44
DISTRICT INSPECTORS—	
Question re —	941
DISTRICT INSPECTOR OF SCHOOLS—	
Question re Assistant —, Fazilka	150-51
Question re complaint of — against Munshi Ahmad Bux	397
Question re —, Shahpur	16-17
Question re Mr. Ghulam Mohiuddin, —, Multan ..	178
Question re Teachers and —.. ..	1056
DISTRICT JAIL—	
Question re —, Hissar	145
DISTRICT MAGISTRATE—	
Question re — and undue influence	231
Question re strictures by the High Court against —, Sargodha	949, 820
DISTRICT OFFICES—	
Question re Commissioners and —	558
DISTRICT TREASURERS—	
Question re —	607
DIVISIONAL COMMISSIONERS—	
Budget: abolition of —	435-37
Budget: abolition of the establishment for — ..	497-56
Budget: Abolition of — involves the amendment of the Punjab Land Revenue Act	437
DIVISION LISTS—	
Ruling re correction of mistakes in —	599
DIWAN CHAND, LALA—	
Question re —	788-89
DRAFTSMEN—	
Question re — and tracers	18-19
DRAIN No. 8—	
Question re bridges for — between Gohana and Rohtak	343-44
DRAINAGE SCHEME—	
Question re storm water — of the Ferozepore City..	652
DRAINAGE SUB-DIVISION—	
Question re — for Rohtak	344

	PAGES.
DRAINAGE SYSTEM—	
Question re —	491, 1908
DRINKING WATER—	
Question re —	706-07, 1810
Question re — supply in Kot Kasrana	14, 1294
DULI CHAND, CHAUDHRI—	
Budget : Colonization policy	367
Budget : Government waste lands, sale by auction of —	371-72
Budget : improvements in jail administration	640-41
Budget : Recruitment of zamindar Sub-Judges	594-95
Punjab Land Revenue (Amendment) Bill	1008, 1166-67
Resolution re application of the principles of assess- ment of income-tax to the assessment of land revenue	96-8
DURLI JATHA—	
Question re special police called —	184

E.

ECONOMICS—	
Question re — in the second grade colleges	21
EDUCATION (AL)—	
—among depressed classes	278-79
Extension of compulsory primary —	275
Question re appointments in the Subordinate — Service	395-96
Question re complaints against officers of the — department	790
Question re —	939, 943
Question re — Department, Jullundur division	1057-58
Question re — Department in Lyallpur district	784
Question re — institutions and politics	132-33, 501
Question re — of girls	141-42, 606
Question re — of the depressed classes	5-9, 19-20, 882-83
Question re facilities for the — of girls in Hissar, etc., districts	829
Question re — Hindu Jats in the Subordinate — Service	394-95
Question re Lala Kishen Chand of the — Department	821
Question re Provincial — Service	706, 790-91, 822-23, 1103-04
Question re Punjab — Code	709, 1104-05
Question re Subordinate — Service	179-80, 291
Steps for agricultural —	278
EDUCATION (RESERVED) GRANT	700
EDUCATION (TRANSFERRED) GRANT	700, 806-07

ELECTION(S)—

Budget:— to the Provincial and Central Legislatures	522-37
—of a committee to co-operate with the Indian Statutory Commission	894, 1191-95
—of a member to the Forest Board	894, 1201
—of members to serve on select committees to amend Standing Orders	814
Question <i>re</i> — for the Legislative Council	942
Question <i>re</i> — of Government Servants on Cantonment Board	802
Question <i>re</i> — of office bearers for Kasur municipal committee	301-02
Question <i>re</i> — of Sardar Autar Singh to small town committee, Tandlianwala	13, 877
Question <i>re</i> — system in Isa Khel municipal committee	714, 1866
Question <i>re</i> — to local bodies	948

ELECTIVE STRENGTH—

Question <i>re</i> — of Chiniot municipal committee	139
---	-----

ELECTRICAL DEPARTMENT—

Question <i>re</i> Mr. Nierses, late Sub-Divisional Officer—	735
--	-----

ELECTRIFICATION—

Question <i>re</i> — of Hissar town	175
---	-----

"ELLIOT PUBLIC LIBRARY"—

Question <i>re</i> —, Gurgaon	603-04
---------------------------------------	--------

EMBANKMENTS—

Question <i>re</i> demolition of Canal —	178
--	-----

EMERSON, Mr. H. W.—

Budget: Extra Assistant Commissioners and Tahsildars, meagre representation of zamindars among—	514-15
Budget: Government advertisement to newspapers	485-87
Budget: judicial and executive functions, separation of	479-81
Budget: Lack of efficiency in the police	686-87
Budget: Point of order <i>re</i> abolition of Divisional Commissioners	437
Budget: Policy of Government in recruitment to services	591
Budget: Recruitment of services in charge of High Court	543-45
Budget: Recruitment of zamindar Sub-Judges	590-94
Motion for adjournment	775-76
Motion for adjournment <i>re</i> Bannerji, a C. I. D. employee	1148-50
Principles governing method of distribution of land revenue assessment by Settlement Officer	117

PAGES.

EMERSON, MR. H. W.—CONCLUDED—	
Punjab Land Revenue (Amendment) Bill ..	914-16, 972-73, 1022-24, 1169-70
Resolution re application of the principles of assess- ment of income-tax to the assessment of land re- venue	115-18
EMOLUMENTS—	
Question re increase of — of zaildars, etc. ..	20
EMPLOYMENT—	
Question re preferential treatment to retired military officers in the matter of —	402-04
ENGINEERING—	
Question re contract for building Mughalpura— College	798-99
Question re Rasul School of —	795
ENGINEERING COLLEGE—	
Question re MacLagan —	506, 941
ENQUIRY—	
Question re — into the conduct of Police officers, Ludhiana	618
ESTABLISHMENT—	
Question re clerical —	705
Question re clerical — in Irrigation Department ..	234
Question re — of a small town committee in Okara	177
ESTIMATE—	
Question re contractors' profit in Public Works De- partment —	797-98
EUROPEAN—	
Question re — Superintendent of Police ..	1046
EXAMINATIONS—	
Question re compartment system for all — ..	658
Question re Matriculation —	800
Question re Middle School scholarship — at Amritsar	186
Question re motor driving —	28
Question re supplementary —	657
EXCISE—	
Question re —	561
EXCISE ACT—	
Budget : Absence of any provision in — to enforce total prohibition	875
EXCISE GRANT	875-988, 804-05
EXCISE INSPECTORS—	
Question re —	941
EXECUTIVE FUNCTIONS—	
Budget : separation of judicial and — ..	456-81
Question re separation of judicial and — ..	173-74

EXEMPTION—

- Question re — of certain classes of persons from the provisions of Indian Arms Act 451

EX-OFFICIO MEMBERS—

- Question re term of membership of — of small town committees 12

EXTRA ASSISTANT COMMISSIONERS—

- Budget : — and Tahsildars, meagre representation of zamindars among— 510-17
 Question re agriculturist — candidates 148
 Question re candidates for — 508-09
 Question re — 987-88, 947
 Question re — and tahsildars 392-98
 Question re nominations for posts of — 601
 Question re rules relating to appointment of — 286

F.**FACTORY (IES)—**

- Question re tobacco — 899
 Question re damage to ginning — by rain water 141

FAIRLIE, Mr.—

- Question re —, Sub-Divisional Magistrate, Rupar 3-4

FAIRS—

- Question re cattle — 176

FAIZ ALI, CHAUDHRI—

- Question re allegation against —, Tahsildar, Sirsa 606

FAIZ MUHAMMAD, SHAIKH—

- Budget : Recruitment of services in charge of High Court 566-65
 General discussion of the budget 272-79

FAMINE RELIEF AND INSURANCE GRANT 702**FARM—**

- Question re Superintendent, Government Cattle —, Hissar 890

FATEH MUHAMMAD KHAN, CHAUDHRI—

- Question re complaint against — 1108

FAZL ALI, KHAN BAHADUR CHAUDHRI—

- Budget : Divisional Commissioners, abolition of establishment for — 456
 General discussion of the budget 245-47
 Punjab Land Revenue (Amendment) Bill 1126-27
 Resolution re Amritsar Medical School 78-5
 Resolution re application of the principles of assessment of income-tax to the assessment of land revenue 118-15
 Resolution re military training for college students 1064-65

FAZL-I-HUSAIN, THE HONOURABLE MIAN SIR—

Budget : Arms, facilities for keeping — ..	519-20, 521
Budget : Bhakra Dam Scheme ..	426-27
Budget : Consequences of removal of restriction on free grazing	416
Budget : Elections to the Provincial and Central legislatures	585-87
Budget : Extra Assistant Commissioners and Tah- sildars, meagre representation of zamindars among —	512-14
Budget : Forests Grant	407, 803
Budget : Forests (Capital) Grant	422
Budget : Forest policy	414-19
Budget : Government waste lands, sale by auction of—	874-75
Budget : Introduction of permanent settlement requires amendment of Land Revenue Act ..	370
Budget : Irrigation (Capital) Grant	424, 432-35
Budget : Land Revenue Grant	304
Budget : Manka Canal Hydro-Electric Scheme ..	432
Budget : Point of order re abolition of Divisional Commissioners	435
Budget : Point of order re abolition of staff of Divisional Commissioners	437
Budget : Settlement operations in Montgomery ..	384-86, 389
Budget : Tahsildars, increase of pay of — ..	313-14, 318-20
General discussion of the budget	251-54
Irrigation Grant	423, 805
Land Revenue Grant	804
Measures to counteract water-logging	254-55
Miscellaneous Departments (Reserved) Grant ..	807
Motion re committee to co-operate with the Indian Statutory Commission	718-19, 756-59, 894
Point of order re discussion of non-official business on an official day	817-18
Point of order re motion re committee to co-operate with the Indian Statutory Commission	716
Point of order re powers of a local council to pass legislation to extend jurisdiction of High Court ..	1116
Policy of Government re land revenue assessment in accord with wishes of the Council	254
Punjab Medical Registration (Amendment) Bill ..	30, 31
Punjab Pre-emption (Amendment) Bill	31-2, 36-8, 49-51, 894

FAZL-I-HUSAIN, THE HONOURABLE MIAN SIR—CONCLUDED.**Punjab Land Revenue (Amendment) Bill**

814, 895-99,
908, 913, 917,
920, 921, 925-26
927-28,
981, 957-59,
963, 966,
975-76, 1007,
1009, 1041, 1108,
1114-15,
1117-18,
1123, 1125-26,
1181-32, 1185,
1197, 1139,
1172-73,
1181-82,
1184-85,
1195-96.

Resolution *re* application of the principles of assess-
ment of income-tax to the assessment of land
revenue

83-9, 91-3

Resolution *re* damage to wheat and gram crops ..

1202-03

Resolution *re* grant of loans to zamindars of Rohtak,
&c., districts

862-66, 867-68

Resolution *re* opening of Canal Telegraph Offices for
public use

1073

Resolution *re* Unani and Ayurvedic Systems of medi-
cine

62-4

Resolutions passed by Council, how far accepted by
Government

252-53

Stationery and Printing (Reserved) Grant ..

808, 809-10

Supply of departmental reports free of charge ..

810

FEES—

Question *re* boring —

656-57, 1362

FEE CONCESSIONS—

Extension of —

277

Question *re* school —

146-47, 452,

799

FEROZEPORE DISTRICT BOARD—

Question *re* —

549-50

FIRE ARMS—

Question *re* license for —

1004, 1053

FIROZ KHAN NOON, THE HONOURABLE MALIK—

Aided dispensaries

269

Budget : Point of order *re* abolition of Divisional
Commissioners

486

Budget : Point of order *re* abolition of the staff of
Divisional Commissioners

438

Budget : Reafforestation, Chos policy

322-24

FIROZ KHAN, NOON, THE HONOURABLE MALIK—
CONCLUDED—

Budget : Registration Grant	422
Extension of district board franchise	269
General discussion of the budget	266-70
Hasia-tax. Approval of — by Government of India..	269
Medical Grant—	307
Medical School for Women. Opening of — ..	267
Non-official presidents for small town and notified area committees	269
Panchayats, starting of —	268
Punjab Adulteration of Food (Amendment) Bill ..	811
Resolution <i>re</i> Amritsar Medical School ..	77-9
Resolution <i>re</i> Unani and Ayurvedic systems of medi- cines	53-4, 61-2
FIROZ-UD-DIN KHAN, RANA—	
Budget : Colonization policy.. ..	362-68
Budget : Government advertisements to newspapers..	487-89
Budget : Judicial and executive functions, separation of —	476-79
Budget : Lack of efficiency of police	644-47
Budget : Political prisoners.. ..	629-31
Punjab Land Revenue (Amendment) Bill ..	949-51, 959-61, 1009-10, 1106- 07, 1109-10, 1112-14, 1130- 31, 1136, 1138, 1164-65, 1173, 1178, 1180, 1182-83, 1190
FIRST GRADE COLLEGE—	
Question <i>re</i> — in the Ambala division	449
FISH—	
Question <i>re</i> artificial breeding of —	345
FISHERIES—	
Question <i>re</i> Department of —	345
Question <i>re</i> leases in respect of —	346
Question <i>re</i> Warden of —	344-45
FLOODS—	
Question <i>re</i> damages by —	984
Question <i>re</i> damage by — to zamindars of Khawaja Bains	983
Question <i>re</i> lands washed away by —	452, 1308
FOOD—	
Punjab Adulteration of — (Amendment) Bill ..	811-13
Question <i>re</i> —arrangement for Musalman prisoners ..	891
FOREIGN COUNTRIES—	
Question <i>re</i> Punjabis in —	192

	PAGES.
FOREST(S)—	
Budget : — policy	408-21
FOREST BOARD—	
Election of a member to the —	894, 1201
FORESTS GRANT	407-22, 805
Forest Policy	408-21
FORESTS (CAPITAL) GRANT	422
FOREST COMMITTEES—	
Budget : Desirability of constituting—	416
FRONTIER CRIMES REGULATIONS—	
Question re —	824-27
G.	
GAMBLING—	
Question re allegations of — against teachers of Pind Dadan Khan Municipal Schools	188
GAMES—	
Question re — in rural areas	548-49, 1860
GANGA RAM, RAI SAHIB LALA—	
Budget : Colonization policy.. .. .	366
Resolution re military training for College students.. .. .	869-70
GENERAL ADMINISTRATION GRANT	805
GENERAL ADMINISTRATION (RESERVED) GRANT—	435-41, 458-90, 509-87
Arms, facilities for keeping	517-21
Divisional Commissioners, abolition of —	435-37
Divisional Commissioners, abolition of establishment for —	497-56
Elections to Provincial and Central Legislatures	522-37
Extra Assistant Commissioners and Tahsildars, meagre representation of zamindars among —	510-17
Government advertisements to newspapers	482-90
Judicial and executive functions, separation of —	456-81
GENERAL ADMINISTRATION (TRANSFERRED) GRANT	537
GHANI, MR. M. A.—	
Budget : Tahsildars, increase of pay of —	312-13
GHI—	
Question re Banaspati —	886
Question re chemical formula for —	711
GHULAM MOHI-UD-DIN, MR.—	
Question re — District Inspector of Schools, Multan	178
GILL, COLONEL C. A.—	
Resolution re Unani and Ayurvedic systems of medicine	60-61
GINNING FACTORIES—	
Question re damage to — by rain water	141

GIRDAWAR QANUNGOS—		
Question re Patwaris and —	284, 1305	
GIRLS—		
High Schools for —	278	
Question re education of —	141-42, 606	
Question re facilities for the education of — in Hissar, &c., districts	829	
Question re Government High School for — at Hosh- iarpur	884	
GIRLS' SCHOOL—		
Question re Normal —, Multan	445	
Question re Primary —, Machiwara	712, 1366	
GOATS—		
Question re slaughter of —	712	
GOKUL CHAND NARANG, DR.—		
Motion for adjournment re Bannerji, a C. I. D. employee	1145-48	
Point of order re validity of withdrawal of candidature from elections after the distribution of voting papers	1192-94	
Punjab Land Revenue (Amendment) Bill	978-79, 981, 1119, 1121	
Punjab Pre-emption (Amendment) Bill	82-6	
Resolution re military training for college students..	871-78	
GOPI CHAND, BHARGAVA, DR.—		
Budget : Political prisoners	626-28	
Resolution re Amritsar Medical School	71-8	
GOVERNMENT—		
Budget : — advertisements to newspapers	482-90	
Budget : — waste land, sale by auction of —	871-75	
Budget : Policy of — in recruitment to services	591	
Question re communal representation in — Cattle farm, Hissar	448	
Question re complaints against principals and head- masters of—colleges	987	
Question re compulsory residence in — quarters	291	
Question re co-operation between the Reserved and Transferred Halves of —	984	
Question re election of —servants on Cantonment Board	802	
Question re — Cattle Farm, Hissar	999	
Question re — College, Gujrat	987	
Question re — College, Lahore	1003	
Question re — College, Ludhiana	948-49, 1002	
Question re — High School for Girls at Hoshiar- pur	884	
Question re — High School for Mails	21	
Question re — High Schools in Ambala Division	1055-56	
Question re — High Schools, Gurgaon and Rewari	706	

	PAGES.
GOVERNMENT—CONCLUDED.	
Question re — High School, Hissar	890-81
Question re — High School, Jagadhri	22
Question re — High School, Jullundur Circle	150
Question re — Intermediate Colleges	949
Question re — Intermediate College, Hoshiarpur	1002
Question re — Intermediate College at Shahpur	881-82
Question re — Normal School, Gakhar	25
Question re — scholarships	20
Question re — schools in the Ferozepore district	550-51
Question re — waste lands	986
Question re house for — servants	796
Question re Legal Remembrancer to —	239
Question re officers attached to Hissar — Cattle Farm	449
Question re newspapers and — advertisements	192, 1059
Question re Professor of Zoology, — College, Lahore	791-92
Question re prosecution by — against Lala Chiranji Lal	497-98
Question re Sayad Muhammad Husain, late teacher, — Technical School, Lahore	649-50
Question re Superintendent, — Cattle Farm, Hissar	880
Question re supply of newspapers to — offices at public expense	20-21
Question re transfer of Hissar — Cattle Farm from Veterinary to Agricultural Department	448
Question re transfer of — officers	1052
Question re University and — scholarships	656, 1862
Question re working days in — College, Lahore	799
GOVERNMENT OF INDIA—	
Question re Indians from the Punjab taken by the —	235-36
GOVERNMENT TREASURER—	
Question re — of Mianwali	1100
GOVERNOR—	
Question re Superintendents in the office of Private Secretary to His Excellency the —	26
GRADUATES—	
Question re supersession of Arts — by — with Munshi Fazil qualifications	180
GRANT (S)—	
Budget : — of lands to locals	852-56
Question re — for aided Indian Schools	882
Question re — of Jagir to Sardar Harnam Singh	161
Question re — of land for cattle-breeding	141
Question re — to Mission School, Kasur, by municipal committee	801

	PAGES.
GRANT(S)—CONCLUDED —	
Question <i>re</i> — to panchayats	155, 800
Question <i>re</i> peasant —	401-02
Question <i>re</i> proprietary — in the Nili Bar ..	893
Statement of additions and reductions in non-voted —	1007
GRANT-IN-AID—	
Question <i>re</i> — for Anglo-Vernacular Middle School, Sambrial	608
Question <i>re</i> — list	715
Question <i>re</i> — to Denominational Schools ..	892-89
Question <i>re</i> — to panchayats	678
Question <i>re</i> — to schools	184, 880-81
Question <i>re</i> — to schools in the Ambala Division ..	896
GRANTEES—	
Question <i>re</i> Military —	1005, 1006
GRANT FOR EXPENDITURE IN ENGLAND (OTHER THAN STORES) UNDER THE CONTROL OF THE HIGH COMMISSIONER FOR INDIA	708
GRANT FOR EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE..	708, 811
GRATUITIES—	
Question <i>re</i> substitution of the system of provident fund and — for pensions.	290-91
GRAY, Mr. V. F.—	
Resolution <i>re</i> grant of loans to zamindars of Rohtak, &c., districts	844-46
GRAZING—	
Budget : Area of forests open to —	413
Budget : Consequence of removal of restriction on free —	416
GUGERA DISTRIBUTARY—	
Question <i>re</i> chaks on the—	14-15
GURDWARA MANAK CASE—	
Question <i>re</i> Sardar Lahora Singh and — ..	889
GURGAON PLOUGHS—	
Question <i>re</i> —	604
"GURGAON UPLIFT SCHEME"—	
Question <i>re</i> —	603
H.	
HABIB RAHMAN, MAULANA—	
Question <i>re</i> —	292
HABIB, SAYAD—	
Question <i>re</i> — and Sayad Inayat Shah ..	710-11
HABIB-UL-RAHMAN—	
Question <i>re</i> Maulana —	984
HABIB ULLAH, SARDAR—	
Amendment of Standing Orders	168, 1197, 1200
Punjab Land Revenue (Amendment) Bill	901-02, 905

HAFIZ MUHAMMAD, Mr.—

Question re —, municipal commissioner, Pind Dadan Khan	198
--	-----

HAKIM KHAN, Mr.—

Question re —, Sub-Inspector of Police and theft cases in Muzaffargarh	177
--	-----

HASIAT-TAX—

Approval of — by Government of India ..	269-70
Question re —	189-40, 879, 1099-1100, 1295

HAND-CUFFING—

Question re — of Maulana Attah Ullah and Ghazi Abdur Rahman	281-82
---	--------

HANGING—

Question re — in Jails	232, 1305
Question re — of prisoners in their home districts..	238

HANS RAJ, RAIZADA—

Resolution re grant of loans to zamindars of Rohtak, etc., districts	856-57
Budget : Judicial and executive functions, separation of	462
Budget : Lack of efficiency in the police.. .. .	684-85
Budget : political prisoners	624-26
General discussion of budget	255-58
Motion for adjournment re Bannerji, a. C. I. D. employee	1143-45
Punjab Land Revenue (Amendment) Bill ..	1008, 1134

HARBAKHSI SINGH, SARDAR—

Budget : Government advertisement to newspapers ..	484
Budget : Judicial and executive functions, separation of	479
Budget : Reafforestation Chos policy	324-25
Budget : Recruitment of zamindar Sub-Judges ..	595-96
Budget : Settlement operations in Montgomery ..	332-33
Budget : Tahsildars, increase of pay	309-10
Motion for adjournment re Bannerji, a. C. I. D. employee	1159-60
Punjab Land Revenue (Amendment) Bill ..	902-03, 911, 954- 55, 1127
Punjab Pre-emption (Amendment) Bill	48-9
Resolution re military training for College students ..	875-76

HARCHAND SINGH, SARDAR—

Question re —, ex-M. L. C.	948, 1006, 1054- 55, 1103
Question re passport for —	897

HARDYAL, CHOPRA, LALA—

Question re —	789
-----------------------	-----

HARNAM SINGH, SARDAR—

Question re grant of Jagir to —	151
---	-----

PAGES.

HAVELI PROJECT—	
Question re —	986
HEAD CLERKS—	
Question re Superintendents and — in Deputy Commissioners' offices	27
HEAD CONSTABLES—	
Question re direct recruitment of —	12
Question re —	452, 1908
HEADMASTER(S)—	
Question re complaint against—, High School, Kahror	10
Question re complaints against principals and — of Government colleges	987
Question re — Anglo-Vernacular Middle School, Machhiwara	712, 1866
Question re — in the Rawalpindi and Multan divisions	291
HEADQUARTERS—	
Question re — of the proposed Sub-Division of Narawal and Shakargarh tahsils	653
HEAD VERNACULAR CLERKS—	
Question re Muslim Superintendents and — of the Deputy Commissioners' offices	608-10
HEALTH OFFICER—	
Question re — for Ambala City	296
HERIS—	
Question re — in Hissar district	146
HIGH COURT—	
Budget : Criticism of — in Taj Mahmood Case	464
Question re adverse criticism of — against District Magistrates for exerting undue influence on magistracy	281
Question re Civil appeals in —	303
Question re recruitment of services in charge of —	537-46, 562-86
Question re remarks passed by — against the Deputy Commissioner, Shahpur	1101
Question re rules and orders of —, Punjab	287
Question re strictures by — against the District Magistrate, Sargodha	349, 820
HIGH SCHOOL(S)—	
— for girls	278
Question re Ahir —, Rewari	989
Question re complaint against Headmaster, —, Kahror	10
Question re Government — for girls at Hoshiarpur	834
Question re Government —, Gurgaon and Rewari	706
Question re Government —, Hissar	830-31
Question re Government — in Ambala Division	1055-56
Question re Government —, Jagadhri	22
Question re Government —, Jullundur Circle	150

HIGH SCHOOL(S)—CONCLUDED—

Question re Government —, for Mailsi	21
Question re —	800, 1311
Question re — in the Ferozepore district	547
Question re Islamia —, Dacuyah	822
Question re Khalsa —, Rupar	396-97, 939
Question re Malik Bhagwan Das Hindu —, Chiniot	155
Question re provincialisation of Okara —	176

HILL ALLOWANCE—

Question re —	714
---------------------	-----

HILL TORRENTS—

Question re —	710, 835
---------------------	----------

HINDU(S)—

Question re — agriculturists	794-95
Question re — Jats in the Subordinate Educational Service	894-95

HINDU HIGH SCHOOL—

Question re Malik Bhagwan Das —, Chiniot	155
--	-----

HINDU-MUSLIM DISPUTE—

Question re — regarding a well and a vacant site in Multan	500
Question re — regarding a <i>tharra</i> in Daira Din Pannah	229
Question re — regarding cutting of a pipal tree	501

HINDU SCHOOL—

Question re Manager, —, Barmanga	321
--	-----

HIRED CARS—

Question re — and lorries	779
---------------------------------	-----

HIRA SINGH, SARDAR—

Budget : Government waste lands, sale by auction of —	372
Budget : Political prisoners	619-21
General discussion of the budget	258-61
Punjab Land Revenue (Amendment) Bill	952, 966, 1170-71
Question re —, Member, Legislative Council	179
Resolution re opening of Canal Telegraph offices for public use	1072

HIS EXCELLENCY THE GOVERNOR—

Question re Superintendent in the office of Private Secretary to —	26
--	----

HOLDINGS—

Question re consolidation of —	502-05, 329
--------------------------------------	-------------

HOLIDAYS—

Question re — in Civil and Criminal Courts	947-48
--	--------

HOME DISTRICTS—

Question re hanging of prisoners in their —	233
---	-----

HONORARY MAGISTRATE—

Question re —	507, 649, 792, 945-46
---------------------	-----------------------

	PAGES.
HOSPITAL—	
Question <i>re</i> — for women	1000
Question <i>re</i> Mayo —	780
HOUSE COMMITTEE—	818
HYDRO-ELECTRIC BRANCH—	
Question <i>re</i> — of the Public Works Department ..	400-01
Question <i>re</i> office of Chief Engineer — ..	890
HYDRO-ELECTRIC SCHEME (TRANSFERRED)	
(CAPITAL) GRANT	701

I.

IMPRISONMENT—	
Question <i>re</i> — of a certain Punjabi	1001
IMPROVEMENT—	
Question <i>re</i> — of agriculture	448, 1807
INAM KHAWARS—	
Question <i>re</i> increase of emoluments of —, &c. ..	20
INAYAT SHAH, SAYAD—	
Question <i>re</i> Maulana Sayad Habib of <i>Sayasat</i> and — ..	834-35
Question <i>re</i> Sayad Habib and —	710-11
INAYAT ULLAH—	
Question <i>re</i> —, Sub-Inspector, Sargodha ..	348-49, 819
INCOME—	
Question <i>re</i> — of district board, Gurgaon ..	608
INDIAN CIVIL SERVICE—	
Question <i>re</i> members of —	237
INDIAN PENAL CODE—	
Question <i>re</i> offences punishable under section 354 — ..	886-87
INDIAN STATUTORY COMMISSION—	
Committee to co-operate with —	716-59, 894, 1191-95
Question <i>re</i> demonstration against — ..	793, 934-35, 987-88
INDIANS—	
Question <i>re</i> — from the Punjab taken by the Govern- ment of India	295-86
INDUSTRY(IES)—	
Question <i>re</i> local —	184-85
Question <i>re</i> office of the Director of —	890
Starting of — difficult in the absence of mineral wealth	284
INDUSTRIES DEPARTMENT—	
Question <i>re</i> —	558
INDUSTRIES GRANT	700
INDUSTRIES (CAPITAL) GRANT	701
INFERIOR SERVICES—	
Question <i>re</i> superior and —	289

	PAGES..
INHABITANTS—	
Question re — of village Jhur, Chak No. 118 ..	709
INSPECTION—	
Question re — of municipal and small town committees	28
INSPECTOR(S)—	
Question re Civil Veterinary ---	1057
Question re District —	941
Question re — of Co-operative Societies	898-94
Question re — of Excise	941
Question re teachers and District of Schools ..	1056
INSPECTOR OF SCHOOLS—	
Question re Assistant District —, Fazilka ..	150-51
Question re Bedi Kanhaya Lal, Deputy — ..	790
Question re complaint of — against Munshi Ahmad Bux	397
Question re District —, Shahpur	16-17
Question re —	706
Question re —, Rawalpindi	400
Question re Mr. Ghulam Mohi-ud-Din, District Multan ..	178
INSTITUTIONS—	
Question re students in training —	292, 1306
INTERMEDIATE COLLEGE(S)—	
Question re Government —	1002, 949
Question re — at Shahpur	507, 831-32
Question re —, Hissar	146
Question re Principals of —	789-90
IQBAL SINGH, SARDAR—	
Question re —	347
IRRIGATED CROPS—	
Question re area under — in the Rohtak district ..	342
IRRIGATION—	
Question re clerical establishment in — Department ..	234
Question re clerical establishment in the Public Works Department, — Branch	294-95, 880
Question re — of certain villages in Hafizabad tahsil	152
Question re — on the Lower Jhelum Canal	881
Question re — wells in Jullundur district	1050
Question re zilladars in the — Department ..	293, 879
Supply of water in existing canals not affected by extension of canal —	247
IRRIGATION GRANT	423-24, 805
IRRIGATION (CAPITAL) GRANT—	424-35
Bhakra Dam Scheme	424-27
ISLAMIA HIGH SCHOOL—	
Question re —, Dasuyah	822

PAGES.

J.

JAGAT RAM, PANDIT—	
Question re —	1052
JAGIR—	
Question re grant of — to Sardar Harnam Singh ..	151
JAIL(S)—	
Question re Assistant and Deputy Superintendents of —	445-46
Question re Criminal Investigation Department officers at the Lahore Central — and the Borstal Institution	341
Question re district —, Hissar	145
Question re hanging in —	232, 1305
Question re — Library	1008-1004
Question re — officials	450
Question re — population	890
Question re Muzaffargarh —	450
Question re oil pressing in —	233
Question re Punjab — Committee	446
JAIL ADMINISTRATION—	
Budget : improvements in —	636-44
JAILS AND CONVICT SETTLEMENTS GRANT— ..	613-44, 806
Jail administration, improvements in	636-44
Judicial lock-up	614-16
Political prisoners	616-86
JAILORS—	
Question re — and Assistant Jailors	997
JAMNA DAS, RAI SAHIB, LALA—	
Question re case of — versus Punjab Akhbarat Company	140-41
JANKI PARSHAD, MR.—	
Question re — of Bageshtha	713-14
JATS—	
Question re Hindu — in the Subordinate Educational Service	394-95
JAT NAIB-TAHSILDARS—	
Question re —	393
JHATKA MEAT—	
Question re — for Sikh prisoners	997-98
JINJI BATAI—	
Question re —	10, 877
JIRGAS—	
Question re —	823-24
JOGENDRA SINGH, THE HON'BLE SARDAR—	
Budget : Excise Act, absence of any provision in, to enforce total prohibition	375
Budget : Excise grant	375, 804

	PAGES.
JOGENDRA SINGH, THE HON'BLE SARDAR—CONCLUDED.	
Budget : General Administration (Transferred) Grant	537
Civil Works (Transferred) Grant	807
Punjab Land Revenue (Amendment) Bill ..	1029-31
Resolution <i>re</i> grant of loans to Zamindars of Rohtak, &c., districts	850-52
Resolution <i>re</i> Mr. Anderson's report regarding Mu- zaffargarh	1085-87
JUDGES—	
Question <i>re</i> recruitment of District and Sessions — ..	288
JUDGMENT—	
Question <i>re</i> — in Civil and Criminal Cases ..	29-30
Question <i>re</i> — in the police torture case in Sialkot ..	26
JUDICIAL FUNCTIONS—	
Budget : separation of executive and — ..	456-81
Question <i>re</i> separation of executive and — ..	173-74
JUDICIAL LOCK-UPS	
Budget : —	614-16
JUDICIAL WORK—	
Question <i>re</i> interference in— of Magistrates by Dis- trict Magistrates	231
JUNIOR VERNACULAR CLASSES—	
Question <i>re</i> Senior and —	183-84
K.	
KADIANI AHMADI CLASS—	
Question <i>re</i> — of Muslims	548
KANHAYA LAL, BEDI—	
Question <i>re</i> —, Deputy Inspector of Schools ..	790
KARKUNS—	
Question <i>re</i> — of Zaildars	944
KESHO RAM, SEKHRI, LALA—	
Budget : Excise policy	388
Budget : Recruitment of Zamindar Sub-Judges ..	597-98
KHALSA HIGH SCHOOL—	
Question <i>re</i> —, Rupar	896-97, 939
KHALS—	
Question <i>re</i> <i>Rajbahas</i> and — on the Lower Bari Doab Canal	556-57
KHURSHAD MUHAMMAD, KHAN BAHADUR, SHAIKH—	
Oath of office	761
KIDNAPPING—	
Question <i>re</i> — of women	898-99
KILLA BANDI—	
Question <i>re</i> —	149

KISHEN CHAND, LALA—	
Question <i>re</i> — of the Education Department ..	821
KITCHEN CANAL—	
Question <i>re</i> —	11
KOT ADU—	
Question <i>re</i> Naib-Tahsildar, — ..	177
Question <i>re</i> road tax in —	11-12, 16, 878, 1294
KOT KASRANA—	
Question <i>re</i> drinking water supply in — ..	14
KOTTA MUHAMMAD ZARIF KHAN—	
Question <i>re</i> Pathans of —	606
KUNGI—	
Question <i>re</i> damage to wheat crop by — ..	984
Question <i>re</i> —	891
KUNKER—	
Question <i>re</i> compensation to owners whose lands are dug up for extraction of —	656

L.

LABH SINGH, MR.—	
Budget : Point of order <i>re</i> abolition of the staff of Divisional Commissioners	488-89
Budget : Political prisoners	629
Point of order <i>re</i> discussion of non-official business on official day	815, 816
Point of order <i>re</i> Motion <i>re</i> Committee to co-operate with the Indian Statutory Commission ..	716
Punjab Land Revenue (Amendment) Bill ..	913, 916
LAHORA SINGH, SARDAR—	
Question <i>re</i> —	889
LAHORE CANTONMENT BOARD—	
Question <i>re</i> —	713
LAHORE CONSPIRACY CASE—	
Question <i>re</i> —	551-55
LAHORE SEDITION CASE—	
Question <i>re</i> — of 1914-15	184
LAKHI SHAH TOMB—	
Question <i>re</i> Land round — in the Anaj Mandi ..	290
LAL KHAN, MALIK—	
Question <i>re</i> —, President of Gujranwala Munici- pality	608
LAMBARDAR(S)—	
Question <i>re</i> increase of emoluments of —, &c. ..	20

LAMBARDAR(S)—CONCLD.

Question *re* — in Karnal District 451

LAND(S)—

Budget : Government waste —, sale by auction of— 371-75

Budget : Grant of — to locals 352-56

Question *re* compensation to owners whose — are
dug up for extraction of Kunkar 656

Question *re* Crown — 786, 1049

Question *re* Government waste — 986

Question *re* grants of — for cattle-breeding 141

Question *re* — in certain villages of Hafizabad tahsil .. 153

Question *re* — in the Nili Bar 557

Question *re* — round the tomb of Lakhi Shah in the
Anaj Mandi 290

Question *re* — washed away by floods 452, 1308

Question *re* purchase of — by non-agriculturists from
agriculturists 1050-51

Question *re* sale price of — by districts, during 1926 654-55

Receipts from sales of — not recurring source of reve-
nue and not to be used to meet ordinary recurring
revenue expenditure 283

LAND ACQUISITION—

Question *re* — in Multan and Sutlej Valley Project .. 501, 882, 1309

LAND ALIENATION ACT—

Question *re* Petitions for modification of — .. 450

LAND REVENUE—

Method of imposition of — followed by Government .. 101-02

Policy of Government *re* — assessment in accord with
the wishes of the Council 254

Principles followed by Government in remission of — 89

Principles governing method of distribution of —
Assessment by Settlement Officer 117

Punjab — (Amendment) Bill 895-931, 949-
81, 1007-44,
1106-89, 1161-
91, 1195-97

Question *re* — 785

Question *re* — and water rates 833

LAND REVENUE ACT—

Budget : Abolition of Divisional Commissioners in-
volves the amendment of — 437

Budget : Introduction of permanent settlement re-
quires amendment of — 370

LAND REVENUE GRANT— 804-40, 352-75,
804

Colonisation policy 356-68

Government waste lands, sale by auction of, .. 371-75

Locals, grant of lands to, 352-56

Patwaris, provident fund or pensions for, .. 368-69

LAND REVENUE GRANT—CONCLUDED.			
Permanent settlement .. ..	..	..	369-71
Reafforestation chos policy .. ..	..	..	320-26
Settlement operations in Montgomery .. ..	..	..	326-40
Tahsildars, increase of pay of, .. ..	..	..	304-20
LAW COURTS—			
Question re — at Amritsar ... ..	..	..	9-10
LEASES—			
Question re — in respect of fisheries .. ..	..	..	346
LECTURERS—			
Question re Professors and — .. ..	..	..	1003
LEGAL REMEMBRANCER—			
Question re — to Government .. ..	..	..	239
LEGISLATIVE COUNCIL—			
Question re elections for the — .. ..	..	..	942
Question re help and Co-operation from the — .. ..	..	..	983-84
Question re nominations to — .. ..	..	..	1054
Question re Standing Committees of the — .. ..	..	..	1004, 1005
Question re voters for the — .. ..	..	..	942
LIBRARY—			
Question re Elliot public — Gurgaon ... ..	..	..	603-04
Question re Jail — .. ..	..	..	1003-04
LICENSES—			
Question re Arms — .. ..	..	..	184, 653, 1004, 1053
Question re — for motor lorries .. ..	..	..	560, 780, 893, 985
LICENSE FEE—			
Question re defrauding Government of— by a certain firm .. ..	..	..	561
LIQUOR SHOP—			
Question re — .. ..	..	..	350
LISTED POSTS—			
Question re — .. ..	..	..	237-33
LOANS BY PROVINCIAL GOVERNMENT (RE-SERVED) GRANT			
			702
LOANS BY PROVINCIAL GOVERNMENT (TRANSFERRED) GRANT			
			702
LOCALS—			
Budget : grant of lands to— .. ..	..	..	352-56
LOCAL BODIES—			
Question re election to — .. ..	..	..	943
Question re representation in — .. ..	..	..	833-84
LOCAL INDUSTRIES—			
Question re — .. ..	..	..	134-35
LOCAL RATE—			
Question re — .. ..	..	..	892
LOCAL RULES AND ORDERS—			
Question re — .. ..	..	..	237

	PAGES.
LONG-TERM PRISONERS—	
Question re rules regarding release of — ..	985-86
LORRIES—	
Question re hired cars and — ..	779
LOWER BARI DOAB CANAL—	
Question re — ..	342-43
Question re Rajbahas and Khals on the — ..	556-57
Question re special charges for digging water courses in — Colony ..	506
LOWER CHENAB—	
Question re — and Lower Jhelum Canals ..	1100-01
LOWER GUGERA—	
Question re Rajbaha Kassoke and Rajbaha Jur- yan — ..	152
LOWER JHELUM—	
Question re irrigation on the — Canal ..	881
Question re Lower Chenab and — Canals ..	1100-01
LOWER PRIMARY SCHOOL—	
Question re — at Changnauli ..	23, 1952
LUDHIANA DISTRICT BOARD—	
Question re — ..	948-44
M.	
MACLAGAN ENGINEERING COLLEGE—	
Question re — ..	506, 941
MAGISTERIAL POWERS—	
Budget : Withdrawal of — from departmental offi- cers ..	465
MAGISTRACY—	
Question re exercise of undue influence on — by District Magistrates ..	231
MAGISTRATE—	
Question re Mr. Fairlie, Sub-Divisional —, Rupar ..	3-4
MAHTAMS—	
Question re — (original inhabitants of the Nili Bar Colony) ..	397-98
MALARIA—	
Question re — in village Gajiana ..	153-54
MALIK BHAGWAN DAS, HINDU HIGH SCHOOL—	
Question re —, Chiniot ..	155
MALIK LAL KHAN—	
Question re —, member of Gujranwala Committee ..	303
MANAGER—	
Question re —, Hindu School, Barmanga ..	821
MANGAL SINGH, SARDAR—	
Question re passports for — and Sardar Kharak Singh ..	837
MANKA CANAL HYDRO-ELECTRIC SCHEME—	
Budget : — ..	432

	PAGES
MANOHAR LAL, THE HON'BLE, MR.—	
Agricultural Education, steps for — ..	278
Budget : Parliamentary practice, rigorous enforcement of, would impose restrictions on the general right of discussion of grievances before voting supplies ..	440
Budget : Point of order <i>re</i> abolition of the staff of Divisional Commissioners ..	439-40
Education (Transferred) Grant ..	806
Education among depressed classes ..	279
Extension of compulsory primary education ..	275
Fee concessions ..	277
General discussion of budget ..	275-79
High Schools for girls, opening of, ..	278
Point of order <i>re</i> power of a local Council to pass legislation extending the powers of the High Court ..	1119-20
Resolution <i>re</i> military training for College students..	1072
Vernacular Middle School, enrolment in, ..	277
MAQBOOL MAHMOOD, MIR—	
Punjab Land Revenue (Amendment) Bill ..	903-04, 1031-35
MARRIED WOMEN—	
Question <i>re</i> enticing away of — ..	1051-52
MARTIAL LAW—	
Question <i>re</i> — prisoners ..	989
MATERIALS—	
Question <i>re</i> supply of — through Controller of stores ..	946
MATRICULATION—	
Question <i>re</i> — examination ..	800
MAYA DAS, MR. E.—	
Budget : Excise policy ..	384-85
Budget : Settlement operations in Montgomery ..	330-31
Motion for adjournment ..	778-79
Motion <i>re</i> Committee to co-operate with the Indian Statutory Commission ..	745-46
Punjab Land Revenue (Amendment) Bill ..	953-54
Resolution <i>re</i> grant of loans to zamindars of Rohtak, &c., districts ..	857-58
Resolution <i>re</i> military training for College students ..	1065
MAYO HOSPITAL—	
Question <i>re</i> — ..	780
MEDICAL AND PUBLIC HEALTH GRANT ..	700
MEDICAL COLLEGE, KING EDWARD—	
Nature of appointments filled by graduates turned out by — ..	78
MEDICAL COLLEGES—	
Addition of Unani and Ayurvedic systems of medicine to the curriculum in — and Schools ..	64
MEDICAL DEPARTMENT—	
Question <i>re</i> — ..	558

	PAGES.
MEDICAL GRANT	807
MEDICAL REGISTRATION—	
Question re Punjab — (Amendment) Bill ..	80-81
MEDICAL SCHOOL—	
Nature of appointments filled by diploma holders of — ..	78
Opening of — for women	267
Question re —, Amritsar	507
Question re — for women	1000
MEMBER(S)—	
Apology by —	389
Question re Chaudhri Ahmad Bakhsh, —, Municipal Committee, Moga	149
Question re Malik Lal Khan, — of Gujranwala Municipal Committee	303
Question re — of Indian Civil Service	237
Question re — of the Provincial Civil Service ..	236
Question re personal Assistant to Honourable — and Ministers	29
MEMORIAL—	
Question re—against Khan Bahadur Rai Wali Muhammad	944-45, 946
Question re — from the citizens and tax-payers of Sheikhpura	4-5
METALLED ROAD—	
Question re — between Hissar and Sirsa	176
Question re — to Nankana Sahib	889
MIDDLE SCHOOLS—	
Enrolment in vernacular —	277
Question re District Board — and primary schools ..	653
Question re grant-in-aid for Anglo-Vernacular — Sambrial	608
Question re Headmaster, Anglo-Vernacular —, Machiwara	712, 1366
Question re — at Fatehabad	604
Question re — at Kosli	940
Question re Muslim aided —, tahsil Daska	290, 1302
Question re Vernacular —	705-06, 940
MIDDLE SCHOOL SCHOLARSHIP EXAMINATION—	
Question re — at Amritsar	186
MILITARY GRANTEES—	
Question re —	1005-06
MILITARY OFFICERS—	
Question re retired —	402-04
MILITARY SCHOLARSHIPS—	
Question re —	401
MILITARY TRAINING—	
—an additional elective subject for Intermediate and Bachelors Examination	1071

MILITARY TRIBES—

Question *re* — in the Gurgaon district .. 707-08, 1810

MILNE, MR. D.—

Oath of office .. 1

MINISTERS—

Question *re* Personal Assistants to Honourable Members and — .. 29

Ruling : Privilege of moving motions to increase budget provision during voting of demands not enjoyed even by Ministers of Crown .. 815

MISCELLANEOUS DEPARTMENTS (RESERVED) GRANT

701, 807

MISMANAGEMENT—

Question *re* alleged — of Pind Dadan Khan Municipal Committee .. 138

MISSION SCHOOL—

Question *re* grant to —, Kasur, by Municipal Committee .. 301

MOGHAS—

Question *re* damage due to change of — .. 1057

MOHAN LAL, LALA—

Budget : Colonization policy .. 359-60

Budget : Elections to the Central and Provincial Legislatures .. 534-35

Budget : Forest policy .. 410

Budget : Judicial and executive functions, separation of, .. 467-69

Budget : Recruitment of services in charge of High Court .. 569-72

Budget : Settlement operations in Montgomery .. 333-34

Motion for adjournment .. 767

Punjab Land Revenue (Amendment) Bill .. 971, 1007

Resolution *re* application of the principles of assessment of income-tax to the assessment of land revenue .. 94-6

Resolution *re* Mr. Anderson's report regarding Muzaffargarh .. 1095-97

Resolution *re* military training for College students .. 876

MONEY-LENDERS' BILL—

Question *re* — .. 705, 792

MORTGAGE BANKS—

Question *re* — .. 443-44

MOTA SINGH, MASTER—

Question *re* — an Akali prisoner .. 22-3

"MOTHER INDIA"—

Question *re* — .. 602

MOTION(S)—

— *re* committee to co-operate with the Indian Statutory Commission (carried) .. 716-59

	PAGES.
MOTION(S)—CONCLUDED.	
Ruling : Nature of — that can be put to the vote of the House	421
MOTION FOR ADJOURNMENT—	
Re objectionable treatment meted out to Chaudhri Abdul Rahman Khan by Deputy Commissioner, Jullundur (carried)	715-16, 761-79
Re release of Mr. Bannerji, a C.I.D. employee(Talked out)	1106, 1139-60
MOTOR ACCIDENTS—	
Question re —	491, 1308
MOTOR CARS—	
Question re applications for plying — on hire	985
MOTOR-DRIVING EXAMINATION—	
Question re —	28
MOTOR LORRY—	
Question re — licenses	560, 780, 893
MOTOR SERVICE—	
Question re — on the Talagang-Injra road	350, 1306
MOTOR TRAFFIC—	
Question re — on the Talaganj-Injra road	498
MUHAMMAD ABDUL RAHMAN KHAN, CHAUDHRI—	
Budget : Lack of efficiency in the police	681-84
MUHAMMAD ALAM, DR., SHAIKH—	
Budget : Elections to the Provincial and Central Legislatures	530-32
Motion for adjournment	772-74
Motion re Committee to co-operate with the Indian Statutory Commission	736-45
Point of order re motion re Committee to co-operate with the Indian Statutory Commission	717
Resolution re application of the principles of assessment of income-tax to the assessment of land revenue	126-29
MUHAMMAD HAYAT, QURESHI, KHAN BAHADUR, MIAN—	
Punjab Land Revenue (Amendment) Bill	930-31, 1108-09, 1183, 1171-72
Budget : Colonization policy	367-68
Budget : Divisional Commissioners, abolition of the establishment for,	455-56
Budget : Irrigation grant	423
Budget : Judicial lock-ups	614, 616
Resolution re application of the principles of assessment of income-tax to the assessment of land revenue	120-22
MUHAMMAD HUSAIN, SAYAD—	
Budget : Bhakra Dam Scheme	425-26
Budget : Colonization policy	356-59, 363
Budget : Elections to the Provincial and Central Legislatures	530

PAGES.

MUHAMMAD HUSAIN, SAYAD—CONCLUDED.

Budget : Excise policy	381-82
Budget : Government waste land, sale by auction of,	372-73
Budget : Irrigation (Capital) Grant	490-32
Budget : Locals, grant of land to,	352-54
Budget : Settlement operations in Montgomery .. 326-28,	386-89
Budget : Tahsildars, increase of pay of,	304-08, 818
General discussion of the budget	198-203
Punjab Land Revenue (Amendment) Bill	899-901, 912, 919-20, 923-25, 963-64, 974-75, 1010-16, 1111- 16, 1122, 1123, 1129, 1132-33, 1167-69, 1176- 78, 1185-86, 1196-97

Question re —, late teacher, Government Technical School, Lahore	649-50
Resolution re Amritsar Medical School	75-6
Resolution re Anderson's report regarding Muzaargarh	1076-78
Resolution re application of the principles of assessment of income-tax to the assessment of land revenue	93-4
Resolution re damage to wheat and gram crops	1201-02
Resolution re grant of loan to Zamindars of Rohtak, &c., districts	849-50
Resolution re opening of Canal Telegraph offices for public use	1075
Resolution re Unani and Ayurvedic systems of medicine	53-9

MUHAMMAD IQBAL, DR., SIR—

Motion for adjournment	777
Resolution re application of the principles of assessment of income-tax to the assessment of land revenue	109-13
Resolution re Unani and Ayurvedic systems of medicine	57-8

MUHAMMAD JAMAL KHAN, KHAN BAHADUR, NAWAB—

Budget : Irrigation (Capital) grant	427-29
MUHAMMAD SADIQ, SHAIKH—	
Budget : Civil Works (Transferred) Grant	807-08
Budget : Elections to the provincial and Central Legislatures	522-27
Budget : Excise policy	385-88

MUHAMMAD SADIQ, SHAIKH—

Budget : Forest policy	413-14
Budget : Judicial and executive functions, separation of,	460-62
Budget : Recruitment of services in charge of High Court	587-43, 582-86
Budget : Registration grant	422-23
Budget : Tahsildars, increase of pay of,	317-18
General discussion of budget.. .. .	279-82
Motion for adjournment	715, 761-65
Motion for adjournment <i>re</i> Bannerji, a C. I. D. employee	1157-58
Motion <i>re</i> Committee to co-operate with the Indian Statutory Commission	722-26
Point of order <i>re</i> motion <i>re</i> Committee to co-operate with the Indian Statutory Commission	717
Punjab Adulteration of food (Amendment) Bill	812
Resolution <i>re</i> military training for College students.. .. .	1058-59

MUHAMMADAN WAQF ACT, 1923—

Question <i>re</i> —	349
------------------------------	-----

MUHARRAM RIOTS—

Question <i>re</i> — at Multan	780-83
--	--------

MUNICIPAL(ITY)(ITIES)—

Question <i>re</i> alleged mismanagement of Pind Dadan Khan — Committee	138
Question <i>re</i> allegations against teachers of schools conducted by Pind Dadan Khan — Committee	138
Question <i>re</i> Ambala City — Committee	289-90, 1305
Question <i>re</i> Chaudhri Ahmad Bakhsh, Member, — Committee, Moga	149
Question <i>re</i> Chiniot — Committee	139
Question <i>re</i> communal representation in — and Small Town Committees	180-83, 230
Question <i>re</i> election of office bearers for — Committee, Kasur	301-02
Question <i>re</i> election system in Isa Khel — Committee	714, 1366
Question <i>re</i> Ferozepore City — Committee	550
Question <i>re</i> grant to Mission School by — Committee, Kasur	301
Question <i>re</i> inspection of — and Small Town Committees	28
Question <i>re</i> Malik Lal Khan, member of Gujranwala — Committee	303, 608
Question <i>re</i> Miani —	1102
Question <i>re</i> Mr. Hafiz Muhammad, — Commissioner, Pind Dadan Khan	138
Question <i>re</i> — Committee Abohar	1108, 1105
Question <i>re</i> — and Small Town Committees	819

PAGES.

MUNICIPALITY (ITIES)—CONCLUDED.

Question re — Board School, Miani	1102
Question re — Committee, Kasur	296-301, 302-08, 880
Question re — Committee, Khushab	820
Question re — Committee, Jagadhri	24-5
Question re — Committee, Ludhiana	885
Question re Pind Dadan Khan — Committee	878
Question re Pind Dadan Khan — Schools	878

MUNSHI FAZIL—

Question re supersession of arts graduates by graduates with — qualifications	180
---	-----

MURDERS—

Question re — in the Shahpur District	1102
---	------

MUSALMAN—

Question re food arrangement for — prisoners	831
--	-----

MUSICAL TALENT—

Question re — in rural areas	654
------------------------------------	-----

MUSLIM(S)—

Question re Qadiani Ahmadi Class of —	548
Question re — aided Middle School, tahsil Daska . . .	230, 1302
Question re — District Inspector of Schools	1003
Question re — representation on Ferozepore District Board	149
Question re — Superintendents and Head Vernacular Clerks of the Deputy Commissioners' offices	608-10
Question re posting of — Canal officers for Dipalpur Division	611-13

MUZAFFAR KHAN, KHAN BAHADUR, NAWAB—

Budget : Election to the Provincial and Central Legislatures	527-29
--	--------

N.

"NAGHMA ZAR"—

Question re Book entitled —	888
-----------------------------------	-----

NAIB-TAHSILDAR(S)—

Question re Jat —	393
Question re —, Kot Adu	177
Question re Tahsildars and —	1045

NAIB-ZILLADARS—

Question re —	298, 880
---------------------	----------

NANAK CHAND, PANDIT—

Amendment of Standing Orders	168-69
Budget : Colonization policy	360-62
Budget : Divisional Commissioners, abolition of establishment for,	441, 458-54, 456
Budget : Lack of efficiency in the police	639-91
Budget : Patwaris, provident fund or pensions for,	368, 369

	PAGES.
NANAK CHAND PANDIT—CONCLUDED.	
Budget : Point of order <i>re</i> abolition of Divisional Commissioners	436
Budget : Point of order <i>re</i> abolition of the staff of Divisional Commissioners	437, 439
Budget : Re-afforestation Chos policy	920-21, 926
Budget : Recruitment of services in charge of High Court	574-77
Budget : Tahsildars, increase of pay of	316-17
General discussion of the budget	240-45
Motion for adjournment	776-77
Motion <i>re</i> Committee to co-operate with the Indian Statutory Commission	731-35
Point of order <i>re</i> power of a local Council to pass legislation extending powers of High Court	1116, 1119, 1120
Punjab Adulteration of food (Amendment) Bill	813
Punjab Pre-emption (Amendment) Bill	40-42
Resolution <i>re</i> application of the principles of assessment of income-tax to the assessment of land revenue	106-09
Resolution <i>re</i> grant of loans to Zamindars of Rohtak, &c., districts	852-56
Resolution <i>re</i> Mr. Anderson's report regarding Muzaffargarh	1080-83
Resolution <i>re</i> military training for College students	1066-67
NANAKANA SAHIB—	
Question <i>re</i> metalled road to —	839
NANKANA SAHIB NOTIFIED AREA COMMITTEE—	
Question <i>re</i> —	152
NARAIN SINGH, SARDAR—	
Resolution <i>re</i> military training for College students	1060-63
NARENDRA NATH, DIWAN BAHADUR, RAJA—	
Motion <i>re</i> Committee to co-operate with the Indian Statutory Commission	719
Point of order <i>re</i> power of a local Council to pass legislation extending powers of a High Court	1117
Punjab Land Revenue (Amendment) Bill	911-12, 922-23, 954, 964, 973- 74, 1027-29, 1124, 1138-39, 1174, 1178-80, 1183-84
Resolution <i>re</i> damages to wheat and gram crops	1202
Resolution <i>re</i> grant of loans to Zamindars of Rohtak, &c., districts	861
Resolution <i>re</i> Mr. Anderson's report regarding Muzaffargarh	1093-95
Resolution <i>re</i> military training for College students	874-75
Resolution <i>re</i> opening of Canal Telegraph offices for public use	1072-73

	PAGES.
NEWSPAPERS—	
Budget : Government advertisement to — ..	482-90
Question re defamation cases against — ..	195-97
Question re — and Government advertizements ..	132, 1053
Question re prosecution against — ..	191
Question re prosecution of — for obscene advertize- ments	13-14, 17-18
Question re supply of — to Government offices ..	20-21
NIERSES, MR.—	
Question re —, late Sub-Divisional Officer, Electrical Department	785
NILI BAR—	
Question re lands in the —	557
Question re Mahtams (original inhabitants of — Colony	397-98
Question re proprietary grants in —	833
Sale of lands in — by open auction	367
NOMINATIONS—	
Question re — for Extra Assistant Commissioners ..	509, 601
Questions re — to Legislative Council	1054
NON-AGRICULTURISTS—	
Question re — Patwar candidates	399
NON-OFFICIAL PRESIDENTS—	
Question re Small Town Committees and — ..	445
NON-VOTED GRANTS—	
Statement of additions and reductions in the — ..	1007
NORMAL GIRLS' SCHOOL—	
Question re —, Multan	445
NORMAL SCHOOL—	
Question re Government —, Gakhar	25
Question re search of Boarding House —, Ferozepore City	149-50, 1360
"NOTIFIED AGRICULTURAL TRIBE"—	
Distinction between the term "Zamindar" and "member of a —"	518
NOTIFIED AREA COMMITTEE(S)—	
Non-official Presidents for —	269
Question re Nankana Sahib —	152
NUR KHAN, RISALDAR BAHADUR—	
Budget : Forest policy	410-11
Budget : Lack of efficiency in the police ..	685-86
Budget : Settlement operations in Montgomery ..	331

O.

OATH OF OFFICE—	
Ashton, Mr., H. F.	1045
Cowan, Mr. H. M.	819
Craik, Mr. H. D.	1, 178, 819

OATH OF OFFICE—CONCLUDED.

Crump, Mr. R. H.	53
Khurshaid Muhammad, Khan Bahadur, Shaikh	761
Milne, Mr. D.	1
Ogilvie, Mr. C. M. G.	1099
Owen, Dr. C. A.	1
Ramchandra, Mr.	289
Sanderson, Mr. R.	174
Smith, Mr. J. B. G.	819
Townsend, Mr. C. A. H.	1

OBSCENE ADVERTIZEMENTS—

Question re prosecution of newspapers for —	13-14, 17-18
---	--------------

OFFENCES—

Question re — punishable under section 854, I. P. C.	836-87
--	--------

OFFICERS—

Question re — in the Civil Secretariat	235
--	-----

OFFICE BEARERS—

Question re election of — for Kasur Municipal Committee	301-02
---	--------

OGILVIE, MR. C. M. G.—

Oath of office	1099
----------------	------

OIL—

Question re — pressing in jails	233
Question re supply of — to prisoners	233-34

OKARA HIGH SCHOOL—

Question re provincialization of —	176
------------------------------------	-----

ORIENTAL TRAINING CLASS—

Question re —	998
---------------	-----

OWEN, DR. C. A.—

Oath of office	1
----------------	---

P.

PANCHAYAT(S)—

Starting of —	268
Question re grants to —	155, 678
Question re —	155, 156, 507-08, 671, 944, 1860

Question re — at Mauza Narli	838
------------------------------	-----

Question re — officers	180, 898
------------------------	----------

PANCHOTRA—

Question re forfeiture of — of Lambardars in Karnal district	451
--	-----

PANJ-NAD WEIR—

Question re —	710
---------------	-----

PARTAP SINGH, SARDAR—

Budget : Irrigation (Capital) Grant	429-30
-------------------------------------	--------

	PAGES.
PASSPORT(S)—	
Question <i>re</i> applications for —	1048
Question <i>re</i> — for Sardar Harchand Singh ..	887
Question <i>re</i> — for Sardar Mangal Singh and Sardar Kharak Singh	887
PATHANS—	
Question <i>re</i> — of Kotta Muhammad Zariff Khan ..	606
PATWAR CANDIDATES—	
Question <i>re</i> —	899
PATWAR STAFF—	
Question <i>re</i> —	899
PATWARI(S)—	
Budget : provident fund or pension for — ..	868-69
Question <i>re</i> communal representation among — ..	450
Question <i>re</i> — and Girdawar Qanungos	234, 1305
Question <i>re</i> Sham Lal —, Rahon	808, 1366
PAY—	
Budget : increase of — of tahsildars	804-20
PEACE REMISSION—	
Question <i>re</i> — to prisoners	997
PEASANT GRANTS—	
Question <i>re</i> —	401-02
PENNY, MR. J. D.—	
Budget : Tahsildars, increase of pay of, ..	810-12
Punjab Land Revenue (Amendment) Bill ..	1035-37
PENSION—	
Budget : provident fund or — for patwaris ..	868-69
Question <i>re</i> substitution of the system of Provident Fund and gratuities for —	290-91
PENSION RULES—	
Question <i>re</i> —	229
PERMANENT SETTLEMENT—	
Budget : —	369-71
Budget : Introduction of — requires amendment of Land Revenue Act	370
PERSONAL ASSISTANTS—	
Question <i>re</i> — to Honourable Members and Ministers ..	29
PETITION-WRITERS—	
Question <i>re</i> admission as — in Mianwali District ..	653
PIPAL TREE—	
Question <i>re</i> cutting of a — in Dehra Din Pannah ..	501, 832
PICTURE HOUSE—	
Question <i>re</i> —, Amritsar	401
PLAGUE—	
Question <i>re</i> — in Hissar	607
PLOUGH CATTLE—	
Question <i>re</i> cows and—	885
PLOUGHS—	
Question <i>re</i> Gurgaon —	604, 1309

POLICE—

Budget : Lack of efficiency in—	644-47, 674-99
Question re dacoity at Garh Maharaja and Sub-Inspector of —	186
Question re depressed classes in the — service ..	9, 19.
Question re Deputy Superintendents of — ..	1046-47
Question re direct recruitment of — Head Constables ..	12
Question re enquiry into the conduct of — Officers, Ludhiana	613
Question re European Superintendents of — ..	1046
Question re Inayat Ullah, Sub-Inspector of —, Sargodha	819
Question re judgment in the — torture Case in Sialkot	26
Question re Mr. Hakim Khan, Sub-Inspector of — and theft cases	177
Question re Muharram riots at Multan and — ..	782
Question re —	828
Question re — and corruption	788, 1811
Question re — Constables	936
Question re — Enquiry Committee's report ..	185
Question re — Head Constables	452
Question re — Officers at Ludhiana	935-36
Question re — staff in the eastern range ..	174-75
Question re — Sub-Inspectors	1003
Question re punishment in — torture cases ..	30, 1358
Question re Punitive —	715, 1049
Question re Punitive — at Mauza Narli	179
Question re Punitive —, Rawalpindi	498-99
Question re Punitive — tax	605, 838-39
Question re Punjab — Enquiry Committee report ..	1045-46, 1047-48
Question re recruitment of Statutory Agriculturists of Jhang to the — department	986
Question re Sayedwala and Baraghar — Stations ..	891-92
Question re special — called " Durli Jatha " ..	134
Question re special cattle thefts —	1-2
Question re Sub-Inspectors of —	936-37
Question re Sub-Inspector of —, Multan	783
Question re Superintendent of —, Hissar	710, 1811
Question re Urlana — Station	451
Question re use of tongas by — officials	26
Question re Zaildars and —	837
POLICE GRANT—	644-47, 674-700, 806
Lack of efficiency in police	644-47, 674-99
POLITICAL PRISONERS—	
Budget : —	616-34, 984
POLITICS—	
Question re educational institutions and — ..	132-33, 501

	PAGES.
POPULATION—	
Question re — of agricultural tribes	1
Question re — of Rahon	672, 1362
POST GRADUATES COURSE—	
Question re — Veterinary College	186
POSTING—	
Question re — of Muslim Canal officers for Dipalpur division	611-15
PRE-EMPTION (AMENDMENT) BILL—	
Punjab —	894-95
Question re the Punjab —	81-51
PRESIDENT(S)—	
Non-official — for Small Town and Notified Area Committees	269
Question re Malik Lal Khan, —, Gujranwala Municipality	608
Question re Small Town Committees and non-official—	445
PRESIDENT, MR.—	
Amendment of Standing Orders	166, 168, 169-72
Apology by a member	389
Death of Lord Sinha	490
House Committee	818
Supply of departmental reports free of charge	811
PRIMARY EDUCATION—	
Extension of Compulsory —	275
PRIMARY GIRLS' SCHOOL—	
Question re —, Machhiwara	712, 1366
PRIMARY SCHOOL(S)—	
Question re District Board Middle and —	658
Question re lower — at Changnauli	23, 1352
Question re — in Gurgaon and Hissar districts	708, 1311
PRINCIPALS—	
Question re complaints against — and headmasters of Government Colleges	987
Question re — of Intermediate College	789-90
PRIVATE SECRETARY—	
Question re Superintendents in the office of — to His Excellency the Governor	26
PRISONS—	
Question re complaint re use of Sajji in —	997
PRISONER(S)—	
Question re Civil —	989
Question re food arrangement for Musalman —	881
Question re hanging of — in their home districts	283
Question re Jhatka meat for Sikh —	997-98
Question re Martial Law —	989
Question re Master Mota Singh an Akali —	22-3
Question re Maulana Habib-ul-Rahman, — in Rawalpindi Jail	984

PAGES.

PRISONER(S)—CONCLUDED.

Question re peace remission to —	997
Question re political —	984
Question re —	989-96
Question re rules regarding release of long-term— ..	985-86
Question re special class —	232, 1302
Question re Supply of oil to —	233-84
Question re treatment of Khawaja Abdul Rahman Ghazi, Maulvi Attah Ullah Shah and Maulana Habib Rahman as special class —	232
Question re writing materials for —	233

PROFESSIONAL TAX—

Question re —	14, 151, 156, 1293
-----------------------	--------------------

PROFESSOR(S)—

Question re — and lecturers	1003
Question re — of Zoology, Government College, Lahore	791-92

PROFIT—

Question re — of Contractors in Public Works De- partment estimates	797-98
--	--------

PROHIBITION—

Budget : Enforcing of — involves modification of Excise Act	875
--	-----

PROMOTIONS—

Question re publication of — and transfers of tea- chers	292
---	-----

PROPRIETARY GRANTS—

Question re — in the Nili Bar	833
---------------------------------------	-----

PROSECUTION(S)—

Question re — against newspapers	181
Question re — by Government against Lala Chiranj Lal	497-98
Question re — of newspapers for obscene advertize- ments.—	13-14, 17-18

PROVIDENT FUND—

Budget : — or pension for patwaris	868-69
Budget : Rate of deduction towards — from the pay of Patwaris	869
Question re substitution of the system of — and gra- tuities for pensions	290-91

PROVINCIAL CIVIL SERVICE—

Budget : Separation of — Officers who do executive work from those who do magisterial work	465
Question re members of —	286
Question re —	1046

PROVINCIAL EDUCATION SERVICE—

Question re —	706, 790-91, 822- 23, 1103-04
-----------------------	----------------------------------

	PAGES.
PROVINCIAL LEGISLATURES—	
Budget : Elections to the Central and — ..	522-37
PROVINCIAL LOANS AND ADVANCES (RESERVED)	
GRANT	811
PROVINCIALIZATION—	
Question re — of Okara High School	176
PUBLIC HEALTH—	
Question re Assistant Director of —, Rawalpindi ..	398
PUBLIC LIBRARY—	
Question re Elliot —, Gurgaon	603-04
PUBLIC PROSECUTORS—	
Question re —	230-31, 391-92
PUBLIC SERVANTS—	
Question re —	1053
PUBLIC WORKS DEPARTMENT—	
Question re clerical establishment in the —, Irriga- tion Branch	294-95, 880
Question re Contractor's profit in —	797
Question re Hydro-Electric Branch of —	400-01
PUBLICATION—	
Question re — of promotions and transfers of teachers	292
PUCCA ROAD—	
Question re — between Nawanshahr, Doāba and Bhaddi via Saheba	712
PUNISHMENT—	
Question re — in police torture cases	30, 1358
PUNITIVE POLICE—	
Question re —	715, 1049
Question re — at Mauza Narli	179
Question re —, Rawalpindi	498-99
Question re — tax	605, 838-39
PUNITIVE TAX—	
Question re collection of — from Sardar Hira Singh, M.L.C.	179
PUNJAB AKHBARAT COMPANY, THE—	
Question re case of Rai Sahib Lala Jamna Das, <i>ver-</i> <i>sus</i> —	140-41
PUNJAB EDUCATION CODE—	
Question re —	709
PUNJAB JAILS COMMITTEE—	
Question re —	446
PUNJAB LAND REVENUE (AMENDMENT) BILL—	
Select Committee, presentation of report of — ..	895
Consideration of —	895-931, 949-81, 1007-44, 1106- 89, 1161-91, 1195-97.
Passed—	1197

	PAGES.
PUNJAB MEDICAL REGISTRATION (AMENDMENT) BILL—	
Introduction of —	80
Consideration of —	80-81
Passed —	81
PUNJAB PRE-EMPTION (AMENDMENT) BILL—	
Leave to introduce—	81-6
Reference to Select Committee	86-51
Select Committee report, presentation of —	894
Consideration of —	894
Passed	895
PUNJAB UNIVEVSITY—	
Question re —	658
PUNJAB UNIVERSITY CONSTITUENCY—	
Question re —	148
PUNJAB ZAMINDARS LEAGUE—	
Question re —	556
PUNJABI—	
Question re teaching of — in schools	188
PUNJABI TEACHERS—	
Question re —	557
PUNJABIS—	
Question re — in foreign countries	182
Q.	
QANUNGOS—	
Question re Patwaris and Girdawar —	234,1305
QUARTERS—	
Question re Compulsory residence in Government —	291
QUESTIONS AND ANSWERS—	
AFZAL HAQ, CHAUDHRI—	
Question re abiana in Dipalpur Tahsil	933
Question re applications for Passport	1048
Question re appointment of Commissions	1047
Question re arms licenses	134
Question re arrest of Khan Shafat Ullah	181
Question re Budha Nallah, Ludhiana District	548
Question re burglary cases in Amritsar	137
Question re civil appeals in the High Court	303
Question re civil prisoners	989
Question re communal Riots	17
Question re complaints against principals and Head- masters of Government Colleges	987
Question re complaint regarding use of <i>sajji</i> in prisons	997
Question re consolidation of holdings	502-05
Question re corruption	1047
Question re Criminal Investigation Department officers at the Lahore Central Jail and the Borstal institution	341

QUESTIONS AND ANSWERS—CONTINUED.**AFZAL HAQ, CHAUDHRI—CONTINUED.**

Question re Criminal Tribes	1054
Question re damages by floods	934
Question re defamation cases against Newspapers ..	135-37
Question re demonstration against Simon Commission	934-35, 937-33
Question re Deputy Superintendent of Police ..	1046-47
Question re District Magistrates and undue influence ..	281
Question re Durli Jatha	134
Question re educational institutions and politics ..	132-33
Question re enquiry into the conduct of police officers, Ludhiana	613
Question re European Superintendent of Police ..	1046
Question re games in rural areas	548-49
Question re Government College, Gujrat ..	987
Question re Government College, Lahore ..	1003
Question re Government College, Ludhiana ..	948-49
Question re Government Intermediate Colleges ..	949
Question re Government Intermediate College, Hoshiarpur	1002
Question re Government Intermediate College, Ludhiana	1002
Question re grant-in-aid for Anglo Vernacular Middle School, Sambarial	608
Question re imprisonment of a certain Punjabi ..	1001
Question re Jail Library	1003-04
Question re Jailors and Assistant Jailors ..	997
Question re Kadiani Ahmadi class of Muslims ..	548
Question re Khawaja Abdul Rahman Ghazi, Maulvi Atta Ullah Shah, and Maulana Habib Rahman ..	232
Question re hanging in Jails	232
Question re hanging of prisoners in their home districts	233
Question re license for fire arms	1004, 1053
Question re Local Industries	134-35
Question re Martial Law prisoners	989
Question re Maulana Atta Ullah Shah and Ghazi Abdur Rahman	231-32
Question re Maulana Habib-ul-Rahman	934
Question re Maulana Sayad Habib of Sayasat and Sayad Inayat Shah	834-35
Question re Maulana Zafar Ali Khan	835
Question re meetings of Standing Committees ..	1005
Question re Muslim Superintendents and Head Vernacular clerks of the Deputy Commissioner's offices ..	608-10
Question re newspapers and Government Advertisements	132, 1053

QUESTIONS AND ANSWERS—CONTINUED.**AFZAL HAQ, CHAUDHRI—CONCLUDED.**

Question re nominations to Legislative Council ..	1054
Question re oil pressing in Jails ..	238
Question re Pandit Jaggat Ram ..	1052
Question re peace remissions to prisoners ..	997
Question re Police Enquiry Committees' report ..	135, 1047-48
Question re Police officers, Ludhiana ..	985-86
Question re Police Sub-Inspectors ..	1008
Question re Political Prisoners ..	934
Question re posting of Muslim Canal officers for Dipalpur Division ..	611-13
Question re Professors and Lecturers ..	1003
Question re prisoners ..	989-96
Question re Prosecutions against Newspapers ..	17-18, 131
Question re Provincial Civil Service ..	1046
Question re Public Servants ..	1053
Question re Punjab Police Enquiry Committee ..	1045-46, 1048
Question re Punjabis in foreign Countries ..	132
Question re Rakh Kuthiala near Muridke ..	502
Question re Reforms of rural people ..	1048
Question re rules regarding release of long-term prisoners ..	985-86
Question re Sayad Habib and Sayad Inayat Shah ..	710-11
Question re Shah Chiragh Mosque, Lahore ..	1052
Question re Special Class prisoners ..	232
Question re Standing Committees of the Legislative Council ..	1004
Question re Superintendent of the Deputy Commissioner's office in Rawalpindi Division ..	610
Question re supply of oil to prisoners ..	293-34
Question re Tahsildars and Naib-Tahsildars ..	1045
Question re Thal Canal ..	132
Question re transfer of Government offices ..	1052
Question re uplift of rural people ..	935
Question re writing materials for prisoners ..	238
Question re zamindars of Khawaja Bains ..	933

AKBAR ALI PIR,—

Question re Abiana Khataunis ..	555
Question re Assistant District Inspector of Schools, Fazilka ..	150-51
Question re Chaudhri Ahmad Bakhsh, Member, Municipal Committee, Moga ..	149
Question re damage by the Sutlej River ..	151
Question re Education Department, Jullundur Division ..	1057-58
Question re Extra Assistant Commissioner ..	947
Question re Ferozepore City Municipal Committee ..	550
Question re Ferozepore District Board, ..	149, 549-50

QUESTIONS AND ANSWERS—CONTINUED.**AKBAR ALI, PIR—CONCLUDED.**

Question <i>re</i> Government High School, Jullundur Circle	150
Question <i>re</i> Government Schools in the Ferozepore District	550-51
Question <i>re</i> grant of Jagir to Sardar Harnam Singh	151
Question <i>re</i> high schools in the Ferozepore District	547
Question <i>re</i> holidays in Civil and Criminal Courts	947-48
Question <i>re</i> search of Boarding House, Normal School, Ferozepore City	149-50
Question <i>re</i> Sutlej Valley Project	555-56

ALI AHMAD, CHAUDHRI—

Question <i>re</i> damage due to change of Moghas	1057
Question <i>re</i> Muslim District Inspector of Schools	1008

BODH RAJ, LALA—

Question <i>re</i> alleged mismanagement of the Pind Dadan Khan Municipal Committee	198
Question <i>re</i> allegations against teachers of schools conducted by the Pind Dadan Khan Municipal Committee	188
Question <i>re</i> arrest of some college students	496
Question <i>re</i> Assistant and Deputy Superintendents of Jails	445-46
Question <i>re</i> candidate zilladars	293
Question <i>re</i> candidates for Extra Assistant Commissionership	508-09
Question <i>re</i> case of Rai Sahib Lala Jamna Das, <i>versus</i> the Punjab Akhbarat Company	140-41
Question <i>re</i> case of Taj Mahmood and others	1101
Question <i>re</i> Chaubarah-Leiah Road	500, 709, 881-82
Question <i>re</i> Chiniot Municipal Committee	139
Question <i>re</i> clerical establishment in the Public Works Department, Irrigation Branch	294-95, 880
Question <i>re</i> communal Propaganda in Alipur	16
Question <i>re</i> communal Propaganda in the Muzaffargarh district	187-38
Question <i>re</i> complaint against an Anglo-Indian Canal officer of the Montgomery Division	15
Question <i>re</i> complaint against Chaudhri Fateh Muhammad Muhammad Khan	1103
Question <i>re</i> complaint against Headmaster, High School, Kahrar	10
Question <i>re</i> complaints of cultivators of 11-J., Montgomery Canal Division against a canal officer	10-11
Question <i>re</i> compulsory residence in Government quarters	291
Question <i>re</i> confidential reports <i>re</i> teachers	292

QUESTIONS AND ANSWERS—CONTINUED.**BODH RAJ, LALA—CONTINUED—**

Question re court rooms at Okara	177
Question re cutting of a pipal tree in Dhera Din Pannah	501, 882
Question re dacoity in Garh Maharaja	186
Question re demolition of canal embankments	178
Question re depressed classes	707
Question re direct recruitment of Head Constables	12
Question re dispossession of lands of Small town Com- mittee	601
Question re dispute regarding <i>Tharra</i> in Daira Din Panah	229, 508, 879
Question re District Inspector of Schools, Shahpur	16-17
Question re Draftsmen and tracers	18-19
Question re drinking water supply in Kot Kasrana	14
Question re education of depressed classes	882-88
Question re election of Sardar Antar Singh to Small Town Committee, Tandlianwala	19, 877
Question re establishment of a Small Town Committee in Okara	177
Question re Grants-in-aid to Schools	880-81
Question re Haisiyat Tax	139-40, 879
Question re Headmasters in the Rawalpindi and Multan Divisions	291
Question re hill torrents	710
Question re hydro-electric branch of the Public Works Department	400-01
Question re inhabitants of village <i>Thur</i> , Chak No. 118	709
Question re Inspector of Schools, Rawalpindi	400
Question re Jail officials	450
Question re Jinsi Batai	10, 877
Question re Kitchen Canal	11
Question re land acquisition in Multan and Sutlej Valley Project	501
Question re Miani Municipality	1102
Question re Mr. Fairlie, Sub-Divisional Magistrate, Rupar	3-4
Question re Mr. Ghulam Mohi-ud-Din, District Ins- pector of Schools, Multan	178
Question re Mr. Hafiz Muhammad, Municipal Com- missioner, Pind Dadan Khan	188
Question re Municipal Board School, and dispensary, Miani	1102
Question re Municipal Committee, Abohar	1108
Question re Municipal Committee, Kasur	296-301, 302-03, 880
Question re Municipal Committee, Kasur and election of office bearers	301-02

QUESTIONS AND ANSWERS—CONTINUED.**BODH RAJ, LALA—CONTINUED—**

Question re Municipal Committee, Kasur and grant to the local Mission School	801
Question re Munshi Ahmad Bakhsh, etc. ..	397, 881
Question re murders in Shahpur district ..	1102
Question re Muzaffargarh Jail	450
Question re Naib-Tahsildar, Kot Adu ..	177
Question re Naib-Zilladars	293, 880
Question re nomination for Extra Assistant Commissioner	509, 601
Question re Normal Girl's Schools, Multan ..	445
Question re Panjnad Weir	710
Question re Pathans of Kotta Muhammad Zarif Khan ..	606
Question re Patwar candidates	399
Question re Patwar Staff	399
Question re Patwaris	450
Question re Pind Dadan Khan Municipal Committee ..	878
Question re Pind Dadan Khan Municipal Schools ..	878
Question re profession tax in Seva Sidhu ..	14
Question re prosecution of newspapers for obscene advertisements	13-14
Question re provincialization of Okara High School ..	176
Question re publication of promotions and transfers of teachers	292
Question re punitive police at Mauza Narli ..	179
Question re Punjab Jails Committee	446
Question re road from Pakhowal Railway Station to Miani	1102
Question re road tax in Kot Adu	11-12
Question re S. Harchand Singh	1103
Question re Sardar Hira Singh, M.L.C.	179
Question re service books	294
Question re Shopkeeper's Committee, Jhang and Lyallpur.	178
Question re Signallers in the Canal Department ..	178
Question re Small Town Committees and non-official presidents	445
Question re Small Town Committee, Jaranwala ..	399-400
Question re Small Town Committee, Kot Adu ..	296
Question re Small Town Committee, Kot Adu, and Road Tax	16, 878
Question re Small Town Committee, Sheikhpura ..	607
Question re Small Town Committees	881
Question re Students in Training institutions ..	292
Question re Subordinate Educational Service ..	179-80, 291
Question re substitution of the system of Provident Fund and gratuities for Pensions	290-91
Question re Superintendent of Police, Hissar ..	710

QUESTIONS AND ANSWERS—CONTINUED.**BODH RAJ, LALA—CONCLUDED.**

Question re supersession of arts graduates by graduates with Munshi Fazil qualifications ..	180
Question re Talib Hussain, Zaildar, Garh Maharaja ..	140
Question re Teachers ..	897
Question re term of membership of <i>Ex-officio</i> members of Small Town Committees ..	12
Question re theft cases in Muzaffargarh ..	177
Question re tobacco factory ..	899
Question re water-supply ..	877-78
Question re well and a vacant site in Multan ..	500
Question re zilladars in the Irrigation Department ..	298, 879-80

BUTA SINGH, SARDAR—

Question re lands in the Nili Bar ..	557
Question re Rajbahas and Khals on the Lower Bari Doab Canal ..	556-57
Question re Sardar Harchand Singh, <i>Ex. M. L. C.</i> ..	1054-55
Question re Ahir High School, Rewari ..	989

CHHOTU RAM, RAI SAHIB, CHAUDHRI—

Question re appointments in the subordinate educational service ..	895-96
Question re area of wheat and cotton crop in the Montgomery district ..	348
Question re area under irrigated crops in the Rohtak district ..	842
Question re bridges for drain No. 8, between Gohana and Rohtak ..	843-44
Question re Budget ..	796-97
Question re canal bridge near village Chatana ..	792
Question re chahi rates ..	942
Question re contract for building Mughalpura Engineering College ..	798-99
Question re contractor's profit in Public Works Department estimates ..	797-98
Question re co-operation between the Reserved and Transferred halves of Government ..	984
Question re dam across the Sutlej at Bhakra ..	841
Question re District Inspectors ..	941
Question re drainage Sub-Division for Rohtak district ..	844
Question re Education ..	989, 948
Question re Elections for the Legislative Council ..	942
Question re Extra Assistant Commissioners and Tahsildars ..	392-98
Question re Extra Assistant Commissionership ..	987-88
Question re grant-in-aid to schools in the Ambala division ..	396
Question re grants to panchayats ..	800
Question re help and co-operation from the Legislative Council ..	983-84

QUESTIONS AND ANSWERS—CONTINUED.**CHHOTU RAM, RAI SAHIB, CHAUDHRI—CONCLUDED.**

Question re High Schools	800
Question re Hindu agriculturists	794-95
Question re Hindu Jats in the Subordinate Educational Service	894-95
Question re house for Government servants ..	796
Question re Inspectors of Co-operative Societies ..	898-94
Question re Inspectors of Excise	941
Question re Jat Naib-Tahsildars	898
Question re Khalsa High School, Rupar ..	896-97, 989
Question re Lower Bari Doab Canal	842-48
Question re MacLagan Engineering College, Moghalpura ..	941
Question re men killed or wounded in the war ..	988-89
Question re Middle School at Kosli	940
Question re Moneylender's Bill	792
Question re new University Bill	793
Question re Police Constables	986
Question re Public Prosecutors	891-92
Question re Punjab University	798-94
Question re Basul School of Engineering	795
Question re recruitment for services	988
Question re rural uplift	800
Question re School fee concessions	799
Question re Simon Commission	798
Question re Statutory Agriculturists	794
Question re Sub-Inspectors of Police	986, 987
Question re Sub-Judges	799
Question re Tahsildars	988
Question re Taxation	988
Question re tenders for works	798
Question re Text book committee	940
Question re Text books for Schools	794
Question re Vernacular Middle School	940
Question re Veterinary College	795-96
Question re Voters for the Legislative Council ..	942
Question re Working days in Government College, Lahore.	799
Question re Zilladars	898, 941-42

DALPAT SINGH, HONORARY CAPTAIN, SARDAR BAHADUR, SARDAR.

Question re military scholarships	40
Question re peasant grants	400-01
Question re retired military officers	402-04
Question re Sub-Registrar, Batala	405-06

DAULAT RAM, KALIA, RAI BAHADUR, PANDIT—

Question re Mr. Brayne, Deputy Commissioner ..	893
--	-----

QUESTIONS AND ANSWERS—CONTINUED.**DIN MUHAMMAD, MR.**

Question re Malik Lal Khan, Member of Gujranwala Municipal Committee	808
Question re separate representation in Municipalities and Small Town Committees	280

DULI CHAND, CHAUDHRI—

Question re Central Co-operative Banks	787
Question re Civil Veterinary Department	1006
Question re Civil Veterinary Inspectors	1057
Question re Crown land	786, 1049
Question re District Board, Karnal	2-8
Question re drainage system	491
Question re head constables	452
Question re Indian Arms Act	451
Question re Lambardars	451
Question re Land Revenue	785
Question re lands washed away by flood	452
Question re Matriculation Examination	800
Question re Motor accidents	491
Question re Municipal and Small Town Committees	819
Question re Posts of Deputy Superintendents, etc., in the Veterinary Department	558-59
Question re Punitive Police	1949
Question re School Contingencies	650-51
Question re school fee concessions	452
Question re Small Pox in the Karnal District	559
Question re Utlana Police Station	451
Question re voting of women	800-02
Question re Zilladars	452-53

FAIZ MUHAMMAD, SHAIKH—

Question re Batai	406
Question re boat bridge at Qureshi ferry	444
Question re Chahi-Nahri	448
Question re Frontier Crimes Regulations	824-28
Question re Jirgas	823-24
Question re mortgage banks	443-44
Question re Police	828
Question re toll at Qureshi ferry	444-45
Question re zamindars in Dera Ghazi Khan district	443

FIROZ-UD-DIN KHAN, RANA—

Question re Bedi Kanhaya Lal, Deputy Inspector of Schools	790
Question re Commissioners and District officers	558
Question re complaints against officers of the Education Department	790
Question re Honorary Magistrates	792
Question re Industries Department	558
Question re Islamia High School, Dasuyah	822

PAGES.

QUESTIONS AND ANSWERS—CONTINUED.**FIROZ-UD-DIN KHAN, RANA—CONCLUDED.**

Question re Lala Bhagwan Das of the D. A.-V. College	823
Question re Lala Bhana Ram	787-88
Question re Lala Diwan Chand	788-89
Question re Lala Hardy, Chopra	789
Question re Lala Kishen Chand of the Education Department	821
Question re Manager, Hindu School, Baramanga ..	821
Question re Medical Department	558
Question re Principals of Intermediate Colleges ..	789-90
Question re professor of zoology, Government College, Lahore	791-92
Question re Provincial Educational Service ..	790-91, 822-23
Question re Sardar Harchand Singh, Ex. M. L. C. ..	948
Question re artificial atta	888

GANGA RAM, RAI SAHIB, LALA—

Question re Banaspati ghi	886
Question re Book entitled "Naghma Zar"	888
Question re Boy Scouts	888-89
Question re Civil Assistant Surgeons	22
Question re Cows and plough cattle	885
Question re District Board, Ambala	886
Question re hill torrents	885
Question re kidnapping of women	898-99
Question re offences punishable under Section 354, Indian Penal Code	886-87
Question re water supply for Ambala	888

GOKUL CHAND, NARANG, DR.—

Question re educational managers and politics ..	501
Question re memorial from the citizens and tax-payers of Sheikhpura	4-5
Question re Punitive Police, Rawalpindi	498-99
Question re Shop-keeper's Committee of Lyallpur, etc. ..	495-96
Question re Stamp venders in Rawalpindi	18
Question re Sub-Tahsil at Bhera	495
Question re supply of materials through Controller of Stores	946

GOPI CHAND, BHARGAVA, DR.—

Question re Abohar Municipality	1105
Question re Bhagat Singh	1000-1001
Question re Depressed classes	19
Question re District Board, Multan	713
Question re Education Department in Lyallpur District	784
Question re Education of the depressed classes ..	19-20
Question re Election of Government Servants on Cantonment Board	802
Question re Election system in Isakhel Municipal Committee	714

QUESTIONS AND ANSWERS—CONTINUED.**GOPI CHAND, BHARGAVA, DR.—CONCLUDED.**

Question re Gurgaon District Board	713
Question re hill allowance	714
Question re Janki Prasad of Bageshtha	713-14
Question re Lahore Cantonment Board	713
Question re Mahashaya Rattan Chand	1000
Question re Mayo Hospital	780
Question re Mr. Nierses, late Sub-Divisional officer, Electrical Department	785
Question re Muharram riots at Multan	780-83
Question re "The New Medical College"	1000
Question re Police and corruption	783
Question re Punitive Police	715
Question re shooting at Kasur	783
Question re Sub-Inspector of Police, Multan	783
Question re Tahsildar of Ferozpur-Jhirka	784
Question re thief in the "Tribune" office	1105

HARBAKHSH SINGH, SARDAR—

Question re Government High School for girls at Hoshiarpur	884
Question re Grant-in-Aid List	715

HARI SINGH, SARDAR—

Question re Government High School, Jagadhari, ..	22
Question re Lahore conspiracy case	551-55
Question re Lower Primary School at Changnauli ..	28
Question re Municipal Committee, Jagadhari, ..	24-5
Question re Roads in the Ambala District	23-4

HIRA SINGH, SARDAR—

Question re <i>Chaukidara</i> tax	148
Question re Killa Bandi	149
Question re Kungi	891
Question re Metalled Road to Nankana Sahib	899
Question re Nankana Sahib Notified Area Committee ..	152
Question re Panchayat at Mauza Narli	888
Question re Passport for Sardar Harchand Singh ..	897
Question re Passports for Sardar Mangal Singh and Sardar Kharak Singh	887
Question re professional tax	151
Question re punitive Police tax	888-89
Question re Rajbahas	889
Question re Sardar Lahora Singh	889
Question re Standing Committee on Canals	897-88
Question re Telephone	888
Question re Upper Bari Doab Canal	548
Question re Well-boring	836
Question re Zaildars and Police	887
Question re zamindars of Mauza Sabraon	891

QUESTIONS AND ANSWERS—CONTINUED.**JOTI PARSHAD, LALA—**

Question re allegations against Chaudhri Faiz Ali, Tahsildar, Sirsa	606
Question re Bhattu Fattehabad-Jakhal railway	175
Question re broad gauge line between Jakhal and Sirsa	447
Question re Cattle fairs	176
Question re Committee on Storage Projects (Bhakra Dam Scheme)	145
Question, re communal representation in the Government Cattle Farm, Hissar	448
Question re communal riots	828-29
Question re consolidation of holdings	829
Question re Criminal Tribes.. .. .	146
Question re damage to ginning factories of Chaudhri Sher Singh and others by rain water	141
Question re Delhi-Montgomery road	606
Question re District Jail, Hissar	145
Question re District Treasurers	607
Question re Education of girls	141-42, 606
Question re electrification of Hissar town	175
Question re Elliot Public Library, Gurgaon	608-04
Question re facilities for the education of girls in Hissar, etc., districts	829
Question re first grade college in Ambala division	449
Question re Government Cattle Farm, Hissar	999
Question re Government High School, Hissar	830-31
Question re Gurgaon ploughs	604
Question re Gurgaon uplift Scheme	608
Question re Heris in the Hissar district	146
Question re Hissar District Board	1000
Question re Hissar Government Cattle Farm	448-49
Question re improvement of agriculture	448
Question re income of district board, Gurgaon	608
Question re increase of water supply in the Sirsa branch	446-47
Question re Intermediate College at Hissar	146
Question re J. V. and J. A. V. Teachers	999
Question re Land Alienation Act	450
Question re Mr. Braynes' Development scheme	604, 828
Question re Middle School, at Fatehabad	604
Question re metalled road between Hissar and Sirsa	176
Question re Mother India	602
Question re Oriental Training College	998-99
Question re plague in Hissar district	607
Question re police staff in the Eastern Range	174-75
Question re punitive police tax	605
Question re railway line from Rewari to Rohtak via Jhajjar	446

QUESTIONS AND ANSWERS—CONTINUED.**JOTI PARSHAD, LALA—CONCLUDED.**

Question re railway projects in the Ambala division	447
Question re roads	605
Question re separation of judicial from executive functions	173-74
Question re Sirsa branch of the Western Jumna Canal	447, 828
Question re Sohna-Rewari road	605
Question re Superintendent, Government Cattle Farm, Hissar	880
Question re taxation in Gurgaon district	602
Question re Tohana Small Town Committee	148-45
	880
Question re Well in Hissar.	607

KESHO RAM, SEKHRI, LALA—

Question re law courts at Amritsar	9-10
--	------

LABH SINGH, MR.—

Question re Government Treasurer of Mianwali	1100
MAYA DAS, MR. E.—	
Question re bridge over the River Sutlej	20
Question re Chemical formula for certain products	711
Question re District Board, Middle and primary Schools	653
Question re Government Scholarships	20
Question re Musical talent in rural areas	654
Question re sale price of lands by districts during 1926	654-55
Question re Storm water drainage scheme of the Ferozepore city	652
Question re Sub-soil water level near Ferozepore City	654
Question re University and Government scholarships	656
Question re Ambala City Municipal Committee	289-90

MOHAN LAL, LALA—

Question re application for copies in courts	1100
Question re clerical establishment in Irrigation department	234
Question re District and Sessions Judges	240
Question re Extra Assistant Commissioners	236
Question re Hasiyat Tax	1099-1100
Question re Health officer for Ambala City	296
Question re hired cars and lorries	779
Question re Indians from the Punjab taken by the Government of India	235-36
Question re land round the tomb of Lakhi Shah in the Anaj Mandi	290
Question re Legal Remembrancer to Government	239
Question re Listed Posts	237-38
Question re Local rules and orders	237
Question re Mr. Zaman Khan, Magistrate, Ambala	497-98
Question re members of the Indian Civil Service	237

PAGES.

QUESTIONS AND ANSWERS—CONTINUED.**MOHAN LAL, LALA—CONCLUDED.**

Question re members of the Provincial Civil Service	286
Question re Motor Lorry licenses	780
Question re Municipal Committee, Ludhiana ..	885
Question re officers in the Civil Secretariat ..	285
Question re Patwaris and Girdwar Qanungos ..	284
Question re Reclamation officer	284-85
Question re recruitment of District and Sessions Judges	288
Question re representation in Local Bodies ..	888-84
Question re rules and orders of the High Court, Punjab ..	287
Question re 'Satta' Gambling	499-500
Question re Serai in Ambala City	290
Question re tenders for works	798
Question re Superior and Inferior Services ..	289
Question re Terminal Tax	499

MUBARIK ALI SHAH, SAYAD—

Question re Criminal Tribes	154
Question re Government waste lands	986
Question re Haveli Project	986
Question re Lower Chenab and Lower Jhelum Canals ..	1100-1101
Question re Malik Bhagwandas, Hindu High School, Chiniot	155
Question re recruitment of Statutory Agriculturists of Jhang to the Police Department	986
Question re Statutory Agriculturists	154

MUHAMMAD ABDUL RAHMAN KHAN, CHAU-DHRI—

Question re agriculture	658-71
Question re agricultural works	657
Question re Banna Sikhni "	678-74
Question re Boring fees	656-57
Question re Boring operations	657
Question re Chaukidara Tax	560
Question re compartment system for all examinations	658
Question re constituencies of District Boards ..	893
Question re cultivators in the Jullundur District ..	1050
Question re damage done by the river Sutlej ..	674
Question re District Board, Jullundur	672
Question re election to local bodies	943
Question re enticing away of married women ..	1051-52
Question re grant-in-aid to panchayat	673
Question re grants to Panchayats	155
Question re Honorary Magistrates	945-46
Question re Irrigation wells in the Jullundur District ..	1050
Question re Karkuns of zaildars	944
Question re license for Motor lorries	560, 898

QUESTIONS AND ANSWERS—CONTINUED.**MUHAMMAD ABDUL RAHMAN KHAN, CHAUDHRI—CONCLUDED.**

Question re local rate	892
Question re Ludhiana District Board	156
	892-98, 943-44
Question re memorial against Khan Bahadur Rai Wali Muhammad	944-45, 946
Question re panchayats	155, 156, 671, 944
Question re Panchayat officers	898
Question re population of Rahon	672
Question re Professional Tax	156
Question re Punjab University	658
Question re Punjab Zamindars League	556
Question re purchase of land by non-Agriculturists from Agriculturists	1050-51
Question re Roads	672-78
Question re Sham Lal, Patwari, Rahon	808
Question re Superintendents of Deputy Commissioner's offices	1051
Question re Supplementary examinations	657
Question re Thikri Pahas	156

MUHAMMAD ABDULLAH KHAN, KHAN—

Question re agriculturist Extra Assistant Commissioner Candidates	148
Question re Government Normal School, Gakhar	25
Question re headquarters of the proposed sub-division of Narowal and Shakargarh tahsils	658
Question re Honorary Magistrates	649
Question re Inspection of Municipal and Small Town Committees	28
Question re Judgment in civil and criminal cases	29-30
Question re Judgment in the police torture case in Sialkot	26
Question re motor driving examination	28
Question re Personal Assistants to Honourable Members and Ministers	29
Question re Public Prosecutors	280-31
Question re punishment in police torture cases	30
Question re the Punjab University constituency	148
Question re Railway Extension to Zafarwal	25
Question re Revolvers	29
Question re Sayad Muhammad Husain, late teacher, Government Technical School, Lahore	649-50
Question re Small Town Committee, Zafarwal	25
Question re Superintendents and Head Clerks in Deputy Commissioners' offices	27

PAGES.

QUESTIONS AND ANSWERS—CONTINUED.

MUHAMMAD ABDULLAH KHAN, KHAN—	
CONCLUDED.	
Question re Superintendents in the office of Private Secretary to His Excellency the Governor ..	26
Question re Tramway Service in Lahore ..	28
Question re use of Tongas by Police officials ..	26
MUHAMMAD ALAM, DR. SHEIKH—	
Question re Malik Lal Khan, President of the Gujran-wala Municipality ..	608
MUHAMMAD AMIN KHAN, KHAN BAHADUR MALIK—	
Question re Books of the Text Book Committee ..	809
MUHAMMAD HAYAT, QURESHI, KHAN BAHADUR, MIAN—	
Question re Agriculturist students ..	951
Question re Area sown in Chak Ara ..	951
Question re Assistant Surgeons ..	351, 391
Question re Food arrangement for Musalman Prisoners ..	931
Question re Government Intermediate College at Shahpur ..	831-82
Question re Irrigation on the Lower Jhelum Canal ..	831
Question re liquor shops ..	850
Question re Settlement for Chak Thal ..	350-51
MUHAMMAD HUSAIN, SAYAD—	
Question re cotton crop ..	152-53
Question re Damage to wheat crop by Kungi ..	984
Question re Irrigation of certain villages in Hafizabad Tahsil ..	152
Question re lands in certain villages of the Hafizabad tahsil ..	158
Question re malaria in village Gajiana ..	153-54
Question re Rajbaha Kassoke and Rajbaha Jaryan (Lower Gugera) ..	152
MUHAMMAD IQBAL, DR. SIR—	
Question re middle School scholarship examination at Amritsar ..	186
Question re Muslim aided Middle School, Tahsil Daska ..	230
Question re Pension rules ..	229
MUHAMMAD SADIQ, SHAIKH—	
Question re picture house, Amritsar ..	401
Question re special cattle theft police ..	1-2
MUHAMMAD SAIF ULLAH KHAN, KHAN SAHIB KHAN—	
Question re admission as petition-writers in the Mianwali district ..	658
Question re Dam on the river Kurran ..	560
Question re Sind Sagar Canal ..	559

QUESTIONS AND ANSWERS—CONTINUED.

PAGES.

NANAK CHAND, PANDIT—

Question re Headmaster, Anglo-Vernacular Middle School, Machhiwara	712
Question re Primary Girls' School, Machhiwara	712
Question re Pucca Road between Nawanshahr Doaba and Bhaddi, via Saheba	712
Question re slaughter of goats	712

NARENDRA NATH, DIWAN BAHADUR, RAJA—

Question re agricultural tribes	1
Question re depressed classes in the Police Service	9
Question re education of the depressed classes	5-9

NUR KHAN, RISALDAR BAHADUR—

Question re fee concessions	146-47
-----------------------------------	--------

PARTAP SINGH, SARDAR—

Question re Jhatka meat for Sikh prisoners	997-98
Question re Master Mota Singh, an Akali prisoner	22-3

RAM SINGH, CHAUDHRI—

Question re Applications for plying motor cars on hire	985
Question re Bansi Ram, Baboo Ram, Arhatis, of Pathankot	985
Question re Cattle Tax Committee	492-95
Question re Military grantees	1005-06

SEWAK RAM, RAI BAHADUR, LALA—

Question re Chiniot Sub-Division	147-48
Question re economics in the Second grade Colleges	21
Question re Government High School for Mailsi	21

SHAHADAT KHAN, RAI—

Question re Rabi crop in the Lyallpur District	892
Question re Sayedwala and Baraghar Police Station	891-92

TALIB MEHDI KHAN, MALIK NAWAB, MAJOR,—

Question re increase of emoluments of Zaildars, etc.,	20
Question re newspapers	20-21

UJJAL SINGH, SARDAR—

Question re Assistant Director of Public Health, Rawalpindi	398
Question re Civil Veterinary Department	185
Question re Compensation to owners whose lands are dug up for extraction of Kunker	656
Question re Excise	561
Question re grant-in-aid to denominational Schools	882-83
Question re grant-in-aid to schools	184
Question re grants of land for cattle breeding	141
Question re Jail population	890
Question re Lahore Sedition case of 1914-15	184
Question re Land revenue and water rates	883
Question re licenses for keeping revolvers	658
Question re Mahtams (original inhabitants in the Nili Bar Colony)	397-98

QUESTIONS AND ANSWERS—CONTINUED.**UJJAL SINGH, SARDAR—CONCLUDED.**

Question re motor service on the Talagang-Injra Road	350
Question re Motor Traffic on the Talagang-Injra Road	498
Question re Municipalities and Small town Committees	180-83
Question re Proprietary grants in the Nili Bar	833
Question re office of the Chief Engineer, Hydro-Electric Branch	890
Question re office of the Director of Industries	890
Question re panchayat officers	180
Question re post graduate course, Veterinary College	186
Question re Punjabi Teachers	557
Question re Sardar Harchand Singh, Es. M. L. C.	1006
Question re Senior and Junior Vernacular classes	183-84
Question re Tahsildars	561, 890
Question re teaching of Punjabi in schools	183
Question re Water-courses	506

UMAR HAYAT, CHAUDHRI—

Question re Municipal Committee, Khushab	820
--	-----

YASIN KHAN, CHAUDHRI—

Question re clerical establishment	705
Question re drinking water	706-07
Question re Government High Schools, Gurgaon and Rewari	706
Question re Government High Schools in the Ambala Division	1055-56
Question re High School in Firozpur-Jhirka Tahsil	1099
Question re Inspector of Schools	706
Question re Inspector of Schools, Ambala Division	1056
Question re Military tribes in the Gurgaon District	707-08
Question re Money-lenders Bill	705
Question re Primary Schools in the Gurgaon and His-sar Districts	708
Question re Provincial Educational Service	706
Question re Punjab Education Code	709, 1104-05
Question re Road between Hodal and Punahana	708
Question re Teachers and Assistant District Inspectors of Schools, Ambala Division	1056
Question re Vernacular Middle Schools	705-06, 1099

ZAFRULLAH KHAN, CHAUDHRI—

Question re Aik Nallah and Dek Nallah	349-50
Question re artificial breeding of fish	345
Question re Central Co-operative Bank	346-47
Question re Co-operative Department in the Sialkot and Gujranwala Districts	347
Question re Deg Nalla	820
Question re Department of Fisheries	345
Question re Honorary Magistrates	507
Question re Inayat Ullah, Sub-Inspector, Sargodha	348-49, 819

QUESTIONS AND ANSWERS—CONCLUDED.**ZAFRULLAH KHAN, CHAUDHRI—CONCLUDED.**

Question re Intermediate College at Shahpur ..	507
Question re leases in respect of fisheries ..	846
Question re MacLagan Engineering College ..	506
Question re Medical School, Amritsar ..	507
Question re Muhammadan Waqf Act of 1928 ..	849
Question re Panchayats ..	507-08
Question re Sambrial-Daska-Gujranwala Road ..	847-48
Question re Sardar Iqbal Singh ..	847
Question re Standing Committees on Agriculture and Co-operative Societies ..	844
Question re strictures by the High Court against the District Magistrate, Sargodha ..	849, 820
Question re supplies to officers on Tour ..	496-97
Question re Veterinary College ..	507
Question re Warden of Fisheries ..	844-45
QURESHI FERRY—	
Question re boat bridge at — ..	444
Question re toll at — ..	444-45

R.**RABI CROP—**

Question re — in the Lyallpur district ..	892
---	-----

RAILWAY—

Question re Bhattu, Fattahabad, Jakhal — ..	175
Question re broad gauge — line between Jakhal and Sirsa ..	447
Question re — extension to Zafarwal ..	25
Question re — line from Rewari to Rohtak via Jhajjar ..	446
Question re — projects in the Ambala division ..	447

RAIN WATER—

Question re damage to ginning factories by — ..	141
---	-----

RAJBAHAS—

Question re — ..	889
Question re — and <i>khaals</i> on the Lower Bari Doab Canal ..	556-57

RAJBAHAS JURYAN—

Question re Rajbahas Kassoke and —, (Lower Gugera) ..	152
---	-----

RAJBAHA KASSOKE—

Question re — and Rajbaha Juryan (Lower Gugera) ..	152
--	-----

RAKH KUTHIALA.—

Question re — near Muridke ..	502
-------------------------------	-----

RAM CHANDRA, MR.—

Oath of office ..	289
-------------------	-----

RAM SINGH, CHAUDHRI—

Budget : Forest policy ..	407-69, 419-21
---------------------------	----------------

RAM SINGH, CHAUDHRI—CONCLUDED.	
Punjab Land Revenue (Amendment) Bill ..	922, 1037-38
Resolution <i>re</i> application of the principles of assessment of income-tax to the assessment of land revenue	100
Resolution <i>re</i> grant of loans to Zamindars of Rohtak etc., districts	846-47
RATTAN CHAND, MAHASHAYA—	
Question <i>re</i> —	1000
RATTAN CHAND, RAI BAHADUR, LALA—	
Budget : Divisional Commissioners, abolition of, establishment for, —	455
Budget : Government waste land, sale by auction of—	373
Budget : Lack of efficiency in the Police	677-78
Punjab Land Revenue (Amendment) Bill	965
Resolution <i>re</i> Unani and Ayurvedic systems of medicine	60
RE-AFFORESTATION—	
Budget : — Chos policy	320-26
RECLAMATION—	
Question <i>re</i> — of criminal tribes	154
RECLAMATION OFFICER—	
Question <i>re</i> —	234-35
RECRUITMENT—	
Budget : — of Services in charge of High Court	537-46, 562-86
Budget : — of zamindar Sub-Judges	586-599
Question <i>re</i> — for service	938
Question <i>re</i> direct — of Head Constables	12
Question <i>re</i> — of District and Sessions Judges	238
Question <i>re</i> — of Statutory agriculturists of Jhang to the Police Department	986
REFORMS—	
Question <i>re</i> — of rural people	1048
REFUNDS (RESERVED) GRANT—	
REFUNDS (TRANSFERRED) GRANT—	
REGISTRATION GRANT—	
REMISSION—	
Question <i>re</i> peace—to prisoners	997
REPORTS—	
Question <i>re</i> confidential — <i>re</i> teachers	292
Question <i>re</i> police enquiry committee's —	135
Question <i>re</i> Punjab Police Enquiry Committee's—	1045-46, 1047-48
Supply of departmental — free of charge.. .. .	310
RESERVED HALF—	
Question <i>re</i> Co-operation between the — and transferred half of Government	984
RESIDENTIAL QUARTERS—	
Question <i>re</i> compulsory occupation of Government—	291

	PAGES.
RESOLUTION(S)—	
—how far accepted by Government in 1925-27 ..	252-53
<i>Re</i> Amritsar Medical School, (withdrawn) ..	64-79
<i>Re</i> Application of the principles of assessment of income-tax to the Assessment of land revenue (Lost) ..	79-89, 91-130
<i>Re</i> damage to wheat and gram crops (carried) ..	1201-04
<i>Re</i> grant of loans to zamindars of Rohtak, etc. — districts (Lost) ..	839-69
<i>Re</i> improvement of rural sanitation (not moved) ..	1076
<i>Re</i> Mr. Anderson's report regarding Muzaffargarh district (carried) ..	815-18, 1076-97
<i>Re</i> Military training for College students (carried) ..	869-76, 1058-1072
<i>Re</i> opening of Canal telegraph offices for public use (carried) ..	1072-76
<i>Re</i> rural sanitation (not moved) ..	79
<i>Re</i> Unani and Ayurvedic Systems of medicine (carried) ..	53-64
RETIRED MILITARY OFFICERS—	
Question <i>re</i> — ..	402-04
REVOLVERS—	
Question <i>re</i> — ..	29
Question <i>re</i> licence for keeping — ..	653
RIOTS—	
Question <i>re</i> communal — ..	17
Question <i>re</i> Muharram — at Multan ..	780-83
ROAD—	
Question <i>re</i> Chaubarah -Leiah— ..	500, 709-881, 881-82, 1309
Question <i>re</i> Dehli-Montgomery — ..	606
Question <i>re</i> metalled — between Hissar and Sirsa ..	176
Question <i>re</i> motor traffic on the Talaganj Injra — ..	350, 498, 1306
Question <i>re</i> pucca — between Nawanshahr Doaba and Bhaddi via Sahiba ..	712
Question <i>re</i> — ..	672-73
Question <i>re</i> — between Hodal and Punahana ..	708
Question <i>re</i> — from Pakhowal Railway Station to Miani ..	1102
Question <i>re</i> — in Gurgaon ..	605
Question <i>re</i> — in the Ambala district ..	23-4, 1853
Question <i>re</i> Sambrial-Daska-Gujranwala— ..	347-48
Question <i>re</i> Sohna-Rewari — ..	605
ROAD TAX—	
Question <i>re</i> — in Kot Adu ..	11-12, 16, 878, 1294
ROBERTS, MR. OWEN—	
Budget: Political prisoners ..	618-19
Punjab Land Revenue (Amendment) Bill ..	1019
Resolution <i>re</i> damage to wheat and gram crops ..	1204
RULES—	
Question <i>re</i> — <i>re</i> release of long term prisoners ..	985-986

PAGES.

RULES AND ORDERS—

Question <i>re</i> — of High Court, Punjab	237
RULING(S)—	
Abolition of the staff of Commissioners does not inevitably involve the abolition of the posts of Commissioners	440
Administrative actions of Government and acts of its officers open to debate on motions for reduction but the necessity for legislation and matters involving legislation not open to discussion (overruled by ruling on page 561)	370, 377
Alterations or modifications in law to be effected by moving a resolution or a Bill to amend or repeal the law	377
Amendment to an earlier part of the clause inadmissible if the last part of a clause were amended	914
Amendments to a Bill if they are reasonable, relevant and admissible should be received up to the last moment	909
Amendment, when an — is proposed at a later stage of a clause, unless that amendment is withdrawn or lost, it is not open to the Chair to allow an amendment to an earlier part of the clause	978, 981
Budget, general discussion of, to be limited either to the budget as a whole or to the principles involved in it	201
"Day" as applied to Council means four hours "sitting"	510
Decision of the House not to be attacked	1191
<i>Re</i> Discussion of matters involving legislation during voting of demands for grant	561
<i>Re</i> Discussion of non-official business on official day	816
Distribution of papers inside the Council Chamber without the permission of the chair improper	306
Division lists, correction of mistakes in—	599
General questions of policy cannot be discussed when supplementary grants are discussed	804
Grants, not only the various, should be dealt with separately but also the various items of a grant should be dealt separately	528
Judges, not only of High Courts, but even of the Subordinate Courts are not to be attacked in their judicial capacity	589
Local Council has no power to pass legislation which will give power of appeal to the High Court	1162
Member in possession of the house at the time of adjournment upon the interruption of a days' business entitled to continue his speech on resumption of the debate on another day	674

RULING(S)—CONTINUED—

Member wishing to move another members' amendment must adopt it as his own	919
Member who moves adjournment of consideration of a motion subsequently forfeits his right to speak on the main motion after the disposal of the adjournment motion	735-86
Motions for reduction of grants, prohibition of certain, from expression of opinion of, or-submission to the vote of, the House	421
Motions, power of President to waive notice <i>re</i> substantive, applies also to amendments or formal motions	717
Motions proposing an increase in budget provision not permissible during voting of demands for grants	304, 315
Mover of an amendment other than an amendment to a demand for grant or a clause of a Bill has no right of reply	904
Non-official business to which an official day is allotted, if not reached on that day cannot be taken up on the next official day until all the official business standing over from the previous day and that set for that day is finished	804
Right of reply to Government member is conditional on mover of a motion exercising his right of reply	779
Standing orders, absence of provision in, on powers and privileges of the House <i>re</i> discussion on certain matters	440
Standing orders, acceptance of motion to refer draft amendments of, to select committee does not commit the Council to the principles thereof	169
Standing orders, in the absence of provision in, <i>re</i> : any matter, parliamentary practice to be invoked	440
Token cuts, object of moving	871
Use of the word "Shame" for a member of the House unparliamentary	689
Withdrawal of candidature from elections permissible at any stage till members are actually elected	1193

RURAL AREAS—

Question <i>re</i> games in —	548-49, 1360
Question <i>re</i> musical talent in —	654

RURAL PEOPLE—

Question <i>re</i> reforms of —	1048
Question <i>re</i> uplift of—	935

RURAL UPLIFT—

Question <i>re</i> —	800
----------------------------	-----

S.

SAJJI—	
Question <i>re</i> complaint <i>re</i> use of — in prisons ..	997
SALE PRICE—	
Question <i>re</i> — of lands by districts during 1926 ..	654-55
SAMBRIAL, DASKA, GUJRANWALA ROAD—	
Question <i>re</i> —	347-48
SANDERSON, MR. R.	
Oath of office	173
Resolution <i>re</i> Mr. Anderson's report regarding Muzaf-fargarh ..	1083-85
Resolution <i>re</i> military training for college students ..	1063-64
SATTA GAMBLING—	
Question <i>re</i> —	499-500
SAYAD HABIB, MAULANA—	
Question <i>re</i> — of <i>Sayasat</i> and Sayad Inayat Shah ..	834-35
SAYASAT—	
Question <i>re</i> Maulana Sayad Habib of — and Sayad Inayat Shah	834-35
SCHOOL(S)—	
Enrolment in vernacular middle —	277
High — for girls	278
Question <i>re</i> Ahir High — Rewari	939
Question <i>re</i> allegations against teachers of Pind Dadan Khan Municipal—	138
Question <i>re</i> Assistant District Inspector of — Fazilka ..	150-51
Question <i>re</i> Bedi Kanhaya Lal, Deputy Inspector of —	790
Question <i>re</i> complaint of District Inspector of — against Munshi Ahmad Bux	297
Question <i>re</i> complaint against Head Master, High —, Kahrur	10
Question <i>re</i> District Board Middle and Primary —	653
Question <i>re</i> District Inspector of —, Shahpur	16-17
Question <i>re</i> Government High — for Girls at Hoshi-arpur	834
Question <i>re</i> Government High — for Mailsi	21-2
Question <i>re</i> Government High — Gurgaon and Rewari	706
Question <i>re</i> Government High — Hissar	830-31
Question <i>re</i> Government High — in Ambala division ..	1055-56
Question <i>re</i> Government — in the Ferozepore district ..	550-51
Question <i>re</i> Government High —, Jagadhari	22
Question <i>re</i> Government High —, Jullundur Circle ..	150
Question <i>re</i> Government Normal —, Gakhar	25
Question <i>re</i> Grant for aided-Indian —	832
Question <i>re</i> grant-in-aid for Anglo-Vernacular Middle —, Sambrial	603

SCHOOL(S)—CONTINUED—

Question re Grant-in-aid to —	184
Question re grant-in-aid to — in the Ambala Division	396
Question re grant-in-aid to Denominational —	832-33
Question re grants-in-aid to —	880-81
Question re grant to Mission — by Kasur Municipal Committee	301
Question re Headmaster, Anglo-Vernacular Middle — Machhiwara	712, 1866
Question re High —	800, 1811
Question re High — in Ferozepore District	547
Question re High — in Ferozepur-Jhirka Tahsil	1099
Question re Inspector of —	706
Question re Inspector of —, Rawalpindi	400
Question re Islamia High —, Dasuyah	822
Question re Khalsa High —, Rupar	396-97, 939
Question re lower primary — at Changlauli	23
Question re Malik Bhagawandas Hindu High —, Chiniot	155
Question re Manager, Hindu —, Baramanga	821
Question re Medical —, at Amritsar	507
Question re Middle — at, Kosli	940
Question re Middle — Scholarship examination	186
Question re Military —	401
Question re Mr. Ghulam Mohi-ud-Din, District Inspector of —	178
Question re Municipal Board, — and dispensary, Miani	1102
Question re Muslim aided middle —, tahsil Daska	230, 1302
Question re Muslim District Inspector of —	1003
Question re Normal Girls' —, Multan	445
Question re Pind Dadan Khan, Municipal —	878
Question re Primary Girl's —, Machhiwara	712, 1866
Question re primary —, in Gurgaon and Hissar districts	708, 1811
Question re provincialization of Okara High —	176
Question re Rasul — of Engineering	795
Question re Sayad Muhammad Husain, late teacher, Government Technical —, Lahore	649-50
Question re — contingencies	650-51
Question re — fee concessions	452-799
Question re Search of boarding House, Normal, —, Ferozepore City	149-50, 1860
Question re teachers and Assistant District Inspectors of —	1056
Question re teaching of agriculture in — and Colleges	658-671
Question re teaching of Punjabi in —	188
Question re Text-Books for —	794
Question re Vernacular Middle —	705-06, 940, 1099

SCHOLARSHIP(S)—	
Question <i>re</i> Government —	20
Question <i>re</i> Middle School, — examination at Amritsar	186
Question <i>re</i> University and Government —	656, 1362
SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS (TRANSFERRED) GRANT	700
SECOND GRADE COLLEGES—	
Question <i>re</i> economics in —	21
SECRETARY—	
Punjab Land Revenue (Amendment) Bill	905-06
SEDITION CASE—	
Question <i>re</i> Lahore — of 1914-15	184
SELECT COMMITTEE—	
Election of members to serve on the — to amend Standing orders	814
SENIOR VERNACULAR CLASSES—	
Question <i>re</i> — <i>re</i> Junior and —	183-84
SERAI—	
Question <i>re</i> — in Ambala City	290
SERVICE BOOKS—	
Question <i>re</i> —	294
SESSIONS JUDGES—	
Question <i>re</i> recruitment of District and —	238
SETTLEMENT—	
Budget : Permanent —	369-71
Budget : — operations in Montgomery	326-40
Question <i>re</i> — for Chak Thal	350-51
SEVA SIDHU—	
Question <i>re</i> profession tax in —	14
SEWAK RAM, RAI BAHADUR, LALA—	
Budget : elections to the Central and provincial legislatures	532-33
Budget : Stamps grant	406, 407
Budget : Tahsildars, increase of pay of —	315
General discussion of budget	270-72
Motion for adjournment	774
Punjab Land Revenue (Amendment) Bill	951-52, 963
Resolution <i>re</i> Military training for College students	1059-60
Resolution <i>re</i> Mr. Anderson's report regarding Muzafargarh	1087-88
Resolution <i>re</i> opening of canal telegraph offices for public use	1074
Resolution <i>re</i> Unani and Ayurvedic Systems of Medicine	55-6
SHAFAT ULLAH, KHAN—	
Question <i>re</i> arrest of —	131
SHAH CHIRAGH MOSQUE—	
Question <i>re</i> — Lahore	1052

SHAM LAL—

Question re —, Patwari, Rahon 803, 1366

SHEO NARAIN SINGH, SARDAR BAHADUR,
SARDAR—

Budget : Lack of efficiency in police 680-81

Motion for adjournment 774-75

SHER SINGH, CHAUDHRI—

Question re damage to ginning factories of—by rain
water 141

SHOOTING—

Question re — at Kasur 783

SHOPKEEPERS—

Question re — Committee 178, 495-96

SIGNALLERS—

Question re — in the Canal departments— 178

SIKANDAR HAYAT KHAN, KHAN BAHADUR,
CAPTAIN—

Budget : Elections to the Provincial and Central
Legislatures 529-30

Budget : Forest policy 409

Budget : Government advertizements to newspapers 484-85

Budget : Government waste land, sale by auction of— 373-74

Budget : Lack of efficiency in the police 647

General discussion of the budget 187-95

Motion re Committee to co-operate with the Indian
Statutory Commission 729-31

Resolution re application of the principles of assess-
ment of income-tax to the assessment of land revenue

Punjab Land Revenue (Amendment) Bill 8-20

790-71

SIKH(S)—

Question re appointment of — as Panchayat officers 180

Question re Jatkha meat for — prisoners 997-98

SIMLA SESSIONS—

Saving of cost in the holding of — 237

SIMON COMMISSION—

Committee to co-operate with — 716-59, 894,
1191-95

Question re — 793, 934-35,
937-83

SIND SAGAR CANAL—

Question re — 559

SINHA, LORD ..

Reference to the death of — 490

SIRSA BRANCH—

Question re increase of water supply in the — 446-47, 828

SLAUGHTER—

Question re — of goats 712

SMALL POX—

Question re — in Karnal district 559, 1362

SMALL TOWN COMMITTEES—

Non-official Presidents for — ..	269
Question re Communal representation in Municipalities and — ..	180-83, 230
Question re dispossession of lands of — Jaranwala..	601
Question re election of Sardar Autar Singh, to — Tandlianwala ..	13,877
Question re establishment of a — in Okara ..	177
Question re inspection of municipal and — ..	28
Question re Municipal and— ..	819
Question re —, ..	881
Question re —, and non-official presidents ..	445
Question re —, Jaranwala ..	899-400
Question re —, Kot Adu ..	296
Question re —, Kot Adu and road tax ..	16, 878, 1294
Question re —, Sheikhpura..	607, 1310
Question re —, Zafarwal ..	25
Question re term of membership of ex-officio members of — ..	12
Question re Tohana — ..	143-45, 880
Question re — in the Karnal district ..	559
SMITH, MR. J. B. G.—	
Oath of office ..	819
SOHNA, REWARI ROAD—	
Question re — ..	605
SOWN AREA—	
Question re — in Chak Ara ..	351
SPECIAL CATTLE THEFT POLICE—	
Question re — ..	1-2
SPECIAL CLASS PRISONERS—	
Question re treatment of Khawaja Abdul Rahman, Ghazi, Maulvi Atta Ullah Shah and Maulana Habib Rahman, as — ..	232
Question re — ..	232, 1302
STAFF—	
Question re police — in the eastern range ..	174-75
STAMP—	
Budget: Reduction of — duty cannot be effected without altering the law	406
STAMPS GRANT ..	406-07
STAMP VENDERS—	
Question re — in Rawalpindi ..	18
STANDING COMMITTEES—	
Election of members to serve on — ..	814
Question re — of the Legislative Council ..	1004-1005
Question re — on agriculture and Co-operative Societies ..	344
Question re — on Canals ..	837-88

	PAGES.
STANDING ORDERS—	
Absence of provision in — and rules on powers and privileges of the House <i>re</i> discussion on certain matters	440
Amendment of —	814, 1197-1200
Election of members to serve on Select Committee to amend —	814
Reference to Select Committee of Amendments to —	166-72
Ruling: Reference to Select Committee on draft amendments to — does not commit the Council to the principle thereof	169
STATIONERY AND PRINTING (RESERVED) GRANT	702, 808-11
STATIONERY AND PRINTING (TRANSFERRED) GRANT	702
STATUTORY AGRICULTURISTS—	
Question <i>re</i> —	154, 794
STORAGE PROJECTS—	
Question <i>re</i> Committee on — (Bhakra Dam Scheme)	145
STORES—	
Question <i>re</i> supply of materials through Controller of —	946
STORM WATER	
Question <i>re</i> — drainage scheme of the Ferozepore City	652
STRICTURES—	
Question <i>re</i> — by the High Court against the District Magistrate, Sargodha	349
STUDENTS—	
Question <i>re</i> Agriculturist —	351
Question <i>re</i> Arrest of some college —	496
Question <i>re</i> fee concessions to —	146-47
Question <i>re</i> — in training institutions	292, 1306
SUB-DIVISION—	
Question <i>re</i> creation of Chinot as a —	147-48
SUB-DIVISIONAL MAGISTRATE—	
Question <i>re</i> Mr. Fairlie, —, Rupar	3-4
SUB-DIVISIONAL OFFICER—	
Question <i>re</i> Mr. Nierses, late —, Electrical department	785
SUB-INSPECTOR—	
Question <i>re</i> allegations against — Police, Garh Maharaja	186
Question <i>re</i> Inayat Ullah, —, Sargodha	348-49, 819
Question <i>re</i> Police —	1003
Question <i>re</i> — of Police	936-37
Question <i>re</i> — of Police, Multan	783
SUB-JUDGES—	
Budget: Qualifications of tahsildars as compared with—	309
Budget: Recruitment of zamindar —	586-599
Question <i>re</i> —	799

	PAGES.
SUB-REGISTRAR—	
Question <i>re</i> — Batala	405-06
SUB-SOIL WATER LEVEL—	
Question <i>re</i> — in Ferozepore	654
SUB-TAHSIL—	
Question <i>re</i> — at Bhera	495
SUBORDINATE EDUCATIONAL SERVICE—	
Question <i>re</i> —	179-80, 291
Question <i>re</i> appointments in the —	395-96
Question <i>re</i> Hindu Jats in —	394-95
SUGAR MILL SCHEME—	
Terms of Government help to — based on sound data	284
SUPERANNUATION ALLOWANCES AND PENSIONS GRANT—	702
SUPERINTENDENT(S)—	
Question <i>re</i> Assistant and Deputy — of Jails	445-46
Question <i>re</i> European — of police	1046
Question <i>re</i> Muslim — and Head Venaacular clerks of Deputy Commissioner's offices	608-10
Question <i>re</i> — and head clerks in Deputy Commissioner's offices	27
Question <i>re</i> — Government Cattle farm, Hissar.	880
Question <i>re</i> — in the office, of Private Secretary to His Excellency the Governor	26
Question <i>re</i> — of Deputy Commissioner's Offices	1051
Question <i>re</i> — of Deputy Commissioner's office in Rawalpindi Division	610
Question <i>re</i> — of Police, Hissar	710, 1811
SUPERIOR AND INFERIOR SERVICES—	
Question <i>re</i> —	239
SUPERSESSION—	
Question <i>re</i> — of arts graduates by graduates with Munshi Fazil qualifications	180
SUPPLEMENTARY EXAMINATIONS—	
Question <i>re</i> —	657
SUPPLEMENTARY GRANTS—	
Governments demands for— and Additional grants	803-811
SUPPLIES—	
Question <i>re</i> — to officers on tour	496-97
SURGEONS—	
Question <i>re</i> Civil Assistant —	22
SUTLEJ, RIVER—	
Question <i>re</i> bridge over the —	20
Question <i>re</i> dam across the — at Bhakra	341
Question <i>re</i> damage done by —	151, 674, 1363
SUTLEJ VALLEY PROJECT—	
Question <i>re</i> article in " <i>Muslim Outlook</i> " relating to —	555-56
Question <i>re</i> land acquisition in Multan and —	501, 892, 1309
Supply of water in —	248

T.

TAHSIL(S)—

Question *re* abiana in Dipalpur — .. 938

Question *re* Headquarters of the proposed Sub-division of Narowal and Shakargarh — .. 658

TAHSIL, HAFIZABAD—

Question *re* irrigation of certain villages in — .. 152

Question *re* lands in certain villages of — .. 158

TAHSILDARS—

Budget : increase of pay of — .. 804-20

Budget : meagre representation of zamindars among — and Extra Assistant Commissioners .. 510-17

Budget : Qualifications of — as compared with Sub-Judges .. 809

Question *re* allegation against Chaudhri Faiz Ali, — Sirsa .. 806

Question *re* Extra Assistant Commissioners, and — .. 392-93

Question *re* — .. 561, 890, 938

Question *re* — and Naib-Tahsildars— .. 1045

Question *re* — of Ferozepur-Jhirka .. 784

TAJ MAHMOOD—

Question *re* case of —, and others .. 1101

TAJ MAHMOOD CASE—

Budget : Criticism of High Court in — .. 464

TALAGANG-INJRA ROAD—

Question *re* motor service on — .. 350, 498

TALIB HUSSAIN—

Question *re* — Zaildar, Garh Maharaja .. 140

TALIB MEHDI KHAN, MALIK NAWAB, MAJOR—

Punjab Land Revenue (Amendment) Bill .. 921-22, 965

Resolution *re* grant of loans to zamindars of Rohtak, etc., districts .. 862

TAX—

Question *re* Cattle — Committee .. 492-95

Question *re* *Chaukidara* — .. 148, 560

Question *re* collection of punitive — from Sardar Hira Singh .. 179

Question *re* Haisiat — .. 139-40, 879, 1099-1100, 1295

Question *re* professional — .. 14, 151, 156, 1293

Question *re* Punitive Police— .. 605, 888-89

Question *re* road — in Kot Adu .. 11-12, 16, 878, 1294

Question *re* Small Town Committee, Kot Adu and Road — .. 878

Question *re* terminal — .. 499

	PAGES.
TAXATION—	
Question re —	983
Question re — in Gurgaon district	602
TAX-PAYERS—	
Question re memorial from the citizens and — of Sheikhupura	4-5
TEACHERS—	
Question re allegations against — of Pind Dadan Municipal Schools	198
Question re confidential reports re —	292
Question re J. V. and J. A. V.—	999
Question re publication of promotions and transfers of —	292
Question re Punjabi —	557
Question re Sayad Muhammad Hussain, late — Government Technical School, Lahore	649-50
Question re —	397
Question re — and Assistant District Inspectors of Schools	1056
TEACHING—	
Question re — of Punjabi in Schools	183
TECHNICAL SCHOOL—	
Question re Sayad Muhammad Husain, late teacher, Government —, Lahore	649-50
TELEPHONE—	
Question re —	838
TENDERS—	
Question re — for works	798
TERMINAL TAX—	
Question re —	499
TEXT-BOOKS—	
Question re — for schools	794
TEXT-BOOK COMMITTEE—	
Question re Books of —	808, 940
THAL CANAL—	
Question re —	132
THARRAH—	
Question re dispute re — in Dera Din Panah	229, 508, 879
THEFT—	
Question re Special cattle — police	1-2
THEFT CASES—	
Question re —, Muzaffargarh	177
THIEF—	
Question re — in the Tribune office	1105
THIKKRI PAHRAS—	
Question re —	166
TOBACCO FACTORY—	
Question re —	399
TOHANA SMALL TOWN COMMITTEE—	
Question re —	143-45, 830

	PAGES.
TOLL—	
Question re — at Qureshi ferry	444-45
TOMB—	
Question re land round the — of Lakhi Shah, in the Anaj Mandi	290
TONGAS—	
Question re use of — by police officials	26
TORRENTS—	
Question re hill —	710
TORTURE CASES—	
Question re punishment in police —	30, 1958
TOURING OFFICERS—	
Question re supplies to —	496-97
TOWNSEND, MR. C. A. H.—	
Budget : Excise policy	382-84
Budget : Patwaris, provident fund or pensions, for—	369
Budget : qualifications of tahsildars and Sub-Judges ..	309
Budget : Re-afforestation chos policy	325-26
Budget : Tahsildars, increase of pay, of—	308-09
Resolution re grant of loans to zamindars of Rohtak, etc., districts	858-59
Oath of office	1
Punjab Land Revenue (Amendment) Bill ..	1010, 1110-11 1127-29, 1166
TRACERS—	
Question re draftsmen and —	18-9
TRAINING—	
Question re Central — College	998-99
Question re Oriental — College	998
TRAINING INSTITUTIONS—	
Question re students in —	292, 1306
TRAMWAY SERVICE—	
Question re — in Lahore	28
TRANSFER(S)—	
Question re publication of promotions and — of teachers	292
Question re — of Government officers	1052
TRANSFERRED HALF—	
Question re Co-operation between the Reserved half and — of Government	984
TREASURERS—	
Question re District —	607
Question re Government — of Mianwali	1100
TREE—	
Question re cutting of a pipal — in Daira Din Pannah	882
TRIBES—	
Question re agricultural —	1

	PAGES.
TRIBES—CONCLUDED.	
Question <i>re</i> military — in Gurgaon district ..	707-08, 1310
Question <i>re</i> principles which guide Government to declare certain — criminal	146
TRIBUNE—	
Question <i>re</i> thief in the — office	1105

U.

UJJAL SINGH, SARDAR—	
Budget : Excise policy	384
Budget : Recruitment of services in charge of High Court	565-66
Budget : Settlement operations in Montgomery ..	323-30
General discussion of the Budget	195-96
Punjab Land Revenue (Amendment) Bill ..	959
Resolution <i>re</i> Amritsar Medical School	69-70
Resolution <i>re</i> Military training for college students ..	870-71
Resolution <i>re</i> Mr. Anderson's report regarding Muzaftargarh	1078-80
UNANI AND AYURVEDIC COLLEGE—	
Reasons for not opening — in Punjab	62
UNANSWERED QUESTIONS—	
Answers to —	1205-1366
UNDER-SECRETARIES—	
Question <i>re</i> appointment of members of Provincial Civil Service as —	296
UNIVERSITY—	
Question <i>re</i> new — Bill	793
Question <i>re</i> Punjab —	148, 658, 793-94
Question <i>re</i> — and Government Scholarship ..	656, 1362
UNIVERSITY TRAINING CORPS—	
Recommendations of —	1068-69
UPLIFT—	
Question <i>re</i> — of rural people	935
UPPER BARI DOAB CANAL COLONY—	
Question <i>re</i> system of <i>Killa Bandi</i> in — ..	149
UPPER BARI DOAB CANAL—	
Question <i>re</i> —	548
URLANA POLICE STATION—	
Question <i>re</i> —	451

V.

VACANT SITE—	
Question <i>re</i> well and — in Multan	500
VEGETABLE GHI—	
Question <i>re</i> chemical formula for —	711
VERNACULAR—	
Question <i>re</i> Senior and Junior — classes ..	183-84

PAGES.

VERNACULAR CLERKS—

Question re Muslim Superintendents and Head — of Deputy Commissioner's offices	608-10
--	--------

VERNACULAR MIDDLE SCHOOLS—

Question re enrolment in —	277
Question re Headmaster, Anglo —, Machhiwara	712, 1366
Question re —	705-06, 940, 1099

VETERINARY—

Question re Civil — Assistants	1057
Question re Civil — Department	185, 1006
Question re Civil — Inspectors	1057
Question re transfer of Hissar Government cattle farm from — to Agriculture Department	448

VETERINARY COLLEGE—

Question re post graduate course —	186
Question re —	507, 795-96

VETERINARY DEPARTMENT—

Question re Posts of Deputy Superintendents, etc., in —	558-59
---	--------

VILLAGE GAJIANA—

Question re malaria in —	152-54
--------------------------------	--------

VILLAGE GHOR—

Question re inhabitants of —, Chak No. 118	709
--	-----

VILLAGE(S)—

Question re irrigation of certain — in Hafizabad tahsil	152
Question re lands in certain — of Hafizabad Tahsil	153

VOTERS—

Question re — for the Legislative Council	942
---	-----

VOTING—

Question re — of women	800-02
------------------------------	--------

W.

WALI MUHAMMAD, KHAN BAHADUR RAI,—

Question re memorial against —	944-45, 946
--------------------------------------	-------------

WAR—

Question re men killed or wounded in the —	933-39
--	--------

WARDEN OF FISHERIES—

Question re —	344-45
---------------------	--------

WARDS—

Question re representation of residents of Tohana Small Town Committee about redistribution of —	143-44
--	--------

WASTE LAND—

Budget : Government —, sale by auction of,	371-75
Question re Government —	986

PAGES.

WATER—	
Question re damage to ginning factories by rain — ..	141
Question re drinking —	706-07
Question re storm — drainage scheme of the Ferozepore city	652
WATER COURSES—	
Question re —	506
WATER LEVEL—	
Question re Sub-Soil — in Ferozepore	654
WATER-LOGGING—	
Measures to counteract —	254-55
WATER RATES—	
Question re Land Revenue and —	888
WATER SUPPLY—	
Question re drinking —, in Kot Kasrana	14, 1294
Question re increase of — in the Sirsa branch	446-47
Question re —	877-78
Question re — for Ambala	888
WEIR—	
Question re Panj Nad —	710
WELLS—	
Question re Irrigation — in Jullundur	1050
Question re — and vacant site in Multan	500
Question re — in Hissar	607
Question re —	886
WESTERN JUMNA CANAL—	
Question re communal representation among zilladars of —	452-53
Question re Sirsa branch of —	447, 828
WHEAT—	
Question re area of — and cotton crop in Montgomery district	848
WHEAT CROP—	
Question re damage to — by Kungi	984
WHITE LIST—	
Budget : half yearly review of — containing names of newspapers to which Government advertizements are given	487
WILSON, MR. W. R.—	
Budget : area of forests open to grazing	418
Budget : Forest policy	411-18
Budget : Recommendations of the cattle tax committee	412
Punjab Land Revenue (Amendment)	1016-17
WORKING DAYS—	
Question re — in Government College, Lahore	799
WOMEN—	
Question re kidnapping of —	398-99
Question re voting of —	800-02
WRITING MATERIALS—	
Question re — for prisoners	288

Y.

YASIN KHAN, CHAUDHRI—

Budget : Recruitment of Services in charge of High Court

545-46,
562-68.

Z.

ZAFAR ALI KHAN, MAULANA—

Question *re* — 835-86

ZAFRULLAH KHAN, CHAUDHRI—

Budget : Elections to the Central and Provincial Legislatures

533-34

Budget : Judicial and executive functions, separation of,

471-76

General discussion of the budget

217-27

Motion for adjournment

770-72, 1150-54

Motion *re* Committee to co-operate with the Indian Statutory Commission

746-53

Point of order *re* discussion of non-official business on an official day

817

Point of order *re* validity of withdrawal of candidature from elections after the distribution of voting papers

1194

Punjab Land Revenue (Amendment) Bill

971-72

Punjab Pre-emption (Amendment) Bill

44-8

Resolution *re* application of the principles of assessment of income-tax to the assessment of land revenue

122-26

ZAILDARS—

Question *re* increase of emoluments of —, etc.

20

Question *re* Karkuns of —

944

Question *re* Talib Hussain, — Garh Maharaja

140

Question *re* — and police

837

ZAMAN KHAN, MR.—

Question *re* — Magistrate, Ambala

497-98

ZAMINDARS—

Budget : meagre representation of — among Tahsildars and Extra Assistant Commissioners

510-17

Budget : Recruitment of — Sub-Judges

586-99

Distinction between the terms “ — ” and a “ member of a notified agricultural tribe.”

513

Question *re* Punjab — League

556

Question *re* — in Dera Ghazi Khan district

443

Question *re* — of Khawaja Bains

933

Question *re* — of Mauza Sabraon

891

PAGES.

ZILLADARS—

Question <i>re</i> candidate —	..	..	..	293
Question <i>re</i> Naib —	..	..	..	293
Question <i>re</i> — ..	..	..	..	393, 452-53,
				941-42
Question <i>re</i> — in the Irrigation Department	..			293, 879

ZOOLOGY

Question <i>re</i> Professor of — Government College, Lahore	791-92
---	----	----	----	--------

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT, PRINTING PUNJAB.
85 PLC-390-30 7-28-S3PP Lahore.