

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL,

Wednesday, the 14th March, 1928.

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

STARRED QUESTIONS AND ANSWERS.

MONEY-LENDERS' BILL.

***1195. Chaudhri Yasin Khan :** Will the Honourable Finance Member please state the approximate time when the promised Money-lenders' Bill would be introduced ?

The Honourable Sir Geoffrey deMontmorency : The honourable member's attention is invited to the answer given by me to Council question No. 795¹ on the 23rd November, 1927.

CLERICAL ESTABLISHMENT.

***1196. Chaudhri Yasin Khan :** Will the Honourable Member, Revenue, kindly—

(i) place on the table a statement showing the scale of different grades of the clerical establishment in district offices, and

(ii) say whether any complaints against the inadequacy of these grades have been received ?

The Honourable Mian Sir Fazl-i-Husain :

(i) Superintendents	Rs. 250—20—350.
Head Treasury Clerks	„ 125—10—175.
Head Vernacular Clerks	„ 175.
Assistant Superintendents	„ 75—5—100/5—125.
Clerks (a)	„ 40—2—80/2—90.
Vernacular Clerks (b)	„ 30—1½—60/2—70.
Tahsil Clerks are not paid beyond	„ 60.
Candidates get fixed pay of	„ 25.

(ii) Yes in 1922, but Government was not satisfied that there was a case for a further revision of the grades.

VERNAACULAR MIDDLE SCHOOLS.

***1197. Chaudhri Yasin Khan :** Will the Honourable Minister for Education please state the number of optional English teachers (communitywise) appointed in Vernacular Middle Schools in the Ambala Division during the last seven years ?

¹ Vol. X-B, page 1270.

The Honourable Mr. Manohar Lal : The annual statement giving all necessary information is in course of preparation and will be placed on the table in due course.

PROVINCIAL EDUCATIONAL SERVICE.

***1198. Chaudhri Yasin Khan :** Will the Honourable Minister for Education please state—

(a) the number of appointments made in the P. E. S. since January 1927 ;

(b) how many of them have been given to Muhammadans ?

The Honourable Mr. Manohar Lal : The annual statement giving all necessary information is in course of preparation and will be placed on the table in due course.

GOVERNMENT HIGH SCHOOLS, GURGAON AND REWARI.

***1199. Chaudhri Yasin Khan :** (a) Will the Honourable Minister for Education please state the number of Muhammadan teachers in the senior staff of (i) Government High School, Gurgaon, (ii) Government High School, Rewari ?

(b) If the answer to (a) is in the negative, will the Honourable Minister please state the reasons for it ?

(c) Has there ever been a Muhammadan Headmaster in the three Government High Schools in the Gurgaon district ?

(d) If the answer to (c) is in the negative, will the Honourable Minister please state the reasons for this omission ?

The Honourable Mr. Manohar Lal : If the honourable member will please define what he means by "senior staff" of a school, an attempt will be made to collect the information asked for by him.

INSPECTOR OF SCHOOLS.

***1200. Chaudhri Yasin Khan :** Will the Honourable Minister for Education please state how long the present Inspector of Schools, Ambala Division, has been in that Division ?

The Honourable Mr. Manohar Lal : Seven years and eight months.

DRINKING WATER.

***1201. Chaudhri Yasin Khan :** (i) Will the Honourable Minister for Local Self-Government please state—

(a) if it is a fact that there are nearly 800 villages in the districts of Gurgaon and Hissar in which there is no supply of drinking water ;

(b) what action the Government has so far taken or proposes to take in future in order to relieve the inhabitants of those villages ?

(ii) Is it a fact that there are a number of depressions round about Nuh in Gurgaon district in which water keeps standing for greater part of the year?

(iii) If the answer to (ii) be in the affirmative, what action has Government taken or proposes to take to remove these depressions?

The Honourable Malik Firoz Khan, Noon : (i) (a) It is a fact that in parts of the districts of Hissar and Gurgaon drinking water is scarce.

(b) *Gurgaon District.*—Government through the medium of the Urban Sanitary Board has carried out 6 schemes for village water supply improvements at an outlay of Rs. 68,000. These consist of 2 well supplies and 4 rain water tank supplies.

In addition four trial-borings in search of water have been made, one near Palwal, one near Nuh, one near Badarpur and one near Bhados at a cost of Rs. 3,000 met from funds supplied by the Board.

Further estimates are under preparation for providing drinking water to another group of 5 villages in this district.

Hissar District.—Three trial-borings, one near Bhiwani, one at Sultan-Vah and one at Kalanwala have been put down at a cost of Rs. 6,000 from funds supplied by the Sanitary Board in connection with water supplies to rural areas. Results in all 3 cases proved unfavourable on account of brackish water having been met with in the sub-soil.

(ii) Yes.

(iii) The reply is not ready yet and the honourable member will be informed on the subject later.

DEPRESSED CLASSES.

***1202. Lala Bodh Raj :** Will the Honourable Member for Finance please state if instructions have been issued debarring the depressed classes from enlistment in the police? If so, what are the reasons?

The Honourable Sir Geoffrey deMontmorency : There are no special instructions; but the policy, which is being followed at present, is fully explained in the answer given to Council question No. 466¹ to which the honourable member is referred.

DEPRESSED CLASSES.

***1203. Lala Bodh Raj :** Will the Honourable Minister for Education please state if it is a fact that the children of the depressed classes are not allowed admission in the primary schools, Lahore? If so, why?

The Honourable Mr. Manohar Lal : Enquiries are being made and a reply will be sent when ready.

MILITARY TRIBES IN THE GURGAON DISTRICT.

***1204. Chaudhri Yasin Khan :** Will the Honourable Member for Finance kindly state—

(a) the principal military tribes in the Gurgaon district;

[Chaudhri Yasin Khan.]

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

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being collected and will be communicated to him in due course.

PRIMARY SCHOOLS IN THE GURGAON AND HISSAR DISTRICTS.

***1205. Chaudhri Yasin Khan :** Will the Honourable Minister for Education please state—

- (a) the number of primary schools located in village *chaupals* or hired buildings in the Gurgaon and Hissar districts ;
(b) the amount of building grant given for the erection of primary school buildings in the Gurgaon and Hissar districts in 1926-27 ?

The Honourable Mr. Manohar Lal : (a) Enquiries are being made from local authorities, and information will be supplied to the honourable member as soon as it is available.

- (b) Hissar, Rs. 50,000. Gurgaon, Rs. 20,000.

ROAD BETWEEN HODAL AND PUNAHANA.

***1206. Chaudhri Yasin Khan :** Will the Honourable Minister for Agriculture please state—

- (a) if it is a fact that there is a pressing need for metalled road between Hodal and Punahana in the Gurgaon district ;
(b) if the district board, Gurgaon, has ever referred the matter to the Government ;
(c) if so, what action has Government taken so far or proposes to take in future in this matter ?

The Honourable Sardar Jogendra Singh : (a) A road between Hodal and Punahana would be of local benefit, but the construction of it would be costly as the country through which it would have to pass is liable to inundation.

(b) The District Board has entered this work in their programme for 1928-29 and will doubtless apply in due course to the Communications Board for a grant-in-aid.

(c) Should such an application for a grant-in-aid be made to the Communications Board it will no doubt receive due consideration which will involve an enquiry into the expenditure which the District Board has incurred on maintaining the roads already in its charge and its ability to maintain a greater length.

PUNJAB EDUCATION CODE.

***1207. Chaudhri Yasin Khan :** Will the Honourable Minister for Education kindly state the instances in which use has been made of the provision contained in Article 8 of Chapter III of the Punjab Education Code and whether the claims of backward communities and areas have been taken into consideration during the year 1927-28 ?

The Honourable Mr. Manohar Lal : The necessary information has not yet been received from the Inspectors of Schools ; a reply will be sent to the honourable member as soon as the information is available.

CHAUBARA-LEIAH ROAD.

***1208. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if it is a fact that the lands of the zamindars have been covered by the Chaubara-Leiah Road in Muzaffargarh recently constructed at the cost of district board ?

(b) If so, has any compensation been allowed to the zamindars for acquiring their lands ; if not, why ?

(c) if any compensation has been allowed, what is the amount of compensation and to whom has it been paid ?

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

(b) and (c) Do not arise.

CHAUBARA-LEIAH ROAD.

***1209. Lala Bodh Raj :** With reference to starred question¹ No. 1148 will the Honourable Minister for Local Self-Government please state if the amount sanctioned by the district board, Muzaffargarh, has been disbursed ? If so, when ? What is the total amount of expenditure ?

The Honourable Malik Firoz Khan, Noon : The answer to the first part is 'no', the second and third parts therefore do not arise.

INHABITANTS OF VILLAGE JHUR, CHAK No. 118.

***1210. Lala Bodh Raj :** (a) Will the Honourable Member for Revenue please state if the inhabitants of village Jhur, Chak No. 118, Rakh Branch, Sheikhupura district, have been called upon by the authorities to vacate the sites of their houses ? If so, why ?

(b) Have they made any representation to the Government ? What action has been taken thereon ?

(c) Have they been paying the house-tax and other municipal dues in the past ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. In pursuance of an exchange sanctioned in 1919.

(b) Yes. It is under consideration.

(c) Yes.

HILL TORRENTS.

***1211. Lala Bodh Raj:** Will the Honourable Member for Revenue please state what steps the Government has taken or intends to take to control the hill torrents which are causing great damage in the district of Dera Ghazi Khan?

The Honourable Mian Sir Fazl-i-Husain: Government is not aware that the hill torrents in Dera Ghazi Khan have begun to cause great damage in the district. In recent years disastrous states have been infrequent. The control of the hill torrents which afford extremely valuable irrigation to the district has always been a difficult task, and Government is considering the possibilities of affording some expert and technical advice where needed, on these problems of water control.

PANJ-NAD WEIR.

***1212. Lala Bodh Raj:** (a) Will the Honourable Member for Revenue please state if it is a fact that the people of Sitapur in the Muzaffargarh district have represented to the authorities against the construction of Panj Nad Weir and for provision of water supply for their lands?

(b) What steps does the Government intend to take on the representation?

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

(b) The petitions have been considered, but Government sees no reason to abandon the Panj Nad Canal proposal, though Government is prepared to consider the question of the encouragement of well sinking in the Sitpur Naqa.

SUPERINTENDENT OF POLICE, HISSAR.

***1213. Lala Bodh Raj:** (a) Will the Honourable Member for Finance please state if it is a fact that the people of Hissar have got a complaint against the Superintendent of Police of the district that he does not allow facilities to the people for interview with him?

(b) Has any such complaint been made to the Deputy Inspector-General of Police? If so, what action has been taken?

The Honourable Sir Geoffrey de Montmorency: 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 in due course.

SAYAD HABIB AND SAYAD INAYAT SHAH.

***1214. Chaudhri Afzal Haq:** Will the Honourable Finance Member be pleased to state if the sentence of two years' rigorous imprisonment passed by the trying magistrate against Sayad Habib and his brother, Sayad Inayat Shah, has been characterised by the Sessions Judge on appeal as "monstrous and vindictive"? If so, what action does Government propose to take in the matter?

The Honourable Sir Geoffrey deMontmorency : Yes, generally speaking, the view quoted is identical with the conclusion recorded by the learned Sessions Judge in his judgment except that the actual words used were "has the appearance of being vindictive." The Sessions Judge went on to enumerate the cardinal point to be remembered in the matter of awarding sentences and the nature of the function of meting out punishment for crime. He further noted that the Government Advocate intimated that he had been authorised not to oppose a plea for reduction. His observations will be brought to the special notice of the magistrate concerned through the District Magistrate.

UNSTARRED QUESTIONS AND ANSWERS.

CHEMICAL FORMULA FOR CERTAIN PRODUCTS.

644. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government please state—

- (a) the chemical formula of *ghi* ;
- (b) the chemical formula of imported vegetable *ghi* ;
- (c) the chemical formula of cocogem ;
- (d) the percentage of food value in *ghi* ;
- (e) the percentage of food value in imported vegetable *ghi* ;
- (f) the percentage of food value in cocogem ?

The Honourable Malik Firoz Khan, Noon : The average chemical composition of *ghi* is—

	Per cent.
Fat	98
Curd	1
Salt	0.5
Water	0.5

(b) Vegetable *ghi* is a mixture of—

- Cotton Seed oil.
- Archis oil.
- Sesame oil.
- Cocoanut oil.

These oils are hardened by the process called Hydrogenisation.

(c) Cocogem is also a mixture of vegetable fats with cocoanut oil as the main constituent.

(d), (e) and (f). Vegetable *ghi* and cocogem have not as high a food value as natural *ghi*, mainly owing to a deficiency of vitamins ; but it is not possible to express the difference in value in the form of a percentage.

SLAUGHTER OF GOATS.

645. Pandit Nanak Chand : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether goats are slaughtered in the town of Machhiwara, Ludhiana district, in the open space exposed to the public view near the main road coming from Samrala ;
- (b) if so, why a walled enclosure has not been re-erected for a long time, and why the injury caused to the feelings of the Jain community is not removed ?

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

(b) No objection has till now been raised during the last 6 or 7 years, but a proposal to build a wall round the place is being considered by the district board of Ludhiana.

HEADMASTER, ANGLO-VERNAACULAR MIDDLE SCHOOL, MACHHIWARA.

646. Pandit Nanak Chand : Will the Honourable Minister for Local Self-Government kindly state whether the Government is aware of the memorial of the residents of Machhiwara sent to the chairman, district board, Ludhiana, relating to the appointment of a Headmaster, for the Anglo-Vernacular Middle School of Machhiwara and whether any action has been taken on it ?

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

PRIMARY GIRLS' SCHOOL, MACHHIWARA.

647. Pandit Nanak Chand : Will the Honourable Minister for Local Self-Government kindly state whether the building occupied by the Primary Girls' school of the town of Machhiwara is in good condition and whether it has been repaired and white-washed ? If not, why ?

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

PUCCA ROAD BETWEEN NAWANSHAHR DOABA AND BHADDI,
via SAHEBA.

648. Pandit Nanak Chand : Will the Honourable Minister for Agriculture kindly state—

- (a) whether the inhabitants of Saheba have made repeated representations to the Punjab Government for the construction of a pucca road between Nawanshahr Doaba and Bhaddi via Saheba ;
- (b) whether the Government propose to take any action in this matter or not ?

The Honourable Sardar Jogendra Singh : (a) No. Representations of this nature should be addressed through the District Board to the Communications Board,

(b) Does not arise.

DISTRICT BOARD, MULTAN.

649. Dr. Gopi Chand, Bhargava : Will the Honourable Minister for Local Self-Government please state if it is a fact that one seat to be filled by nomination on the district board, Multan, was kept vacant for several months and, if so, why ?

The Honourable Malik Firoz Khan, Noon : No ; a seat remained vacant for one month pending revision of the District Board Election Rules, as it was desired to appoint as a member a gentleman whose name had been omitted from the electoral roll owing to the carelessness of the patwari and who was in consequence ineligible for appointment under the old rules.

GURGAON DISTRICT BOARD.

650. Dr. Gopi Chand, Bhargava : Will the Honourable Minister for Local Self-Government be pleased to state if his attention has been invited to a letter published in the "Tribune," dated February 1st, 1923, page 11, columns 1 and 2 ?

The Honourable Malik Firoz Khan, Noon : Yes.

LAHORE CANTONMENT BOARD.

651. Dr. Gopi Chand, Bhargava : Will the Honourable Member for Finance be pleased to state whether a Government servant holding a pensionable post has been elected to the Lahore Cantonment Board ?

The Honourable Sir Geoffrey deMontmorency : The information asked for is being collected and will be communicated to the honourable member as soon as it is ready.

LAHORE CANTONMENT BOARD.

652. Dr. Gopi Chand, Bhargava : Will the Honourable Member for Finance be pleased to state—

- (a) the number of Sikh voters and Parsi voters ;
- (b) Sikh population and Parsi population in Lahore Cantonment Board limits ;
- (c) whether it is a fact that so far no Sikh has been nominated or elected to the board ; and
- (d) whether a Parsi gentleman was nominated before, and has been nominated again this time ?

The Honourable Sir Geoffrey deMontmorency : The information asked for is being collected and will be communicated to the honourable member as soon as it is ready.

MR. JANKI PRASAD OF BAGESHTTA.

653. Dr. Gopi Chand, Bhargava : Will the Honourable Member for Finance be pleased to state whether Mr. Janki Prasad of Bageshtta had applied for a passport for England with the object of studying journalism and labour questions ? If so, whether it was accepted or rejected ; if rejected why ; and whether this rejection is permanent or temporary ?

The Honourable Sir Geoffrey deMontmorency : One Janki Prasad Bageshtta applied for such a passport. The application was rejected in exercise of the discretion vested in the local Government. The question whether the rejection is permanent or temporary has not arisen.

HILL ALLOWANCE.

654. Dr. Gopi Chand, Bhargava : (a) Will the Honourable Member for Revenue be pleased to state whether any hill allowance is allowed to the forest employees in Bashahr Division; if not, why not?

(b) Will the Honourable Member also please state whether a compensation allowance is given to the clerical establishment of the forest department owing to the dearness of food articles, but none is allowed to the executive subordinates; if not, why not?

The Honourable Mian Sir Fazl-i-Husain : (a) Compensatory allowance is allowed to clerical establishments while at Kotgarh and in the Bashahr State. The question of granting them hill allowance for the period of their stay in Simla during the winter is under consideration.

An allowance is also given to Forest Subordinates drawing Rs. 20 or less per mensem and serving in the Upper Bashahr Division.

(b) The grant of grain compensation allowance is governed by paragraph 14.6 of the Punjab Financial Handbook No. 2.—The Fundamental Rules, Volume II. There is no discrimination between clerical and executive subordinates.

ELECTION SYSTEM IN ISA KHEL MUNICIPAL COMMITTEE.

655. Dr. Gopi Chand, Bhargava : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the election system has not yet been enforced in Isa Khel (district Mianwali) municipal committee; if not, when does he propose to do so;
- (b) whether eight of the members who have been nominated live in one special locality only;
- (c) whether most of them are nominated year after year since the formation of the committee;
- (d) whether it is a fact that the poor and middle class is not represented on the committee at all;
- (e) whether the Secretary of the committee is a whole-time paid servant or not, and whether he is allowed to do private business as well;
- (f) whether other municipal servants are allowed to do private business as well?

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.

PUNITIVE POLICE.

656. Dr. Gopi Chand, Bhargava : Will the Honourable Member for Finance be pleased to state whether the Government have received a memorial from Pal Singh and 293 other residents of Khivala Kalan, District Amritsar, regarding posting of punitive police ?

The Honourable Sir Geoffrey deMontmorency : No.

GRANT-IN-AID LIST.

657. Sardar Harbakhsh Singh : Will the Honourable Minister for Education please state—

- (a) the number of Khalsa Schools (High and Middle) in the province which are not on the grant-in-aid list ;
- (b) the number of Khalsa Schools (High and Middle) which applied for being brought on the grant-in-aid list during the last year and with what results ;
- (c) the number of schools in all which were brought on the grant-in-aid list during the last year, and how the number stands communitywise ;
- (d) the number of schools in Hoshiarpur proper which are on the grant-in-aid list and since when ;
- (e) the reason for Sri Hargobind Khalsa High School, district Hoshiarpur, not receiving grant-in-aid to the high department ;
- (f) the reasons for the above school not being given grants-in-aid to its middle department even from April last as usual ;
- (g) whether the school was recommended by the Deputy Commissioner and the Inspector of Schools for grant-in-aid to its high department for the period beginning from April last ;
- (h) whether the claim of the school will be properly considered this time and the grievance removed ?

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

MOTION FOR ADJOURNMENT.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, I beg to move—

"That the business of this Council be adjourned for the purpose of discussing a definite matter of urgent public importance, viz., the objectionable treatment of the Deputy Commissioner, Jullundur, meted out to Chaudhri Abdul Rahman Khan, an honourable member of the Council."

Mr. President : The honourable member is not in order to move his motion at this stage. On reference to standing order 22 he will find that at this stage he has only to ask the leave of the House for making his adjournment motion, and not to move the motion itself.

Shaikh Muhammad Sadiq : I beg to ask for leave.

Mr. President : The written statement of the matter which the honourable member proposes to discuss runs as follows—

'That the business of this Council be adjourned for the purpose of discussing a definite matter of urgent public importance, viz., the objectionable treatment of the Deputy Commissioner, Jullundur, meted out to Chaudhri Abdu' Rahman Khan, an honourable member of the Council.'

May I ask whether the honourable member has the leave of the Council to move the adjournment ?

No objection being taken Mr. President announced that the motion will be taken up at 12 noon on the 15th March 1928.

MOTION RE COMMITTEE TO CO-OPERATE WITH THE INDIAN STATUTORY COMMISSION.

[**The Honourable Mian Sir Fazl-i-Husain** rose to move his motion re election of committee to co-operate with the Indian Statutory Commission].

Mr. Labh Singh : Sir, I rise to a point of order. Before the House takes actual seisin of it and proceeds with the discussion of the motion tabled as No. 1 in the business list for to-day I want to raise a point of order and to enquire if the motion can be moved at all in view of the fact that the House has had no adequate notice. I admit that the notice was placed into our hands at 4 o'clock yesterday, whereas Standing Order 81-A requires that a notice of seven clear days shall be given. If you are of opinion that Standing Order 81-A can be suspended under the authority of the proviso appended to the Rule, may I enquire if in view of the fact that the motion is supremely controversial, so controversial that it is convulsing India from end to end, it is a fit case for the exercise of the Chair's discretion to do away with the requirements of notice.

Mr. President : What has the leader of the House to say on the point ?

The Honourable Mian Sir Fazl-i-Husain : Sir, the point made by the honourable member is that this is a problem which is convulsing India from one end to the other, presumably meaning thereby that it is a proposition on which Indian opinion is very definitely formed. I should have thought that in a case like this every member of this House, presumably taking keen interest in public affairs, has had occasion to acquaint himself with both sides of the case, and therefore there is no question of the case being such a one that the honourable members have had no occasion to study it.

The second point is, if it is a matter of such supreme importance, surely an expression of opinion of this House is called for either to lead public opinion in the province or at all events to indicate whether such an opinion as is said to be held in the province is shared by this House or not. I really do not feel why the notice given yesterday, in which it was solicited that the Chair be pleased to treat this notice as sufficient notice, should be questioned by the honourable member who has just spoken. I have no doubt that the House is with me in desiring to have this motion discussed, and I trust that the attempt to prevent the discussion of this question of public importance will not succeed.

Shaikh Muhammad Sadiq : Sir, the point raised by my friend from Gujranwala is a very important one and the Honourable Leader of the House has committed the fallacy of what they call in logic "begging the question." The question is not that this subject has not been adequately thrashed out in the press and on the platform, but it is whether this House has had enough time, whether the members have had enough time to consult each other about this important question. It is not even a question whether each party has consulted its members on this subject, but it is whether the various parties have consulted among themselves as to whether this proposition should be discussed or not. For this reason, and for this reason alone if not for any other reason this motion should not be allowed to be discussed.

Dr. Shaikh Muhammad Alam : Sir, I want to draw your attention to one important point. Leaving apart the question whether the various parties in the Council are ready to vote upon the question—and I for my part am absolutely clear and have come to a conclusion as to my attitude on this motion long ago—so far as the Standing Order is concerned I will point out that it says—

"A member who wishes to move a motion (other than a motion for which a period is specially prescribed) shall give, in the case of a substantive motion, at least seven clear days, and in the case of of an amendment at least two clear days', notice in writing of his intention to the Secretary :

Provided that the President may, in his discretion, allow a motion at any time at shorter notice or without notice "

Now, I submit that if you curtail the period of notice for the substantive motion to less than two days you take away the right of putting in amendments because the period left for putting in amendments is left shorter than provided for in the standing order, and it is not possible to curtail the period of notice for amendments. In the present case the period has been curtailed to such a length that there has been no time for putting in amendments. Therefore I submit that you will kindly rule on this point that this motion is out of order.

Mr. President : As to the legal objection raised by the last speaker, that at least two days notice should have been required in this case, because an amendment requires at least two clear days' notice, I may point out that there are two kinds of motions, viz., substantive and formal. In S. O. 81-A, amendments are treated as formal motions and the proviso to the S. O. applies not only to substantive motions but also to amendments or formal motions. This point was considered by me before allowing the motion to be placed on the List of Business. Further, when I agreed to the motion being placed on the agenda I directed the Secretary that amendments to the motion should be received without notice, and I am prepared to receive them up to the moment of putting the motion to the vote of the House.

As to the objection why I exercised my discretion in this case to allow the motion to be placed on the agenda without seven days' notice and thus became, in a way, a party in flinging a surprise on the honourable members of this House, I may say that the subject matter of the motion has been

[Mr. President.]

before the public, including the honourable members of this House, for several months, and that, therefore, the objection as to surprise is not a strong one. But if the honourable members do not wish to proceed to discuss the motion to-day, I shall refuse to call on the Leader of the House to move it. I propose, therefore, to gather informally the sense of the House. Those who are against the motion being moved to-day will please say "no." (There were a few voices of "No"). Those who are in favour of the motion being moved to-day will please say "Aye". (There were many voices of "Aye"). I think I am justified to say now that the general sense of the House is that the motion should be taken up. Therefore, I call upon the Member of the Government to move the motion, if he cares to do so.

Dr. Shaikh Muhammad Alam : Sir, I should like to ask for a piece of information. I want to know whether your orders as given to the Secretary were conveyed to the members at all, that is, that amendments can be put in at shorter notice in the present case.

Mr. President : Standing Order 91-A is so clear that no special notice to members was necessary. I think there was no ambiguity or difficulty on the point. I may further state that this morning when some members of the honourable speaker's party saw me in this connection, I told them that they were welcome to move amendments without notice. I may repeat that as long as the motion remains under discussion and is not disposed of by the House, I shall welcome any number of amendments to it.

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

That the Legislative Council do proceed to elect a committee of seven representatives to take part in the joint conference of the Indian Statutory Commission as stated in the Chairman of the Indian Statutory Commission's letter to His Excellency the Viceroy and Governor-General, dated the 6th February 1928."

I have in this resolution used the words 'proceed to elect a committee of seven.' I have been told that some members are under the impression that the word 'proceed' involves the election of this committee of seven as soon as this resolution is adopted by this House. I beg to submit that it was never the intention of Government that on the resolution being adopted the House should proceed to elect this committee forthwith. That is one point.

The second point is that the intention of Government was that this House, in case this resolution was adopted, was to proceed to elect this committee on the 15th, that is to say, to-morrow. But I have been told by the honourable leader of the party occupying seats next to Government benches that he and his party feel that the time allowed for selecting their representatives is so short, and their desire to have longer time so great, that it would be really better if Government were not to insist upon the election taking place to-morrow the 15th, but were to put it off till the next time the Council meets either in May or in July. I am afraid the argument did not appeal to me very much.

But as there is nothing to be gained by having the election held on the 15th as against May or July next, and if that wish of the honourable member

is shared by other members of the House, Government has no objection, in deference to the wishes of the House, in putting off the election from to-morrow on to some day next time the Council meets.

In this connection I have also to mention that in deference to the wishes of this House that the summer meeting be held in Lahore in May in preference to its being held during the rainy season in Simla which some honourable members have felt inconvenient Government is prepared, in deference to their wishes, to hold the session sometime in May in Lahore.

Mr. President : The question is—

“That the Legislative Council do proceed to elect a committee of seven representatives to take part in the joint conference of the Indian Statutory Commission as stated in the Chairman of the Indian Statutory Commission's letter to His Excellency the Viceroy and Governor-General, dated the 6th February 1928.”

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, as the honourable mover of the resolution has made special reference to the conversation which I had with him, I think it behoves me to explain to the House my points of view. For more than one reason I am of opinion that the work of election should not be hustled through. The matter is a very important one and this session has been very poorly attended (*A voice : Not to-day at any rate*). There has not been sufficient notice of the motion which is a very important one. In fact objection has been raised on a point of order. There are members outside Lahore who know nothing about it, and they have not had an opportunity of considering the question in a deliberate manner. Then, it will be highly desirable that each party should come to an understanding between itself and not split upon the question of the representatives that they have to elect. Secondly, the mode of election is also an important question. I know it rests within your discretion, but we have to consider what mode of election would be appropriate and what mode of election we should ask you to adopt. Last of all this is a very important matter which is agitating our minds, and that is this, whether the Honourable Ministers should serve on the committee and whether they should be elected. There is a strong feeling that the committee should consist only of non-officials, and the Honourable Ministers whose working has to be examined by the Commission should find no place as co-opted members. These are questions which require time for consideration, the longer the time the better. These are my reasons for requesting the Honourable the Revenue Member not to hurry with the election, though so far as the principle of the resolution is concerned the conduct of the majority of the members of this House must have convinced the people outside that the Council as a whole here intends to help the Commission in the course of their enquiry.

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

“That the debate be now adjourned.”

Sir, I am glad that the Government have after all realised their mistake of giving a very short notice of such an important motion as the one now before the House. They now ask us to simply accept the motion and the principle underlying it. The question of constituting a committee will be considered later on. Sir, I am also glad to see that an honourable member on the other side of the House has rightly emphasised the importance of

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the question which is convulsing India from one end to the other, and has requested the Government to postpone its consideration to some other occasion so that the honourable members of the House may be able to consider the pros and cons of the whole situation. Sir, I would not go beyond your ruling. What I would like to submit is this, that the question now before the House is for us a question of life and death. It involves India's honour. It has great bearing on the question of our political advancement. Is it not, Sir, then highly objectionable that notice of such an important motion should be given at the eleventh hour? Sir, the question is not whether we should or should not appoint a committee to help the Indian Statutory Commission in the work entrusted to them, or that the Indians or their representatives should or should not give a long berth to the Commission. The question to be considered by us is whether we should allow this House to be made a cat's-paw so far as the Government's line of action is concerned. I know, Sir, that we are in a minority in this House, but if we had formed a majority and had given twenty-four hours' notice of such an important motion, I ask, would not the other party have objected to it? Sir, even if rules on the subject were in favour of such a short notice being given, I think, decency and better discretion must have decided in favour of giving sufficient notice of a question bound to produce far-reaching effects. Sir, notice of this motion was given yesterday at 4 p.m. We perused the speeches delivered by Lord Birkenhead on the subject and the letter referred to in the motion itself.

The Honourable Mian Sir Fazl-i-Husain : May I draw your attention to the fact that I have no objection to being called as having recourse to indecent ways of hurrying the House into a decision, for that is an unjust remark on me personally, but when the honourable member proceeds to go over the ground covered by the decision—whether the President should have exercised his discretion to shorten the period of notice, I think he is not within his rights to do that.

Mr. President : I think the honourable member is now giving reasons why the debate should be adjourned, as that is the motion he has moved.

The Honourable Mian Sir Fazl-i-Husain : The honourable member's discussion seems to be why I have put in a motion and the President has allowed it to be discussed.

Mr. H. D. Craik : On a further point of order, Sir, I was under the impression that you ruled from the Chair that it was the general desire of the House that the motion should be discussed in those circumstances. Surely the honourable member is traversing that ruling by asking that the motion should not be discussed, but that it should be adjourned.

Mr. President : The honourable member is not traversing the ruling of the Chair, but is traversing the sense of the House which was informally gathered by the Chair only a few minutes ago. There is, however, this difference between the two positions that that expression of the opinion of the Council was entirely of an informal nature; while the honourable member is now moving the formal motion that the debate be now adjourned. So, I think, he is in order.

Chaudhri Afzal Haq (continued in Urdu) : Sir, in reply to the objection raised by the Honourable the Member for Revenue I would simply say this much, that I am within my rights to vote any way I like. I can vote on the side for which I have never voted before. Now turning to the point I was dealing with before, I wish to submit that when the Central Legislature has decided in favour of boycott, I do not see any reason why we should decide the other way without fully considering the whole question. Sir, the Honourable the Member for Revenue has said in his speech that he does not wish to thrust this motion upon the House and if they so desire he may withdraw it. I take this opportunity to ask him to withdraw it. But I do not think that he meant what he said. If he really means that, then let him withdraw it. It is but reasonable to do so because even the opposition party has not so far been able to fully consider this question and exchange its views with the other parties.

The Honourable Mian Sir Fazl-i-Husain : Sir, the honourable member is saying that he is a leader of a party, while the leader of his party has definitely stated to this House that he is absolutely clear on this point and he has formed an opinion. Perhaps his opinion is not shared by the party.

Chaudhri Afzal Haq : He expressed his personal opinion. He used the word "I" and not the word "we".

The Honourable Mian Sir Fazl-i-Husain : Probably the party has not yet formed the opinion.

Chaudhri Afzal Haq (continued in Urdu) : Sir, even if the leader of our party has been misunderstood there is no occasion for us to be in warm blood. I am certain that the motion under consideration will be carried by majority of votes. The rule of majority is bad (A voice : *Very bad*). Yes, it is really very bad. But it is improper to disregard the feelings of the minority party. So far as I know it was only once, in 1886, that such an important motion as the one now before the House was moved in the mother Parliament without giving its proper notice. But, Sir, that was done with the concurrence of the Parliament. In the case of the present motion it cannot be said that it has been placed before us with the concurrence of the House inasmuch as the opposition party has not concurred in its being considered at this time. Therefore, I would request the Government to withdraw the present motion in order to give an opportunity to different parties of the House to exchange their views on the subject.

Mr. President : The question is "that the debate be now adjourned."

The Council divided : Ayes 14 ; Noes 58.

AYES.

Mr. Labh Singh.
Dr. Gopi Chand, Bhargava.
Sardar Buta Singh.
Rana Firoz-ud-Din Khan.
Dr. Shaikh Muhammad Alam.
Sardar Narain Singh.
Raizada Hans Raj.

Lala Bodh Raj.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hira Singh.
Sardar Hari Singh.

Sardar Partap Singh.

NOES.

Colonel 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. M. A. Ghani.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Dr. C. A. Owen.
 Khan Bahadur Shaikh Sir Abdul
 Qadir.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra
 Nath.
 Rai Bahadur Lala Sewak Ram.
 Khan Bahadur Captain Sardar
 Sikandar Hayat Khan.
 Lala Mohan Lal.
 Chaudhri Kesar Singh.
 Pandit Nanak Chand.
 Chaudhri Baldeo Singh.
 Mr. Owen Roberts.

Rai Bahadur Lala Rattan Chand.
 Lala Kesho Ram, Sekhri.
 Rai Sahib Chaudhri Chhotu Ram.
 Chaudhri Zafrullah Khan.
 Maulvi Sir Rahim Bakhsh.
 Malik Nawab Major Talib Mehdi
 Khan.
 Dr. Sir Muhammad Iqbal.
 Chaudhri Chhajju Ram.
 Chaudhri Duli Chand.
 Rai Shahadat Khan.
 Chaudhri Ali Ahmad.
 Sayad Muhammad Husain.
 Chaudhri Yasin Khan.
 Khan Bahadur Malik Muhammad
 Amin Khan.
 Bisaldar Bahadur Nur Khan.
 Malik Khan Muhammad Khan,
 Wagha.
 Khan Bahadur Chaudhri Fazl
 Ali.
 Mian Saadullah Khan.
 Khan Bahadur Mian Muhammad
 Hayat, Qureshi.
 Chaudhri Umar Hayat.
 Makhdumzada Sayad Muhammad
 Raza Shah, Gilani.
 Khan Muhammad Abdullah Khan.
 Sardar Habib Ullah.
 Mr. V. F. Gray.
 Lieutenant Sardar Raghbir Singh.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.
 Sardar Sahib Sardar Fateh Singh.
 Mr. E. Maya Das.

The motion was lost.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]:
 Sir, there are three classes of persons who are concerned in this matter.
 There are some people who say that we should co-operate for the simple
 reason that we want more reforms. There are some people who want to go
 before the Commission and co-operate with it and who say, 'we want to
 stay here; we do not want to have more reforms'. There are again others
 who think and say that if we do not go to the Commission or co-operate with
 the Commission, the already small measure of reforms given to us will be

taken away from us. Now, I will take the last class first. For the reason that such a proposition is first put before the Punjab Council, I have to discuss shortly the history of the Punjab. Everybody in this House knows—and everybody outside also knows—that the Punjab was never conquered by anybody. The province of Punjab was annexed by the British Government and for that reason we have a right to expect from the British Government a treatment meted out to us not as a conquered nation but as an annexed nation, as people who have allowed to be annexed with their own consent to some extent. You know the history of Punjab when it was annexed. There was a minor chief belonging to the same class as most of my friends on my right. He was sent to England for education purposes. He was being educated there. At that time with the consent of a portion of the Punjab it was decided that the Punjab should be annexed to the British Government. For this reason I say that we are not a conquered nation, we were never conquered by the force of arms and we belong to a nation which has willingly gone under the British control. I therefore want that the treatment meted out to such a nation should not be the same as the treatment meted out to a nation which is conquered by force of arms. We want to be treated in the same way as they treat the people of Scotland. We have to see whether the British Government has been according to us up to this time the same treatment as is accorded to the sister country of Scotland. But I fail to see in the case of the Punjab that kind of co-operation and that kind of treatment which has been accorded by England to the other colonies which had not been conquered. The whole of British Kingdom is a self-governing country. (Interruption.) The honourable Finance Commissioner wishes to say something and I will be very glad to hear him.

Mr. President : The honourable member should address the Chair.

Shaikh Muhammad Sadiq : I understood that the honourable Finance Commissioner wanted to utter something and I wanted that he might utter audibly so that I can answer him.

I was saying, Sir, that the Punjab was never conquered and it has passed to the British Government of its own accord, because it thought the benefits from the British Government would be probably greater than those it was getting previously. After the annexation the British Government started their policy of Europeanisation and it is such a policy that, I am sure, had the people known that this would be their policy, the country would have risen like one man and refused to consent for such an annexation. We find that those people who were doing similar functions as the Deputy Commissioners and the Judges are now performing, were removed. There used to be Indian *khazis* and they were removed. Thus a time came after 40 years when there was not a single Indian left in any responsible position. Indians used to be Commanders-in-Chief and Generals and the time came when the Indians could not get beyond a Jamadar or a Subedar-Major. That was the treatment given to us after the annexation by the British Government. I am not going to challenge for one moment the rule of British Parliament. It is an established fact. The fact that we have been under the British Government for so many years bars us from raising that question. Now we find that after 70 or 80 years of British rule a Commission is going

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to judge whether we are fit to govern this province, when hundred years ago we could rule it ourselves and we could govern empires. The question arises whether we should co-operate with such a Commission, whether we are going to start with the idea that we are unfit to govern ourselves.

Sir, this motion has come at a most unfortunate time. What was the idea in hiding the fact that Government was going to bring forward this resolution before this House ?

3 P. M. . . . The session has lasted almost a month and the Commission has been in the country for about the same period. Why, then, did not Government give us sufficient notice of the resolution ? Why has it been hurled upon us at the last moment ? It was only at 4 o'clock yesterday that notice that the motion would be taken up to-day was given to the members of this House. There must be some reason. The Honourable Leader of the House knowing his weakness has said very little in favour of his motion. The Honourable Member wants us to elect a committee of seven representatives to take part in the joint conference of the Commission which has come from England, but he has not told us, he has not taken us into his confidence, as to what is going to be the status of this committee. I am not going to attack the British rule in this country, but I have the right to ask the Leader of the House, who is an official of the Government, when he brought this proposition before the the House as to why he did not tell us in asking us to elect a body of seven representatives what the status of this committee is going to.

When the Commission was announced—I must speak frankly and not hide anything—I welcomed it because I saw that there was no Indian on that Commission. I thought that if a Muhammadan had been appointed on the Commission, Hindus would have raised objections and if a Hindu had been appointed, Muhammadans would have objected to it. I thought for that reason that the Commission was most welcome to us. But when I found that Indians will have no share in shaping the constitution of their own country I knew that the Commission was worse than useless, because I had expected that report will be discussed at a round table conference. Then the Commission announced that they will have seven members of each legislature to sit with them, I was again glad. But when I learnt that these seven elected members of the legislatures will not have the same status as the members of the Commission, I felt hurt, because it is unthinkable that any member of the legislatures should sit with this Commission where he has not equal rights. The President will give the rulings and if he does not want the Indian members at any time he will just turn them out. Is that not an insult to any self-respecting Indian ? Is there a gentleman who wants to serve on this Commission when equal rights are denied to him ? If the Commission had given the Indian members equal status, as is always the case in all other countries, it would have been only right to act on the Commission in order to shape the constitution which is suitable to this country. But as things now stand, what is our position ? What happens when a witness wants to give evidence *in camera* ? He has only to ask the President to exclude the Indians for that time. Why should Indians be not included when any evidence is being given *in camera* ? The Commission say that certain witnesses want to give evidence which they want to be kept secret and for that reason they want to keep the Indian out. Sir, why not

take the oath of secrecy from such members? I am sure these members would have readily taken the oath of secrecy, and would have undertaken not to divulge anything which they are asked not to divulge. Now, Sir, for this resolution, Government was probably afraid that this resolution might be lost, but after sounding different members they have come to the conclusion that it was probably safe to bring it forward. This small band (nationalists) may look like a speck on the horizon, but this small speck will grow into a big storm and it might carry away the whole country's feelings and molest the Government's peace of mind.

Truthfulness of a cause does not depend upon the number of followers it has. No doubt Government has been throwing a kind of sop before certain members of the House by telling them that certain members of certain parties will be elected and will have the supreme honour of acting as members with the great Commission sent out by the British Parliament. But I want to tell them to remember that the thing will not rest here. There is opinion behind this Council. The whole thing is not confined to the four walls of this House. Government may not be afraid at the present time of the opinion because they know that under the present law that opinion cannot do any harm, but they must remember that their day of reckoning is not far when the insult will be answered back.

Sir, some people say that not to co-operate by selecting a committee at this moment is a suicidal policy. But I tell the Government that there is some such thing in the world known as death with honour. It is much better for a nation to die an honourable death than to live the life of disgrace. To co-operate on the present terms, when the status of our own committee will be subordinate to that of the Commission, is a kind of dishonourable death. Of course if the Government were to come forward or if certain members of the Simon Commission were to come forward and say that they were going to grant the Indian members an equal status, then I have no doubt that probably all the sections of the House will be able to co-operate with them. I am only hoping that a *via media* will be found, and if that is found I am sure many members of this House will be willing to serve on the committee. I am not saying that because Government has appointed a Commission, the non-co-operators should not co-operate with the Commission. There may be certain sections of non-co-operators who are willing to co-operate with Government provided an equal status is given to the Indian members.

I would like to know, Sir, what will be the functions of this committee. The Leader of the House has not told us what the functions of the committee are going to be. He has not told us how far this committee will be allowed to co-operate with the Commission.

The Honourable Mian Sir Fazl-i-Husain : Fully.

Shaikh Muhammad Sadiq : I am very glad that it will be allowed to co-operate fully. But if I remember aright he told us that they will not be allowed to write a joint report. He told us that they will write a report separate from the report of the European members of the Commission. That is to say, it will not be a majority or minority report, but there will be two reports, one from the Indian section and the other from the European section.

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Then, Sir, we are told in newspapers that the evidence will be taken *in camera*. Why will not Indians be allowed behind the *purdah*? Why will no Indian be allowed to hear that evidence?

The Honourable Mian Sir Fazl-i-Husain : The honourable member forgets that an Indian is Secretary of the Commission.

Shaikh Muhammad Sadiq : Only a paid servant of the British will be allowed. Are not there even Indian officers sitting on the opposite benches? but that is not representative Government. There was no necessity to ask us to select our representatives when they were not to be allowed to hear all sort of evidence. No non-official members will be allowed by the Commission to hear evidence when they are examining the princes or military officers. Why not take us into your confidence and allow us the same status as that of the European members? Where is the harm if you do that? I ask the Leader of the House whether he would care to remain for one moment if he were not treated in the same way as the European members? He would not tolerate any kind of suspicion against himself, why does he expect us, the members of this House, to get elected to a body in which there will be a suspicion against us. In every action Government has taken in this matter they have shown a suspicion. Where is the harm if Government had allowed Indians to hear all the evidence that is going to be heard by the Commission?

In these circumstances I see no way but to ask the Government either to withdraw this motion or else if they want us to co-operate with them to secure the same rights for Indians as the European members have. It is beneath the dignity of this House to co-operate with a body which is not going to give us full rights.

Mr. V. F. Gray : Under Standing Order 63 the time limit for speeches is fifteen minutes. Is that not so?

Mr. President : The Standing Order to which the honourable member refers relates to resolutions. There is no specific provision in the Standing Orders or the Rules in force under which the Chair can fix a time limit in the case of motions other than resolutions. So, I am afraid, I have no power to specify a time limit.

Lala Bodh Raj [West Punjab Towns (Non-Muhammdan), Urban] : Sir, you know in the last European war, which lasted for about four years, the Indians were invited to join for the principles of self-determination and for the cause of liberty. The Indians having been assured that they too will be given their right share in the administration of this country after the war was over contributed their quota by men and money and the result was that the war ended with success. In the announcement of 1917 and in the preamble to the Government of India Act we find that an extraneous authority has been recognized to determine the stages, the measure, the manner and the time for the advance of the Indian nation to attain its freedom. You know that all self-respecting and patriotic Indians have been protesting against this announcement and the preamble to the Government of India Act. By the step that the British Parliament has taken in the appointment of this Commission, Parliament has completely disregarded

this unanimous protest on the part of the politically conscious India. There can be no greater insult to the Indian manhood and Indian self-respect. No constitution is worth the name in the making of which the people have not got a voice. In this country there are certain politicians who were asking for a round table conference in order to frame a constitution for India. There were others who were prepared to sit on a mixed Royal Commission and their modest demand was that there should be adequate representation of Indians on that Commission. Parliament has thought fit to punish such people by not giving them even inadequate representation of Indians on the Commission. Lord Birkenhead once said that the best men of the Empire will be on the Commission and for three years together he was considering over the question whether Indians should be appointed on the Commission or not, or in what proportion Indians should be on the Commission and so on, and in the end came to the conclusion that the Commission can only be parliamentary. That is the basic principle on which there is a difference of opinion. There can be no self-respecting Indian who can for one moment think of co-operating with such a Commission or who will be prepared to appear as a witness only before that Commission or to offer any voluntary co-operation otherwise. His Excellency the Governor-General, while making the announcement in November last, told us that the Indians have been purposely kept out of the Commission just like the British officials. British officials would have been kept out of the Commission for the reason that they are here as agents of British Parliament. They owe their allegiance to nobody but the Secretary of State for India. The vested interests of British Parliament are to keep the Indians under subjection as long as possible and the reason given by His Excellency the Governor-General for the exclusion of Indians from the Commission was that they had preconceived opinions on the subject of India's fitness for responsible self-government. The reasons given for the constitution of a purely parliamentary Commission was that they are quite ignorant of the people of India, they are quite ignorant of the affairs of India, they do not know what is happening in India and just like impartial judges they are coming over to India to record evidence and the statements of witnesses and to make a report. From their point of view that has been taken as a qualification, but from our standpoint of view that is the greatest disqualification. These members of the Commission are coming to India for a few months, to record evidence and see the situation and then to report whether Indians are fit for responsible self-government or not. The problem is so complicated and so intricate that it is very difficult for these people to understand within the short period that is at their disposal. The new method that has been adopted by His Majesty's Government and accepted by His Excellency the Governor-General and the procedure indicated by Sir John Simon in his letter to the Viceroy cannot give us what we really want. We are simply to work as an advisory body, we can only give our advice, that advice may or may not be accepted. The bait of association of the committee of the legislature in a joint conference with the members of the Commission and with the joint parliamentary Committee at a latter stage is not enough to win us over to their side. When our right of determining our future has been denied to us and we cannot sit on the Commission, there is no reason why we should be called upon to work on a committee in a joint

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conference with the Commission. There was a time when the Viceroy was prepared to call a round table conference to prepare a scheme of constitution for India. Several promises were held out to us from time to time conceding our rights, but they would not fulfill them because of the various interpretations put upon them as times changed. It was in the month of February 1924 that the popular assembly passed a resolution asking His Excellency the Governor-General to call for a round table conference. His Excellency then remarked—

“ Whilst I willingly recognise that some individual opinions were expressed suggestive of a desire to meet Government's advance, the language of the resolution seems to admit of no doubt as to the intentions of those who supported it by their vote. But I must reluctantly confess that scrutinising those terms with the desire to regard them as favourably as possible, I cannot, find the desire of encouragement to those who like myself were seeking evidence of greater co-operation and good-will. There is however yet time for a more satisfactory response. I shall continue to watch events here and throughout the country with deep interest.”

Politically minded Indians in the Assembly after the speech of the Viceroy co-operated for a further period of 18 months and then the same demand for a round table conference was reiterated in the month of September 1925. The British Government has now thought fit not to allow even such a round table conference where the members can have the same status or the same powers with the Europeans in order to determine the future of India. The Legislative Assembly has by a substantial elected majority passed a vote of non-confidence in the Commission. They have said that they will have nothing whatever to do with the Simon Commission. The different political groups in the country seeing that their wishes are being turned down and the British Government does not see its way to meet them even half way have come to a common platform. The Congress men declared that they will have to boycott the Commission. Liberals and moderates seeing that this scheme as a whole shows an utter want of confidence in the Indians, said that the Commission would not have any response in their quarter. The independents who hold independent views have also joined with them and all the political parties in the country have declared that they will have nothing to do with this Commission.

The Honourable Mian Sir Fazl-i-Husain : Is that the view of your party ?

Lala Bodh Raj : The Leader of the House has just asked me whether my party has the same view namely that we shall have nothing to do with the Simon Commission. We expressed our want of confidence in the Simon Commission just as the Legislative Assembly has declared its want of confidence. It may be that our party is not in power and we have to fight against heavy odds and especially in this Council where so many factors are working, where so many party politics are working, and on that account it is very difficult for us to make our views felt, yet we cannot be a willing party to the Simon Commission and to the degradation of our country.

Without meaning any reflection to Sir John Simon, the Chairman of the Commission or to any other member of the Commission, we know positively that the report is already prepared (Laughter). We know what we are going to get, after such hard labour and after such a heavy expenditure. We have already seen enough of such Commissions. There are already so many unanimous reports of the Commissions and they are being turned down.

Chaudhri Afzal Haq : The Skeen committee report for instance.

Lala Bodh Raj : We know what they are going to give us.

The Honourable Mian Sir Fazl-i-Husain : Has the honourable member seen any copy of the report or any notes of the report ?

Lala Bodh Raj : None from our side. Perhaps the report may be with the Government. Though we have not seen a copy of the report, my heart tells me what they are going to give us. Are they in a position to give us complete self-government or Swaraj. We will be going against human nature if we think that the members of the Commission who all belong to one party, and who come here as Judges or members of the Jury to decide the case, will decide the case in our favour. There may be some honourable members here who because of certain communal interests or because of certain other self-interests or because of certain fears might be willing to co-operate with the Commission, who might be willing to sit on the select committee and help the Commission in its labours. But those who have the freedom of India at heart, those who have the interests of their motherland nearest to their heart, they will not be prepared even for a single moment to work with the Commission either as members of the Select Committee or in a joint conference with that Commission or will be prepared to co-operate with them in any other manner. With these words, I beg to oppose the motion.

Khan Bahadur Captain Sardar Sikandar Hayat Khan (Muhammadan Landholders) : Sir, I have not been able to follow the speech of the honourable member who has just sat down, but I want to say a few words in connection with what the honourable member from Amritsar said. Sir, one of the arguments which he put before the House was that since the Punjab was not a conquered province, but an annexed province, we should not co-operate with the Royal Commission. I do not see what difference it makes if ours were an annexed province or a conquered province. There would have been some sense if the honourable member could say that we were in a position to turn out those who have conquered or annexed us even now. If we were in a position to do that even now, we can assert that we will not co-operate with the Commission which has been sent here against our will and consent. But we all know it perfectly that it is obviously impossible to do so. There are only two ways open to us, either to turn the British out of India bag and baggage as some extreme wings have from time to time expressed as their view—or in the alternative to negotiate with them. As I have already said it is obviously impracticable for us to resort to the former method. So under the circumstances, the only alternative left to us is to negotiate with the other party and try to get what we

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can by negotiating and by putting our case as strongly as possible. The honourable member from Amritsar must realize that as we are beggars so obviously we cannot be choosers. Under the circumstances the other, and the only method left to us, should be exploited to achieve what we desire. If I may say so, Sir, I would like to ask honourable members on those benches what difference would it make if there was a Malavya or a Jinnah or any other Indian, or even if half a dozen other Indians were sitting on this Commission. I would go even further and say what difference would it make if the Commission wrote a majority report and a minority report. As my honourable friend pointed out if there had been Indians on the Commission, if there had been Jinnah or Malavya, they would have written a minority report. But the Parliament is not bound to accept the minority report or even the majority report. It rests entirely with the Parliament to accept any portion of the report, or to accept the report *in extenso* or to reject it altogether. In these circumstances, I do not see what difference would it make if Jinnah or Malavya had been members of the Commission and wrote a dissenting minute, or if Jinnah and Malavya had been elected as members of the Joint Committee of both Houses of Central Legislature and they had written a separate minute or a separate note of dissent. In both cases their note would have the same value. That note could go as an annexure to the report of the Commission, or it could go separately as stated by the President of the Royal Commission. So under the circumstances, I think the difference between Indian members being on the body of that Commission or being on the committee which is going to co-operate with that Commission will make no difference whatsoever as far as our case is concerned, because as I have already pointed out we have to negotiate, and negotiate to the best possible advantage to achieve the end which we have in view. For that reason, I think it would be better that there should be a clean cut and separate bodies to conduct negotiations. Now the committee of the central legislature, if they care to elect one, and the committee of the local legislatures if this House elects one, and if the other local legislatures also elect similar committees, all these committees can negotiate on equal terms with the Commission because it has been plainly pointed out by Sir John Simon in his letter to the Viceroy that the status of the elected committees would be practically equal to the Royal Commission. It is pretty certain that so far as the nature of evidence is concerned, the several committees will have full rights to examine witnesses. It has been objected to in some quarters that the members of the Royal Commission would have the right to examine witnesses *in camera* which right the Indian members of the committee would be denied. But I do not think there will be any objection to the Indian portion of these committees in examining witnesses *in camera* if they, so desired. After all the European members of the Royal Commission would not be so unreasonable as not to listen to the advice of the Indian members of these committees. Even if the Indian members of the legislative committees want to examine some one *in camera* of their own accord, I presume, Sir, that they will have absolutely the same rights and privileges as the Royal Commission to do so. If the Royal Commission examines anybody *in camera* the legislative committees can also examine others *in camera*.

There is another point which I wish to point out and that is this. Constituted as the Royal Commission is at present, the onus would be entirely on them and not jointly on Indians if they had been associated with the Commission. In the absence of any Indian on the Royal Commission, this responsibility will be all the greater on them to satisfy India as well as the rest of the world. We must remember that it is not only India to which Britain will have to look for the verdict and criticism regarding their policy, and decision with regard to this country, and the way in which Britain treats India will be vigilantly watched by the whole world. I think a Commission which is entirely composed of British members will think twice before they can give a verdict which will result in withholding the legitimate rights due to India at this moment. They will have to contend with the criticism of not only India, but the world at large; they will have to bear the brunt of criticism of the outsiders (*A voice: What about the Skeen committee?*) If there are Indians on the Commission, it is just possible that those Indians may not be to the liking of the honourable members sitting opposite and it is certain that all points of view must be represented on a mixed Commission. It is possible that some of the moderates, or the reactionaries, may sign the majority report with the European members, and thus weaken our case. So in criticising the motion before the House and the composition of the Royal Commission, that point also should not be lost sight of.

I would just like to say one word before I sit down. Sir John Simon has clearly stated that the status of these legislative committees will be the same, as the Royal Commission in all matters, that these committees will be able to write a separate report or write a minute of dissent and annex it to the report of the Royal Commission or send it separately for the information of Parliament. Sir John Simon also stated that the committee would have practically the same status as the Royal Commission, except that the Committees will remain and be called committees, as the President of the Commission has no right to co-opt the members of the committee on to the Commission itself, because that power is possessed only by Parliament which constituted the Royal Commission. In the face of such clear statement by the Chairman of the Commission, if we refuse to co-operate with the Commission, then I think there is a danger of this refusal being misinterpreted, as India not having a case to put before them. For that reason alone I think it behoves us to put our case as best as we can and to get all that we possibly can get out of the Commission and the Parliament through this agency.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Bural]: Sir, I rise to support the motion which is before the House. It has been my privilege to speak on this point on various occasions and from various platforms, and I think it is due to the House that I should express my views why, speaking personally for myself, I would like to give evidence before the Commission. One of the speakers who has preceded me, I mean the honourable member from Multan, stated that the problem of responsible Government is a very complicated and most difficult one and therefore it was not possible for the Commission to understand this problem within a few days, or to understand how to meet the various difficulties which are likely to arise in the solution of the problem. Now, Sir, this I submit is an

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argument, as a matter of fact, for co-operation with the Commission. It is undoubtedly a very great and very difficult problem, the magnitude of which is likely to over-awe any Commission not only the Simon Commission, but even if it was a Commission composed of 10 Indians and 7 Europeans or *vice versa*. Therefore it is necessary in my humble judgment that every possible material that is available should be placed before those who are trying to concentrate their attention on the problem of responsible government. This is not an argument for withholding the help and for not giving sufficient material to the Commission to place its hands upon. That argument does not appeal to me in the least. Then, it was said, I do not know on what authority, that the report of the Commission is already prepared, that a cut and dry scheme of self-government is already on the table of the members of the Commission or somewhere locked up either in the British Parliament or in the private almirah of Sir John Simon or somebody else. I submit that this argument appears to me to be utterly ridiculous. Why should there be a report already prepared? Why should so many people who have got a lot of other things to do, why should they be touring all over the country to find out what the difficulties of the people here are? Looking to the past experience, when Montagu and Chelmsford set themselves to the task of making enquiry regarding the granting of reforms to India they did not prepare the report without the help of the material which was placed before them. They accepted the Lucknow Pact which was arrived at by the various people who met in Congress in 1916. If they could give us some indication of their good faith when in 1919 they brought forward their Montagu-Chelmsford Report, surely we hope that in 1929 or 19280 when a new report is going to be prepared, due weight will be given to Indian opinion (hear, hear). Now, you must remember, and we cannot forget it, that there was no Indian member sitting with Montagu and Chelmsford. That was a report prepared by two British gentlemen, to whom every help was rendered by every community. At that time there was no talk of non-co-operation or the idea of not placing proper material before these two gentlemen was not talked of. But we find from our experience that the material that was supplied to them was properly utilised by them and great weight was given to the Indian opinion. These two objections, which were urged by one of the speakers who spoke against this motion I submit, do not carry much weight. Then there is the third objection that is that it is an insult to India that in the constitution of the Commission there are no Indians appointed by the British Parliament. In a way, Sir, that is correct.

But to be ruled by a foreign Government also is an insult. (Hear, hear). To be sitting in this Chamber under an Act promulgated by the British Parliament is an insult. To be making speeches and asking the Government to do this or to do that is an insult. To be making speeches in the Legislative Assembly and elsewhere, talking of independence and all sorts of things, I submit, is not consistent with the views which are expressed by the Indian leaders outside. I can understand Mahatma Gandhi and other people who follow his tenets who say that they have nothing to do with the Indian Legislature, that they have nothing to do with the provincial legislatures and that they will boycott root and branch. But we know

from past experience that the gentlemen who are now in the Indian legislature and other legislatures all over the country have found that this policy of non-co-operation is not the right policy. It has not succeeded in the past and therefore what guarantee is there that it will succeed to-day, when we find that Indians to-day are more divided, are not agreed on many points on which they were agreed when Mahatma Gandhi led the non-co-operation movement? I submit that if an insult is to be taken at all, it should not be utilised only against those who are prepared to help the Commission and to arrive at some solution of the difficulties of India: it is an argument against those people also who sit in the Legislative Assembly and in the Councils under an Act promulgated by the British Parliament and who are taking advantage of the opportunity afforded to them. I think that to be governed by a foreign nation is an insult. Nobody in his senses will deny that. (Hear, hear). It is an insult, no doubt. But there are only two ways, as one of the speakers who preceded me said, of doing away with the present system of Government. Lord Reading has definitely told us that there are two ways of achieving self-government, either with the sword or with the good-will or co-operation of the British Parliament. There is no third way. That is what Lord Reading has said. Now, with regard to the sword, most of the people in this Chamber do not want to resort to it. They do not want to propound this theory at all. Then the only other method is that of co-operation and good-will. Is this the time, when our help is called for, when the British Parliament asks us to place the material before them, to say that we are not prepared to give them the necessary help in the solution of our difficulties? My submission is, as was rightly pointed out by my friend, Captain Sardar Sikandar Hayat Khan, that the burden of proof now lies on the British people. They have now appointed a Commission according to their own will and pleasure and if after hearing all the evidence and taking all the help given to them they say 'we will not concede to you anything, we are not going to listen to your voice,' then they should be declared guilty in the eyes of all the civilised nations of the world. But if we, on the other hand, refuse to give them the necessary co-operation or help, then they have got a legitimate grievance against us and will be justified in saying, "we went to them, we asked for their help and co-operation and it was denied to us; therefore what can we do,?" Then whatever they do will be justified in the eyes of the civilised world. On this ground, therefore that such an argument should not be utilised by those who constituted the Commission, we should co-operate with them and then we will be able to use the argument against them.

Then there is another point regarding which up to this time no satisfactory solution or no indication that there can be any solution has been given by the various political parties who have been trying to solve the question of self-government. That is the question of the rights of the minorities and majorities. The real problem of self-government is the question of how to grant proper safeguards to the minorities and how to satisfy the majorities. This is really the problem which we or at any rate the Commission have to tackle. So far as the Indian politicians are concerned, the minorities are not prepared to accept their solution. We know what that solution is; it has been talked in the press; it is being talked of everywhere and I can say confidently that so far as the minority communities in

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the Punjab are concerned, they do not care for the scrap of paper on which that solution is written. That does not solve the problem of the treatment of the minorities. No indication has been given by the framers of the new constitution either in the all-parties conference or by people who met in Madras, of the solution of the difficulties which confront the minorities who are to live under the rule of majorities. How is that question to be solved? I would like to ask any honourable member sitting on the opposite side whether what has been put forward is a proper solution of the difficulties of a minority community in the Punjab, if that community is told "you have got your majority community in the United Provinces or in Madras. If the majority community, that is the Musalmans in the Punjab, harass the Hindus, the Hindu majority of the United Province shall have the right to harass the Muhammadans in that province"? That is the solution which has been stated in so many words in the newspapers. It comes to this that if the Hindu majority in the United Provinces tyrannise over the Musalmans, the Musalmans in the Punjab will be perfectly justified in dealing blows or in treading under foot the rights of the Hindu minority in the Punjab. That has been stated on various occasions by the political leaders. I cannot possibly subscribe to such a proposition. Let me illustrate this matter. Now suppose Chaudhri Afzal Haq living in my village next door to me suddenly in the night sits on my breast and catches me by the throat, and I ask "Well, my friend what are you going to do; what have I done to you", Chaudhri Afzal Haq replies, "No doubt you have not hurt me, you are my friend; but you see Naraindas, a Hindu in the United Provinces has hit Aslam Khan, a Musalman of that province; therefore I (a Muslim) am going to wreak vengeance on you, a Hindu." This is the kind of solution which the Indian leaders have propounded for our consideration, in order to protect the rights of the minority. I, as belonging to a minority Hindu community of the Punjab, refuse to accept such a solution. I submit that a much more reasonable, proper and just solution must be reached by which the minorities are to be protected. When I read of this solution which was proposed in Madras, ratified in Calcutta and is now being talked of and discussed in Delhi in the all-parties conference, I was really surprised. This question of the rights of the minorities is a most difficult problem; how are the rights of the minorities to be safeguarded and how are the majorities to be satisfied? It is a most vital problem and this is the real problem on which the Commission shall have to give its final answer. We are told that we must not place before the Commission how the reforms based on communal representation have worked, whether they have succeeded in protecting the minorities and whether they have satisfied the majorities. We are told, "what is the good of it? Let us frame a constitution; let us present a constitution so framed, so that the Parliament may accept it." But how can anybody, without going into details of the working of the Reforms, without investigating the question of minorities and majorities, of the clash between one class and another which has arisen both in this Chamber and outside, come to a practical and reasonable solution? It is very easy to talk of solving the various difficulties. It is very easy to say, 'we will put before you a constitution sitting either in Delhi or in Madras'; but it is quite a different thing to go into the details of the whole question

to see how far the minorities have suffered by the communal movement, how the majorities are not granting certain things. I do not say that the Musalmans in this Province or the Hindus in the other provinces have not got grievances of their own. But I ask why should the minorities in the various provinces, the Hindu minority here or the Sikh or the Christian minorities here and the Muhammadan minorities in the other provinces, not be allowed to tell the Commission plainly and openly what in their view would be the right solution of the difficulties? That, I submit, is the crux of the whole problem, and had a solution or an indication that there is going to be a right solution been given anywhere by the outside parties or by the political leaders then the things would have been different. Unfortunately no serious attempt is being made to understand the difficulties of the minorities especially of the Hindu minorities in the Punjab and elsewhere. What is the problem before the gentlemen who try to solve these questions? Swaraj cannot be achieved in this way before 1930 or 1931. Here is a whole host of difficulties in our way. Without entering into a detailed discussion of these difficulties, you cannot have a proper solution. Without going into the question of the working of the reforms, how the reforms have worked, you cannot possibly undertake to give a definite and clear answer.

I would like to say one more thing to which no reference has been made in the speeches by the Indian leaders and that is the question of the defence of India. How is India going to be defended under the Swaraj Government? I, being a Punjabi and Punjab being almost a frontier province, have got a right to ask what is the solution for the defence of India? In what manner is this problem of defence to be solved? This is a matter which all the Punjabis, whether Hindus or Musalmans or Sikhs or Christians, have to place before the Commission and this is a matter which is as great and as important as the one regarding the rights of the minorities and the rights of the majorities. On these various grounds, I think that the best possible solution would be for all of us to give whatever help we can. If we cannot do anything else we can at least say, "take back these reforms; they have not satisfied us." I am one of those—and I have made no secret of it—who think that so far as communal representation is concerned, it has not protected the minority communities in the Punjab, either the Hindus or the Sikhs or the Christians. If therefore further reforms are going to be granted on the basis of communal representation, speaking for myself and for a large number of people who think like myself, I would say, "take back these reforms which are based on communal representation." These are the matters which are agitating the minds of millions of people who have suffered under communal oppression, on account of communal riots and other sad events which have been taking place all over the country. The spirits of those who have died, who have suffered by murders and murderous assaults turn towards us and ask us to place before the Commission constructive suggestions for the protection of the people. These are our various difficulties and we ask the British Parliament to give us a clear solution to them and the right lead in this matter.

(Chaudhri Afzal Haq rose to speak.)

Mr. President : Order, order. I observe that the honourable member, who had moved the adjournment of the debate, is anxious to speak now on the main question before the House. I may inform him that he is not entitled to do so. He was

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called by the Chair to speak on the main question but instead of speaking on that question he preferred to move an adjournment of the debate and that motion having been turned down by the House, he has lost his right to speak again upon the main question.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan), Urban]: Sir, this a proposition put by Government that I think I must oppose, and I oppose it with the fullest force at my command not only, Sir, because I am a member of this House but also in order to safeguard the honour of the country to which I belong, and more so to safeguard the name of the province which has been wrongly called the Ulster of India. It is not surprising that Government officials decided to bring this motion in this Council for the first time before trying it in any of the other Legislative Councils, thinking that it was Ulster, but I do hope that that future is in sight when this very province which is called the Ulster of India will prove to be the nucleus of self-government of India. The days do change and with the days Government also change and with the Governments the conditions, the manners and the habits do also change and it is not very rare but it is very often that we find ourselves put in separate conditions altogether. The poet says—

گل و بلبل میں ہے جھگڑا کہ چمن کس کا ہے
کل بتادیں گی خزان کہ وطن کس کا ہے
فیصلہ گردش گردوں نے کیا ہے سو بار
بلخ کس کی ہے بدخشان و خطن کس کا ہے

It is with deep sense of duty towards the people with whose mandate I am here that I am trying to oppose this motion, with a meagre hope of course that it may turn out to be a very successful thing. It may be that I am able to convince the members of this House through you, Sir, of the insult to their country which insult may not have been felt by many honourable members. It is with a view to refuse to receive that insult and to do our duty to those who have sent us here that I consider it my foremost duty to oppose this motion moved in this House by the Leader of the House. Whatever else his speech may mean, he has made it quite clear to-day that it is not only a challenge to the members of this House, it is giving the members a caution, it is a signal, it is telling you to beware of what is coming, and if after that members do not realise their position it is their own fault. They should consider it twice whether they are doing their duty to their constituencies which have sent them here before voting on the motion. Sir, the Leader of the House has told us plainly that Government want the resolution to be passed now, he has also told us that the Government benches have changed their view so far as the time for election of the seven representatives of this House is concerned. He has said that the resolution may be passed now but the election may take place in April or May or at the convenience of the honourable members of this House. He said that we may defer the election but that this is the time when the resolution should be passed. Sir, as I have already said it was not surprising to me to find that of all Governments, legislative bodies and the Legislative Assembly, the Punjab Government

should have been the one to bring a motion of this sort in this House, in the hope that because of certain benefits, temptations and profits, to which these people are open, the resolution will be passed. Government wants the resolution to be passed now because it knows that the mentality of people is fast changing and that if the resolution is deferred to a month or two, it may not then be passed. The people are now making up their differences and Government knows that from the demonstrations that are being held in the Province. Government is wise enough to understand from the public meetings that the mentality of the masses is changing and changing from one end of the country to the other. From these meetings, from these demonstrations, from the press, from the platform, from private conversations and from the streets they have heard that the mentality of the people of this province even, is going to change and that is going to change very shortly. They were afraid of the position that if they brought the resolution after a month or so by that time the mentality of the people might have undergone a complete change and then they may not succeed in getting this resolution passed so hurriedly in this Council. If that is not the reason, then I fail to understand absolutely what is the motive of the Government in saying that the resolution should be passed to-day but the procedure of election should be postponed to some other day. Sir, the fact is that Government is afraid of the people. The mentality of the masses is changing fast. You must have heard of the shouts which were raised by 20,000 or 30,000 people outside the Lahore railway station crying "Simon, go back." Government may callously and carelessly ignore your complaints, Government may not even think it worthwhile to reply in one word on the gross insult which might have been offered to a member of this House by one of its public servants, but I do not think at present that Government has gone so mad or so foolish and that Government has become so callous that it may not hear the voice of the people. So I say that this is the only reason and not only the main reason—and there can be no other reason—why this motion is put before this House and is being so hurriedly carried; Government knows that whatever influence they possess to-day they will not possess to-morrow, and for that reason they are anxious that the motion is passed to-day. So I warn the honourable members of the House to beware of Government plans and to beware of the promise of reward. It might turn out to be a silver coin instead of a gold *mohur*. Firdausi was asked by Mahmud to write the *Shahnama* and was promised a gold *mohur* for each couplet he wrote. When he completed the *Shahnama* he was given only a silver coin instead of a gold *mohur*. Then Mahmud repented over his act, and hurried to send the balance. But the money reached too late as Firdausi had already breathed his last. So I say that these people who are in the hopes of a reward from this Government and who are seeking that Government should bestow their treasures upon them or fulfil their hopes in one way or another, I warn these people against any such hopes, lest it should be too late for them to repent. For if they pass this resolution to-day and to-morrow the mentality of the people is changed, then their hopes will be falsified. All their hopes will be frustrated in the same way as the hopes of so many.....

The Honourable Mian Sir Fazl-i-Husain : Sir, does the honourable member mean that I have made any promises of reward?

Dr. Shaikh Muhammad Alam : I do not say that the honourable member has just to-day made any statement in this House promising anything to any individual member. What I meant to say is that Government is giving very hopeful constitutional offers.....

The Honourable Mian Sir Fazl-i-Husain : Government is doing what? (A voice : making offers of squares). Does the honourable member mean that?

Mr. President : Will the honourable member please make himself clear.

Dr. Shaikh Muhammad Alam : What I meant was that in the hands of Government there are many honours, there are many prizes, there are many titles, there are many honorary posts which may be bestowed on one gentleman or another, or on one party or another, from an ordinary post to Ministership so far as the question of posts is concerned, from an ordinary title to the highest title that the British Government can bestow. All that is in the hands of Government, but I was particularly alluding to the hopes that this Royal Commission was going to offer us. That hope itself is a false hope and if we think that we are going to be rewarded in any way by being bestowed upon by better rights as Indian people, as people of this country, I think we are mistaken. I was just submitting, Sir, to the honourable members through you, that the Leader of the House has put them on caution and has given them a signal that so far as the procedure is concerned, let us pass the resolution but we need not elect the committee to-day. The thing was that Government is absolutely frightened of the public opinion which is changing, and it is on account of that change that they are trying that this motion should be passed at this time and to leave for some future date when we should proceed to elect the members of that committee. That is what I was submitting in this concern.

Now, Sir, the real point is why this Commission should be boycotted or rather why we should not take any share in co-operating with this Commission. There are many reasons for this. In this connection the Leader of the House has put a question to various speakers from my party. "Is that the view of your party?" If the honourable member wants to know the views of my party it can be made clear that my party is not to co-operate with the Royal Commission. The reasons only may be different.

The Honourable Mian Sir Fazl-i-Husain : Under all circumstances?

Dr. Shaikh Muhammad Alam : Quite so, as far as I understand it. So far as my party is concerned, that is the view of my party.

The Honourable Mian Sir Fazl-i-Husain : They do not agree with you on all points?

Dr. Shaikh Muhammad Alam : Quite so. As a matter of fact I think it is only in reasons that they may not agree with me, but the position taken up is quite clear. In the last division in which 14 or 15 voted against a number which really outnumbered us two or three times, we may obviously be considered as defeated on the face of it, but I call it a fateful success to remain in the annals of this Council in the future. Notice will be taken of

the fact that there were 14 or 15 persons in the Council who notwithstanding all sorts of temptations, fears, hopes, prizes and rewards did really stand up and say that they were against this Commission. The moral success will be not only for this reason but for the fact that the minority to-day has shown that standard of justice which was refused by the majority. What we wanted was to give the members time to think about the proposition and to make up their minds. I think we were just in that. On the other hand those who were against that adjournment motion and formed the majority, compelled the individual members to come out with their opinions at once, because they might otherwise lose that opportunity. I submit that the justice that has been shown by the minority would remain a great success for that party in the future.

I was submitting, Sir, that the Commission should be boycotted and that the Royal Commission should not be co-operated with. So far as I am concerned there is absolutely no mistake about it that our only duty, not for one or two reasons but for a multitude of reasons, our only duty is to non-co-operate with the Royal Commission, and again mainly for one purpose at least that is, because it has come to decide *ex parte*. So far as the right of India is concerned there are only two parties, and the two parties are the Indians and the Britishers. The British people on the one side and the Indian people on the other side are the only two parties to this question. It is not a question whether there are two members on the board or three or four or six. The two parties as they stand are the Britishers and the Indians, and for the judgment one party itself assuming the functions of a magistrate or a judge has come to decide between itself and the other party. I consider this a basic wrong. It cannot be set right by allowing the Indians into the camera or excluding them from the camera. What is the position? One party comes as a judge, dictates the terms and then goes away. It arbitrarily decides as to what will happen to the other party? One honourable member on the other side said, "What difference does it make if it was this way or if it was that way? What difference it would make if Malaviya was taken on the Commission or if he was not taken into the Commission? What difference would it make if the Indians were allowed to go into the camera or if the Indians were not allowed to go into camera? Ultimately it comes practically to the same end." So, for him these things make no difference although the difference is very marked, although the difference is not such a slight little difference that it cannot be noticed. Perhaps as one of the leading members of his party has said he was under some influence. If he tries to brush aside that influence he may be able to penetrate into the truth or into the reality of things. One of the leading members of his party has said

جادوگر محمود کی تاثیر سے چشم ایا ز

دیکھنی ہے حاقہ گردن میں ساز دلبری

It is that slavery in him which with the magical influence of the masters makes him unable to see the difference. Otherwise the differences are there.

[Dr. Shaikh Muhammad Alam.]

Then some honourable member said there are only two ways, of dealing with the present situation, either send the Britisher bag and baggage out of India or associate with him. I do not know how he has not been able to see a third way. The third way is to assert your will, assert your self-respect, do not degrade yourself, do not humiliate yourself, force your will upon those who cannot rule without your consent and who cannot stay here for a single day if the Punjab or India wants so. Again my honourable friend on the other side remarked that His Excellency Lord Reading once said "either the sword or co-operation." So far we constitutionalists are concerned we are pledged to the principle of non-violence and so we cannot wield the sword. It is not that we are not able to wield the sword, but for the present we do not believe in it. We are trying to convince by peaceful means the Government and to bring them to a reasonable position to understand that unless they will give way to us the sword also will come into play. I think the time is not far off when we, non-violent people who belong to the school of non-violence, would be sent back, would be pushed back, when we would be called moderates and there will be other extremists who having tried non-violence or rather having seen that non-violence does not succeed will with or without our counsel take to violence, take to revolver and take to sword. It is therefore for me and for the honourable member sitting on the other side to combine, if we want to see that the sword is not used in this country, to win our birth rights by constitutional means otherwise, I may assure him that other people will come in preaching the use of the sword and the sword will be used. You and I will not be consulted. Whether the use of the sword will be to our advantage or to the advantage of the Government it is for a great sage or prophet to say, I cannot say. I do think that the mind of the people has been wrought very much by all these pieces of injustice done to India for the past so many years. This final insult which has been given to India by the British people is the last straw. Those who cannot go any further must either stop or go back. The day is come when others will step forward.

It has been asked, "Why do you consider it an insult if all the members of the Royal Commission are Britishers?" I ask the honourable members on the other side who pride themselves on belonging to England as I feel proud to belong to India, "suppose for a moment that England was under the German rule and the Germans had appointed a Commission to go and enquire into the fitness of Englishmen to govern his own country....."

The Honourable Mian Sir Fazl-i-Husain : Is the honourable member quoting a speech?

Dr. Shaikh Muhammad Alam : The self-respect of those honourable members sitting opposite would compel them not to side with the Royal Commission, but to drop the last blood for their motherland. If they could feel that an insult why should we not feel it an insult? My friend asked me a question, if I was quoting a speech. I think he is perhaps in an atmosphere where he cannot make any difference between things. Otherwise he must be able to distinguish between quoting the same speech and quoting the same idea. The idea is quite different from the speech altogether. My idea is shared not by two or three only, my idea is shared by millions living in this

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country and I am quoting their idea and in that sense you can say that I am quoting a speech too. Coming to my point, just as Englishmen cannot tolerate co-operation with a German Commission to decide upon their rights, so as honourable and self-respecting Punjabis, as honourable Indians we refuse to co-operate with that Commission which has come *ex parte*, both as a party and as a judge to decide upon our rights.

What have they come here for? They have come to see whether we can govern ourselves. It is strange that for the last 150 years or so since the rightly or wrongly so called mutiny of 1857 they have been here and according to their own contention they have been trying to put us all on a level, they have been training the people of this country to improve. But what is the improvement and what is the degree of improvement we have reached? We have come to that pitch that we who could rule ourselves 150 years before to-day cannot rule ourselves 150 years after. Now we are being put to an examination. I think history will bear me out that not long ago in a Moghul Darbar or Sikh Darbar the Britisher would come with folded hands and bended knees then we were able to rule ourselves, but now after 150 years we are not in a position to rule ourselves. This examination by the Commission is one to which my honour and self-respect will not submit. This is not the hall of a University where I should be examined by any individual. I say I am capable of ruling myself. I was always capable of ruling myself. We lost our country because we produced certain people unfortunately who were prepared to sell themselves to foreigners. It was rightly said by one of my honourable friends that the Punjab was not conquered, and so far from being conquered it was annexed. Still another honourable friend cannot differentiate between the two.

Sir, I think to be conquered is decidedly a different thing from being annexed on account of possible hopes of bettering our relations in future both between ourselves and the two countries. That cannot be denied. The Britisher has gained no less than what we have gained from them. On the other hand we have gained much less than what they have gained from us. They have gained all that money, all the commercial benefits, all that force which have made them a proud power and all that army which they have been able to have at their command and on account of the strength of which they have been able to call themselves as forming a supreme Government in the world, or one of the supreme powers in the world. It was with our money, with our men and with our strength that they have been able to spread themselves all over the world. It cannot be denied in all fairness that they have gained an advantage from us. So annexation is decidedly a different thing from conquering a country.

My honourable friend Pandit Nanak Chand said that he personally thinks this way or that he personally thinks that way. I submit, Sir, we are here as representatives of the people, we are here in our representative capacity and not in our personal capacity so much. Let my honourable friend go outside and talk to his constituents. Let there be a referendum to the country on this point. But how can there be any referendum to the country when the Government has thought fit not even to give us two days notice for this motion and it wants to hustle this resolution through over the head of the Council without giving even breathing time. If they had given

[Dr. Shaikh Muhammad Alam:]

us time, it would have been a different story. I remind my honourable friend that he is here in his representative capacity, but even in his representative capacity he is mistaken in thinking that he can voice the views of the minority. I am really surprised to know that he was here representing the views of the minority. I thought that he belonged to the majority community in India and so it was really very good of him to have come here and pleaded for the rights of minority.

Pandit Nanak Chand : So much the better for you.

Dr. Shaikh Muhammad Alam : I am not saying anything against the honourable member for such object. I appeal to him not to speak in his personal capacity, but speak in his representative capacity, as representing his electorate. Then my honourable friend very pathetically said that if we do not co-operate with the Commission how would the necessary material be placed before the Royal Commission? The Honourable Leader of the House objected to the statement of one of my honourable friends sitting on the back benches when he said that the report was already written. The Honourable the Revenue Member questioned my honourable friend as to how he could say that the report was already written. He had every right to say that. If that was difficult to understand, it is not difficult to understand that all the material that is proposed to be placed before the Royal Commission here in India was already at the disposal of the India Office and the members of the Commission could have had access to that material without coming all the way to India. They could have referred to all the materials even while sitting at Home. There was no necessity for them to come over to India so far as the examination of that material was concerned. They could have examined all the material sitting at that office which is anomalously called the India Office. It is an India office with no Indian on it. All the persons who control the destinies of that office are Europeans and yet it is called the "India Office." Is it not very surprising?

The Honourable Mian Sir Fazl-i-Husain : I was in England in August last and I saw a fair proportion of the members of the India Office who were Indians.

Dr. Shaikh Muhammad Alam : I believe, Sir, and even if I do not believe, I at least, doubt if those poor Indians who are at the India office have got any power to shape the decisions arrived at by the India office. They have got no important functions to discharge, they have got nothing at their disposal, and even if they have any functions allotted to them they cannot exercise them in the way they ought to. So, virtually, for all practical purposes, the India office will be as good without the Indians as the office is now with the Indians, if any, on it. It is entirely manned and controlled by the Europeans. It would have been better to call it the European office. Of course it rules India and that is why it is called the India office. So we also know how this Royal Commission was appointed. It is claimed that the Royal Commission was appointed by an Act of Parliament. I say, Sir, it would be more correct to say that it was constituted by an unparliamentary act. It was an unparliamentary Act under which the Royal Commission was appointed and it is under that Act that they have come to India. But what does the Indian Parliament say about the Commission?

STATUTORY COMMISSION,

So far as India is concerned, the Indian Legislatures which have been although constituted under the Parliament Act refuse to receive the Royal Commission. The Indian Legislative Assembly refuses to co-operate with the Commission or have anything to do with the Commission in any stage. The Legislative Assembly has passed a vote of no-confidence in the Commission. The people outside the Councils are crying: "Go back, we do not want the Commission." Still under the so-called Parliamentary Act the Royal Commission purports to have come to India and act under that authority.

Then, my honourable friend Pandit Nanak Chand says that if we do not co-operate with the Commission and place the materials before them, then the burden of proof will be upon us. He also says that if we co-operate and place all the materials before the Commission, then the burden of proof would be on the Britisher and not on us, to say that we are not in a fit position to govern ourselves. On that ground my honourable friend wants that we should put our whole case before the Royal Commission. I fail to understand how the burden of proof can be upon the Judge? I can understand the burden of proof being upon a party, but for the life of me I cannot understand the burden of proof being upon the judge. May I ask the honourable member if the burden of proof is not discharged properly what would he do then? Can he suggest any way in which he would see that that burden is discharged properly? He might say, let us wait and see till the burden of proof is discharged. But if it is not discharged properly and if we come to know that there is still some wrong, and if that wrong had been committed wantonly and if all procedure and all laws are nullified and if there is no procedure, if there is no law and if everything has been done illegally and in an irregular manner, can my honourable friend state where could we find an appellate court to appeal against those findings? Is it in this very hall or somewhere else that we can appeal? I hope by the next term there will be a change of membership in his constituency, and if by chance he should come again to this Council he will see that the burden of proof is not going to be discharged properly.

Again he says how to find a solution for the minority, how to find a solution for this thing and that thing. He says unless we co-operate with the Commission we will not be able to find a solution for our difficulties. But how does that follow? If he really wants a solution, and if he cannot have it at the all-Party's Conference, if he cannot have it in the country through deliberations with his own countrymen, how can he have it from the Britisher? Supposing he cannot have a solution of the problems anywhere here, supposing his view of protection of rights of minorities or the rights of majorities, or whatever he might call it, is correct, how does he show that the Royal Commission is going to solve all those difficulties and is going to give the much-needed protection according to his views. Has he been promised any solution of his difficulties? If that is true, if the Royal Commission has promised to solve his difficulties, then how is my honourable friend who suggested that the report is already written to blame? If it is already within the knowledge of the members of this House that such and such a protection is going to be afforded to such and such communities, if they are sure that such and such facilities are going to be granted to such and such a community, then, Sir, where is the wrong in the assertion that the

[Dr. Shaikh Muhammad Alam.]

report of the Royal Commission is already written ready to be published later on. What my honourable friend meant when he said that the report was already written was that so far as reference to witnesses are concerned and so far as the statements of witnesses are concerned, those pages of the report pertaining to those statements are left blank; but so far as the result of the deliberations of the Commission are concerned and so far as their actual conclusions are concerned, they are already written and ready for publication at the proper time. They did not know at the time of their leaving England or even when they arrived here in India whether it would be Dr. Alam or some other man who would come forward as witness or that whether it would be my honourable friend Pandit Nanak Chand who would figure as witness. That is why I say that so far as references to the statements of witnesses are concerned, they are left blank in the report to be filled later on but so far as the conclusions are concerned and so far as what they are really going to give us is concerned that has already been arrived at. I do think that my honourable friend was mainly right in saying that these conclusions have already been decided about.

Then my honourable friend says, what about the problem of defence of India? Really it is a very difficult problem for him. May I ask what about the defence of India in the days before the advent of the British rule?

Chaudhri Zafrullah Khan : The Britishers entered India.

Dr. Shaikh Muhammad Alam : If really you want to defend India, let us make a division of our work. Let some others who are joining with me in these constitutional methods try to drive them out of India, and then my honourable friend should take care that they do not re-enter India, but I am even doubtful about that. So far as the defence of India is concerned it will be the duty of a united India to defend it unitedly. It is no use quarrelling over little things. There is no use of magnifying these little splits in our ranks. Even in this Council, people fight with each other for trivial causes and then they give the excuse how are we able to defend ourself when the Britishers go out. Why not try another party who perhaps may be able to defend you better? Why should we always stick to one party? Why should we always be trying one party? Why should we not give trials to other parties also and in that way we might better be able to defend ourselves? I will say that we will defend ourselves all right.

So far as this motion is concerned, I say that it is decidedly against our honour and we cannot accept this motion. It is a gross insult that has been offered to India in the shape of this Royal Commission. Whatever privileges are accorded to the committee—the Government do not call them rights, but they prefer to call them privileges—whatever the privileges that are granted to the committee, the committee cannot have equal status with the Royal Commission. Nobody can say that the committee will have equal status with the Commission appointed by the Parliament. I submit, Sir, these committees are of no value. Under these circumstances I appeal to the House to stand by the honour of this country and to stand by the honour of this province: let not the people be deluded by false delusions and false hopes. Our only duty at the present moment is to oppose this

resolution and reject it with as much majority as we can command. Even if we are not able to reject the resolution, still I would say that the numbers which would add on the opposition side, members who will vote on the opposition side, will go to add to the strength of India. No matter if we are not going to defeat this motion to-day, we are going to win the country to-morrow.

Mr. E. Maya Das (Non-official, nominated): Sir, we have heard many speeches, some in favour of the resolution and some against. These speeches show that there are some who are ready to co-operate with the Commission, while there are others who do not desire to co-operate with the Commission. We are brothers, whether we wish to co-operate or desire to non-co-operate. In any case we are all brothers. As a brother I have a claim on him who does not desire to co-operate and he has a claim on me. We may have honest differences of opinion. Honestly I may believe that the correct path is to co-operate, and honestly my brothers may believe that they ought to non-co-operate. But in all our speeches and in all our actions we ought to study the feelings of the other party. No strong words should be used to hurt the feelings of the other party. Not only that, but in case a guest or a visitor comes to my house, my non-co-operating brothers should not take any action which may hurt the feelings of my guests or visitors for thereby he will hurt my feelings also. To this extent I have a claim on him. It has been said that no Indian has been appointed on the Commission. Sometimes, I wish that it had been possible for the Government to ask for a few names. In case a few names had been asked for much difficulties would have arisen, many misunderstandings would have arisen. The names sent in by one community would not have been acceptable to other communities and *vice versa*, but I am glad it has not been done, for as already pointed out, we are in a better position in that what the Commission recommends without any Indian being with them is going to carry much more weight with Parliament. I wish to point out that this attitude of non-co-operation is likely to give a wrong impression not only in England but in other parts of the British Empire also. For after all we all desire to remain within the British Empire. What will Australia, Canada and other parts of the British Empire think of us if we take up this attitude of non-co-operation? Mention has been made of the defence of the country. I cannot help thinking of what happened about the year 1915 when a single German ship came and began to bombard the coast of India and had it not been for the help that we got from Australia at that time when the Australian ship came and chased the German ship, that trouble might have been continued for a very much longer time. Now if we insist upon this non-co-operation, what will the Australians think of us? Next time if a ship like the Emden comes along will the Australians be willing to send another battle ship for our assistance? Sir, it has been said that the country as a whole is not in favour of the Commission. It has been said that the country as a whole is desirous of breaking away from the British. It has been said that the country as a whole will prefer if the British were to leave India. It is easy to make statements like that, but if to-day we were to go to the district courts in Lahore or to any court in the Punjab anywhere and ask the litigants whom they would prefer as a judge, from my personal experience I can say that in more than 90 per cent. cases they would say that they would prefer an European judge.

[Mr. E. Maya Das.]

I feel very sad that it should be so. I feel ashamed to see that it should be so; but that is the truth. Some years ago Government wanted to acquire some land for the extension of Simla, the land proposed to be acquired belonged to a Native State, and the Ruler of that State asked for land in exchange instead of a cash payment. On this enquiry was made from all districts, if in any district there was any land that could be given in exchange to the Native State ruler whose land was about to be taken. It so happened that in the Ferozepore district there was a tract of land which while included in that district was like an island and was entirely surrounded by Native States and a suggestion was made that this plot of land might be given away because it was separate and detached from the Ferozepore district. As soon as the people of that tract came to know of this, they raised a great hue and cry and they said that they were entirely opposed to their land being given away like that and they preferred rather to remain under the British Government.

Sir, to what extent are we really ready to try that swaraj for which we look forward? But if to-day every district were to be asked, "are you prepared to have entirely Indian officers without any British officer from top to bottom," if we try to find out if any district is willing to have this as an experiment, as a trial, it is unlikely that any district will accept it. I would beg of the Government to give this matter a trial and see the result. In case the experiment turns out a success then it might be extended to other districts also.

Sir, I have very little more to add. I say this, that our refusal to co-operate is likely to give a wrong impression. When I look around and see countries like Japan and France and see that they want to have the hand of England in friendship and for support, it surprises me why we should be anxious to separate ourselves and break away from England. If we attain a position like Japan or like France, then perhaps it would be time to consider such a proposition. But we have not even attained anything like that and how can we stand by ourselves? Before I sit down I would say strongly to my friends and brothers: let us not misunderstand each other, but if it be practicable let us divide the land; you live on one side and we will live on the other side, we will hold the hand of the British for our support and for our guidance; you may do as you like, but I would request my brethren that so long as we are living together, let us try and show great consideration for each other and not use harsh and unkind words.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan) Rural]: Sir, in spite of the soothing antidote administered by my honourable friend who has just resumed his seat, I still feel to a certain extent dazed from the effects of the stunning speech delivered by my honourable friend Dr. Muhammad Alam. There is no doubt that the matter under discussion by the House is one of the greatest importance to the future welfare not only of this province but of the whole of India, and I would venture to go further and say, probably the whole of the British Empire. This is a matter which ought to be discussed soberly and in seriousness, without heat and without sentiment. I was very sorry to find, Sir—and this was not the first occasion when such feelings were aroused—my honourable friend Dr. Muhammad Alam, trying

to intimidate and coerce the other honourable members of this House by imputing to them motives which could scarcely be described as honourable. I may be pardoned for submitting that my honourable friend has got into the habit of saying, whenever he finds that there is very little to say in support of the position which he takes up, that the rest of the House will oppose him because he is sure that honourable members are actuated by dishonourable motives, self-interest, temptations as he put it, fears, hopes of rewards, prizes, etc. That scarcely is an attitude which it is proper for a responsible member of this House, a member claiming to be the leader of a party in this House, to adopt towards other honourable members of this House (*Hear, hear*), and I, for myself and on behalf of the party to which I have the honour to belong, very strongly protest against the use of such language in this House. (*Hear, hear*).

As to the merits of the question under discussion, Sir, some historical and constitutional controversy was raised as to whether the Punjab was conquered by the British or as to whether it was annexed by them and finally my honourable friend tried to solve the riddle by stating it as his opinion that it was "sold" to the British. Whether it was conquered or whether it was annexed or whether it was sold, the fact remains that we have got to face this position to-day that the British are in possession and we need not enquire into the history of that possession. There it is, the solid fact that they are in possession, because if they were not, none of the questions which are discussed in this House would arise. It is futile to enquire as to how they came here. Here they are and here they stand for the present and the question is whether we should take the opportunity of going before the Statutory Commission and putting our case before them in the hope that in the report which the Commission will eventually present to the British Parliament, it will take a view of the matter more favourable to India than it would otherwise take if we did not co-operate with it.

That is the solid question before the country and before the House
shorn of all sentiment and shorn of all irrelevant
5 P.M. matter. Sir, the question has been put on the ground of honour and insult to the country. With regard to that I shall say only this that if before and at the time of and after the appointment of the Commission nothing further had been said except that the Commission might have been flung upon the country, there would have been a great deal of room for suspicion that the personnel of the Commission was intended to insult the country. But in ordinary human transactions one treats people in responsible positions as gentlemen and unless there is something very strong to the contrary one takes the assurance of a gentleman as to his intentions, inasmuch as the intention of a person is not a thing which can be seen or touched or felt or smelt or tasted. It has to be judged from the conduct and the words of a person. It is alleged that the British Parliament or the British Cabinet intended to insult India by excluding Indians from the Commission. As to the question of their intention they have repeatedly assured us that that was not their intention and that being so, however, strong our suspicions may be, unless there is positive proof to the contrary, we must accept the assurance that no such insult was intended. So much for the question of insult or the honour of India being involved.

[Chaudhri Zafrullah Khan.]

As to the question whether the personnel is or is not objectionable, that is an entirely separate question and my opinion is that it would have been far better policy if Indians had been nominated to the Commission, and I still feel, in spite of what has been said in favour of the exclusion of Indians from the Commission, that it was a grievous mistake not to have appointed Indians on the Commission. Two principal reasons have been assigned as to why Indians have been excluded from the Commission. One of them is that once you start nominating Indians to the Commission, you would not know where to stop and how many communities to select representatives from, having regard to the present communal and other divisions in this country. The other reason alleged is that if you had appointed Indians with widely divergent views to the Commission, there would have been not only a majority report and a minority report but several confusing reports which it would have been extremely embarrassing for the British Parliament to examine and to extract any common denominator from it. This is the second reason why Indians have not been appointed. In my humble opinion both these reasons are unsatisfactory and the procedure which the Chairman of the Commission has indicated that he is willing to adopt with regard to these committees is in itself a sufficient answer to these arguments. As to how many Indian members should have been appointed and the difficulty of choosing them from various communities and interests does not the Chairman of the Commission expect, or, did he not at least at the time when he sent his letter to His Excellency the Viceroy expect that the Central Legislature would nominate seven members to sit along with the Statutory Commission and that those members would be representatives of all interests and opinions in India? If that was so, if the committee, if one had been elected by the Central Legislature, would have had any claims to be representative of the various communities and interests in India, there was no reason why in a similar manner members could not have been nominated to the Commission who could have represented different interests and communities in India.

The second argument was that you would not have had a unanimous report. There is no doubt that it would be very much easier for Parliament to deal with a unanimous report than to deal with different and divergent reports made by different members of the Commission. But merely because it would increase the difficulties of Parliament that was no reason why such members should not have been appointed to the Commission who were likely to differ from the majority. That does give rise to a suspicion that the Cabinet desired a particular kind of report and did not desire that there should be differences making their task more difficult. I do not say that that was so, I do not say that that was their intention, but what I say is that when that reason is alleged other people may begin to suspect that you want a particular kind of report and you could not afford to have differences in the report itself. Apart from that, a committee of the Central Legislature and committees of Provincial Legislatures have now been invited by the Chairman of the Statutory Commission to sit with the Commission with regard to central subjects and provincial subjects and to make their own reports. Will not each of these reports, the report of the Central Legislature Committee and the reports of the Provincial Legislature Committees

be in effect minority reports as it were? Will those reports receive attention from Parliament or will they not? Are these suggested committees to be real committees to whose views attention will be paid by parliament or will they serve merely as eye-washes? If they are going to be mere eye-washes, then that would lend the greatest support to all the arguments that have been urged by members of this House against co-operating with the Commission. But we believe that they are meant to be real committees and if they are meant to be real committees and their reports will be paid attention to by Parliament, then Parliament will be faced not only with a majority report and a possible minority report but with the report of the Commission—and there is no knowing that there will not be two reports of the Commission itself, one a majority report and the other a minority report—and a report of the committee of the Central Legislature and nine other reports by Provincial Committees, and the task of Parliament will be made no easier than it would have been if Indians had been nominated directly to the Commission. It has been urged before this House and it has been said elsewhere that these committees of the Legislatures, Central and Provincial, have been given practically equal position with the Statutory Commission and therefore on that score all grievances should disappear. I again differ from that view. It is not at all clear at present whether these committees would have the same powers, independently of the Statutory Commission, which the Statutory Commission has. For instance, one objection taken is that the Statutory Commission reserves to itself the right of examining witnesses *in camera* and on such occasions of excluding members of the committee of the Central Legislature, or of the Committees of the Provincial Legislature, as the case may be, although the chairman has promised that the purport of the evidence would be submitted to the committees. One answer given to this objection is, that the Committees also would be at liberty to examine witnesses *in camera* if they so desired. That is no answer at all. In the first instance, one is not sure that the committees will have the power of enforcing the attendance of witnesses such as the Statutory Commission has or of sending for documents for examination particularly documents of a confidential nature. I feel extremely doubtful whether, if a Committee of the Central Legislature, were to be set up, it would have the power to call, for instance, His Excellency the Commander-in-Chief before it and ask him to give evidence on certain points. In the second place, this reservation strengthens the suspicion that it is not considered *safe* that certain matters to be placed before the Commission should come directly and in their entirety before Indian members. Therefore my submission is that it appears to me that it is a futile argument to say that it gives you practical equality. It does nothing of the sort.

As I have already submitted this is a question to be soberly and seriously discussed and I have tried to show that in my personal opinion it was a mistake, I might even describe it as a political blunder, not to have nominated Indians on the Commission and that the reasons assigned are not sufficient for such exclusion and that the makeshift proposed does not take away the original objection that Indians have been excluded. That is the position on the one side, and the question as I have said, with which we are faced is: are we prepared to go before the Statutory Commission as witnesses and to send our representatives to sit in these committees or not?

[Chaudhri Zafarullah Khan.]

Several honourable members, Sir, have discussed the situation in which we find ourselves. I have put it in one sentence, that the British are in possession of this Province and of this country. There is a constitutional struggle going on in this country the object of which is that ultimately Indians should be entrusted with complete control over their political destinies, and to that extent the struggle signifies that you have to, as it were, oust the British element from the monopoly which it at present enjoys in this country and to get into possession yourself subject to the allegiance to the Crown and the general control of the Crown. That at any rate is pointed out to be the present constitutional goal of this country. One means has been offered to us by Parliament of attaining that goal, in that we are invited to put our case before the Statutory Commission in the hope that it will be represented to Parliament in such a manner that the result may be favourable to India in its constitutional struggle. Several honourable members have urged upon the members of this House to spurn this chance, to refuse to take this chance on the ground that it involves the honour of the country. Conceding for a moment that it does, what it is the alternative remedy suggested. One argument has already been advanced that there is another means of winning our freedom without compromising our honour, and that is by means of the sword. But, Sir, it is admitted on all hands that that means is not open to the country at the present time, apart from the question of the ruin in which such a course would involve the country. For that reason I would not pursue this argument any further. Dr. Alam, however, said that you are ignoring a third course and the third course suggested by him is : assert yourself and enforce your wishes. But that is begging the question. We want to assert ourselves, we want to enforce our wishes, will he tell us how we can do so ? He says by means of doing so. That does not carry us any further.

We wish to enforce our wishes. How can we do so? Certain opportunities have already been provided for us. We are taking advantage of those opportunities. We do enforce our wishes to the extent to which it has been rendered possible for us to do so. Another opportunity has offered itself. As a result of that opportunity we hope that further opportunities of asserting our wishes will be granted to us ; and the larger those opportunities are the greater the advantage we will be able to take of them and in course of time it will become more and more possible to us to enforce our wishes against the wishes of the bureaucracy or the British element, whatever you call it. We would have wished that the means afforded to us had been more in consonance with our wishes. We would certainly have wished that we should have had a direct share in making recommendations to Parliament as to the pace to be adopted, the method to be followed and the goal to be reached with regard to our constitutional progress and that has not been granted to us. What is the course to be followed ? If we co-operate with the Commission it is possible, it is extremely probable, that we shall be given further rights in this direction. It is extremely improbable that we would be left where we are. Therefore, as a result of co-operation we very strongly hope that not only we on this side of the House but also honourable members on the other side of the House who refuse, at present,

to co-operate with the Commission will have greater powers to enforce their wishes in the future. We are able to hold out that very reasonable hope to them as a result of co-operation. What do we gain as a result of following the policy of non-co-operation? They have not indicated to us, in case we join their side and refuse co-operation with the Commission, by what means they propose to put us in a position to enforce our wishes to a larger extent against the British element than we would be able to do as a result of the recommendations of the Statutory Commission. That we have not been told and so long as we are not told that and so long as we do not find them giving us a better hope of being our wishes we will be justified, as reasonable men, to put it in vulgar language, to make the best of a bad bargain, and to proceed with it. That is the ground on which I would advise co-operation with the Statutory Commission.

Now the question arises whether this House should proceed to elect a committee of its members to sit with the Commission under the circumstances which I have described. I have myself conceded that the terms on which the committee would be expected to sit with the Statutory Commission do not satisfy our aspirations. But the same answer presents itself. Supposing we do not elect such a committee and tell the Commission, "We do not propose to associate ourselves in the recommendations that you may make," what will happen? Shall we be in any better position for that? Does it not stand to reason that if we had seven gentlemen of this House associated with the members of the Commission to help them in examining facts, to assist them in understanding, classifying and giving due weight and appreciation to points which may be obscure to them and helping them to frame their proposals and also separately putting forward their own proposals, does it not stand to reason, I say, that there is a greater chance of our wishes being complied with than there would be if such an ignorant Commission, as you have described it to be, were left to its own resources in making these investigations and finally framing its report? I say that we would have a very much better chance. Therefore we should elect such a committee.

All sorts of criticisms have been levelled against the Government's action in putting forward this motion to-day with the intention of holding the election in the May Session. Such criticism was particularly put forward by Dr. Muhammad Alam, but I failed to understand the point of his objection. I could understand him when he said that Government wanted to rush this matter through. That matter has been sufficiently dealt with by other speakers. But when he said that the *mala fides* of Government was manifest from the fact that Government who intended to hold the election either to-day or to-morrow was now willing to defer the matter till the May or July Session, as the case may be, I failed to understand what the complaint was. Government has made no definite announcement as to when they propose that the committee should be elected. All that I understand the Honourable Leader of the House to say in this connection was that in deference to the wishes of the House, if those wishes were made clear to the Government, Government would be prepared to postpone the election to the next session. It is for the House to say whether it wants the election to be held immediately or whether it wants it to be postponed till May or

[Chaudhri Zafrullah Khan.]

July. But even supposing that Government originally intended that it should take place immediately, now that Government concedes that it may take place in May, surely that shows the good faith of the Government rather than its bad faith. My honourable friend said that the mentality of the province was going to change. I do not know what he meant by that. He did not say that he felt that the attitude of the people towards the Statutory Commission might change. Having said that, he stated that Government is horrified that that change might come in. If the Government were horrified of the prospective change they would insist upon having the election to-day or to-morrow and would not agree to postpone it. Because if the mentality changes, that is, if the honourable members of the House are not in their present mood, then no body will be elected as everybody will refuse to serve on the committee which is to consist of a elected or nominated members. Official members cannot serve on the committee. My submission, therefore, is that it is absolutely futile to question the intention of Government on this question. If the Government propose to hold the election immediately you say the matter is being rushed through and if the Government says that in deference to the wishes of the House, provided they are clearly expressed, it will be prepared to postpone the election to a later date, then you say that it is proof of the bad faith of Government. The honourable member did not make himself clear as to what he himself desired. An honourable member remarked that without teasing any slur on Sir John Simon, he felt sure that the report had already been written. You can say that no slur was meant, but that is certainly a slur on Sir John Simon's honesty. One member said that the report was ready with some blanks left to put in references when the time arrives for doing so. It might have been more plausible to say that the British Parliament had already decided what it was going to do in the matter of reforms and that the Commission was only an eye-wash. That might have been a slightly more plausible argument than the one which has been put forward. But even granting that, it is possible—I do not know what the political conditions are in England and how things are likely to change—but it is possible that the report may be presented to a Parliament and may have to be considered by a Cabinet which is not the present parliament nor the present Cabinet, as there is bound to be a general election in between. So that, that report which is said to be somewhere locked-up might as well be torn up because no body would, in the event indicated by me, consider it. But even conceding that a report has already been written on the official material which had already been supplied to the Commission before they left the shores of England, it is so much the better for us. That is the greater reason why you should set up your committee who will have an opportunity of writing a report on the basis of the official as well as the non-official material to which the Commission would not have had access. In that case when the report goes before Parliament or the country or any sensible set of persons, your report would carry much greater weight because it was written after evidence was taken and the other report would be thrown aside, because it was written before evidence was taken. Would not that give you a splendid opportunity of showing that your report is much more valuable as being based on evidence

than the one which is said to have been already prepared without being based on evidence?

One honourable member went into the question of minorities and majorities. He was not strictly relevant. He merely took advantage of this debate to air his own views which he frankly conceded were not the views of the members of his community in other provinces where that community is in a majority. So, his position is this, that his community has certain views when in a minority and certain other views when it is in a majority. That is not, however, a question which falls to be examined at present. I shall therefore offer no remarks on the question of communal representation and such other issues which have been raised during the discussion on this question. My opinion is that in spite of those limitations and defects which I have pointed out with regard to the constitution of the Commission and the committee s and their powers it would be very much better for us politically and of far greater advantage to us if we did elect this committee and if we co-operated with the Commission. That will give us greater powers than we possess at present. After the possession of these powers we would have still greater chances of getting further powers and reach the goal which all of us have in view. (*Cheers*)

Sardar Buta Singh [Multan Division and Sheikhpura (Sikh), Rural] (Urdu): Sir, I cannot but appreciate the adroitness with which the honourable member for Sialkot has given expression to his thoughts on the motion under discussion. I also appreciate the inimitable way in which he has tried to bring round the Council to his way of thinking, viz., that it would be in the best interests of the country to co-operate with the Simon Commission. But, Sir, if he were to examine critically the arguments advanced by him in support of his contention, then I am sure that he will be obliged to come to the conclusion that far from proving his case he has proved something, which is quite contrary to it. He has said in so many words that in the matter of the appointment of the Simon Commission the wishes of the Indians have been completely disregarded. If that is so, I am unable to understand as to why he should have taken so much pains to prove that even now it would be better for us to co-operate with the Commission. I think it would have been enough for any Indian to say that since our wishes in the matter of the appointment of the Commission have been utterly disregarded, it behoves us Indians to have nothing to do with it.

Then, Sir, the same member tried to prove that we should not suspect the *bona fides* of the Commission, and that it behoves us to take the word of the Commission to the effect that they have an open mind as regards the enquiry entrusted to them. I admit, Sir, that as gentlemen it is our duty to put faith in the word of the Commission, but unfortunately our past experience of such commissions does not encourage us to co-operate with the present Statutory Commission. After that, Sir, the honourable member criticised the remarks made by another member of the Council, which were to the effect that the report of the Commission were even now prepared. I think the honourable member for Sialkot would have been well-advised not to have taken these remarks as literally true. If the honourable member for West Punjab Towns said that the report of the Commission is ready, he said so in view of the fact that these Commissions generally follow the dictates of the bureaucracy, and it does not require much reasoning to arrive

[Sardar Buta Singh.]

at the conclusion that the bureaucracy have made up their minds in this respect. I hope the honourable members of this Council are not unaware of the fate of the Skeen Committee Report. I hope they are not unaware of the fact that this unanimous report has not been accepted by the Government of India, which has thereby shown that it is quite unresponsive to the united voice of the country. If in view of this and many other things, too numerous to be mentioned here, the honourable member for west Punjab Towns did say that the report of the Simon Commission is already written, then I am sure that he was far from being wrong in making this statement. Then, there is another thing which makes us suspect the *bona fides* of the Cabinet and the Parliament. They have chosen a moment for sending out a Commission to the country, when the people are fighting amongst themselves, when Hindu-Muslim riots are the order of the day, and communal strife and communal bitterness are at their height. The Government in this country, as well as the Parliament in England have taken advantage of the unfortunate state of affairs now prevailing in India, and have dared to flout the considered opinions of the Congress, the Muslim League and the Sikh League that the present time is not the most opportune moment for sending out a Commission to India and the Parliament has added insult to injury in appointing a Commission in which the Indians have not been included. The united voice of India, Sir, has proved a cry in the wilderness, the Parliament as well as the Government of India have turned a deaf ear to the demands of the people, and even the leader of the Labour Party has made a statement to the effect that in case the Labourites come into power at the next general election, there would be no change in the personnel of the Commission. If the voice of all the representative institutions of this country is to be treated with contempt, Sir, then it is no exaggeration to say that the report of the Commission has already been written.

Further, the honourable member for Sialkot said that the English Government is in possession of this province, it does not matter how it came by it—by conquest or by annexation—and therefore, it behoves us to say aye to whatever it says or does. I regret that I do not see eye to eye with him in this matter. The British Government is undoubtedly the party in possession, but we are not bound to agree to everything it thinks fit to spring upon us.

Then Sir, Pandit Nanak Chand asked as to what the country had gained by resorting to non-co-operation movements. I want to tell him that our motherland would surely have benefitted from the non-co-operation movement if the people of this country had cared to follow the lead of Mahatma Gandhi. It is people like him, Sir, who are responsible for the failure of this movement, and they have no right to blame Mahatma Gandhi for it.

The Honourable Revenue Member while moving this motion echoed the sentiments of the Government when he said, though not in so many words, that "we are not prepared to take any Indian on the Commission, because it is our wish, because we are the rulers of this country and are in possession of this province," and it was probably in pursuance of this

veiled threat that this motion was sprung upon us at four o'clock yesterday. The Government is well assured of the co-operation of the majority of the members of this Council, and it is in a position to disregard the wishes of the minority. I would, however, like to point out to this majority that if they co-operate with us and join hands with us in not electing members for the proposed committee, they would be in a position to dictate terms to Government. If the majority party in this council makes common cause with us I am sure that we can make the Government respect the wishes of the public. I do not want the majority party to have recourse to violent means for the attainment of this object, all that they need do is to co-operate with us. I do not for a moment desire to impute dishonourable motives to anybody or to any body of men, but I cannot refrain from saying that the way in which the Government is flouting public opinion reflects no credit upon it. The Government has all along been treating with contempt the wishes of the people. When a resolution was moved in this Council recommending the withdrawal of increased *abiana* rates, the Government refused to listen to us, and these increased rates are still being charged when the Council asked for the discontinuance of settlement operations in Montgomery, the Government refused to accede to our wishes. It is, therefore, time that we learnt to work in unison. If the majority party in this Council helps the Government to ride roughshod over our feelings, a time will come when the Government will treat them in a similar manner as they are treating us now. The party, which is in a majority to-day should take it from me that these days of flouting public opinion will soon pass away, and it is time that they learnt to respect the voice of millions of people by refusing to support this motion. I have one request to make to my Sikh, Muslim and Hindu brethren, and I will make it in the form of a parable. Once upon a time three persons were passing through the field of a zamindar and finding a number of radishes growing in the field they removed some. The zamindar dared not pick up a quarrel with all the three at one and the same time, so he resorted to the following stratagem. He asked these persons as to who they were, and when they told him that one of them was a Brahmin, the second barber and the third a mirasi, he said to the Brahmin "you are, Sir, our worshipful master and if you have removed radishes there is no harm in it." Then addressing the musician he said "you are a servant of our family and therefore you are entitled to a share of the radishes growing in this field." Then he got hold of the barber and gave him a good thrashing. Then he turned his attention to the mirasi and asked him as to how he had dared to remove radishes from the field and belaboured him also. Then the Brahmin was alone left and he gave a good thrashing to him also. The moral of this story is quite clear and I need not explain it. I will, only ask my honourable friends to bear in mind that the Government may be siding with them to-day and who knows that it may side with another party to-morrow. It is, therefore, of the utmost importance that we should all join hands and support each other.

Sir, all the members of the Council who have spoken in favour of this motion have said that Government is our *mai-bap*, and therefore, whatever it has done, it has done for the best. The only honourable exception to this is my honourable friend from Sialkot who has told the Government

[Sardar Buta Singh.]

plainly that they have committed a blunder in not associating Indians with the Commission.

Then, Sir, Mr. Maya Das was pleased to remark that we are all brothers, and therefore we should accord a brotherly treatment to the Commission. But I put it to him, Sir, has the Government here in India or the Parliament in England treated us in a brotherly manner. We want the Government to show us that it is anxious for our well-being, but it is not prepared to give even a sign of fraternal feeling, and bearing that in mind I would be failing in my duty if I do not raise my voice against this motion.

(Several honourable members moved for closure.)

Mr. President : The question is :

“ That the question be now put.”

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, we have had a very interesting debate and at times an exciting debate and I have really no intention at this late stage to enter into any lengthy statement on this resolution and that for two reasons : firstly, the question has been discussed in the Central Legislature, in some of the provincial legislatures and in the public press with such vehemence, with such attention to principles as well as to details that I do not think there is anything further that I have to contribute to the discussion. In the second place, I have really nothing to contribute to the discussion as a Member of Government or as Leader of the House. We all know that the Simon Commission was appointed in November last. We have all read the statement which the Chairman of the Commission issued to the public in the shape of a letter which he addressed to the Viceroy. Therein, the constitution of the committees of the central and the provincial legislatures is given. Therein, the functions of the committees are given. Therein their powers and limitations are given. I say that the committee of the local legislature will have similar powers as that of the central legislature except in so far as that in the case of the committee of the central legislature their report will be a second report to that of the Commission to be laid before His Majesty the King, while in the case of the reports of the local legislatures, they will be added as appendices to the report of the Commission. That is so far as the question of the honourable member on the opposite bench—I am not sure whether he is a member of the nationalist party or not—is concerned. (A voice : He is.) But he differs so much from the statement of the opinions expressed by the leader of the party that I have a shrewd suspicion that probably either he is not a member of that party or he has, in his exercise of the right of independence, very shortly going to part company. (A voice : No, no.) I may be wrong (A voice : As very often) I do not agree. It is very seldom that in matters of party affair, I make a mistake. This may be a case of mistake but there will be time enough to decide that matter. His only concern was about the functions of this committee, and I have no doubt he has an open mind and I have no doubt he is still privileged to exercise his power of arriving at a decision. I have no doubt he is not so dumb as to follow the dictates of an autocratic leader. If I am wrong the honourable leader of the party will correct me. Another honourable

member wanted to ask some other questions to as whether it was derogatory or not to co-operate with the Commission and so on. That is again for the honourable members to decide. Government has no desire to force the Council to elect a committee. Far be it from me to do anything of the sort. I have simply presented a resolution in pursuance of the wishes of the Chairman of the Commission who says that his Commission would like the committees of local legislatures to function in the joint conference, that is, those legislatures that have made up their minds to co-operate with the Commission. I agree with the member of the national unionists' party who said that it would be foolish for a party or for a council to refuse to appoint a committee when they have already made up their minds to co-operate with the Commission. With regard to those parties, if there are any in this House, that have decided not to co-operate with the Commission, I can well understand that unless in course of time they change their policy, that they will not be offering themselves to be members of the committee. But I have known strange things happening during the last 7 or 8 years. Members have professed non-co-operation; members have professed that it is pollution to enter these legislatures; they deprived this House of their presence during the first three years of its life. They have now learnt by experience and we are in the third Council privileged to have those members amongst us and I have no doubt the House is the richer by their coming into the Council because this Council wants to be a reflex of the various schools of thought that exist in the province. No one would be happier than myself to see in this House all schools of thought being reflected in the debates of this House and this House can be truly representative of the province only if that position does exist. We may differ violently from each other in our opinions. Who does not differ who has any independence of thought? But I have not the slightest doubt that our differences are bound, in course of time, to become less and our points of agreement are bound to grow more. As a matter of fact, the leader of the nationalist party himself foreshadowed at no distant date his and ours becoming one, as soon as he is able to bring into being the other party which is to have recourse to violence. As soon as that party of violence comes into being, he holds the view that at that time he will be styled moderate and Government would welcome him. But if that happens, where is the harm? The Government of the day will be the richer for having another addition to its ranks.

Now, Sir, there is another aspect of the debate to which I wish to draw attention, and that is, some of the members were saying that they were few in number here, that they represented a minority and therefore wanted the privilege of the minority to abuse the majority. Well, Sir, luckily I and members who occupy Government benches were not included in that general sweeping condemnation. He thinks that, not I personally as Revenue Member, but Government as a whole has been offering temptations of all sorts to various members of this House and that as a result of those offers and presumably either by acceptance in the past or the prospect of accepting in the future, the views of the great majority of non-official members are not the views that he holds. Well, Sir, it was unfortunate that he and one or two other speakers took that ground. But have they not heard many a time other people saying the same thing about them? Has he and others

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

of his school of thought not been taunted with titles of Maulana, Mahatma, Shriman and so on? Where is the difference in these titles, whether it is a Khan Bahadur or a Mahatma or a Maulana?

Dr. Shaikh Muhammad Alam : On both sides it is bad ; is that your point ?

The Honourable Mian Sir Fazl-i-Husain : My point is that if it is bad, it is bad on both sides ; if it is good, it is good on both sides. I say have you not been taunted with such titles ? And does it lie in your mouth to talk against members of the Council, elected by their constituencies just as you have been elected, who represent in some cases areas as big as or bigger than those which you represent ? Is it right that a member because he is an elected member should take it upon himself to hurl taunts on another ? I should be ashamed to assume superiority in that way. I had been an elected member for 5 years and I never took it upon myself to parade my own honesty as against that of any of my followers or of my opponents. It never pays to do that. Your opponents deserve as much respect as you deserve. They have as much self-respect as you have. Is it wise for anybody to say "you are not an honest man." By doing so you are not injuring the other man but yourself. That is a mistake and I trust the honourable member will not fail to recognise that this little piece of advice which I have ventured to give him is not only in the interest of himself but in the interest as well of Government and the whole House. It is every day brought to the notice of Government that such and such a member of Government service, say a Deputy Commissioner or a Tahsildar has fallen short of that high standard which Government expects of that official. Is that not a standard which every member of this House should also set before himself ? I trust that the Council will by example no less than by precept make the Government as well as others do their respective duties.

Again I have been asked "why have you hurried this resolution on the eve of the close of the Council?" I have done nothing of the kind. It is asked, "why did you give notice of the resolution on the 13th to be taken on the 14th?" I have all along assumed that this Council is a co-operating Council and if it is a co-operating Council then naturally it must proceed to elect a committee. How have I arrived at the conclusion that this is a co-operating Council? I have the privilege of being in touch with the parties and members of this Council. I was assured by the honourable members of this House representing well recognised parties, whether they be national unionists, national reform party, independents or others, that they were for co-operation and were for electing a committee. So far as the nationalist party is concerned, considering that their opinions are undergoing rapid changes from time to time—no doubt in view of the very well recognised fact that a party ought to be responsible to public opinion—it has not been possible for me to say exactly what their opinion is to-day. It is well understood that the party which claims to be the Punjab Government's Opposition, and being the Opposition, it is the duty of the Punjab Government to treat it as a part and parcel of the Government itself—because you know His Majesty's Opposition is part and parcel of His Majesty's Government—

the nationalist party consists of more or less of three distinct elements the Khilafat party, the Congress party and the Akali party.

Chaudhri Afzal Haq : That is the nationalist party.

The Honourable Sir Mian Fazl-i-Husain : And a combination of three advanced political parties constitutes the nationalist party. I have no doubt that so far as the Khilafat party is concerned, they are for non-co-operation and I understand that it is the creed of the Congress party. I was rather startled when point after point was taken by the Opposition to the effect, "you have not given us time to consult and prepare," as if they did not know what the discussion was about, as if they were strangers to the controversy.

Shaikh Muhammad Sadiq : We wanted to consult others and win them over.

The Honourable Mian Sir Fazl-i-Husain : May I inform the honourable member that winning begins at a suitable stage long before the actual election is to take place? The candidate who on the last day of election or a week or two before wants to win votes for himself cannot do so. Nor can a leader who has neglected his duty for a long time arrive at the last moment when all the forces are arrayed. He cannot do it. I therefore venture to submit that this resolution expresses but the well understood opinion of the recognised parties of this House and they happen to be in a very large majority as against the very respectable and highly valued nationalist party which happens to be in a small minority. It should be our wish when a minority is just a little bit annoyed because they are in a minority, to assure them that our minds are open. Reasons can convince us; facts can lead us to alter our views. By all means place your case before the Council with the fullest possible liberty that any member can have and to me as the Leader of the House nothing would please better than hearing such arguments. But having done that, let us try to forget all the harsh things which have been said because all of us want good-will and good feelings to pervade. (Applause.)

Mr. President : The question is—

"That the Legislative Council do proceed to elect a committee of seven representatives to take part in the joint conference of the Indian Statutory Commission as stated in the Chairman of the Indian Statutory Commission's letter to His Excellency the Viceroy and Governor-General, dated the 6th February 1928.

The motion was carried.

The Council then adjourned till 12 noon on Thursday, the 15th March 1928.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 15th March 1928.

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

OATH OF OFFICE.

The following member was sworn in :—

Khan Bahadur Shaikh Khurshaid Muhammad (nominated, official).

MOTION FOR ADJOURNMENT

RE OBJECTIONABLE TREATMENT METED OUT TO CHAUDHRI ABDUL RAHMAN KHAN, M. L. C., BY DEPUTY COMMISSIONER, JULLUNDUR.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan Urban):

Sir, I beg to move :

"That the business of this Council be adjourned for the purpose of discussing a definite matter of urgent public importance, *viz.*, the objectionable treatment of the Deputy Commissioner, Jullundur, meted out to Chaudhri Abdul Rahman Khan, an honourable member of the Council."

Sir, it is never a pleasant thing for a member of this House to move a motion for adjournment like this because it is another way of censuring the personal conduct of a certain member of the service. But the necessity for this motion for adjournment will be fully realised if we take into consideration the seriousness of the charge, when we see the behaviour of a high official who is paid so heavily out of the poor tax-payers of this country for administering a district which is quite big enough—I may even say it is of the size of a small kingdom in Europe. When we take all these things into consideration one can well understand the necessity for this motion. The Deputy Commissioner who is a public servant is renting a big bungalow whose rent is partly paid by the public for the simple reason that he should receive the members of the public in his own bungalow on certain number of days in the month and to talk with them about the administration of the district. The Deputy Commissioner is expected to be in touch with current topics by coming in contact with public men. Now, Sir, for a Deputy Commissioner to have the effrontery to insult an honourable member of this House not in his personal capacity but for his political opinion and for his views about the administration of country is not only an insult to the individual member but an insult to the whole House. The Government has also been asking the members of this House to co-operate with them in putting down corruption and in increasing co-operation in different

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walks of life and discuss with them about other things first hand. The officials are expected to gather information by discussion with the members of the public first hand. When a gentleman, a member of this Council, goes and visits the Deputy Commissioner of a district, what is the treatment meted out to him? The Deputy Commissioner calls him fool not once, not twice, but fifty times. Does it reflect any credit to a gentleman, an officer of Government, a public servant, a learned graduate of one of the biggest Universities of England, a man who is occupying a position in the official ladder which I have pointed out on many occasions is equal to the Czar of Russia, does it behove an officer like him to insult a member of this honourable Council? Simply because a member goes out of his way to meet an officer to discuss with him some administrative problems, or simply because a person pays a visit to him, is he justified in calling him a damned fool and insulting him in the way this public officer did a member of this Council? The officer does not content himself with calling his visitor a fool, a damned fool, he goes further and says: "You think you are a member of the Council and so you cannot be sent to *havalat*. Don't think like that. I can send you to jail like any other man. I will send you to *havalat* in a moment, even if you are a member of the Council." The Deputy Commissioner is not content with that. He comes forward and calls names of another member of the House who is not there and who has no concern with him and abuses him in the most vulgar fashion of which anybody will be ashamed. He called him by a strong word '*haramzada*' not once, but he repeats that word over and over again. I am sure, Sir, this is a charge which unless it is rebutted by the officer who uses it deserves to be condemned in the strongest possible manner by adjourning this House as a protest. Not only this, the occasion also demands that the officer who is guilty of such an act should be dismissed from service if the charge is true. We pay this officer handsome salary out of the poor tax-payers not to be insulted. So far as Amritsar is concerned, we have been rather fortunate in our Deputy Commissioners, and we have never known of such complaints for the last many years. But this conduct on the part of the Deputy Commissioner has surprised all the members of this House. Is it seriously contended that even after incidents such as this we should co-operate with the Government and help them in the administration of this country? Are we to go to officers in charge of the districts, who are paid out of the public coffers—those officers however high they may be—and get insult at their hands? It is a disgrace to the whole service. It is disgrace for the Government to have such a public servant under them. It is a disgrace for the administration of the country, and it is a great nuisance for the people to be administered by such an officer. A man who does not realise his position, a man of this character who misuses his official position and hurls abuse against a member of the public simply because he holds certain political views cannot be tolerated for one moment. Supposing a member of the British Parliament were to go to the Prime Minister Mr. Baldwin to talk about certain affairs of the administration, do you think the Prime Minister would dare to insult that member in the way this Deputy Commissioner did a member of this House. The Prime Minister would have been turned out of his office the moment he insulted a member

of the Parliament. I know that not a single member of the Parliament would ever tolerate such an officer at the helm of affairs. There was lately three members of the foreign service who were dealing in francs; they were engaged in buying and selling francs. The British Government at once appointed a Commission and made an enquiry into the conduct of these three men, and, after investigation, two of the men were censured and one was dismissed. Look at that picture and this? Compare the treatment which the British Government in England metes out to the public and compare the treatment which their representatives here in India mete out to the Indian public? I am told that the honourable member also sent in a letter to the Government complaining about this matter, and, strange to say, up to this time no action has been taken. The honourable member spoke about this also in the open Council, and when the Honourable the Finance Member was pleased to reply for over forty-five minutes in respect of the Demand, he could not find time to utter a single word by way of meeting the charges levelled by the honourable member. The Honourable the Finance Member did not even say that the Government felt sorry for the conduct of an officer of the Government in insulting a member of this Council. He never said that the Government would enquire and take suitable action against the officer who offered such insult. Such a statement by the Honourable Finance Member would have satisfied us to a certain extent and the dignity of this House would have been saved. I say that the officer concerned not only insulted an individual member of the House, he has also offended the dignity of the House. I say the dignity of this House is above all individuals or government officials, however high they may be. If my friends who are administering the districts still think that they live in good old days when people were pocketing any insult offered by the officers of the Government, then they are sadly mistaken. These are not days of Charlemagne or Timur the Lame when people could be silenced. If the officers of the Government think that the people of the country are the same as those who lived in those days, then they are very much mistaken. A Persian poet has said:

آن قدح بشکست و آن ساقی نماند

Old order has changed. We are not going to tolerate any abuse against any member of the public still less against any member of this honourable House. It may be that to-day one member has been insulted when he went to consult an officer of Government on certain administrative matters. An occasion may arise when not one but fifty or sixty members of the House would have to go and interview a district officer, and if the officer takes it into his head to insult all of them, what is to become of the dignity of the members of this House? If the same treatment is meted out to all of us what is all this talk of co-operating with the Government? With what face can the Government ask us to co-operate with them if there is trouble ahead like this. The only way in which the dignity of this House can be saved is for the Government to rise to the occasion and boldly condemn the action of the officer. That officer may belong to the same service as those adorning the Treasury benches. He may be their kith and kin, but the Government should draw a line as to how far they can tolerate the action of their subordinates. It may be that that Deputy

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Commissioner belongs to a service which in times to come would raise him to the highest post in the province. An Assistant Commissioner in the Indian Civil Service cadre is just like a seed which grows into a big tree in twenty or twenty-five years. An Assistant Commissioner to-day with no better than ordinary third class powers may come to the helm of affairs later on, and unless his conduct is properly shaped and unless he is checked in his bad ways, how do you expect him to administer the province later on to the satisfaction of the people? A member of the Indian Civil Service, whether he is an Indian or a European, should not be allowed to abuse a member of the public with impunity. When self-respect is gone what is the use of all these reforms? What is the use of boasting that our method of government is much better than that of other countries when people are not treated with the respect they deserve? I am sure that even an officer in the reign of Sultan Abdul Hamid or an officer under the German Kaiser or even an officer under the sway of the all-powerful Czar of Russia would not have dared to treat a member of the public in the way that this Deputy Commissioner did, a member of this House. Such an insult to a member of the Turkish Parliament under the Sultan or a member of the Reichstag or a member of the Duma would never have been taken silently. Such a thing would never have been tolerated. I am sorry that the Government did not at once take up this charge and answer it to the satisfaction of the House. It was not a question of small importance. An insult and an abuse hurled against a member of this House should not go unchecked. For the Government not to have even made mention of it until a specific motion has been brought in this House shows the utter disregard for the feelings of the members of this House.

We all know that there are human weaknesses peculiar to every service. I know several officers sitting here who have served in various capacities in the Amritsar district. Even to this day people remember with pleasure their names. However senior an officer may be, we don't expect him to abuse a member of the public. What should the Government do when they see officers of the Indian Civil Service do not treat the public with the respect they deserve? How are these officers recruited? Young men of the English Universities pass the Indian Civil Service competitive examination and they get selected for these posts. Simply because they have passed out of distinguished Universities like Oxford and Cambridge these young men are selected to compete at the examination. -When they come out here they begin at the bottom of the ladder as Assistant Commissioners, and in course of time they rise up to members of the Council or Chief Justices or even Governors of provinces. What do you think will be the fate of these young men if they go to Australia? They would have to spend their time in agriculture. They would have no opportunity to rise so high in the official life as they do here in India. Simply because a young man happens to belong to a particular race and happens to come out of a particular University he is selected for these posts. They are selected with a view to serve this country and its people. They are selected not to abuse the people.

I know that they get authority as is essential in every service. But what I say is that authority does not mean abuse of power. Does the

Government want that the members of Council should bring cases against the Deputy Commissioners? If there are some witnesses when a man goes and sees the Deputy Commissioner, he can easily bring a suit against him. But do you expect that when a member of this Council goes to see the Deputy Commissioner he should take some witnesses with him? If an officer takes advantage of the fact that when a visitor comes because his relations are in the Government service or some relation of his is getting pension and he begins to abuse him, it is very mean. He takes the meanest advantage of his position, and I say no punishment will be too severe to be meted out to an officer of that kind. Unless and until such officers are punished, you will always find ferment and agitation in this province. Honourable members will remember the speeches we made a few days ago with regard to the separation of judicial and executive functions. Now this is an answer to the Honourable Finance Member's speech. If they had separated the judicial and executive functions no such incident would have occurred. It is because the magisterial powers are in his hand that he threatens to send every one to jail. He has abused his authority. Even the Government members were not free from such fears during the martial law days. No one escaped the authority of the Deputy Commissioner. From Lahore they had to go to Jullundur and Ludhiana and take train from there. Even people who later on became high Government officials came under the authority of these Deputy Commissioners because they could do anything with impunity. I am not attacking any individual person. To say 'because you are a member of the Council do not think you cannot be sent to *hawalat*,' is bad. In other words, a member whose political ideas are different from those of the Government and who is in opposition to Government has no safety at all; for him there is no law. What is the use of these reforms and what is the use of asking the Simon Commission to come here? What is the use of asking this Council to elect seven worthy gentlemen to represent our case to the Commission? Surely the Deputy Commissioner is not such a big personage. Even the Czar of Russia had a fall. Even the German Empire came toppling down. There is a friend sitting behind me who was also treated in a similar way.

Mr. President : The honourable member has spoken for 15 minutes. Standing Order 25 (2) expressly prescribes that no speech during the debate shall exceed fifteen minutes in duration.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I wish to assure this House that the dignity and honour of this House is as dear to Government as it is to any member of this House (*I ear, hear*). I desire to give them the assurance that any question relating to the status and position of the members of this House is considered by Government a very important question, and that is the reason why when this motion for adjournment was raised yesterday, Government took no sort of objection to it. (*Hear, hear*). I agree that in the matter which the honourable mover has brought forward a very important point of principle, quite apart from the episode, is involved. I agree that all members of Government, in whatever department, however highly placed, however lowly placed, should, quite apart from that courtesy which they should offer to all visitors, be particularly courteous to members of this House on account

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of their public position. (*Hear, hear*). My own practice, Sir, I think, is sufficiently well-known to honourable members of this House (*Hear, hear*). At any time of the day, whether it be in the morning before I go to office, whether it be in office, whether it be after office hours, if a member of this Council wishes to see me, whatever I may be doing, however busy I may be, however overwhelmed with work I may be, whatever important matter may be occupying my mind I make it a point to see him (*hear, hear*), and that I believe is the spirit in which our officers work and that is the spirit in which the Government wishes them to work. (*Hear, hear*).

Now, Sir, the honourable member from Rahon in his speech said that he thought that quite apart from other things he was especially entitled to consideration on account of his family services, on account of his loyalty and on account of his own record. With those observations, I, who am acquainted with that record, am in entire agreement. (*Hear, hear*) Sir, the honourable member from Rahon made a written complaint as regards the matters which he mentioned in his speech a few days ago and which are the subject of this motion. That complaint was made, as far as I recollect, towards the end of January. It was sent immediately by the Governor-in-Council, as being a complaint by an M. L. C., and as being a matter which deserved immediate investigation, through the Commissioner for report. Government have now received the reply. The honourable member for Rahon in his speech, if I recollect it rightly, said as regards the meeting, round which these events centre, that he himself is non-political, that he thought there was not going to be a political meeting, that his personal object was only to assist zamindars in various difficulties, and by his action and by such part as he might take in the proceedings to assist the administration generally—a very laudable purpose with which everyone will agree. But, Sir, the accounts in the press alone will show that his hopes as regards the meeting being non-political did not materialise. The proceedings were definitely concerned with political questions: and the circumstances seemed to be, that the Deputy Commissioner had received reports—I have not seen those reports, and the purport of them was that at some period at this meeting—, whether the honourable member was present at the time or not or whether there was any misunderstanding in the matter or not, I do not know—but any way the Deputy Commissioner had received reports pointing out that certain talk about non-payment of taxes had occurred at the meeting. He believed those reports to be true. I cannot say whether they were true or not as I have not seen the reports; but the Deputy Commissioner was under a genuine apprehension that there had been such speeches, and he had a genuine desire to put the matter right. I think, if there had been such reports, that this House will readily agree—it contains honourable non-official members who have themselves in the past been Deputy Commissioners—that such reports should be the subject of concern to the Deputy Commissioner, and that it was his duty to enquire into the matter and discuss it with those who were best qualified to give him information on the subject. When therefore the honourable member came to see him, he spoke about these reports, and he said that this kind of invitation to direct action might have very great and serious repercussions, and that he was

surprised to see the honourable member taking any part in these matters. He went on to advise that if he had taken any part in them, he would be wise in future not to associate himself with any dangerous conclusions like these, but to stick to constitutional methods. I myself heard in another district that there had been at a meeting certain talk about *tax taur* committees and *jathas*, and I at once asked the secretary of that meeting to come and see me and talk to me about it; and though he convinced me of his genuine desire to help zamindars, I was not entirely convinced, when he had left me, that there had not been talk in the meeting about these undesirable topics. I think, therefore, that the Deputy Commissioner was right in having some apprehensions on the subject, and he was right to talk to the honourable member on the subject and give advice. He has denied that he gave any abuse or used harsh words. The words of his letter are, 'It is utterly untrue that I used a single word of insult or abuse either against him or Chaudhri Afzal Haq or S. Mohindar Singh. The conversation was in Urdu and the word "damned" could not possibly have come into it.'

Sir, I think it is of immense importance that the Deputy Commissioners and honourable members of this Council should have frequent inter-communication. As I have already said, courtesy should always govern and should be the guiding spirit in such interchanges. It is clear that when an M. L. C. comes to see a Government officer he does not only come to see him as a member of the district, a *zaildar* or a member of the district board (though he is of course entitled to courtesy as such), but he has a special position and is entitled to special attention on account of his position and the public aspect of his work, and Government recognise this: and they will impress this point on their district officers (*Hear, hear*). I think that all questions should fully be discussed between local officers and members of the legislature in their districts with the fullest confidence and fullest freedom on both sides, without any bitterness and without any reproaches. I consider that local officers should take the M. L. C.'s into their confidence and *vice versa*, and that in them they have been given under the new constitution a fresh and valuable assistance in the performance of their very important duties.

Lala Mohan Lal [North-East Towns (Non-Muhammadian), Urban] Sir, we have heard the complaint made by the honourable mover of the adjournment motion, and we have heard the explanation from the Honourable the Finance Member that has been given on behalf of the Deputy Commissioner. It is very difficult for us to judge what actually happened, but what I want to say is that in my opinion it is not only that the district officers and other Government officers should respect and be courteous to members of the Punjab Council, but they should respect and be courteous to every individual who comes to see them (*Hear, hear*). I hope that Government will see to it that the head of the district is courteous to every one.

Having regard to the difficulty of judging as to what actually happened, I do hope that the matter will not be pressed any further, and that Government will take appropriate steps to see that in future such incidents do not happen.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadian), Rural] (Urdu): Sir, I had no intention of speaking on this motion, and it is not seemly on my part to say anything on a subject with which I am connected, however remote that connection may be. I will not, therefore, say anything about the part I have played in this matter, but I should like to give a brief account of the proceedings of the meeting. . . .

Mr. President: I am afraid I cannot allow the proceedings of that meetings to be discussed. Debate on a motion for adjournment should be strictly limited to the question of adjournment.

Chaudhri Afzal Haq: Sir, since my name has been mentioned in this connection, I am anxious to make a personal explanation.

Mr. President: The honourable member does not stand charged before this House. Why then should he try to defend himself? No personal explanation is called for.

Chaudhri Afzal Haq: Sir, it has been allged that speeches were made in that meeting calling upon the zamindars to resort to non-payment of taxes. I should like to rebut this serious allegation.

Mr. President: I am afraid that matter is irrelevant to the debate on the adjournment question, and if I were to allow it, I will be opening door for a very wide discussion.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadian), Urban] (Urdu): Sir, the Honourable the Finance Member in the course of his speech has given us a brief account of what happened at the time of interview of Chaudhri Abdul Rahman with the Deputy Commissioner, Jullundhur at his bungalow. Chaudhri Abdul Rahman lost no time after the interview in reporting the matter to the Governor of the province, but the Government member did not think it proper to make any reference to the explanation tendered by the Deputy Commissioner in reply to the said complaint when the incident was referred to by the honourable member from Jullundur the other day at the time of discussion of Police grant.

The Honourable Sir Geoffrey deMontmerency: Sir, I should like to explain that on that occasion I had not seen the report of the Deputy Commissioner.

Lala Bodh Raj: It is a matter of great surprise, Sir, that the Government realising that the matter was a serious one has kept silent over it for more than one month and-a-half and did not decide what action to take in the matter. The allegations made by the honourable member of this House against the Deputy Commissioner were very serious; the Government should have at once taken some steps to enquire into the matter and come to some definite conclusions so that it would have been in a position to say which of the two parties concerned was on the right and which on the wrong. There is no denying the fact that there was some altercation and exchange of words as indicated in the letter of the Deputy Commissioner. The Deputy Commissioner as reported by himself had no justification to reprimand the honourable member for the part the honourable member had been taking in the activities of the Zamindara League. If the honourable member had done anything which was objectionable in the eyes of

the Deputy Commissioner, he could be proceeded against. We have got the statement of the honourable member on one hand making serious allegations and the statement of the Deputy Commissioner denying those allegations. We cannot understand why the gentleman of the position of a member of this House should have been seized with a desire to invent a cock and bull story about his own humiliation, and brought a false charge of that character against the Deputy Commissioner simply to discredit the district representative of a Government to which he had always been loyal. The Honourable the Finance Member has been pleased to give an assurance to this Council that the members of this Council are to be treated with the consideration due to them, and that it was of immense importance that Deputy Commissioners and members of this Council should have frequent inter-communications and extreme courtesy should be the guiding spirit of such interviews. For the information of the Honourable Member for Finance I can say from my personal knowledge and experience that the Deputy Commissioners are overbearing and insolent, and regard themselves only a degree lower than God, be they Europeans or Indians. They are parts of the same bureaucratic Government. In connection with the Hindu-Moslem trouble at Daira Din Panah I was referred by the Commissioner to see the Deputy Commissioner, Muzaffargarh, and go on the spot and see the things myself. I sent in an intimation accordingly to the Deputy Commissioner requesting an interview on my way back from Daira Din Panah. I stopped on my way back at Muzaffargarh and wrote again to the Deputy Commissioner for an interview on the subject of Daira Din Panah, telling him that the matter was assuming a serious shape. The reply I got to my letter was in the following terms "I am expecting some gentlemen at luncheon and have to take tea out. It is indeed very difficult to foresee my engagements in these days. I am frightfully busy to-day." Such was the courtesy shown to me by the Deputy Commissioner, Muzaffargarh. To him the questions of luncheon and tea were far more important than the public question of Hindu-Moslem trouble that is getting acute every day. I cannot see my way to believe that the honourable member of this House was not treated as stated by him at the hands of the Deputy Commissioner, Jullundur. Such like complaints against the public servants do not very often see the light of the day, and if any complaint is made against a member of the public service, the Government rests satisfied with the explanation from the person concerned, and does not care to make any further enquiry into the complaint. When such is the treatment that is meted out to the members of the Council, one cannot conceive what treatment the poor people would be receiving at the hands of these public servants if they go to knock at their doors for the redress of their grievances. The people of this country are being treated in this fashion as the Government does not consider itself responsible to them. Sir, I support the motion with all the emphasis at my command.

Mr. President: Is the Honourable the Finance Member prepared to lay on the table of the House the Deputy Commissioner's explanation from which he quoted some sentences?

The Honourable Sir Geoffrey de Montmorency: Yes, Sir, I am quite prepared to do so.

Chandhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, one feels that it is a very painful duty to have to discuss and to try to offer one's opinion on this most regrettable incident, whatever way it may be looked at. So far as the question of principle is concerned, I may express our gratification and entire satisfaction over the declaration made by the Honourable the Finance Member.

The theory outlined by the honourable member is perfect, and we hope that it will always be kept in view in practice, but unfortunately that does not entirely dispose of the matter now before the House. Very serious allegations have been made by an honourable member of this House against a highly placed officer of one of the honoured services of the Crown. Those allegations have been categorically denied as false by the servant of the Crown concerned. That places the honourable members of this House in a very difficult position indeed. I take it that we are not here in the position of a judicial tribunal, and that we cannot arrogate to ourselves functions of a judicial nature. But the matter having been brought to the notice of the House and being before the House for disposal one has to arrive at some sort of conclusion and to make up one's mind as to what side to support in the matter in controversy. That is to say, one has to make up one's mind as to whether to support this motion before the House or whether one should feel satisfied with the principle submitted to the House by the Honourable the Finance Member and the matter should be carried no further. In order to arrive at that decision one is compelled on the meagre material which has been placed before the House to indicate one's opinion one way or the other. On the face of it when dealing with this matter there is no reason so far as the allegations go to prefer the statements made by one gentleman or the other in this controversy, either the statement of the complainant or that of the accused. Unfortunately we have not got the accused person before us to throw further light upon the matter. One feels extremely diffident in trying to deal with this question, and it is not with entire satisfaction that one can express an opinion. But there is no escape from the fact that an honourable member to whom his honour and self-respect are as dear as they are to any of us stands up in this House, and with due deliberation and not in the heat of the moment immediately after the incident has occurred, which is unpleasant personally to him and over which he might be excited, but several weeks after the incident has occurred, makes a very serious allegation, an allegation which need not be repeated as it was made before the House only three days ago. What motive would he have had to invent that allegation? According to the Deputy Commissioner he played only the part of a very kind and far-sighted friend of the honourable member. The honourable member went to the Deputy Commissioner or was called by the Deputy Commissioner and a certain conversation took place between them with reference to a certain meeting. According to the Deputy Commissioner he pointed out in language which did not contain even a harsh word that the honourable member, having regard to his personal and family traditions, should not have gone to this meeting in which dangerous matters were discussed, and he should have kept to a safer path. I cannot for the life of me imagine that if that was all that occurred why the honourable member should have even been upset or excited over the incident, much less should either have imagined

or invented that he had been abused in specific terms which he submitted to the House when he made his speech. The Deputy Commissioner might have given an explanation of the relations between himself and the honourable member, he might have thrown some light over the incident and might have suggested a motive as to why the honourable member should make such a serious, but false, charge against the Deputy Commissioner. For instance, if the Deputy Commissioner had said that, during the course of conversation relying upon the friendship which existed between him and the honourable member and upon the traditions of the honourable member he had taken him to task in language which perhaps was severe, although it was not objectionable, one might have supposed that the honourable member's dignity was hurt more than his self-respect, and that possibly in the heat of the moment he had either imagined or invented things which as a matter of fact did not occur. But here, on the one hand, you have a serious allegation and on the other you have a complete and categorical denial not only of the terms of abuse, but even of the use of harsh words. The explanation that no harsh words were used, that the Deputy Commissioner was exercised over the fact that a highly seditious meeting was held in the district in which proposals were put forward to refuse to pay taxes and in connection with which he sent for a gentleman who participated in that meeting and spoke to him very kindly though firmly—that explanation does not carry conviction to one's mind. If that part of the explanation does not carry conviction to one's mind it raises a suspicion in one's mind that the rest of the explanation does not tell us all that occurred. It may be that the Deputy Commissioner as a salve for his conscience has invented some special definition of 'abuse' and the word 'harsh.' If that is so, he might have justified himself by believing that certain expressions which he might have used were according to him neither harsh nor abusive. As I have said the material is not enough for any sort of definite opinion to be pronounced on the conduct of either the honourable member or of the Deputy Commissioner. But if matters stand as they are and there is nothing further, I submit that a suspicion is raised that the whole truth in connection with this matter has not been disclosed to the House. And then, the further logical inference is that, if a particular party has not disclosed the whole truth, the disclosing of the whole truth would have been prejudicial to that party. It may be that exactly the same terms were not used as have been alleged or it may be that the terms were used not in exactly the same context in which it is alleged they were used.

The Honourable Mian Sir Fazl-i-Husain: Fifteen minutes are not long enough for doing so.

Chaudhri Zafrullah Khan: Sir, I refuse to take suggestions from the Honourable Leader of the House.

The Honourable Mian Sir Fazl-i-Husain: Not a suggestion, but an alternative.

Chaudhri Zafrullah Khan: Fifteen minutes are long enough for damping a person or calling him a fool or scoundrel. It takes only two or three seconds to do that.

Therefore as I was submitting, one inclines to the view that the Deputy Commissioner has not given a frank explanation of what occurred. Even

[Chaudhri Zafrullah Khan.]

that does not dispose of the matter altogether. (Interruption) My submission is that even that does not end the matter. We cannot decide on the facts before us that the Deputy Commissioner was probably at fault in connection with this incident. There is still a large chance in favour of the Deputy Commissioner. I again concede that it is possible that the Deputy Commissioner is in the right and the honourable member is in the wrong, although there are no indications that this is so. But the situation is this, either the words alleged were not used or if they were used, the Deputy Commissioner not only used the words but has further denied the use of the words. If the latter is correct, then the Deputy Commissioner is not fit to continue to be a member of the service to which he has the honour to belong and if the former is correct and the allegations were invented by the honourable member, then the honourable member is not fit to be a member of this House. My point is that this question should not be allowed to rest here. I submit that a thorough enquiry should be made into this question, not an *ex-parte* enquiry, but an enquiry through an agency in which there will be implicit confidence. It is not till the matter is thoroughly sifted that the House would be satisfied one way or the other that the matter has had that due consideration which the Honourable Finance Member has assured us Government will always be prepared to give to a matter in which the dignity or honour of this House is concerned. It would be extremely unsatisfactory and it would be an act of injustice both to the honourable member and to the Deputy Commissioner to leave the matter where it is having regard to the allegations which have been made on either side. I therefore submit that the only satisfactory solution of the question now before the House is a thorough and impartial enquiry and till that enquiry is made the House would not be satisfied that the question has been satisfactorily settled.

1 P.M.

Dr. Shaikh Muhammad Alam [West Punjab Towns (Muhammadan), Urban] (Urdu): Sir, it has been pointed out by Government that they did not intentionally oppose the motion for adjournment yesterday and I am glad that the Government did not do so. I congratulated the Government yesterday and I congratulate them now for having done the right thing. The Honourable Member for Finance was pleased to explain those golden rules and principles on which a kingdom should be governed. These golden principles are to be found in the *Gulistan* and *Bostan* of Shaikh Saadi and we have read them. I also wish to submit that these golden rules are to be found in the manual of conduct rules of every Government. The only question which we have to take into consideration is whether these golden principles are given effect to in every-day life or not; whether the Government officials abide by these rules or act contrary to them. From what has been said to-day in the Council I am inclined to believe that the present case is one of adding insult to injury. When my honourable friend Chaudhri Abdul Rahman made such serious allegations against the Deputy Commissioner of Jullundur, was it enough to satisfy the Government that since the Deputy Commissioner concerned has denied these charges, there is nothing more to be said on the subject. The Government has by its conduct shown that it does not put faith in the word of an honourable

member of this House and has thereby, as I have already said, added insult to injury, and hence the golden principles in which the Honourable Member for Finance seemed to take so much pride have no value at all. The Honourable Finance Member said that instructions have been issued to all Deputy Commissioners that they should treat the members of this Council with the respect due to their representative position, but I ask him, Sir, that if after this some member of the bureaucracy takes it into his head to abuse a member of this Council and afterwards denies the charge, will he be satisfied with this alone. I beg to remind the members of the Government that they occupy a dual position in this House. On the one hand they are members of an honourable service and they may not perhaps like to take to task, in public, a member of their service, but, on the other hand, they are members of this Council and in this capacity they should have sympathy with the members of this Council and should have as much regard for their honour as they have for their own.

I do not see any reason as to why the statement of the Deputy Commissioner should be taken as true, and the allegations to the contrary of the Honourable Chaudhri Abdul Rahman be not taken as true. What is it that has made the Government put implicit faith in the word of the Deputy Commissioner? As far as the honourable member is concerned he took the only legal means open to him by bringing his complaint to the notice of the higher authorities, and when no reply was vouchsafed to him he brought this matter to the notice of the Council and the Government members by referring to it in his speech the other day. The Honourable Finance Member had not a word to say about this matter in the course of his speech, and that in spite of the fact that the matter had been specifically brought to his notice. Then Sir, when the Finance Member made his speech to-day he said that no report regarding this matter had reached him

The Honourable Sir Geoffrey deMontmorency : I did not say that the report had not reached the Government. I said that I had not seen the report and did not know of it.

Dr. Shaikh Muhammad Alam : I thought perhaps it was the report that was now sent to you. Does the honourable member mean that the whole case was not brought to his notice?

The Honourable Sir Geoffrey deMontmorency : I never heard of the case until I heard the motion that was brought forward by the honourable member.

Dr. Shaikh Muhammad Alam : However Sir, that is neither here nor there. The honourable member concerned did the only thing open to him, viz., to bring this matter to the notice of the officers concerned. He had no need to air on imaginary grievance and call himself a damned fool and a scoundrel (*haramzada*), and this I submit, Sir, is a strong argument in his favour. Then Sir, the Deputy Commissioner has not cared to give any reason as to why this false allegation was brought against him. If he had said in his letter that he was not on good terms with the honourable member, we could have imagined that the honourable member may have brought this allegation out of spite for the Deputy Commissioner but, since he has said nothing of the sort we cannot but believe that the allegation of the

[Dr. Shaikh Muhammad Alam.]

honourable member is based upon a fact. If the Government is satisfied with the denial of the Deputy Commissioner concerned and refuses to make an enquiry into the case, we shall be obliged to come to the conclusion that the Government has repeated the abusive language used by one of its officers, and that not being content with that it has in addition to it called him a liar. This I submit, Sir, will be a blot on the name of the Government which it will never wipe off. We, the members of this Council, should make up our minds to live like self-respecting individuals, and what is more we should resolve to live like self-respecting members. We should tell the Government plainly that we are not prepared to put up with abusive language. We should tell the Government that we shall not be satisfied if one of its officials abuses a member of this Council and the Government takes his word for gospel truth. We want, as has already been pointed out by the honourable member for Sialkot, an enquiry to be held into this matter. If the Government had taken action upon the complaint of the honourable member earlier, we should have kept silent, but now that the matter has reached its present stage, we insist upon an enquiry. If the report of the Deputy Commissioner is read carefully, I am sure that there are a good many things mentioned in it which require to be investigated. For example, an enquiry may be made in regard to the fact whether the question of non-payment of taxes was raised at the meeting held at Rahon or not. It is incumbent upon the Government to take severe action against this officer and prove thereby that this officer is an exception, but if the Government refuses to do so, then I am afraid we shall be forced to come to the conclusion that this officer is not an exception, but that there are many more of his type. The severer the action the Government takes against this officer the better it would be for the good name of the Government. If the Government makes up its mind to institute an independent enquiry into this matter, it would be proving its *bond fides*, and strengthening its position. In the end I call upon my honourable friends to remember that it is a matter which touches our honour, our sense of self-respect and our sense of self-esteem and it behoves all of us to vote independently and fearlessly.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] (Urdu): Sir, I was very much put out when this matter was placed before the Council on the complaint of the honourable member for Jullundur, but when I heard the speech of the Honourable Finance Member I arrived at the conclusion that it would be best to drop this matter altogether. Supposing an enquiry is held, as has been suggested by several members of this Council, what would be the result of it. The honourable member for Jullundur will say that the Deputy Commissioner called him all sorts of names and the latter will deny having done so. The Government will be in a quandary. It will not be in a position to disbelieve either of the two and the enquiry will end in a fiasco. The Government has in a way apologised for the treatment meted out to my friend from Jullundur, and I think it would be best to let the past bury its dead.

Sardar Bahadur Sardar Sheo Narayan Singh [Nominated, non-official] (Urdu): Sir, it is undoubtedly incumbent upon the Government officials to courteously treat all people who come to see them.

and I am glad to say that they always do so. I have had the honour of waiting several times upon the Deputy Commissioner of my district, i.e., the Jullundur district, and I have several times talked to him for a pretty long time with many deputations. He is, in my opinion, a perfect gentleman, and is very affable and courteous to all visitors. He is very popular amongst all classes of people and only a few weeks ago a resolution was passed by the public of Jullundur, extolling his qualities of head and heart.

Chaudhri Zafrullah Khan : Is the letter of the Deputy Commissioner still on the table of the House ?

Mr. President : It might have been taken away by some members for perusal. It was on the table of the House.

Sardar Bahadur Sardar Sheo Narayan Singh : Sir, as I have already said the Deputy Commissioner of our district is really a very good man, and has been in the service for a pretty long time. He is not a very young man and I cannot bring myself to believe that he was guilty of such a display of bad manners. I think, it would be better not to give too much prominence to this trifling thing. With these words, Sir, I resume my seat.

Mr. H. W. Emerson (Chief Secretary) : Sir, a question was asked by the honourable member for Sialkot as to whether the letter of the Deputy Commissioner was on the table of the House or not. The question was, I think, prompted by the fact that I for the moment had it in my hands as I wished to take the opportunity of reading it out to the members of the House. I knew it could not be circulated to every one within a few minutes and it was not with the intention of keeping it from members of this House, but with the object of reading it out to them that the letter was removed from the table. With your permission, Sir, I will now read the letter out. It is the Deputy Commissioner's letter to the Commissioner in reply to the Commissioner's letter asking him for his observations on the complaint received from the honourable member for Rahon. The letter is dated the 18th February 1928. The incident is alleged to have taken place on 24th of January. There was no delay in the reply of the Deputy Commissioner, who answered almost as soon as it was possible for him to do so after receiving the Commissioner's letter. This is the letter :

" Jullundur City:

18-2-28.

DEAR CONNOLLY,

The facts stated in the petition of Chaudhri Abdurrahman Khan are incorrect. He came to see me on the 24th January and I certainly reprimanded him for the prominent part he has been taking in connection with the "Zamindar League." I told him that I considered the activities of this League were very objectionable, and that the intention of its organiser was to foment agitation against Government. I also said that I was surprised that a man like himself with his family traditions should be led into a movement of this nature and warned him that he was being used as a tool. I did not say that his brain had been turned by his being a member of the Legislative Council, but I did say that it was a very serious matter openly to incite zamindars not to pay dues legally imposed by Government.

[Mr. H. W. Emerson.]

and to exhort them to follow the example of the Akalis in defying Government, and that the fact that he was a member of the Legislative Council would not protect him against action against him if he went too far. It is utterly untrue that I used a single word of insult or abuse either against him or Chaudhri Afzal Haq or S. Mohinder Singh. The conversation was in Urdu and the word "damned" could not possibly have come into it.

He protested that the aims of the League were quite harmless, and that there was nothing anti-Government in its activities. I replied that I had the reports of the speeches made and the speakers did definitely try to invite the hearers to imitate the Akalis to form *Jathas* and to refuse to pay land revenue on *chahi* lands and *chaukidars*. He continued to protest that nothing of this nature had been said and I replied that I was satisfied with the correctness of the reports of the speeches which I had received. He did not terminate the interview, but I did, whilst he continued to protest as before. I said there was nothing more to be said, and that I had given him fair warning and hoped he would profit by it.

I regret that Chaudhri Abdurrahman should take offence at my plain speaking which was intended to be as much for his benefit as for any other purpose. But my own conscience is perfectly clear in the matter. It has always been my custom to give up a lot of time to interviews and, as head of the district, it frequently happens that one has to speak plainly to a visitor and warn him against the line of action which he is pursuing. I have never before been accused of being abusive or offensive in giving such a warning, in the course of 20 years' service. I can only assume that the resentment expressed by Chaudhri Abdurrahman in the present case is due to the fact that he knows that the warning was fully justified.

Yours sincerely,

(Sd.) G. WORSLEY."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I have very carefully listened to this very interesting debate that has been going on in regard to this very unfortunate event. It is undoubtedly true, as pointed out by my honourable friend, Chaudhri Zafrullah Khan, that if the allegations made by one of the honourable members of this Council are true, then this is a very serious matter of which very serious notice should be taken. On the other hand, we have got a definite denial on the part of the Deputy Commissioner with regard to the words used by him against the honourable member from Jullundur. We are undoubtedly in a difficult position to decide. We cannot, on the one hand, ignore the statement of one of the honourable members made solemnly in this Council Chamber; on the other hand, we cannot possibly say that what the Deputy Commissioner says is false. The difficulty is realised by the honourable member from Sialkot, Chaudhri Zafrullah Khan, and he has suggested that this matter should not be dropped here, but there should be a complete enquiry into this question. I submit that no further enquiry can be of any use in this matter. Supposing this House were to appoint a committee or the Government were to appoint a committee, there would be the statement of one of the honourable members of this House who has made this allegation on one side and there would be the statement of the Deputy Commissioner on the other side.

The committee cannot in any manner throw fresh light on the subject. But there would be one statement against the other and the committee would be placed in the same unfortunate position in which we are placed here to-day. I, therefore, submit that there would be absolutely no use of pursuing the matter any further and as pointed out by some of the speakers and especially by the Honourable Finance Member definite instructions will be issued to Government servants in all matters of this kind that they should pay due attention and respect to the honourable members who go and visit them in connection with public affairs. The fact that a man of the position of Sir Geoffrey deMontmorency is prepared to see the members of this Council and even others at all times and at all hours and with perfect courtesy should be a lesson to those swollen-headed officers of Government who ought to know that the old days are no more; that their actions will be scrutinised by persons who in times past could not say a word about them. Therefore, I submit that the warning and this discussion are a sufficient punishment, if any punishment were needed, for those officers who do not behave properly. I would therefore request, with due deference to the members who have spoken with vehemence on this subject, that this matter may not be pursued any further. After all there is such a thing as misapprehension. This gentleman might be talking of some other scoundrels and he might have thought that these words applied to him. We cannot say how in the heat of the moment the words were said and how they were taken. Therefore, realising the very grave difficulty in which the House is placed at the present moment by having one statement on the one side and another statement of equally great weight on the other, we should rest content and this is itself a sufficient censure, if censure were needed, to any person who has badly behaved.

Dr. Sir Muhammad Iqbal [Lahore City (Muhammadan) Urban] (Urdu): Sir, my honourable friend from Sialkot has thoroughly discussed and clearly placed before the House both sides of the matter under discussion. I have nothing to add to what he has already said. There is on the one side the statement of Chaudhri Abdul Rahman containing serious allegations against the Deputy Commissioner and on the other side we have a letter from the Deputy Commissioner, who definitely denies those allegations. Sir, one thing is perfectly clear, and that is this, that one of them has told a lie. On a similar occasion it was once said

بے قہر بہ جہوت سچ کی چہری بھٹا ہند میں
جہوتے ہیں ہم تو آپ ہیں جہوتوں کے بادشاہ

Sir, the matter is most regrettable; we have no other alternative but to support the motion before the House, and with these words I support it.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, I feel called upon to say a few words in connection with the matter under consideration. The Deputy Commissioner has stated in his letter that so far as he understands the activities of the zamindar league are very objectionable, and that the intention of its organisers is nothing except to foment agitation against Government. As to this, Sir, I would submit that there is not an iota of truth in what the Deputy Commissioner says. Sir, the Government officials, if they are so minded, can take exception to the most innocent activities of the league. . . .

Mr. President : Order, order. That is not relevant to the debate before the House.

Rai Sahib Chaudhri Chhotu Ram : Sir, the next point to which I would like to draw your attention is that when an honourable member of the House has definitely stated before us that the Deputy Commissioner has used words of abuse against him or against another member of the Council, we should not leave the matter where it stands only because a letter has been received from the Deputy Commissioner stating that he did not use any strong word against any member of this House. In my opinion it would be highly unfair for the Deputy Commissioner, for that honourable member and for even the Government to leave the matter where it stands. I would ask the Government with all the emphasis at my command to institute an inquiry into the matter so that we may be able to lay our hand on the wrong doer. Sir, for proper adjudication of a matter if it were to be sufficient that one party should make certain allegations and the other party should reply to them, then I would most respectfully submit that there is absolutely no use of the courts of law. They should be closed down. Sir, I would again submit that it is in the fitness of things that the matter should not be left where it is, but should further be inquired into.

Mr. E. Maya Das [Nominated, non-official]: Sir, this matter came before the Council yesterday. When it was brought up I tried hard to hear if any indication was given as to when this incident occurred. But in the speech made yesterday I could find no indication and to-day we find that this incident occurred some time in January, on or about the 24th. I cannot help thinking that if this incident occurred on the 24th of January, why action on it, which is now being taken, was postponed till about the end of this session. I would have expected that the matter would have been brought up earlier. I do not know whether it was in any way brought to your notice or not, any way I did not hear any mention of it from any member and the first time that we heard of it, was yesterday. The member who spoke about it was justified in mentioning it. He feels and rightly feels that he has been injured, but I think it would have been a little better on his part if those offending words had not been repeated in this House. The mention of those words was not absolutely necessary and the member might have said that very strong words, or words highly objectionable, were used. That that is what the honourable member heard, I have no doubt. But, Sir, I think it is possible that what the member heard were not the actual words used by the Deputy Commissioner himself. That was the impression on my mind yesterday and to-day when we have heard the Deputy Commissioner's explanation I am of opinion that the Deputy Commissioner used some words which sounded somewhat like the words the honourable member heard. It is not impossible, Sir. If you will permit me, Sir, I will repeat two sentences in English and you will be surprised that that sentence is also a sentence in Urdu, but with an entirely different meaning. "There was a banker" and "there was a cool day." The first sentence sounds like "*darwaza band kar*" and the second sentence like "*darwaza khol de*." It is possible that words repeated in one language may sound like words in another language.

Further, Sir, it is suggested that an enquiry be held. It has been pointed out that an enquiry under these circumstances can be scarcely of any good. If an enquiry is made at this stage, what good can it bring forward? (A voice: punish the wrong-doer). Sir, It is said it can bring punishment to the wrong-doer. The punishment has already come, Sir. If any punishment had to be given, it is already given. (A voice: who is the wrong doer)? If there is any wrong-doer, the punishment has already come to him. The matter has been discussed and that is sufficient. I think that further publicity to the matter is not good. (A voice: washing dirty linen). I would request the honourable member not to press this matter but to drop it.

Lala Bodh Raj: Sir, I beg to move—

“That the question be now put.”

Mr. President: The question is “that the question be now put.”

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain: Sir, I intended to speak on behalf of Government.

Mr. President: Does the honourable mover wish to give a reply?

Shaikh Muhammad Sadiq: No, Sir.

Mr. President: In that case Government has no right of reply. The question is—

“That the Council do now adjourn.”

The motion was carried.

The Council then adjourned till 2 P.M.

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

STARRED QUESTIONS AND ANSWERS.

Hired Cars and Lorries.

*1215. **Lala Mohan Lal:** Will the Honourable Revenue Member be pleased to state:—

(a) if hired cars and lorries are allowed to run from Hoshiarpur to Bharwain and Hoshiarpur to Una;

(b) the rules governing this service;

(c) whether the fares are fixed? If so, what are they?

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

(b) The honourable member is referred to the Punjab Motor Vehicles Rules, 1915, and the Punjab Motor Vehicles Plying for Hire Rules, 1922.

(c) No special rates are fixed. The ordinary charge on the Una road from Hoshiarpur to Una is Rs. 2 per passenger as against Rs. 2-8-0 to Rs. 3-8-0 on the old *ekka* service. The depreciation on these bad roads is so heavy that it is undesirable to fix rates as long as reasonable rates are charged and there are no complaints.

MOTOR LORRY LICENSES.

***1216. Lala Mohan Lal :** Will the Honourable Revenue Member be pleased to state—

(a) how many persons applied for and were given licenses for running car service on the Hoshiarpur-Bharwain and Hoshiarpur-Una road ;

(b) if it was given only to one person, why ?

The Honourable Mian Sir Fazl-i-Husain : (a) A large number of persons have at different times applied for road certificates for cars intended to run on these roads. Certificates have been granted to one person for two lorries on the Hoshiarpur-Bharwain road and to another person for one lorry and one car on the Hoshiarpur-Una road.

(b) The roads are absolutely unfit for general motor traffic.

MAYO HOSPITAL.

***1217. Dr. Gopi Chand, Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state whether a certain patient was admitted into the Mayo Hospital on a date between the 20th and 28th May 1927 after he had been discharged by the Sir Ganga Ram Hospital as cured and three others were discharged even when they were not cured and they had to attend as outdoor patients of the hospital for treatment with great difficulty and whether this fact was reported to the District Magistrate of Lahore or not ?

The Honourable Malik Firoz Khan Noon : As the honourable member has not given any names, it has not been possible to trace the admission of any such patient into the Mayo Hospital in the period referred to. As regards the latter part of the question, no such report was made to the District Magistrate.

MUHARRAM RIOTS AT MULTAN.

***1218. Dr. Gopi Chand, Bhargava :** Will the Honourable the Finance Member please state—

(a) if it is a fact that all the casualties of the Hindus in the last Muharram riots at Multan took place on the next day after the Muharram at the time when the Muhammadans in general were gathering in the Lahnge Khan garden to join the funeral procession of the Muhammadans killed on the Muharram day, or at the time when the funeral procession was being conducted to the graveyard ;

(b) if it is a fact that at the time the procession was taken section 144, Criminal Procedure Code, had been brought into force enjoining that more than four or five persons could not gather, except with a license ? If so, whether any license was issued for such a procession and if so, in whose name and if not why not ;

- (c) if it is a fact that the Deputy Commissioner was at first unwilling to allow such a big procession after the experience of Lahore, but he was persuaded to allow it at the instance of some higher authority or at the instance of some Muhammadan Râises ;
- (d) if it is a fact that the Magistrate put on duty at the time of gathering as well as with the procession was also a Muhammadan ?

The Honourable Sir Geoffrey deMontmorency : (a) Several Hindus were injured on the first day of the riots at Multan. Most of the casualties among Hindus occurred, however, on the following day and were reprisals by Muhammadans in revenge for the murders of Muhammadans committed on the previous day. The assaults on the second day were mostly of an isolated and sporadic nature and very few of them were directly connected with the funeral procession.

(b) It is true that an order under section 144, Criminal Procedure Code, of the nature stated in the question had been issued. No formal license was given in regard to the funeral procession ; but the procession was taken out with the sanction of the District Magistrate, who made special arrangements for its control ;

(c) The Deputy Commissioner allowed the procession after full and careful consideration of the circumstances. The Muhammadans were in a state of great excitement owing to the murders of members of their community on the previous day, when they had been restrained with difficulty from taking reprisals by the influence of leading Muhammadans of Multan. The Deputy Commissioner considered that the danger of reprisals would be increased, and not lessened, if a funeral procession were forbidden. The local Government consider that in a situation of great difficulty he came to the right decision.

(d) Various officers were detailed for duty in connection with the procession, all of whom were not Muhammadans.

MUHARRAM RIOTS AT MULTAN.

*1219. **Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member please state—

- (a) whether it was brought to the notice of Government that before the recent Muharram riots at Multan agitation had been set up in connection with the Rangila Rasul judgment, by the Muhammadans of all classes of Multan and several meetings had been held in which the boycott of Hindus was openly preached ;
- (b) if it is a fact that the responsible Hindus of Multan had intimated to the authorities of the above agitation and propaganda and conveyed their apprehension of a breach of peace at the time of Muharram ; and if so, the nature of the special precautions that were taken by the authorities to avoid a breach of peace ?

The Honourable Sir Geoffrey deMontmorency : (a) Government was aware that the judgment in the Rangila Rasul case had disquieted the Muhammadans and that meetings of protest had been held.

[Hon. Sir Geoffrey deMontmorency.]

(b) Apprehension of trouble during the Muharram was expressed some days before the festival began both by Hindus and Muhammadans. Extra police were accordingly drafted in from rural police stations, two platoons of Indian Infantry were placed on duty in the city and the Superintendent of Police with his Assistant and Deputy Superintendents took up their residence in the city from July 7th.

MUHARRAM RIOTS AT MULTAN AND THE POLICE.

*1220. **Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member please state—

- (a) if it is a fact that immediately after the conduct of the Muharram procession through the bazaars of the city of Multan, the police pickets were withdrawn altogether from several parts of the interior of the town ;
- (b) if it is a fact that a large number of the police on duty at the time of Muhammadans gathering in the Lahnge Khan garden on the next day after the Muharram and with the funeral procession belonged to the Muslim community, and that none of them made a report to the authorities that the Hindus passing through the Lahnge Khan garden were being murdered and thrown into the canal flowing near by ?

The Honourable Sir Geoffrey deMontmorency : (a) The Muharram processions in Multan are numerous and the critical time is ordinarily the period during which these processions are inside the city. After they emerge by different routes from the city, a number of them join in a single procession on the Circular Road, whence they proceed to the different *Karbals*. They have then to be accompanied by a large body of police, and, in order to provide the necessary escort, it is customary to withdraw some of the pickets from the city. This practice was followed on the occasion in question : but a police guard consisting of the whole of the first reserves was retained at the Kup in the centre of the city and some of the police patrols were also retained in the main bazaar. It was not possible for the district authorities to foresee that murderous assaults by Hindus on Muhammadans would be committed inside the city in the Hanun ka-Chhajja after the processions had left the city. The concentration of the greatest part of the police force outside the city when these assaults took place, enabled the authorities to prevent the Muhammadans from entering the city, and had they not had these police at their disposal, the consequences might have been far more serious than they actually were.

(b) Since the number of Muhammadan constables in the local police force is in excess of the number of Hindu constables, it is probable that the number of Muhammadan police on duty was in excess of the number of Hindu police. The suggestion contained in the question that Hindus passing through the Lahnge Khan garden were systematically murdered and thrown into the canal is not based on facts. The murders of Hindus were of an isolated character, and occurred at different places, and the probability is that they were committed out of sight of any police officer or

constable. There is no reason at all to suppose that any police officer or constable did not immediately bring to the notice of the authorities any murderous assault of which he had information.

POLICE AND CORRUPTION.

***1221. Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member please state—

- (a) if it is a fact that a deputation of the Hindus of Multan waited upon the Deputy Inspector-General of Police at the time of his visit to Multan and complained against the conduct of a Muhammadan Sub-Inspector at Kup police post ; if so, what action has been taken concerning their complaint ;
- (b) if it is a fact that one of the allegations made by them was that of corruption also ?

The Honourable Sir Geoffrey deMontmorency : It is regretted that a reply to this question is not yet ready. The information asked for is being collected and will be communicated to the honourable member in due course.

SUB-INSPECTOR OF POLICE, MULTAN.

***1222. Dr. Gopi Chand, Bhargava :** (a) Will the Honourable the Finance Member please state if it is a fact that a section of the Hindu shopkeepers of Multan after the Muharram riots observed *hartal* for some hours as a protest against the conduct of a Muhammadan Sub-Inspector posted at Delhigate, and that they were prevailed upon to resume their business on the assurance being given to them that their complaints against the Sub-Inspector, Police, will be properly looked into ?

- (b) If so, what action was taken against the Sub-Inspector concerned ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

- (b) The allegations were the subject of enquiry but were not found to be proved.

SHOOTING AT KASUR.

***1223. Dr. Gopi Chand, Bhargava :** (a) Will the Honourable Finance Member be pleased to state whether it is a fact—

- (a) that in September 1927 a certain number of European officers, Civil or Military, from Lahore went to Kasur on a shooting excursion ;
- (b) that while shooting pigeons near Har Hari temple within municipal limits, they wounded four passers by, which matter was reported to the police ?

- (c) What action has been taken so far and what does the Government propose to do to stop such occurrences in future ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being collected and the reply will be communicated to him as soon as it is available.

EDUCATION DEPARTMENT IN LYALLPUR DISTRICT.

***1224. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Education be pleased to state whether his attention has been drawn to a letter printed in the *Milap* daily, dated the 21st September, 1927, regarding Education Department in Lyallpur district? If so, what steps does he propose to take to remedy the defects and remove the complaints noted therein?

The Honourable Mr. Manohar Lal : I have not seen the issue of the *Milap* referred to and have not been able to obtain a copy. If the Honourable member would supply the Director of Public Instruction with a copy, the matter will be inquired into.

TAHSILDAR OF FIROZPUR-JHIRKA.

***1225. Dr. Gopi Chand, Bhargava :** Will the Honourable Revenue Member please state—

- (a) whether it has come to the notice of Government that the Tahsildar of Firozpur-Jhirka, district Gurgaon, who is a Muhammadan, arranged a feast for self and other Muslim officers in the compound of a temple, which is situated about three miles distant from the town on the Tij festival day;
- (b) whether a peacock was killed in the compound of the temple;
- (c) whether killing of a peacock is prohibited in this part of the district;
- (d) whether a goat was butchered in the same compound, cooked there and eaten there, and when it was objected to, people were threatened with guns;
- (e) whether the Government is aware that this act injured the religious susceptibilities of the Hindus;
- (f) whether this fact was wired to the higher authorities who appointed two persons to enquire into the matter;
- (g) whether it is a fact that these two persons went to the tahsil, stopped there for a few minutes and refused to record or hear any statements?

The Honourable Mian Sir Fazl-i-Husain : (a), (b) and (d). On enquiry it has been found that a picnic was held by both Hindus and Muslims outside the temple compound, no peacock was killed, a goat was killed well away from the compound, but there was no occasion to threaten with guns.

(e) Does not arise.

(f) This injured no one's susceptibilities but certain mischievous persons afterwards tried to make capital out of a garbled version of a perfectly ordinary incident.

(g) Yes and the Deputy Commissioner sent the Magistrate of the *Ilaga* to enquire.

(g) No.

MR. NIERSES, LATE SUB-DIVISIONAL OFFICER, ELECTRICAL DEPARTMENT.

***1226. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether an enquiry commission was appointed to make enquiries on a certain charge against Mr. Nierses, Sub-Divisional Officer, Electrical Department, Public Works Department ; if so, what the charges were and whether Mr. Nierses was forced to resign and whether he is now a contractor in the same department ;
- (b) whether the present Sub-Divisional Officer, Mr. Harris, of the same department is closely related to Mr. Nierses ?
- (c) the number of contracts that have been given to Mr. Nierses and of those which were given to other contractors ?

The Honourable Sardar Jogendra Singh : (a) A departmental enquiry was instituted in November 1926 against Mr. J. S. Nierses who at that time held charge of a sub-division under the Electrical Engineer to Government, but while the enquiry was in progress Mr. Nierses voluntarily tendered his resignation. After due consideration his resignation was accepted and the enquiry was closed. The enquiry having been closed it would be unfair to repeat the charges. The name of Mr. Nierses was entered in May 1927 on the Electrical Engineer's list of contractors.

(b) Mr. E. V. Harris who was appointed as an Assistant Electrical Engineer in April 1927 is not a blood relative of Mr. J. S. Nierses, but Mr. J. S. Nierses married a sister of Mr. E. V. Harris and this lady died in 1919.

(c) The greater part of the wiring done by local contractors is not the subject of separate contracts but of work orders which are not contracts within the meaning of the Public Works Department Code and are frequently for petty amounts. Hence the mere number of contracts and work orders is unimportant compared with their value. The total value of the contract work undertaken by Mr. J. S. Nierses between May 1927 and February 1928 is Rs. 94,686 and the total value of contract work undertaken by other local contractors for similar class of work in the same period is Rs. 74,467.

LAND REVENUE.

***1227. Chaudhri Duli Chand :** Will the Honourable Member for Revenue kindly state—

- (a) district-wise the number of owners of one acre or less in the British Punjab ;
- (b) district-wise the amount of revenue paid by them ?

The Honourable Mian Sir Fazl-i-Husain : The statistics required are not available and their preparation involves such a heavy expenditure of time and labour as is out of all proportion to the use to which they can be put.

CROWN LAND.

*1228. **Chaudhri Duli Chand:** Will the Honourable Member for Revenue kindly state—

- (a) the names of the places where there is Crown land in the Karnal District;
- (b) the area at each place;
- (c) the area at each place under cultivation;
- (d) the annual income from each place?

The Honourable Mian Sir Fazl-i-Husain: A statement is laid on the table—

Statement showing the crown lands in the Karnal District, 1927-28.

Name of Tahsil.	Serial No.	a. The names of places where there is Crown land.	b. The area in acres at each place.	c. The area in acres at each place under cultivation.	d. The annual income from each place.	REMARKS.
Kaithal ..	1	Qabulpur ..	298	247	R. A. P. 96 0 0	
	2	Khande Kheri ..	425	245	151 0 0	
	3	Ravan Hera ..	373	332	274 0 0	
	4	Nakatpura ..	24	..	12 0 0	
	5	Theh Bahri ..	779	700	76 0 0	
	6	Basi ..	325	249	127 0 0	
	7	Roharyan ..	444	197	175 0 0	
	8	Theh Majib-Ullah ..	761	..	75 0 0	
	9	Kauli Khara ..	1,493	..	181 0 0	
	10	Perason ..	1,120	39	1,120 0 0	
Karnal ..	11	Dhindhari ..	337	108	17 0 0	
	12	Pidaiwa ..	1,188	378	290 0 0	
Thanesar ..	13	Bir Saunti ..	704	69	135 0 0	
	14	Bir Pipli ..	123	..	4 8 0	
	15	Bir Sojra ..	134	..	8 12 0	
	16	Bir Dhantori (Chhapar)	1,051	155	..	
Total ..			9,509	2,938	2,742 4 0	

CENTRAL CO-OPERATIVE BANKS.

***1229. Chaudhri Duli Chand:** Will the Honourable Minister for Agriculture kindly state—

- (a) whether the Directors have absolute powers in the matter of making appointments in their Central Co-operative Banks ;
- (b) whether the Registrar, Co-operative Societies, has powers to interfere in the matter of appointments made by Directors in the interest of their banks ;
- (c) If so, under what rules ;
- (d) If not, why he (the Registrar) pressed for the termination of the services of certain clerks of the Central Co-operative Bank, Rohtak ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) No.

(c) Does not arise.

(d) The Registrar is at liberty to give advice, and this is all he did in his recent inspection note. Owing to the unsatisfactory state of the affairs disclosed by the last audit of the bank, which was done by a well-known firm of auditors, he was compelled in the interests of the bank and its depositors to make it clear what steps he considered should be taken to remedy the defects brought to light.

CENTRAL CO-OPERATIVE BANKS.

***1230. Chaudhri Duli Chand:** Will the Honourable Minister for Agriculture kindly state—

- (a) whether the Department of Co-operative Societies issued a circular letter to all Central Co-operative Banks on the subject of arrangements for the training of Managers, Accountants and Clerk for Central Co-operative Banks ;
- (b) whether the department intends now to do away with all such arrangements to make room for B. Com's ;
- (c) If so, whether the department would require even present incumbents to be replaced by these B. Com's. ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) No.

(c) Does not arise.

L. BHANA RAM.

***1231. Rana Firoz-ud-Din Khan :** (a) Is L. Bhana Ram, who has been promoted to the P. E. S. and appointed as District Inspector of Schools, Gujranwala, an agriculturist or a non-agriculturist ?

(b) What is his age, and what has been his condition of health for the last four or five years ?

[Rana Feroz-ud-Din Khan.]

(c) What experience, if any, he had of inspection work before his appointment as District Inspector of Schools ?

(d) How much touring a District Inspector of Schools is on an average expected to do in a month ? Is the said L. Bhana Ram able to do the necessary touring ?

(e) Will the Honourable Minister for Education be pleased to state the reasons why the claims of M. Abdul Rasul, B.A., B.T., the senior most Assistant District Inspector in the Gujranwala district and Personal Assistant to District Inspector of Schools were ignored and why as a local arrangement he was not made District Inspector of Schools and preference was given to L. Bhana Ram ?

(f) How many members of the Department were senior to L. Bhana Ram, and why were they superseded, and how many of them were Sikhs, Hindus and Muslims ?

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

(b) Forty-seven years. Good as far as is known to Government.

(c) None.

(d) Fifteen days.

(e) and (f) Lala Bhana Ram was regarded the most suitable person for officiating appointment as District Inspector of Schools. M. Abdul Rasul to whom reference is made occupies a very low position, 91st in the second grade of the Subordinate Educational Service in the scale of 140—190.

—
L. DIWAN CHAND.

***1232. Rana Feroz-ud-Din Khan :** Will the Honourable Minister for Education please state—

(a) whether L. Diwan Chand, who has been promoted to the P. E. S. and appointed as District Inspector of Schools, is an agriculturist or a non-agriculturist ;

(b) his age and experience in inspection line ;

(c) if he can ride ;

(d) the period of his service in the Education Department ;

(e) the grade he held at the time of promotion as District Inspector of Schools, and the time for which he had enjoyed grade promotion prior to his appointment in P. E. S. ;

(f) the number of Muslim, Hindu and Sikh Headmasters of better qualifications and longer service who were superseded by L. Diwan Chand in the matter of his promotion to P. E. S. and the reasons of this supersession ;

(g) if it is a fact that he has superseded Sheikh Ghulam Husain, B.A., B.T., District Inspector of Schools, Lahore, with 17 years of service, and S. Jaswant Singh, B.A., B.T., who successfully worked and toured in the Kangra District ? If so, why ?

The Honourable Mr. Manohar Lal : (a) Non-agriculturist.

(b) Forty-five years. Lala Diwan Chand has had no experience of inspecting work.

(c) Yes.

(d) Eight years.

(e) Rs. 200—10—250. He has held this grade since 1st September 1926. He has been appointed to officiate in the P. E. S.

(f) Five Hindus and one Sikh. These were not considered suitable for the post of District Inspector of Schools, Hoshiarpur.

(g) No.

L. HARDYAL, CHOPRA.

***1233. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education please state—

(a) whether L. Hardy, Chopra, who has been promoted to the P.E.S. and appointed District Inspector of Schools, Campbellpur, is an agriculturist ;

(b) his age ;

(c) the reasons for posting him to a pre-eminently Muslim district ;

(d) the number of members of the Education Department belonging to various communities with longer service, greater experience and better qualifications who have been superseded by him (L. Hardy, Chopra) in the matter of his promotion to P.E.S., together with reasons for supersession in each case ?

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

(b) Forty-eight years and two months.

(c) Administrative convenience.

(d) None.

PRINCIPALS OF INTERMEDIATE COLLEGES.

***1234. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education be pleased to state (i) the number of Principals of Intermediate Colleges in the province, and (ii) the number among them of those who are graduates of Indian Universities, (iii) whether there have been any complaints about the efficiency or work of these graduates of Indian Universities ?

(b) Will the Honourable Minister please state whether qualified persons of equal qualifications with those who are Principals of Intermediate Colleges were or were not available in the different grades of the S. E. S. for promotion to the P. E. S., in making appointments in 1927 for the teaching staff of the Intermediate Colleges ?

(c) If the answer to (b) be in the affirmative, why were the claims of the persons referred to in (b) not considered in making appointments in 1927 ?

The Honourable Mr. Manohar Lal : (a) (i) Nine.

(ii) Seven.

(iii) No.

(b) No.

(c) The question does not arise, but the claims and qualifications of all persons were duly considered.

BEDI KANHAYA LAL, DEPUTY INSPECTOR OF SCHOOLS.

***1235. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education be pleased to state : (a) the educational qualifications of Bedi Kanhaya Lal, who has been appointed as Deputy Inspector of Schools, and whether he has any direct experience of high schools ?

(b) Whether the Director of Public Instruction recommended this gentleman for the post ?

(c) Whether it is a fact that he has superseded, among others, the following men in the Department :

(1) S. Prem Singh, M.Sc. ;

(2) Hafiz Ahmad Din, B.A., B.T. ?

The Honourable Mr. Manohar Lal : (a) Bedi Kanhaya Lal is a B. A. of the Punjab University and has taught in high schools.

(b) It is not usual to supply information of this nature.

(c) Bedi Kanhaya Lal remains in the same grade.

COMPLAINTS AGAINST OFFICERS OF THE EDUCATION DEPARTMENT.

***1236. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education please state (a) the number of complaints received by him during his Ministry—

(i) against Muslim officers ;

(ii) against non-Muslim officers of the Education Department ;

(b) the number of cases in which enquiry was instituted—

(i) against Muslims ;

(ii) against non-Muslims ?

The Honourable Mr. Manohar Lal : No such statistics are available.

PROVINCIAL EDUCATION SERVICE.

***1237. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education be pleased to state the number of appointments made in the Provincial Education Service in the year 1927, how many of these posts were filled by Hindus, Muslims and Sikhs, respectively ?

The Honourable Mr. Manohar Lal : The annual statement will be laid on the table as soon as it is ready.

PROVINCIAL EDUCATION SERVICE.

***1238. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education please state—

- (a) the number of graduates of English Universities who were appointed to the P. E. S. in 1927 ;
- (b) the start given to each of these graduates ;
- (c) the reasons for the difference in starting salaries ;
- (d) the names and qualifications of all these gentlemen ;
- (e) whether any of these graduates made any representations to the Honourable Minister for Education in this matter ; and if so, what reply was given to him ?

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

Starting
pay.
Rs.

A.—1. Dr. Vishwa Nath, B.Sc. (Pb.), Ph. D. (Cantab.)	500
2. Dr. Vidya Sagar Puri, M.Sc. (Pb.), Ph. D. (London)	300
3. Mr. S. M. Sharif, B.A. (Cantab.) Bar.-at-Law	300

B.—P. Gomti Parshad, B.A. (Oxon.), Bar.-at-law, and Dr. Daulat Ram, Bhatia, M.Sc. (Ph.), and Ph. D. (Cantab.) and so also Mr. Muhammad Munir, who, however, graduated from Michigan (U. S. A.) and not at an English University were promoted from the S. E. S. to the P. E. S. and given the minimum start of the P. E. S.

(c) Educational qualifications, previous experience, age and importance of the posts to which the candidates were appointed were the chief factors determining the starting pay given to the persons concerned.

(e) Yes, one such representation from an officer promoted from the S. E. S. was received, but the applicant's request could not be granted.

PROFESSOR OF ZOOLOGY, GOVERNMENT COLLEGE, LAHORE.

***1239. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education please state—

- (a) the starting salary given to the Professor of Zoology at the Government College, Lahore ;
- (b) whether a man possessing the same qualifications as those of the professor appointed could not be found to work on lower salary ;
- (c) the special consideration for making the appointment on the salary given ?

The Honourable Mr. Manohar Lal : (a) The Professor of Zoology at the Government College, Lahore, was appointed on the ordinary initial pay of the Indian Education Service by the Secretary of State. If, however, this question refers to the officiating Professor of Zoology, the answer is Rs. 800 per mensem.

(b) No.

(c) High academic qualifications, previous experience and close contact for several years with the post which he is temporarily filling. As Reader in Zoology at the Punjab University his pay was Rs. 750 per mensem. The additional responsibility and work was taken into consideration in fixing the amount of pay for his officiating post.

HONORARY MAGISTRATES.

***1240. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Finance Member be pleased to state (1) the number of Honorary Magistrates at Ambala City, and (2) the number of Muslims amongst them?

(b) If the answer to (2) above be in the negative, since when has there been no Muslim Honorary Magistrate in Ambala, and why?

The Honourable Sir Geoffrey deMontmorency : (a) (1) One.

(2) Nil.

(b) Since 1919, when the bench of honorary magistrates was abolished.

CANAL BRIDGE NEAR VILLAGE CHATANA.

***1241. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

(a) whether the approaches to the Canal bridge near village Chatana of Sonapat tahsil in Rohtak district have a very steep gradient ;

(b) if he is aware of the inconvenience and, sometimes, of actual loss in the shape of mishaps to zamindar's carts and bullocks owing to the steepness of these approaches?

(c) what steps, if any, does he propose to take to remove the defect?

The Honourable Mian Sir Fazl-i-Husain : (a) The reply is in the negative. The gradient is only 1 in 17.

(b) and (c) do not arise.

MONEY-LENDER'S BILL.

***1242. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

(a) whether the new Money-lenders' Bill has been drafted ;

(b) whether the Government intends to introduce this Bill in the summer session of 1928?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Government is unable to say when it may be found possible to introduce the Bill.

SIMON COMMISSION.

***1243. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether an officer has been placed on special duty to collect material with a view to that material being placed before the Simon Commission on behalf of Government ;
- (b) whether any instructions were given to that officer as to the lines to be followed in collecting this material and as to the subjects to which this material should relate ;
- (c) whether the subject of these instructions and of the class of these subjects was discussed in a meeting of the cabinet attended by Ministers, and, if not, by whom these instructions, etc., were given and whether these instructions, etc., have been made known to the three Ministers ;
- (d) whether, if the Ministers were not consulted, they will be consulted now and a copy of these instructions, etc., supplied to them ;
- (e) whether all the material collected will be made known to the Ministers and their opinion asked thereon before it is submitted to the Simon Commission ;
- (f) whether the Government intends to place a copy of these instructions, etc., on the table of the House ?

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

(b) Yes.

(c) Yes.

(d) Does not arise.

(e) Yes.

(f) No.

NEW UNIVERSITY BILL.

***1244. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether he has studied the new University Bill ;
- (b) when he proposes to introduce the new University Bill in the Council ?

The Honourable Mr. Manohar Lal : (a) I do not know to which Bill the honourable member is referring.

(b) Does not arise.

PUNJAB UNIVERSITY.

***1245. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of the Members of the Senate and Syndicate, respectively ;

[R. S. Chaudhri Chhotu Ram.]

- (b) the number of the fellows of the University and Syndies drawn from rural areas and the number of the same drawn from Lahore, Amritsar, Multan and Rawalpindi;
- (c) the number of members drawn from rural areas serving on the Text-Book Committee?

The Honourable Mr. Manohar Lal : (a) Senate 85; Syndicate 17.

(b) Information is not on record.

(c) Ditto.

TEXT-BOOKS FOR SCHOOLS.

***1246. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of text-books, if any, written by Inspectors and prescribed as text-books for schools;
- (b) whether any complaints of corruption were received by the Director of Public Instruction against any persons connected with the Text-Book Committee in 1924, 1925, 1926 and 1927, and if so, what are the names of the persons complained against and the nature of the action, if any, taken or suggested against any of them?

The Honourable Mr. Manohar Lal : (a) Thirty-three.

(b) None.

STATUTORY AGRICULTURISTS.

***1247. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) which of the five divisions shows the lower percentage of statutory agriculturists among subordinate teachers drawing a salary of Rs. 80 or upwards;
- (b) which of the three communities (Hindu, Muslim and Sikh) has the smallest representation of statutory agriculturist among teachers drawing a salary between Rs. 80 and Rs. 200 a month?

The Honourable Mr. Manohar Lal : The usual annual statement is in course of preparation, and will be laid on the table in due course.

HINDU AGRICULTURISTS.

***1248. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) which of the five divisions has the largest populations of Hindu agriculturists;
- (b) what is the ratio between statutory agriculturists (Hindu) and non-agriculturists (Hindu) among members of the Subordinate Educational Service drawing a monthly salary of Rs. 80 or upwards employed in the division referred to in (a)?

The Honourable Mr. Manohar Lal : (a) The Ambala Division.

(b) The usual annual statement is in course of preparation and will be laid on the table in due course.

RASUL SCHOOL OF ENGINEERING.

***1249. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that in 1924 or 1925 Government made an order that for admission to the Rasul School of Engineering agriculturists were to compete among themselves and non-agriculturists among themselves ;

(b) whether the examinations for admission have or have not been held on the basis referred to in (a) since the above order was made ;

(c) whether the order referred to in (a) was issued to the Principal of the Rasul School of Engineering, and, if not, who is responsible for failing to issue this order and what action Government proposes to take against him ?

The Honourable Sardar Jogendra Singh : (a) The reply is in the negative.

(b) and (c) do not arise.

VETERINARY COLLEGE.

***1250. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

(a) whether students who had passed the F.Sc. examination and joined the Veterinary College received a rebate of one year in their course of training ;

(b) whether it has now been ruled that F.Sc. and F.A. passed students only will be admitted to the college and will have to undergo a full four years' course ;

(c) whether a junior class with three years' course, suggested by a committee which sat in 1925, has been brushed aside ? And, if so, whether the attention of the Government was drawn to the recommendations of 1925 before the present decision was reached ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) Yes. It has, however, been further decided that for the next two years Matriculates in the First Division may be accepted for admission if, as an effect of this change, an insufficient number of students of the agricultural classes are forthcoming. No alteration has so far been made in the duration of the course, but it is probable that a Committee will shortly be appointed to consider the question of changes in the curriculum.

[Hon. Sardar Jogendra Singh.]

(c) The suggestion of the Committee which sat in 1925 for a second course of either two or three years duration was examined carefully before the present decision was reached. The idea was, however, abandoned as it was considered to be better policy to concentrate on improving the standard of education and to increase the number of successful students in the present extended Course.

HOUSE FOR GOVERNMENT SERVANTS.

*1251. **Rai Sahib Chaudhri Chhotu Ram**: Will the Honourable Minister for Agriculture kindly state—

- (a) the amount spent on building houses for Government servants and acquiring land for those houses in 1924-25, 1925-26, 1926-27 and 1927-28 ;
- (b) the percentage of rent actually realised by Government on the capital spent?

The Honourable Sardar Jogendra Singh: (a) Buildings let or available for rent as residences are divided into two classes. The first class comprises buildings from the rental of which an adequate return is expected on the capital cost, that is, buildings which will ordinarily be occupied by tenants whose rents will be fixed in accordance with the rates in paragraph 325 rules I and II of the Public Works Department Code. The second class comprises buildings from the rental of which an adequate return on the capital cost, is not expected, that is, buildings which will ordinarily be occupied by officials who are entitled to accommodation rent free or at reduced rates. It is presumed that the question refers to the first class.

It is also presumed that the question refers to buildings only and not to their services or their furniture.

The amount of the capital outlay on residences of the first-class completed for occupation 1924-25 to 1926-27 is as follows :—

					Rs.
1924-25	..	..	..	..	7,496
1925-26	..	..	..	..	38,564
1926-27	..	..	..	..	17,400

The amount spent during 1927-28 will not be known until the accounts for that year are closed and made up, that is about February 1929.

(b) After meeting the maintenance charges the revenue receipts amount to the following percentages :—

					Rs.
1924-25	..	..	..	..	3.52
1925-26	..	..	..	..	3.18
1926-27	..	..	..	..	3.60

BUDGET.

*1252. **Rai Sahib Chaudhri Chhotu Ram**: Will the Honourable Member for Finance kindly state the exact extent of under-estimating of income and over-estimating of expenditure in 1924-25, 1925-26, 1926-27 and 1927-28 ?

The Honourable Sir Geoffrey deMontmorency: A statement comparing actual receipts and expenditure in the ordinary revenue account, to which I presume the honourable member refers, with the budget estimate as modified by supplementary grants, is laid on the table. It will be observed that in 1924-25 and 1925-26 revenue was under-estimated by 5.5 and 5.8 per cent., respectively. In 1926-27 it was over-estimated by 5.4 per cent. and in 1927-28, as far as one can at present see, by only .4 per cent. Expenditure has been over-estimated each year to the extent of 10.8 per cent., 6.9 per cent., 7.9 per cent., and 2.2 per cent., respectively.

	1	2	3	4
	Estimated receipts.	Actuals.	Difference.	Per cent. (Col. 3 on Col. 1).
REVENUE.	Rs.	Rs.		
1924-25 ...	1,029	1,086	+57	5.5
1925-26 ...	1,077	1,189	+62	5.8
1926-27 ...	1,149	1,087	-62	5.4
1927-28 ...	1,108	1,103 (revised budget)	-5	.4
EXPENDITURE ...	Modified grant excluding March supplementaries.	Actuals.		
1924-25 ...	1,082	971	-111	10.3
1925-26 ...	1,098	1,026	-72	6.9
1926-27 ...	1,163	1,085	-78	7.9
1927-28 ...	1,108	1,083 (revised estimate)	-25	2.2

CONTRACTOR'S PROFIT IN P. W. D. ESTIMATE.

***1253. Rai Sahib Chaudhri Chhotu Ram:** Will the Honourable Minister for Agriculture kindly state—

- the percentage of contractor's profit included in Public Works Department estimates;
- the total Public Works Department budget in 1924-25, 1925-26, 1926-27 and 1927-28?

The Honourable Sardar Jogendra Singh: (a) Estimates prepared by the Public Works Department do not as a rule include any separate item for contractor's profit.

The estimates as a rule are prepared on the basis of certain quantities of certain classes of work, supply, or other service being executed at certain rates. The rates mean the consideration allowed for each unit of work,

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supply, or other service, and they should as far as practicable rest on an analysis. The precise form of this analysis is not prescribed by the Public Works Department Code, nor is there any rule as to the percentage which should be provided in the analysis to cover profit to a contractor in the event of it being decided to execute the work through the agency of a contractor.

In the absence of a rule fixing the percentage, it must be assumed that the matter is left to the discretion of the officer analysing a rate, to adopt a percentage which he considers suitable.

Common practice in the three branches of the Punjab Public Works Department is to provide a percentage of from 10 per cent to 12½ per cent on the labour portion of the work, and in some cases on such material as is supplied by the contractor.

(b) the total Public Works Department budget for the years mentioned is given in the provincial budgets for those years, copies of which are in the Council Library.

TENDERS FOR WORKS.

***1254. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether Public Works Department officers not infrequently receive tenders offering to execute works for less than the amount of sanctioned estimate ;
- (b) whether expenditure incurred in executing works under the Public Works Department is not disproportionately heavy as compared with expenditure incurred on a work of the same quality and size executed by private persons ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) Having no access to figures of expenditure on private works, Government is unable to verify the suggestion.

CONTRACT FOR BUILDING MOGHALPURA ENGINEERING COLLEGE.

***1255. Rai Sahib Chaudhri Chhotu Ram :** (a) Will the Honourable Minister for Agriculture kindly state whether certain irregularities were detected in the mode of giving a contract for the building of Moghalpura Engineering College and in the mode of spending money in connection therewith ;

- (b) whether any enquiry was directed into these irregularities ;
- (c) whether Government proposes to lay a copy of the result of this enquiry on the table ;
- (d) what action Government proposes to take against the persons guilty of these irregularities and if no action is contemplated, what are the reasons for not taking any action ;
- (e) what is the amount of money spent irregularly ;
- (f) what is the amount of loss suffered by Government as a result of these irregularities and how, if at all, Government proposes to reimburse itself for the loss ?

The Honourable Sardar Jogendra Singh : The information sought will be found at paragraph 11 of the published proceedings of the Committee on Public Accounts of the Punjab Legislative Council for the year 1923-24 which issued under the signature of the honourable member when he was holding the portfolio of Minister for Agriculture.

SUB-JUDGES.

***1256. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the High Court has made any fresh rules for the selection of sub-judges, and, if so, whether it is proposed to lay a copy of these rules on the table of the House ;
- (b) whether the High Court consulted any individuals or associations of agricultural classes before these rules were framed ?

The Honourable Sir Geoffrey deMontmorency : (a) It is understood that the Honourable Judges of the High Court will shortly submit to Government proposals relating to the recruitment of sub-judges.

(b) Does not arise.

WORKING DAYS IN GOVERNMENT COLLEGE, LAHORE.

***1257. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) what is the average number of working days in a year in the Government College at Lahore ;
- (b) if the number is less than 200, whether he has any intention to direct its increase ?

The Honourable Mr. Manohar Lal : (a) 197.

(b) No proposal to increase the days is under consideration.

SCHOOL FEE CONCESSIONS.

***1258. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether agriculturists reading in the secondary department in Muzaffargarh and Gurgaon districts enjoyed the concession of half fees ;
- (b) whether this concession has now been discontinued ;
- (c) whether the Deputy Commissioners of these districts recommended a continuance of this privilege ;
- (d) what are the reasons for the discontinuance of this concession ?

The Honourable Mr. Manohar Lal : In regard to the Muzaffargarh district the honourable member is referred to answer to Council question¹ No. 557. In the Gurgaon district the children of agriculturists have not been enjoying any special concession in the secondary department, so the question of discontinuance does not arise at all in the case of this district.

HIGH SCHOOLS.

***1259. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

- (a) whether the Director of Public Instruction favoured the opening of a couple of high schools in each of Hissar and Karnal districts by their respective district boards with the privilege of a grant-in-aid from Government ;
- (b) whether the Director of Public Instruction made any enquiry from the above district boards through the Inspector of Schools, and, if so, when ;
- (c) whether the Director of Public Instruction has heard anything so far in reply, and, if not, what are the reasons for delay ?

The Honourable Mr. Manohar Lal : Not so far as the present officiating Director of Public Instruction is aware, but enquiries are being made from the Inspector of Schools.

GRANTS TO PANCHAYATS.

***1260. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Local Self-Government kindly state whether the local Government has so far made any grant to any panchayats, and, if not, when the Government proposes to make such grants ?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to the replies given to unstarred questions Nos. 1582 and 2641.

RURAL UPLIFT.

***1261. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Local Self-Government kindly state whether he has received any reports about the progress of rural uplift work in Rohtak district, and, if so, what is the character of these reports ?

The Honourable Malik Firoz Khan, Noon : No.

UNSTARRED QUESTIONS AND ANSWERS.

MATRICULATION EXAMINATION.

658. Chaudhri Duli Chand : Will the Honourable Minister for Education kindly lay on the table the answer to question¹ No. 743, asked on 28rd November 1927 ?

The Honourable Mr. Manohar Lal : The information is not yet ready.

VOTING OF WOMEN.

659. Chaudhri Duli Chand : Will the Honourable Member for Revenue kindly lay on the table a statement showing—

- (a) the name of each of the constituencies in which women voted during the general elections of the Punjab Council of 1926 ;
- (b) the number of such women in each constituency ?

¹Page 156 ante.

²Page 673 ante.

³Vol. X-B., page 1272.

The Honourable Mian Sir Fazl-i-Husain : The statement asked for is laid on the table:—

Names of contested constituencies in which women voted	Number of women electors on the electoral roll	Number of women electors who polled
Lahore City (Non-Muhammadian)	95	16
Amritsar City (Non-Muhammadian)	337	34
North-East Towns (Non-Muhammadian)	131	7
East and West Central Towns (Non-Muhammadian)	98	24
North-West Towns (Non-Muhammadian)	134	11
West Punjab Towns (Non-Muhammadian)	123	8
Hissar (Non-Muhammadian)	207	14
South-East Rohtak (Non-Muhammadian)	536	6
North-West Rohtak (Non-Muhammadian)	496	18
Gurgaon (Non-Muhammadian)	849	27
Karnal (Non-Muhammadian)	732	45
Ambala-cum-Simla (Non-Muhammadian)	820	139
Kangra (Non-Muhammadian)	376	16
Hoshiarpur (Non-Muhammadian)	657	59
Jullundur-cum-Ludhiana (Non-Muhammadian)	140	30
Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadian)	176	25
Amritsar-cum-Gurdaapur (Non-Muhammadian)	471	30
Rawalpindi Division and Lahore Division (North) (Non-Muhammadian)	566	34
Multan Division (Non-Muhammadian)	387	10
Lahore City (Muhammadian)	149	50
Amritsar City (Muhammadian)	90	26
West Punjab Towns (Muhammadian)	140	33
East and West Central Towns (Muhammadian)	164	46
South East Towns (Muhammadian)	214	50
Gurgaon-cum-Hissar (Muhammadian)	480	4
Hoshiarpur-cum-Ludhiana (Muhammadian)	555	15
Ferozepore (Muhammadian)	186	2

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Names of contested constituencies in which women voted.	Number of women electors on the electoral roll.	Number of women electors who polled.
Jullundur (Muhammadian)	349	4
Amritsar (Muhammadian)	134	3
Shalkot (Muhammadian)	191	7
Gujranwala (Muhammadian)	379	3
Sheikhupura (Muhammadian)	388	2
Gujrat West (Muhammadian)	291	3
Gujrat East (Muhammadian)	138	25
Sialpur West (Muhammadian)	177	1
Mianwali (Muhammadian)	31	6
Attock (Muhammadian)	179	2
Rawalpindi (Muhammadian)	165	3
Lyallpur North (Muhammadian)	481	6
Lyallpur South (Muhammadian)	489	56
Montgomery (Muhammadian)	224	17
Dera Ghazi Khan (Muhammadian)	42	2
Ambala Division (Sikh)	412	18
Ludhiana (Sikh)	580	35
Perozepore (Sikh)	760	120
Lahore (Sikh)	590	1
Amritsar (Sikh)	699	15
Lyallpur (Sikh)	710	55
Multan Division and Sheikhupura (Sikh)	446	10
Punjab University	7	7

ELECTION OF GOVERNMENT SERVANTS ON CANTONMENT BOARD.

560. Dr. Gopi Chand, Bhargava : Will the Honourable Member for Finance be pleased to state whether a Government servant (Civil or Military) can be elected a member of the Cantonment Board?

The Honourable Sir Geoffrey de Montmorency : A military officer or soldier cannot be elected as a member, as regards persons employed in the civil departments the honourable member is referred to section 28 (1) of the Cantonments Act.

SHAM LAL, PATWARI, RAHON.

661. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable Member for Revenue please state (i) whether it is a fact that one Amir Chand of Rahon made allegations of bribery against Sham Lal, Patwari, Rahon Circle; and (ii) whether the allegations were made in writing; and, if so, what action so far has been taken in the matter; if not, the reason why no action has been taken?

(b) Was the said patwari transferred to Rahon on account of complaints of corruption made against him?

(c) Has it come to the notice of the Government that the said patwari is notoriously corrupt and is reputed to have helped himself with a large sum of money in connection with the case relating to the partition of land at Rahon?

(d) Has the Government instituted any inquiry into the conduct of this patwari, or does it propose to do so? If not, why not?

(e) Has the Government noticed the fact that on receipt of the above-mentioned complaint, the said patwari took leave of absence for three months and that he acted similarly when a complaint was made against him when employed in the previous circle? If so, what does the Government propose to do to check such clever moves on his part?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

BOOKS OF THE TEXT-BOOK COMMITTEE.

662. Khan Bahadur Malik Muhammad Amin Khan : (a) Will the Honourable Minister for Education be pleased to state whether it is a fact that in addition to the books of the Text Book Committee, those of other authors are introduced from time to time as alternate or supplementary readers, out of which the teachers and headmasters of the schools can make their choice?

(b) Whether the Honourable Minister for Education has sent a note that special care should be taken in recommending the alternate and supplementary readers?

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

(b) Yes.

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

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, before I move Government's Demands for Supplementary and Additional Grants, I wish to point out that there is an item which was to have been taken up first yesterday. I understand that it would not appear first in to-day's agenda unless it be at the end or with your permission. I wish to state that the Government would be glad to have that item of business accommodated in to-day's agenda, if you so permit.

Mr. President : At what stage?

The Honourable Mian Sir Fazl-i-Husain : At such a stage as the rules permit.

Mr. President : After the business left over from yesterday's list of business and that entered in to-day's list is finished, if there is time, I will have no objection to allow the motion to be moved.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, His Excellency the Governor has recommended the adoption of the supplementary and additional grants entered in to-day's list of business.

LAND REVENUE GRANT.

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

"That a supplementary sum not exceeding Rs. 1,08,810 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Land Revenue.

The motion was carried

EXCISE GRANT.

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

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Excise."

Mr. President : The question is :—

"That a supplementary sum not exceeding Rs. 52,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Excise."

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan), Rural] : Sir, I beg to oppose this demand and my object in opposing this grant is to draw once more the attention of the Honourable Minister of Agriculture to the meagre representation of zamindars in the Excise Department. The figures which appear in the consolidated list supplied to the House the other day.....

Mr. President : Does the honourable member propose to discuss some question of policy which arises from the demand now moved ?

Rai Sahib Chaudhri Chhotu Ram : I oppose the demand as a whole. Whether the particular facts to which I am inviting the attention of the Honourable Minister constitute a question of policy or not is a different question. I do not think it does.

Mr. President : When a supplementary or additional grant is under discussion questions of policy cannot be discussed either by a motion for reduction or by opposing the whole demand, unless such questions arise out of the demand itself.

Rai Sahib Chaudhri Chhotu Ram : So far as the demand itself is concerned, it seems to be general and I beg to submit that my attempt to draw the attention of the Honourable the Minister of Agriculture to the meagre representation of zamindars in the Excise Department does not constitute any attack on the policy as a whole.

Mr. President : Then, as the honourable member has candidly admitted, his object is to draw the attention of the Government to a complaint of a certain community or a certain section of the population, which is not sufficiently represented in the Excise Department. Apparently he does not mean to oppose the grant seriously. His only object is to draw the attention of the Government. Thus he wants to discuss a matter of policy which cannot be allowed to be discussed at this stage.

The question is :—

“That a supplementary sum not exceeding Rs. 52,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Excise.”

The motion was carried.

FORESTS GRANT.

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

“That a supplementary sum not exceeding Rs. 40,310 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Forests.”

The motion was carried.

IRRIGATION GRANT.

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

“That a supplementary sum not exceeding Rs. 5,21,533 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Irrigation.”

The motion was carried.

GENERAL ADMINISTRATION GRANT.

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

“That a supplementary sum not exceeding Rs. 1,31,240 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of General Administration.”

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

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

“That a supplementary sum not exceeding Rs. 1,75,979 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Administration of Justice.”

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

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

"That a supplementary sum not exceeding Rs. 1,91,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Jails and Convict Settlements."

The motion was carried.

POLICE GRANT.

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

"That a supplementary sum not exceeding Rs. 76,720 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Police."

Mr. President : The question is :—

"That a supplementary sum not exceeding Rs. 76,720 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Police."

Chaudhri Ram Singh rose to move his amendment.¹

Mr. President : The honourable member's motion is out of time ; and hence out of order.

The question is :—

"That a supplementary sum not exceeding Rs. 76,720 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Police."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

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

"That an additional sum not exceeding Rs. 1,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Education (Transferred)."

Mr. President : The question is :—

"That an additional sum not exceeding Rs. 1,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Education (Transferred)."

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadian), Rural] (Urdu) : Sir, during the last few years this Council has many times asked the Punjab University to submit its revised constitution for the consideration of the House. But it seems that the University has absolutely no regard for our wishes. Therefore, Sir, it is proper that we should also non-co-operate with the University and reject every demand meant for it. Sir, I know for certain that so far as the affairs of the University are concerned one community is all in all.....

Mr. President : The honourable member is discussing a question of general policy. Will he please direct his discussion to the item of Rs. 1,600 ?

¹"That the grant be reduced by Rs. 1 with respect to the item of Rs. 63,310—Total item (1)—To meet expenditure in excess of the grant provided for the current year—District Executive Force."

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Chaudhri Afzal Haq : Sir, of course the item relates to Rs. 1,600. This is really meant for the University. The money will be spent on Chaudhuri Ground, which is a concern of the University. Therefore the Council is within its rights to reject the grant. With these words I request the House to reject the grant *in toto*.

Mr. President : The question is:—

"That an additional sum not exceeding Rs. 1,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Education (Transferred)."

The motion was carried.

MEDICAL GRANT.

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

"That an additional sum not exceeding Rs. 1,500 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Medical."

The motion was carried.

MISCELLANEOUS DEPARTMENTS (RESERVED) GRANT.

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

"That a supplementary sum not exceeding Rs. 1,82,920 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Miscellaneous Departments (Reserved)."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

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

"That an additional sum not exceeding Rs. 2,00,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Civil Works (Transferred)."

Mr. President : The question is:—

"That an additional sum not exceeding Rs. 2,00,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Civil Works (Transferred)."

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, I hope that when the Government buys the land they will set apart a portion of it for the poor people and not reserve the whole land for the rich people. They should also consider the future development of the Kangra Valley and since it is not easy for each and everybody to buy land, they should help the poor people.

Mr. President : The question is :—

“ That an additional sum not exceeding Rs. 2,00,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March, 1928, in respect of Civil Works (Transferred). ”

The motion was carried.

STATIONERY AND PRINTING (RESERVED) GRANT.

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

“ That a supplementary sum not exceeding Rs. 69,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Stationery and Printing (Reserved). ”

Mr. President : The question is :—

“ That a supplementary sum not exceeding Rs. 69,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1928, in respect of Stationery and Printing (Reserved). ”

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, in 1925 the honourable members of the House urged the Government for free distribution of departmental reports to the members of the Legislative Council. The Honourable the Member for Finance admitted that our request was reasonable. Then on my application to Government I was supplied with all the departmental reports, but after a short time I was asked to return them.

The Honourable Mian Sir Fazl-i-Husain : Who asked you for their return ?

Chaudhri Afzal Haq : The Superintendent of Government Printing Press asked me for their return. Sir, it is very objectionable that the reports once supplied to the members should be taken back. Sir, the Government told me and my friends that if we wanted copies of any such reports we should apply to the Government. Accordingly I applied to Government but my application was rejected.

The Honourable Mian Sir Fazl-i-Husain : Who rejected the application ?

Chaudhri Afzal Haq : The Superintendent, Government Printing Press, rejected it. My learned friend Dr. Muhammad Alam also invited the attention of the Chief Secretary to the matter under consideration but to no effect. Sir, I also urge for free distribution of departmental reports on the ground that such reports are also distributed free of charge among the honourable members of the Mother Parliament. I am really glad, Sir, to observe that to-day I have received a letter from the Punjab Civil Secretariat to the effect that “ Government supplies two copies of every such report for the Council Library and has undertaken that if any member wants a copy of any report it will be given by Government free of charge on application from the Secretary, Legislative Council. ” Sir, if by this Government means that the members may get copies of such reports free of cost, I am prepared to withdraw my opposition. Sir, I can say with some authority that no officer of Government is better entitled to these reports than the

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honourable members of the House who can, by perusal of these reports know what the various Government departments are doing. I can dare say that without these reports we cannot discharge our duties conscientiously. Besides this these reports should be given free of cost because there are members like myself who cannot afford to pay for them. With these words I oppose the grant.

Mr. President : Just now two letters have been placed in my hand by the Secretary of the Council. One is a reply given by one of the Secretaries of Government to the honourable member who has just sat down, and the other is a letter addressed to the Secretary himself, inviting his attention to a demi-official letter of the first Honourable President of this Council. It appears that he agreed to have departmental reports distributed free of charge only to such members as desired to apply for their copies. But in view of the practice followed by the Government of India with regard to the supply of Departmental Reports to the members of the Assembly and of the Council of State, it is not only fair but necessary that the Government should supply the departmental reports free of charge to all members of the Council. I think the members should be given every facility to see what the Government departments are doing. I hope the request that all departmental reports which are not confidential, will be supplied free of charge to all members, whether they ask for them or not, will be acceded to by Government.

The Honourable Mian Sir Fazl-i-Husain : Sir, is it the wish of the Chair that Government should make no statement on the subject ?

Mr. President : I have no objection. I for one fail to see why the President of the Council should have come into this arrangement. He should not have come in at all. But as one of my illustrious predecessors came into it, I must follow in his footsteps, and as the matter has come to my notice I feel called upon to express my opinion on it. Therefore, I repeat the request I have already made and leave it to the Government to accede to it or not.

The Honourable Mian Sir Fazl-i-Husain : Sir, it is not the question of acceding to the request made by you on the basis of a paper that has been placed in your hand just now. All I wanted was an opportunity for stating how this letter has originated and how the letter on which the honourable member has based his question came to be written. I think that that is a very fair request to make.

Mr. President : I have no objection.

The Honourable Mian Sir Fazl-i-Husain : As the honourable member has been speaking in Urdu, with your permission, I too will speak in Urdu. Sir, during the discussion of demands for grants the honourable member for Hoshiarpur (Muhammadan) gave notice of an amendment in respect of the demand relating to Stationery and Printing, his object being to urge the Government for free distribution of departmental reports to members of the Legislative Council. On this I sent for the file on the subject and going through it I found that as arranged with the Honourable the President of the Council, Government was supplying two copies of every such

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

report for the Council Library and had further undertaken to supply copies of such reports, as may be required, free of charge through the Secretary, Legislative Council, on a requisition from any member of the Council. It was decided by Government that the members of the Council might not approach various departments directly in order to get a copy of any such report, but that if any of them desired to have such a report, he could get it through the Secretary, Legislative Council. I need hardly say, Sir, that it is a reasonable arrangement because otherwise it would be very inconvenient for the honourable members and also for the Government that the former should write to Secretaries of various Government departments to provide them with departmental reports. Only for the sake of convenience it was arranged that the members should get copies of departmental reports from one place, that is from the Council office. That is a simple matter and the Council Office can easily attend to it especially when the Council is not in session. Sir, I have clearly explained the object of the amendment referred to above and the decision of the Government in respect thereof. Unfortunately the amendment could not be formally moved because guillotine was applied to the particular grant. But, Sir, the matter being an important one, the Government thought it desirable to inform the members of the Council as to how they could obtain copies of departmental reports free of charge? Therefore it was decided that the members should be informed either by means of a notice or through the Secretary, Legislative Council, of the fact that Government was prepared to supply them with copies of departmental reports free of cost and that they should apply for them through the Council office. Sir, having got hold of the particular letter from your Secretary you at once got up and you were pleased to express your own views of the matter without hearing the Government on the point.

Chaudhri Afzal Haq : Order, order. That is a protest against the wish of the Chair. (*Laughter.*)

The Honourable Mian Sir Fazl-i-Husain (continued in Urdu) : Sir, I would like to draw your attention to the fact that there can be no two opinions on this principle, that is, that the members of the Council should be provided with departmental reports so that they may be able to know what various Government departments are doing? But, Sir, at the same time we should not lose sight of the fact that Government has to spend something on the preparation and publication of these reports. Keeping this fact in view I ask, Sir, would it be in the public interest at all to provide those honourable members with departmental reports who do not know English and who therefore do not require them? Sir, it is my earnest desire and the pleasure of His Excellency the Governor that the members of the Council should take keen interest in the work of various departments. And, Sir, if they would take such interest in the work of various Government departments, I am sure that at least one department would no longer exist, that is the department which is being run by my friend Nawab Muzaffar Khan. Sir, I may again submit that on this point the Government is prepared to accede to the wishes of the honourable members of the Council provided you may kindly consider once again the propriety of the step you have asked the Government to take in this matter.

Mr. President : As the representative of this Council I repeat my request to the Government. If a few members are unable to read the reports in English that is no reason why they should not be furnished with them. Some members of the Legislative Assembly did not know English when I was a member of that body, and I presume there are still some gentlemen in the Assembly who do not know English at all, but I think all of them are supplied copies of departmental reports. In my opinion it is the duty of the Government to supply reports on the working of its various departments to all members of this Council. I, for one, see no reason why these reports should be withheld from them. I repeat my request, and leave it to the Government to accept it or not. (*Hear, hear and cheers*).

The question is—

“That a supplementary sum not exceeding Rs. 69,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Stationery and Printing (Reserved).”

The motion was carried.

PROVINCIAL LOANS AND ADVANCES (RESERVED) GRANT.

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

“That a supplementary sum not exceeding Rs. 1,55,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1928 in respect of Provincial Loans and Advances (Reserved).”

The motion was carried.

GRANT FOR EXPENDITURE IN ENGLAND UNDER THE CONTROL OF THE SECRETARY OF STATE.

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

“That a supplementary sum not exceeding Rs. 12,000 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 1928 in respect of expenditure in England under the control of the Secretary of State.”

The motion was carried.

THE PUNJAB ADULTERATION OF FOOD (AMENDMENT) BILL.

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

“That leave be granted to introduce the Punjab Adulteration of Food (Amendment) Bill.”

The motion was carried.

The Honourable Malik Firoz Khan, Noon : Sir, I introduce the Punjab Adulteration of Food (Amendment) Bill.

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

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

Chaudhri Zafrullah Khan;
Dr. Gopi Chand, Bhargava;
Rai Bahadur Lala Sewak Ram;
Mr. Din Muhammad;
Lala Mohan Lal;
Khan Bahadur Mian Muhammad Hayat, Qureshi;
Rai Sahib Chaudhri Chhotu Ram;
Mr. J. G. Beazley;
Mr. M. M. L. Currie;
Nominees of the Honourable the President (Sardar Habibullah) and
The Mover.”

Mr. President : The question is—

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

Chaudhri Zafrullah Khan;
Dr. Gopi Chand, Bhargava;
Rai Bahadur Lala Sewak Ram;
Mr. Din Muhammad;
Lala Mohan Lal;
Khan Bahadur Mian Muhammad Hayat, Qureshi;
Rai Sahib Chaudhri Chhotu Ram;
Mr. J. G. Beazley;
Mr. M. M. L. Currie;
Sardar Habibullah, and
The Mover.”

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, I wish to point out one thing. I am not particularly anxious that my name should appear in the list of the select committee, but I wish to point out that it has been the practice of the Government not to include the members of the opposition in the select committees. I do not know the reason why. If *ghis* is bad for the Minister it is equally bad for honourable members also. If it is bad for one party's throat, it is equally bad for another party also. I therefore cannot understand why the Government should always avoid including a member of the opposition in these select committee. Am I to understand that Government does not want honest help from the opposition party? Are we not concerned in the adulteration of food as any others? I have seen Bill after Bill being introduced, and I have noticed that the members of the opposition being excluded from the select committees to consider them.

The Honourable Mian Sir Fazl-i-Husain : That is not correct. Rana Firoz-ud-Din Khan is on the select committee on the Land Revenue Bill.

The Honourable Malik Firoz Khan, Noon : I consulted Raizada Hans Raj as to whether he would serve in the committee but I received no reply.

Raizada Hans Raj : I never received that letter.

Shaikh Muhammad Sadiq : It is not a question of asking Raizada Sahib or any other member to serve in the committee. Why should not the Government ask the leader of the party to suggest names for serving in the select committee?

I am not anxious that my name should be included or that any other member's name should be included. I suggest that it must be followed as a

principle that whenever the Government wants to have a select committee it must always consult the leaders of the respective parties to suggest names of members of their parties to serve in the committees.

Pandit Nanak Chand : I support the contention of the honourable member who has just spoken.

Mr. President : Order, order. Honourable members are aware what motions they can move at this stage. I allowed the honourable member from Amritsar to make a speech, because I thought he was going to talk on the question before the House. But as relevancy is not one of the rules which the honourable members of this House generally observe, and as I was sure that any interruption would result in waste of time of the honourable members of the House, I showed a little indulgence to him. None of the motions that can be moved at this stage has been moved. I, therefore, propose to proceed to put the main motion to the House. The question is. . . .

Pandit Nanak Chand : May I not oppose this motion at this stage ?

Mr. President : Yes, the honourable member is welcome to oppose it.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I want to make one observation in connection with the remarks of the last speaker. He remarked that the leaders of the various parties should be asked to suggest names for serving in select committees. I agree with his suggestion. It is not a question of how many members should be in the select committee, whether it should be two or three or four. The leader of the party or the Secretary of the party should be approached by the Minister or Member of Government as to which members he is prepared to put forward for inclusion in such committees. Otherwise the selection of members by the Ministers themselves is likely to be misunderstood. It is therefore necessary in the interests of good government that this suggestion should be adopted.

Mr. President : Has the honourable member any other opposition to the Bill ?

Pandit Nanak Chand : I have no other opposition.

Mr. President : The question is—

"That the Punjab Adulteration of Food (Amendment) Bill be referred to a Select Committee consisting of the following :—

Chaudhri Zafrullah Khan ;
Dr. Gopi Chand, Bhargava ;
Rai Bahadur Lala Sewak Ram ;
Mr. Din Muhammad ;
Lala Mohan Lal ;
Khan Bahadur Mian Muhammad Hayat, Qureshi ;
Rai Sahib Chaudhri Chhotu Ram ;
Mr. J. G. Beazley ;
Mr. M. M. L. Currie ;
Sardar Habibullah, and
The Mover."

The motion was carried.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

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

“That in the constitution of the Select Committee on the Punjab Land Revenue (Amendment) Bill the name of Mr. C. A. H. Townsend be substituted for the name of Mr. H. D. Craik.”

The motion was carried.

AMENDMENT OF STANDING ORDERS.

The Deputy President : Sir, I beg to present the report of the select committee appointed to consider the draft amendments of Standing Orders.

The Deputy President : Sir, I beg to move—

“That the report of the select committee appointed to consider the draft amendments of Standing Orders be taken into consideration.”

The motion was carried.

Mr. President : The question is—

“That Standing Order 4-A be omitted.”

The motion was carried.

Mr. President : The question is—

“That in Standing Order 74-D the words ‘and of the Committee on Public Accounts’ be omitted.”

The motion was carried.

The Deputy President : Sir, I beg to move—

“That the draft amendments to Standing Orders be approved.”

The motion was carried.

**ELECTION OF MEMBERS TO SERVE ON THE SELECT COMMITTEE TO AMEND STANDING ORDERS AND
ELECTION OF MEMBERS TO SERVE ON
STANDING COMMITTEES.**

Mr. President : The Council will now proceed to elect members to serve on the various Standing Committees. I might mention that the number of candidates for the Standing Committee on Industries is equal to the number of vacancies, and that, therefore, there will be no election of that committee. But before proceeding to elect members to serve on the Standing Committees the Council will proceed to elect members to serve on the select committee to amend Standing Orders.

(The voting papers were distributed and the members put their voting papers in the ballot box after recording their votes.)

RESOLUTION.

RESOLUTION REGARDING RECOMMENDATIONS EMBODIED IN MR. ANDERSON'S
REPORT RE MUZAFFARGARH.

Mr. President : Sayad Muhammad Husain.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural] : Sir, in respect of this resolution¹ may I raise a point of order and invite your attention to Article 23 of the Manual of Business and Procedure ? I may explain that notice for this resolution was given by the honourable member for Rural Montgomery. His resolution was ballotted for and was No. 6 on the agenda for the 22nd of February 1928. If His Excellency was pleased to allot more time for non-official business, may I know if this grant of additional time was notified and whether the members were invited to send in their several items of business, and was any ballot taken to determine the precedence of business as required by Standing Order 7 ? It is not permissible to depart from the rule contained in Standing Order 7, and even if it is, the rule should not be departed from in the interest of business which can be so handled, and is habitually so handled, as to turn the House into a veritable cockpit. I do not want to say anything regarding the merits of the resolution which is not at present before us, but I think it is very unfair to the House to invite it to discuss a report which has not been placed into the hands of the honourable members of this House. (*A voice: it has been placed*). If it was placed, it was placed so long ago that it may be taken to be as good as having not been placed.

Mr. President : If I understand the honourable member aright his objection is two-fold : *First*, that under the rules and standing orders in force the resolution in question, which is a non-official piece of business, cannot be taken up to-day which is a Government business day ; *Secondly*, that the nature of the resolution is such that it ought not to be allowed to be moved.

Mr. Labh Singh : Quite so, Sir. My objection is really two-fold, and it comes to this that if time for extra non-official business had been given in addition to the two days which were originally allotted for this kind of business, then my submission is that the fact should have been notified to the members in time to enable them to send up their motions, and then in accordance with Standing Order 7 a ballot of all those items which were sent in should have been held. That Standing Order cannot be overridden and if that is not overridden the resolutions which got precedence by virtue of the original ballot for the 22nd must be given priority over the resolution which is going to be moved.

Mr. President : The rule upon which the honourable member relies is clearly against his contention. The last sentence of rule 6 is "On other days no business other than Government business shall be transacted *except with the consent of the Local Government*." These last eight words leave no room for doubt that with the consent of the Local Government a business,

¹ "This Council recommends to the Government to give effect to the recommendations embodied in Anderson's report regarding relief for the residents of the Muzaffargarh District."

[Mr. President.]

which is not Government business, may be discussed on a Government business day. In this connection I may inform the House that on the 3rd of March a requisition was sent by the Chief Secretary to Government, to the Secretary, Legislative Council, and it runs as follows:

“Government have decided to provide time on the 14th of March for the resolution standing in the name of Sayyad Muhammad Husain relating to Mr. Anderson's report on the Muzaffargarh district, and desire it to be placed first on the list of business. Government business will follow. I am to explain that this arrangement does not in any way imply that Government is prepared to accept any part of the resolution.”

It is perfectly clear from this requisition that not only did the Government consent, at the request of the honourable mover of the resolution, but that it formally intimated its consent to the Secretary, Legislative Council, that the Resolution may be moved on a day fixed for Government business. It was in compliance with this requisition that the resolution in question was placed as item No. 1 on yesterday's agenda. Then there is the further question whether this resolution can be taken up to-day, because it was left over from yesterday's business. It is perfectly clear from Standing Order 9, that it cannot be so taken up. The would-be mover of the resolution approached me this morning, and I also hold a further written requisition, dated the 15th of March, from the Leader of the House. It runs as follows:—“Muzaffargarh resolution, Government wishes to continue the agenda, and take up the resolution before other business.” I pointed out to the Leader of the House that there was no rule of business which justified the course suggested by him. Standing Order 8 (2) runs as follows:—

“Save as otherwise provided in the rules or these standing orders the business for the day shall be transacted in the order in which it appears in the list of business, and no business not included in the list of business for the day shall be transacted at any meeting without the leave of the President.”

As the honourable members are aware, the Leader of the House requested the Chair at the commencement of to-day's business, that the resolution in question may be taken up before the Government business, but that I ruled that such a course would be open to serious objection. I expressed my willingness, however, to allow the moving of the resolution under Standing Order 8 (2) at the conclusion of the official business of the day. Now that yesterday's as well as to-day's business has been finished, I propose to allow the honourable member to move his resolution. This course appears to be in order.

Mr. Labh Singh : Sir, I hope it is clear that that this resolution was not included in to-day's business. The House did not know till now that this resolution was coming up. As it was not taken up yesterday we thought it would not come up to-day. No notice was given to us that it would be taken up to-day.—

Mr. President : I agree with the honourable member that the resolution is not shown in to-day's list of business. But it has been in the list

of business of the 14th instant for about a week. Therefore it cannot be fairly contended that, if allowed to be moved to-day, it shall come as a surprise to the honourable members. I am inclined, therefore, to think that there is no serious objection in allowing it to be moved in exercise of my powers under Standing Order 8 (2).

Mr. Labh Singh : I may be permitted to point out that the occasion for which this resolution was intended to be moved has gone.

Mr. President : I have not been able to follow the honourable member's point.

Mr. Labh Singh : I was saying, Sir, that the occasion for which this resolution was being staged has apparently lapsed. They said that the discussion of this resolution was intended to create a scene for the edification of certain people who are not now here, and who are not likely to visit the House during the discussion, and therefore the occasion may be taken to have disappeared.

Mr. President : The very fact that the Government insisted on the resolution being taken up as the first item to-day proves that the honourable member's allegation has no justification.

Chaudhri Zafrullah Khan : May I be permitted to submit or rather to enquire whether the Government's persistence in having this resolution discussed at all events shows merely that they originally intended the resolution as a piece of good faith or whether they intended to have it discussed and voted upon? Surely this is a non-official resolution, and there must be something behind the persistence of Government to have it discussed at all events.

The Honourable Mian Sir Fazl-i-Husain : Two leading members of this House have made certain observations as to the position of Government in this matter which, I have no doubt on further consideration they will realise it would have been better not to have made. In the first place, has the honourable member from Sialkot any justification for saying that Government is persistent that anyhow this resolution must be taken up? I may assure you and the House (*interruption*) that the course the Government have taken in requesting that this resolution may be taken up to-day shows their *bona fides*. The honourable member is quite welcome to make any observations he likes as to the remarks which fell from the Chair. But my position and the position of Government should not be misunderstood. Government has no desire to force a debate on the Muzaffargarh report on this House. If there is a large body of opinion in this House that this report should not be discussed I will not press that it be discussed. As a matter of fact I will be glad to be let off at 4 o'clock to-day since we began at 12 noon.

In the second place the reason why Government to-day, yesterday and even before agreed that on a Government business day this matter be taken up is this. The honourable member representing Montgomery (Sayad Muhammad Hussain) had tabled a resolution about this more than once. Government on his request and at the request of this House had this report prepared. The report was printed and circulated to the members during the Simla session. The object was that this report should be discussed some time

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

or other by this House. If the honourable members or even a large body of them do not wish it to be discussed, Government will naturally proceed to take such action as it deems necessary. I thought that Government was really meeting the wishes of this House in not only taking action on the report but before taking action on the report finally to have the report discussed in this House. Honourable members seem to be in some sort of delusion that there is something up the sleeves of Government that they wish just to bring out when the House discusses the resolution whether the members desire to discuss it or not. If the House is even doubtful as to the necessity of discussing the report, Government has no desire to have it discussed.

Mr. President : I was justified, I thought, to conclude that as the item had remained on the agenda for more than a week without any objection from any member, that the House wished to discuss it. It is on that assumption that I felt myself justified to permit the resolution being moved under Standing Order 8 (2). But, if the House does not wish it to be taken up to-day I shall not allow it to be moved. Therefore, before proceeding further I would like to take informally the sense of the House as to whether it wants the resolution to be taken up or not.

[The sense of the House was taken and it was against the moving of the Resolution.]

As the sense of the House is against taking up the resolution, I decline to allow it to be moved.

ANNOUNCEMENT FROM THE CHAIR.

HOUSE COMMITTEE.

Mr. President : Before adjourning the Council I have to acquaint the House of an important matter. It appears that when the first Council came into existence in the year 1921 the then occupant of this Chair appointed a members' comforts committee, but that in subsequent years no such committee was appointed. Representations have been made to me by several members that such a committee is absolutely necessary. To meet that desideratum I have decided to follow the precedent of 1921, and to appoint a committee of the following seven members :—

Sardar Harbakhsh Singh ;

Raizada Hans Raj ;

Mr. Labh Singh ;

Mr. Owen Roberts ;

Sayad Muhammad Husain ;

Chaudhri Zafrulla Khan, and the Deputy President.

The Deputy President will be the chairman of the committee. The committee will meet from time to time to consider, discuss, decide and communicate to Government the legitimate needs and requirements, etc., of the members of the Council. I think such a committee was needed. (Cries of "yes").

The Council then adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 4th May 1928.

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

OATH OF OFFICE.

The following members were sworn in :—

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

COWAN, MR. H. M. (Official, nominated).

SMITH, MR. J. B. G. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

MUNICIPAL AND SMALL TOWN COMMITTEES.

***1262. Chaudhri Dali Chand :** Will the Honourable Minister for Local Self-Government kindly state the minimum population required —

(a) to include a place in an urban constituency of the Punjab Council

(b) to establish a Municipal Committee at a place ;

(c) to establish a Small Town Committee at a place ?

The Honourable Malik Firoz Khan, Noon : No minimum population is prescribed by any law or rule.

INAYAT ULLAH, SUB-INSPECTOR, SARGODHA.

***1263. Chaudhri Zafrullah Khan :** (a) With reference to starred question No. 1066^a put by me at the last session of the Council, will the Honourable Finance Member please state whether the answer to the question is ready, and, if so, what is the answer ?

(b) Will the Honourable Finance Member please state whether the Sub-Inspector involved in the case has on reinstatement been given the whole of his pay and allowances for the period during which he was under suspension ? If not, why not ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being collected, and a reply will be communicated to him in due course.

STRICTURES BY THE HIGH COURT AGAINST THE DISTRICT MAGISTRATE,
SARGODHA.

***1264. Chaudhri Zafrullah Khan :** With reference to starred question No. 1067¹ put by me at the last session of the Council, will the Honourable the Finance Member please state whether the enquiry referred to in his answer to the said question has yet been completed, and, if so, what are the conclusions arrived at by the Government on the basis of such enquiry?

The Honourable Sir Geoffrey deMontmorency : The replies to the enquiries made by Government have been received : and the Punjab Government has submitted a report on the case to the Government of India.

DEG NALLA.

***1265. Chaudhri Zafrullah Khan :** With reference to the answer given to part (c) of starred question No. 1069² put by me at the last session of the Council, will the Honourable Revenue Member please state whether the investigations referred to in the answer have been completed and whether some scheme for the training of the Deg Nalla has been finally approved of? If no scheme has yet been finally approved of, will the Honourable Member please state what progress has been made in that direction?

The Honourable Mian Sir Fazl-i-Husain : The investigations referred to are not yet completed and consequently no scheme for the training of the Deg Nallah has yet been approved.

A scheme for diverting the Deg torrents along the Raya Branch of the Upper Chenab Canal is being worked out and will shortly be considered by Government. At the same time a revenue survey is being made of the area subjected to flooding and sailaba from the Deg torrents with the object of determining what action is practicable and most advantageous to the area. This survey is also not complete as yet.

MUNICIPAL COMMITTEE, KHUSHAB.

***1266. Chaudhri Umar Hayat :** (i) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact that the Municipal Committee, Khushab, district Shahpur, has by a preponderant majority elected its first non-official president?

(ii) If so, has the Government approved of the election of the non-official president? If not, why not?

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

(ii) The election is to be approved by the Commissioner to whom the result of the election has still to be formally intimated.

¹Page 349 ante.

²Pages 349-50 ante.

LALA KISHEN CHAND OF THE EDUCATION DEPARTMENT.

***1267. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Lala Kishen Chand of the Education department is on deputation with the Amritsar Municipality and has been in the post for five years ;
- (b) whether it is a fact that several complaints were preferred against him ;
- (c) whether it is further a fact that similar deputations of departmental officers to municipalities have been cancelled, and that in this instance too the Inspector proposed the cancellation and was supported by the Director of Public Instruction ;
- (d) whether it is a fact that a deputation waited upon the Honourable Minister for Education on behalf of the said Lala Kishen Chand, and as a result the proposed cancellation of the deputation was rejected ?

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

(b) Government does not desire to become an agency for the publication of complaints against its officers. Where such complaints are received and are held to be justified, suitable action is taken.

- (c) Similar deputations have, in some but not all cases, been terminated.
- (d) No.

MANAGER, HINDU SCHOOL, BARAMANGA.

***1268. Rana Firoz-ud-Din Khan :** (a) Will the Honourable Minister for Education kindly state if it is a fact—

- (i) that the Manager of the Hindu School at Baramanga in the Gurdaspur district was accused of having falsified or made false entries in the school accounts ;
- (ii) that the matter was brought to the notice of (1) the Deputy Commissioner, Gurdaspur ; (2) the Superintendent of Police, Gurdaspur, and (3) the Director of Public Instruction ;
- (iii) that the Deputy Commissioner and the Superintendent of Police in consultation with the Public Prosecutor at one time proposed to prosecute the said Manager ;
- (iv) that the matter was brought to the notice of the Honourable Minister for Education ;
- (v) that the matter was subsequently dropped ?

(b) What action did the Honourable Minister for Education take in this case ?

The Honourable Mr. Manohar Lal : Certain enquiries were made regarding the management of the school, and such departmental action as was considered necessary was taken.

ISLAMIA HIGH SCHOOL, DASUYAH.

***1269. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education be pleased to state if it is a fact—

- (i) that the grant-in-aid of the Dasuyah Islamia High School was withdrawn on the ground that a speech had been delivered in the school compound which was alleged to be calculated to create disaffection between two sections of the public ;
- (ii) that the person who made the speech was in no way concerned with the management of the school ;
- (iii) that he was not proceeded against by the Deputy Commissioner of the district or the higher authorities for his speech ;
- (iv) that no such affair had ever previously been reported about the school or its compound ;
- (v) that withdrawal of the grant was the first action taken ?

The Honourable Mr. Manohar Lal : (i) Yes, and also because the school took part in propaganda having a tendency to excite feelings of enmity and hatred between different sections of His Majesty's subjects.

(ii) Yes.

(iii) No. M. Ata Ullah Shah of Amritsar was prosecuted under section 108 (c) of Indian Penal Code.

(iv) No. Similar meetings had been held at the school in October, 1926.

(v) No. The school was warned both by the Deputy Commissioner and the Inspector, and the grant was withdrawn when the meetings of July last were held despite the warning.

The honourable member may be interested to know that the grant has since been restored.

PROVINCIAL EDUCATIONAL SERVICE.

***1270. Rana Firoz-ud-Din Khan :** Will the Honourable Minister for Education be pleased to state if it is a fact—

- (i) that eight appointments to the Provincial Educational Service were made in connection with the new Intermediate Colleges opened in 1927 ;
- (ii) that six out of these posts were given to Hindus and one each to a Muslim and a Sikh ;
- (iii) that three of these eight posts were given to barristers and two to ordinary M.As., all of whom had no previous experience of teaching ;
- (iv) that the old practice in respect of these appointments was departed from ; if so, the reasons for this departure ;
- (v) that the Honourable Minister for Education gave certain directions to the selection committee, and that several of the candidates and their supporters had interviews with the Honourable

Minister for Education (a) before and (b) after the issuing of those directions ?

The Honourable Mr. Manohar Lal : (i), (ii) and (iii). The honourable member's attention is invited to the answer given to Council question No. 417¹ starred.

(iv) There has been no departure from any established practice.

(v) No directions of any kind were given, and the honourable member may be reminded that it is not usual for Government to disclose such details of departmental procedure.

LALA BHAGWAN DAS OF THE D. A.-V. COLLEGE.

***1271. Rana Firoz-ud-Din Khan :** (i) Will the Honourable Minister for Education be pleased to state if it is a fact—

(a) that L. Bhagwan Das of the D. A.-V. College was not recommended by the selection committee for promotion to the P. E. S. ;

(b) that the Honourable Minister for Education himself had L. Bhagwan Das' name substituted in place of another candidate recommended by the selection committee ?

(ii) If the answers to (a) and (b) be in the affirmative, will the Honourable Minister for Education very kindly state what particular reasons led him to interfere in this particular case ?

(iii) Will the Honourable Minister for Education kindly disclose the name of the person supplanted by L. Bhagwan Das ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer to Council question No. 417¹ starred. The honourable member is aware that it is not the practice of Government to furnish any more detailed information, and it is certainly not desirable to discuss the merits or otherwise of every candidate for appointment who is not selected.

JIRGAS.

***1272. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

(a) how many kinds of jirgas there are in the Dera Ghazi Khan district ;

(b) who are eligible to be members of jirgas other than the chiefs jirga ;

(c) what kind of criminal and civil cases are referred to the chiefs and other jirgas ;

(d) whether murder cases are also referred to jirgas other than chiefs jirgas ;

[Shaikh Faiz Muhammad.]

- (e) how many criminal cases were referred to the chiefs and other jirgas during the two years ending with the 31st of December 1927 ;
- (f) in how many cases referred to the jirgas during the above period the accused were found guilty by the jirgas ;
- (g) in how many cases in which the accused were found guilty by the jirga concerned reliance was placed on hearsay evidence and the personal knowledge of one or more members of the same jirga without such member or members appearing as witnesses ;
- (h) under what provision of the Frontier Crimes Regulations or any other enactment the accused is debarred from representing his case through a counsel in proceedings under the Frontier Crimes Regulations ?

The Honourable Sir Geoffrey deMontmorency : The information asked for is being collected, and will be communicated to the honourable member when complete.

JIRGAS.

***1273. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

- (a) whether cases of non-Balochs and people living outside the Tuman limits are also referred to the chiefs jirga ;
- (b) If the answer to (a) be in the affirmative, who represents these non-Balochs and people living outside Tuman areas on the chiefs jirga ?

The Honourable Sir Geoffrey deMontmorency : Local officers have been addressed in the matter, and their replies are awaited.

JIRGAS.

***1274. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state whether it is a fact that persons who assist the ordinary or border military police in the investigation of offences are allowed to sit as members of jirga in cases in which they have assisted the ordinary or border military police in the investigation ?

The Honourable Sir Geoffrey deMontmorency : Enquiries are being made from the local officers, and the result will be communicated to the honourable member.

FRONTIER CRIMES REGULATIONS.

***1275. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

- (a) if the committee appointed in 1921 for suggesting amendments to the Frontier Crimes Regulations have submitted their report ;

- (b) the date on which the report was submitted ;
- (c) the names of non-official members who signed the report ;
- (d) the names of non-official members who died before signing the report ;
- (e) the names of non-official gentlemen, if any, appointed in place of deceased members ;
- (f) the reasons for so far withholding the report from this Council ;
- (g) action, if any, taken by the Government on that report ?

The Honourable Sir Geoffrey de Montmorency : (a) The Committee appointed in 1921 under the presidency of Mr. Tollinton held only one meeting on the 18th April, 1922 and adjourned its proceedings until it was known what conclusions the North-West Frontier Enquiry Committee presided over by Mr. Bray (now Sir Dennys Bray) would reach. The report of this latter Committee was published on the 25th March, 1924 and in July, 1924 Government decided to reassemble the provincial committee of 1921 under the chairmanship of Mr. Barron.

(b) The proceedings of two meetings of the Barron Committee were forwarded to Government in April, 1925.

(c) The following non-official gentlemen attended the proceedings of the Barron Committee :—

- (i) Diwan Bahadur Raja Narendra Nath.
- (ii) Khan Bahadur Sardar Jamal Khan.
- (iii) Khan Muhammad Saifullah Khan.
- (iv) Rai Sahib Lala Girdhari Ram of Kallur.
- (v) Sardar Allan Khan, Drishak, of Asni.

The proceedings so far as known were not signed by the members, but the conclusions were evidently reached by general agreement.

(d) The only non-official who died was Nawab Sir Bahram Khan who was a member of the Tollinton Committee of 1921.

(e) No non-official was appointed in place of Nawab Sir Bahram Khan as a member of the Barron Committee.

(f) & (g) Government finished their examination of the Barron Committee's recommendations only in September 1927 when it issued certain executive instructions in the matter of the working of the Regulation, a copy of which is laid on the table.

No. 24054 (H.—Judl.), dated 20th September, 1927.

From—B. H. DOBSON, Esq., C.B.E., I.C.S., Home Secretary to Government, Punjab,
Multan
To—The Commissioner, ———— Division.
Rawalpindi

SUBJECT :—*Frontier Crimes Regulation, 1901.*

I AM directed to refer to the correspondence ending with your letter No. LXXVIII-28-2, dated the 8th June, 1927, on this subject.
236-Govt. U-XIX-100, dated the 2nd April, 1927,

[Hon'ble Sir Geoffrey deMontmorency.]

2. After carefully considering the opinions expressed by the Commissioners of the Rawalpindi and Multan Divisions, the Governor in Council is pleased to issue the following executive orders regarding the practice on the various points in issue. Nothing in these instructions refers to the Trans-border portion of the Dera Ghazi Khan district where it is not proposed to make any change in the manner in which the regulation is used and applied :—

(a) *Section (2) (a).*—Complete lists of persons eligible and suitable for selection as Elders should be maintained and annually revised by all Deputy Commissioners concerned. The Governor in Council does not think it necessary that these lists should be approved by Commissioners, but Commissioners should from time to time in the course of their inspections satisfy themselves that the lists are properly maintained. In the case of a local tribal jirga, where by custom members are appointed by the Tumandar himself, as in the case of the Mazari Tuman in Dera Ghazi Khan it is necessary to make any change in existing practice or for the Deputy Commissioner, Dera Ghazi Khan, to maintain lists.

(b) *Section 8.—Civil References.*—The Governor in Council considers that in Muzaffargarh and Mianwali Civil references to a Council of Elders should be confined to disputes about women. In Dera Ghazi Khan they need not be so confined. Important disputes of other kinds, where special reasons exist, have been and can be profitably referred to a Council of Elders for decision. As regards disputes about women in the Dera Ghazi Khan District, only those concerning a Beloch woman should be referred to a Council of Elders : where the woman in the case is of a Jat or other non-Beloch tribe, the case should be referred to civil courts.

(c) *Section 11 (2).*—As regards sub-section (2) of this section, the Governor in Council is pleased to direct that as a rule of practice an accused objecting to any member of a Council of Elders shall be required to state the nature of his objection.

(d) *Section 11 (3).*—The Governor in Council agrees with the Commissioner of Multan that the Deputy Commissioner of Dera Ghazi Khan should retain the power to refer the findings of a local tribal jirga to a Chiefs Council (Second Council), the personnel of the latter to be selected by the Deputy Commissioner from the list maintained by himself. No reference from a Chiefs Council to a second Council shall, however, be made by the Deputy Commissioner, Dera Ghazi Khan, without reference to the Commissioner. The Governor in Council is also pleased to direct that if three-fourths of the Elders composing a Chiefs Council are in favour of acquittal, the Deputy Commissioner, Dera Ghazi Khan, should ordinarily acquit the accused. In cases submitted to a tribal Jirga

in the Leiah tahsil of the Muzaffargarh district and the Mianwali district, the Deputy Commissioner concerned should similarly acquit in ordinary circumstances, when three-fourths of the members of a jirga are in favour of acquittal.

(e) *Section 14.*—The Governor in Council is pleased to direct that no action under section 11 of the Regulation shall ordinarily be taken after a charge has been framed by a Magistrate or an order of committal made.

(f) *Section 16.*—Notwithstanding the powers conferred by this section, the Governor in Council is pleased to direct that action under section 11, as limited by section 14, shall ordinarily be taken against all several accused in a single case and not against one or some of them only.

(g) With regard to the political havalat, the Governor in Council desires that its use should be strictly subject to the limitations contained in section 21.

(h) With regard to the delegation of powers under section 2 (b) to officers below the rank of Deputy Commissioner, it is understood that in the Dera Ghazi Khan district all orders of reference to a jirga are passed by the Deputy Commissioner, or Political Assistant acting as Additional District Magistrate; and it is not proposed to disturb the power of delegation specified in the first schedule, part I (a), and in any area to which the Regulation applies. With this exception, the Governor in Council is pleased to direct that both in the Dera Ghazi Khan and other districts concerned the Deputy Commissioner shall not exercise the powers of delegation specified in part I (b) of the first schedule of the Regulation, save in regard to the nomination of members of a Tribal jirga when an order of reference has been made and the exercise by tumandars with 1st class powers in the Dera Ghazi Khan district, the power to take security under section 40 of the Regulation.

3. I am to add with regard to the Leiah tahsil of the Muzaffargarh district that the Governor in Council has decided not to exclude this tahsil from the scope of the Regulation. I am also to point out that the Regulation generally should be restricted to its narrowest uses and that all cases in which there is sufficient evidence for a sessions trial, should be dealt with by the regular courts. Moreover, the Deputy Commissioners concerned should ordinarily not refer cases in which Hindus are concerned as accused to a jirga under the Frontier Crimes Regulation, which is not intended for this class of persons.

4. The Governor in Council desires these orders to be communicated to the Deputy Commissioners of Dera Ghazi Khan, Muzaffargarh and Mianwali, and requests you to ensure that they are properly observed.

POLICE.

***1276. Shaikh Faiz Muhammad :** (a) Will the Honourable Finance Member kindly state, if it is a fact that constables and head constables of police, residents of Dera Ghazi Khan district posted in the district, get less pay than constables and head constables who are not residents of Dera Ghazi Khan district and are posted in that district?

(b) If the answer to (a) is in the affirmative, what is the reason for this inequality of pay among police servants of the same status?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) This is due to the grant of trans-Indus allowances of Rs. 5 and Rs. 4 per mensem to head constables and constables, respectively, who are not residents of the Dera Ghazi Khan district. Efficiency demands that there shall be a leavening of cis-Indus enrolments in the police force of the Dera Ghazi Khan district, but the physical hardships of the district are such, and the expenses incurred by journeys to and from the Punjab when on leave are so heavy, that no Punjabi of the accepted standard for enlistment is prepared to enlist in the Dera Ghazi Khan district unless offered special terms.

MR. BRAYNE'S DEVELOPMENT SCHEME.

***1277. Lala Joti Parshad :** Will the Honourable the Minister for Agriculture please state whether the answer to question No. 1174,¹ starred, put on the 12th March 1928, is ready? If so, will he please lay a copy of it on the table?

The Honourable Sardar Jogendra Singh : I regret the answer to question No. 1174, starred, is not yet ready.

SIRSA BRANCH OF THE WESTERN JUMNA CANAL.

***1278. Lala Joti Parshad :** With reference to the answer to question No. 1117², starred, put on 7th March, 1928, will the Honourable the Revenue Member be pleased to state—

(a) the reasons as to why the average discharge of the Sirsa branch is just half of the authorised full supply discharge;

(b) whether no steps can be taken to increase the annual output?

The Honourable Mian Sir Fazl-i-Husain : (a) The Sirsa Branch is run in accordance with supplies available and demand. The low average supply run is chiefly due to lack of demand in the *kharif* season when ample supplies are available.

(b) No.

COMMUNAL RIOTS.

***1279. Lala Joti Parshad :** Will the Honourable the Finance Member please state—

(a) the total number of communal riots in the Punjab since the introduction of Reforms;

¹Page 604 *ante*.

²Page 447 *ante*.

(b) the number of persons killed or wounded in each of these riots communitywise ;

(c) the number of persons challaned and convicted community-wise ?

The Honourable Sir Geoffrey deMontmorency : (a) 12.

(b) The total number of killed and injured in these riots, by communities, is—

			<i>Killed.</i>	<i>Injured.</i>
Hindus	..	..	29	565
Mubammadans..	..	..	26	223
Sikhs	..	..	9	62

The figures for the communal proportion as regards the number injured are only approximate.

(c) Government has no figures and considers that their collection would entail an amount of time and trouble out of proportion to the value of the information.

CONSOLIDATION OF HOLDINGS.

***1280. Lala Joti Parshad :** Will the Honourable the Minister for Agriculture please state—

(a) the number of villages districtwise in the Ambala division wherein scattered holdings have been consolidated up till now ;

(b) whether there is any district in the division where this work has not been taken up as yet ? If not, why ?

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

FACILITIES FOR THE EDUCATION OF GIRLS IN HISSAR, ETC., DISTRICTS.

***1281. Lala Joti Parshad :** With reference to question No. 762,¹ starred, put on 23rd November, 1927, will the Honourable the Minister for Education please state whether the matter has so far received the consideration of the Government ? If so, what steps, if any, have been taken ?

The Honourable Mr. Manohar Lal : The honourable member's attention is invited to the answer given to his Council question No. 1183,² starred. It has now been decided to open a vernacular middle school for girls with training units attached at Rohtak.

¹Vol. X-B., page 1279.

²Page 606 ante.

TOHANA SMALL TOWN COMMITTEE.

***1282. Lala Joti Parshad :** With reference to the answer to starred question No. 949,¹ put on 25th February, 1928, will the Honourable the Minister for Local Self-Government be pleased to state what action, if any, has been taken on the petition by the Government ?

The Honourable Malik Firoz Khan, Noon : As already intimated, the petition was forwarded to the Commissioner, Ambala division, for disposal, who, after receiving a report from the Deputy Commissioner, took no further action as a large number of Hindu residents of Tohana were against the views expressed by the secretary of the Hindu Sabha and had presented a counter-petition.

SUPERINTENDENT, GOVERNMENT CATTLE FARM, HISSAR.

***1283. Lala Joti Parshad :** Will the Honourable the Minister for Agriculture please state—

(a) whether it is a fact that Lieutenant L. Smith of the Army Department has been appointed to succeed Mr. Branford, as Superintendent, Government Cattle Farm, Hissar? If so, will Government state his qualifications and experiences, if any, for selection to this post ?

(b) whether the claims of Mr. Egan, C.V.S., who was specially selected by the Secretary of State for India for cattle-breeding in the Punjab and who has officiated as Superintendent, Government Cattle Farm, Hissar, in the past were considered before appointing Lieutenant Smith ?

The Honourable Sardar Jogendra Singh : (a) Yes, on an initial five years' contract. Lieutenant Smith was in charge of a large cattle, horse and sheep breeding farm in England for five years. He has also had 5½ years' experience in the Army Remount Department during which he held charge of cavalry farms, and also of horse-breeding areas.

(b) Yes.

GOVERNMENT HIGH SCHOOL, HISSAR.

***1284. Lala Joti Parshad :** (i) Will the Honourable the Minister for Education please state—

(a) whether it is a fact that Government proposes to dispense with the present primary staff of the Government High School, Hissar, and that staff will be replaced by J. A.-V. students of the normal training classes, each of whom will be in charge of the class for a fortnight only ;

(b) whether it is a fact that Hissar is one of the most backward districts in the province so far as education is concerned ?

■ (ii) If the answers to (a) and (b) be in the affirmative, does the Government propose to abandon the experiment in such a place as Hissar ?

The Honourable Mr. Manohar Lal : (i) (a) Government does not at present propose to make such a change.

(b) Yes.

(ii) Does not arise.

FOOD ARRANGEMENT FOR MUSALMAN PRISONERS.

***1285. Khan Bahadur Mian Muhammad Hayat, Qureshi :** (i) Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that there are no separate food arrangements for the Musalman prisoners in the tubercular jail, Shahpur ;

(b) whether it is a fact that on the representation of the prisoners and the recommendation of the non-official visitors of the jail, separate arrangement was promised by the authorities ?

(ii) If so, when does the Government propose to make such arrangements ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes.

(ii) Plans and estimates have been prepared. It is hoped to provide funds for the work during the current year.

IRRIGATION ON THE LOWER JHELUM CANAL.

***1286. Khan Bahadur Mian Muhammad Hayat, Qureshi :** Will the Honourable the Revenue Member be pleased to state—

(a) whether it is a fact that the percentage of irrigation on the Lower Jhelum Canal is only 40 per cent. for some areas ;

(b) whether it is a fact that there will be closures of canals during the summer for about 10 days per month ;

(c) whether it is a fact that for the *kharif* crops the irrigation is only one-third of this percentage ?

The Honourable Mian Sir Fazl-i-Husain : The reply to each portion of the question is in the affirmative.

GOVERNMENT INTERMEDIATE COLLEGE AT SHAHPUR.

***1287. Khan Bahadur Mian Muhammad Hayat, Qureshi :** (i) Will the Honourable the Minister for Education be pleased to state—

(a) whether it is a fact that the establishment of a Government Intermediate College at Shahpur has been sanctioned and provided for in this year's budget ;

(b) whether it is a fact that Government and other buildings are available for the proposed college and that the budget provides for petty repairs to existing buildings and for staff and furniture ?

[K. B. Mian Muhammad Hayat Qureshi.]

(ii) If the answer to (a) and (b) above be in the affirmative, what action, if any, has so far been taken to establish the college this year?

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

(i) (b) and (ii) The attention of the honourable member is invited to the reply to question No. 1159¹ starred asked at the last session of the Council.

Sardar Ujjal Singh : Will the Honourable Minister please say whether any representation has been received by him for opening the college at Sargodha the headquarters of the district instead of at Shahpur, and if so, whether it is receiving his consideration?

The Honourable Mr. Manohar Lal : Government has received a large number of representations on this question and they are receiving our consideration.

GRANTS FOR AIDED INDIAN SCHOOLS.

***1288. Sardar Ujjal Singh :** Will the Honourable the Minister for Education lay on the table a statement of grants sanctioned for aided Indian schools during the years 1925-26 and 1926-27?

The Honourable Mr. Manohar Lal : The information is contained in the consolidated statement of grants, a copy of which has already been supplied to the honourable member.

GRANT-IN-AID TO DENOMINATIONAL SCHOOLS.

***1289. Sardar Ujjal Singh :** (i) Will the Honourable the Minister for Education please state whether there has been any departure from the previous practice in the calculation of the grant-in-aid to denominational schools in the Punjab since the year 1926?

(ii) If so, will he please state—

(a) whether the necessary changes were made in the Punjab Education Code;

(b) whether the managers of aided schools were given due notice of this departure and also whether they were duly informed that the salaries of the untrained teachers and of those certificated teachers whose work was not approved by the inspecting officers would be excluded from the total expenditure for the grant purposes;

(c) whether this new practice was followed uniformly in all the divisions;

(d) on whose initiative was this change approved by the Director of Public Instruction;

(e) whether the Director of Public Instruction's letter sanctioning the proposed change was circulated in the aided schools of the Rawalpindi division also;

(f) whether any correspondence took place between the Director of Public Instruction, Punjab, and the Inspector of Schools on the subject of the departure from the past practice in the calculation of grants? If so, it may be laid on the table.

The Honourable Mr. Manohar Lal : (i) No new practice has been introduced since 1926. The honourable member has evidently in mind, however, instructions which were designed to establish uniformity in the treatment of the salaries of uncertificated teachers. These were instructions to Inspectors regarding the exercise of their powers under the Punjab Education Code.

(ii) Does not arise.

LAND REVENUE AND WATER-RATES.

***1290. Sardar Ujjal Singh :** Will the Honourable the Revenue Member be pleased to state the amount of land revenue and water-rates paid in 1926-27 by each community in the province ?

The Honourable Mian Sir Fazl-i-Husain : The figures are not available and to collect them would be a very laborious task.

In 1918 certain statistics were collected for the purposes of determining the franchise. These figures show communitywise the classification of land-owners and Crown tenants paying land revenue from Rs. 20 to Rs. 500 or more, but no information was then collected about the number of landlords paying land revenue under Rs. 20. A copy of the statement¹ prepared in 1918 is laid on the table. It does not, however, give the information required by the honourable member.

PROPRIETARY GRANTS IN THE NILI BAR.

***1291. Sardar Ujjal Singh :** Will the Honourable the Revenue Member please state the number of grantees, communitywise, selected for peasant proprietary grants in the Nili Bar from the water-logged areas of Shaikhapura and Gujranwala districts ?

The Honourable Mian Sir Fazl-i-Husain : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

UNSTARRED QUESTIONS AND ANSWERS.

MR. BRAYNE, DEPUTY COMMISSIONER.

663. Rai Bahadur Pandit Daulat Ram, Kalia : (a) Will the Chief Secretary please state if it is a fact that Mr. Brayne, Deputy Commissioner, Gurgaon, is proceeding on long leave ?

(b) If the answer to (a) is in the affirmative, who would take up the uplift work started by him in the Gurgaon district ?

(c) Does the Government propose to appreciate his noble work in any way ? If so, in what way ?

Mr. H. W. Emerson : (a) Yes.

(b) Mr. C. N. Chandra who is succeeding Mr. Brayne will, no doubt, as Deputy Commissioner and Chairman of the District Board, pay due attention to the uplift movement.

(c) It is not the practice to publish the intentions of Government in such cases.

¹ Available in the Council Library.

GOVERNMENT HIGH SCHOOL FOR GIRLS AT HOSHIARPUR.

664. Sardar Harbakhsh Singh : Will the Honourable the Minister for Education kindly state—

- (a) whether the Government has definitely decided to start a Government High School for girls at Hoshiarpur from this year as approved in the last meeting of the Standing Committee on Education ;
- (b) if so, from what date and what classes will be opened ;
- (c) what vernaculars will be taught in it and whether it will have a boarding house attached to it ;
- (d) whether there will be a training class for teacheresses attached to the school and the nature of qualifications that will enable girls to join that class ?

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

(b) 15th May. The number of classes will depend upon admissions.

(c) Urdu, Hindi and Punjabi.

(d) The opening of a class for training teacheresses is under consideration.

MAULANA SAYAD HABIB OF SAYASAT AND SAYAD INAYAT SHAH.

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

- (a) if it is a fact that Maulana Sayad Habib of *Sayasat* and his brother Sayad Inayat Shah were presented before an honourable judge of the High Court ;
- (b) if it is a fact that the honourable judge ordered the removal of handcuffs from the hands of both the brothers ;
- (c) if it is a fact that the honourable judge of the High Court made certain remarks with respect to the behaviour of the police in handcuffing them ?

If so, will the Honourable Member be pleased to lay those remarks of the honourable judge on the table ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes.

(c) The remarks are laid on the table—

“These two petitioners have again been brought into my Court handcuffed together. This I consider highly undesirable. It is not suggested that they are persons who will try to evade police custody, and, as far as I can gather, they are not persons who are in the least likely to give the police any trouble in that regard. On the former occasion I expressed the desire that when this case comes up for hearing the petitioners should not be brought into my Court in chains. In spite of that observation they again have been brought before me handcuffed together. I can only say that it is very regrettable that the wish expressed by this Court in that regard should not have been complied with.”

The Honourable Sir Geoffrey deMontmorency: (a) Yes.

(b) No such circular can be traced.

(c) Zafar Ali Khan refused in the presence of a Magistrate to give bail, or to accompany the police officer, unless he was handcuffed.

WELL BORING.

669. Sardar Hira Singh: Will the Honourable Minister for Agriculture be pleased to state if it is a fact—

(a) that one Jagat Singh of mauza Mari Megh, tahsil Kasur, district Lahore, employed Government borers to bore a well for him;

(b) that the Boring Supervisor declared the boring to be successful and obtained Rs. 400 from the said Jagat Singh as the price of pipes and as *nazrana*;

(c) that after some time the pipe failed to supply water as a consequence of which the *rabi* crops of the said Jagat Singh failed completely;

(d) that Jagat Singh has addressed several complaints to the authorities concerned, but no action has so far been taken by them in the matter?

The Honourable Sardar Jogendra Singh: (a) Yes.

(b) The boring was declared successful. The yield of water before boring under 3 feet head was 272 c.ft. per hour, while after boring it increased to 424 c.ft. per hour.

A sum of Rs. 893-5-0 was recovered from the well-owner as follows:—

	Rs.	A.	P.
Cost of 162 feet pipes at Rs. 2 per foot ..	324	0	0
Overhead charges	50	0	0
Footage allowance for borer	19	5	0
Total ..	893	5	0

(c) Enquiries made by the Well Supervisor show that pipes did not fail to supply water, but that there was a decrease in the output of water in the tenth month after boring, and that this was due to the well not having been run continuously. The Well Supervisor reports that about 81 bighas of wheat matured this *Rabi* from this well.

(d) The well was bored in February 1927. Since then only one letter, dated the 7th December, 1927, was received by the Engineering Section from the well-owner, and action was taken on it. Offers were made by the local well-boring staff to retouch the well with a view to increasing the supply of water, but the owner's agent did not permit the work to be taken up.

SAYAD HABIB AND SAYAD INAYAT SHAH.

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

- (a) if it is a fact that an honourable judge of the High Court made adverse criticism with regard to the handcuffing of Sayad Habib and Sayad Inayat Shah ;
- (b) if it is a fact that in spite of the remark of an honourable judge of the High Court the Sayad brothers were presented in the lower courts in handcuffs ?

If so, what was the justification for disregarding the remarks of the honourable judge of the High Court ?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the answer to his question No. 665 (*ante*). The accused were presented in the lower court in handcuffs, but these were removed in accordance with the order of the presiding magistrate."

MAULANA ZAFAR ALI KHAN.

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

- (a) whether it is a fact that Maulana Zafar Ali Khan was arrested at Karamabad in the month of March under section 147, Indian Penal Code, on a private complaint made by Lachhe Shah ;
- (b) whether it is a fact that he was handcuffed by the police officer bearing the warrant ;
- (c) if so, what was the justification of handcuffing Maulana Zafar Ali Khan ?

The Honourable Sir Geoffrey deMontmorency : (a) In consequence of First Information Report lodged by Lachhman Das of Lahore against Maulana Zafar Ali Khan and others, a police investigation was held and Zafar Ali Khan and others were challaned under section 147, I. P. C.

(b) Yes.

(c) Because Zafar Ali Khan refused in the presence of a Magistrate to give bail, or to accompany the police officer, unless he was handcuffed.

MAULANA ZAFAR ALI KHAN.

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

- (a) whether it is a fact that the offence for which Maulana Zafar Ali Khan was arrested in Karamabad in the month of March is a bailable offence ;
- (b) whether it is a fact that the Inspector-General of Police in his circular letter of 1920 instructed the officers not to handcuff those who may be arrested for bailable offence ?

(ii) If so, will the Honourable Member be pleased to state why that instruction was neglected in the case of Maulana Zafar Ali Khan ?

PASSPORT FOR SARDAR HARCHAND SINGH.

670. Sardar Hira Singh : (a) Will the Honourable Finance Member be pleased to state if it is a fact that S. Harchand Singh, Reis, Lyallpur, and an ex-M. L. C., applied for a passport to go to Africa for the purposes of carrying on agricultural operations there, but it was refused to him?

(b) If so, will the Honourable Member be pleased to state the reasons for the same?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) In the exercise of the discretion vested in the local Government.

PASSPORTS FOR SARDAR MANGAL SINGH AND SARDAR KHARAK SINGH.

671. Sardar Hira Singh : (i) Will the Honourable Finance Member be pleased to state if it is a fact that Sardar Mangal Singh, B.A., Editor of the *Alkali*, and Sardar Kharak Singh, President, Shromani Gurdwara Parbandhak Committee, applied for passports to proceed outside India for the purpose of carrying on religious propaganda, but they were not granted the requisite passports?

(ii) If the answer to the above be in the affirmative, will the Honourable Member state the reasons for the refusal of passport to Sardar Mangal Singh?

The Honourable Sir Geoffrey deMontmorency : (i) Yes, for the purposes indicated in Shromani Gurdwara Parbandhak Committee's *communiqué* No. 59 of 8rd November, 1927.

(ii) In the exercise of the discretion vested in the local Government.

ZAILDARS AND POLICE.

672. Sardar Hira Singh : (a) Will the Honourable the Revenue Member kindly state whether it is a fact that it is obligatory on the zaildars to co-operate with the police in their investigations?

(b) If so, will he kindly state whether these zaildars get any allowance to cover the diet expenses incurred by them during such investigations?

(c) If the answer to (b) be in the negative, whence the money comes to meet such expenses?

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

(b) No.

(c) The honourable member is referred to the replies given to questions Nos. 2670¹ and 3447² on the 5th March and 21st October, 1926, respectively.

STANDING COMMITTEE ON CANALS.

673. Sardar Hira Singh : Will the Honourable the Revenue Member kindly state whether any meeting of the Standing Committee on Canals was held last year? If not, why?

¹Volume IX-A, page 379.

²Volume IX-B, pages 1612-13.

The Honourable Mian Sir Fazl-i-Husain : A meeting of the Canals Standing Committee was held in Simla on 8th June, 1927. Owing to the presence of only one non-official member, however, at his suggestion it was adjourned without any business being transacted.

674. Sardar Hira Singh : (i) Will the Honourable the Minister for Local Self-Government kindly state—

(a) when the residents of Mauza Narli, district Lahore, applied for the establishment of a panchayat in the said Mauza ;

(b) whether it is a fact that the application for the establishment of a panchayat was sent to the police for report ?

(ii) If the answer to (b) above be in the affirmative, will the Honourable Minister kindly lay a copy of that report on the table ?

(iii) Will he kindly further state whether there is still any hitch in the establishment of a panchayat at Mauza Narli ?

(iv) Will the Honourable Minister also kindly state whether the police are asked to submit their report before the establishment of a panchayat in any village ?

The Honourable Malik Firoz Khan, Noon : (i) (a) On the 15th March, 1926.

(b) Yes, as there was a punitive police post at Narli at that time.

(ii) Government are not prepared to lay the reports of its officers on the table.

(iii) A panchayat has already been established at Mauza Narli,—*vide* Punjab Government Notification No. 8096, dated the 25th January, 1928.

(iv) Not as a rule.

TELEPHONE.

675. Sardar Hira Singh : (a) Will the Honourable the Finance Member kindly state whether it is a fact that it is proposed to set up telephone connections in certain police stations in the Lahore district ?

(b) If the answer to the above be in the affirmative, does Government propose to allow the public to make use of such telephones ?

The Honourable Sir Geoffrey deMontmorency : Presumably the honourable member refers to the telephone connections at the police stations of Kahna Kachha, Khaira and Barki in the Lahore district. If so, the question of throwing open these connections to the use of public is already under consideration of Government.

PUNITIVE POLICE TAX.

676. Sardar Hira Singh : (a) Is the Honourable the Finance Member aware of the fact that punitive police was posted in Mauza Narli, district Lahore ?

(b) Is it also a fact that the name of Sardar Hira Singh, M.L.C., son of Sardar Jagat Singh, was also included in the list of *badmashes*, and that a sum of Rs. 105 was realised from him as punitive police tax for two years ?

(c) If the answer to (b) above be in the affirmative, will Government kindly state the reasons for the same?

The Honourable Sir Geoffrey deMontmorency: The information asked for by the honourable member is being collected and will be communicated to him as soon as it is available.

METALLED ROAD TO NANKANA SAHIB.

677. Sardar Hira Singh: (i) Will the Honourable the Minister for Agriculture kindly state—

(a) whether Government is aware of the fact that Nankana Sahib in the Sheikhpura district is a well-known place of pilgrimage of the Sikhs, and that it is also the headquarter of a tahsil;

(b) whether it is also aware of the fact that no metalled road leading to Nankana Sahib has so far been constructed?

(ii) In view of the importance of Nankana Sahib does Government now propose to construct a metalled road from Mangtanwala to Nankana Sahib and from Nankana Sahib to Sheikhpura?

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

(b) Yes.

(ii) The Communications Board have accorded administrative approval to the improvement of the Mangtanwala-Nankana Sahib road as an unmetalled road and work is about to be put in hand. This is preparatory to the eventual metalling of this road in the near future. Nankana Sahib is connected to Sheikhpura by a Class II unmetalled road and this will be improved as an unmetalled road when funds permit. There is no proposal to metal this latter road in the near future.

RESOLUTIONS.

RESOLUTION RE GRANT OF LOANS TO ZAMINDARS OF ROHTAK, ETC., DISTRICTS.

Chaudhri Baldeo Singh [North-West Rohtak (Non-Muhammadan), Rural]: Sir, I beg to move—

"This Council recommends to the Government to set apart a sum of rupees twenty lakhs during the present year to be distributed as loan without interest among the poorer zamindars of Rohtak, Hissar, Gurgaon and Karnal districts and the recovery of the loan be commenced four years hence by easy instalments spread over fifteen years."

I have several times before spoken about the condition of the zamindars in these districts. I have also several times brought to the notice of this House that the greater part of these districts is very poor, and that the zamindars for want of water and rainfall at the proper time suffer very much. In addition to this there are many other difficulties which these zamindars have and for the amelioration of their condition I propose that a sum of rupees twenty lakhs be set apart to be divided among the poor zamindars as loans without interest.

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The reasons are that the chief thing which the zamindars need is cash. Without cash no part of their business can be done. Most of them are in debt, at least in our district, with which I am intimately acquainted, at least fifty per cent. of the zamindars are in debt. Twenty-five per cent. of them are heavily in debt and twenty-five per cent. are lightly in debt. Of the remaining, nearly forty per cent. are such that generally they get into debt sometimes but then get themselves discharged of the debt. Nearly five per cent. of the zamindars belong to the class who are money-lenders and let their money out on interest to others. In this connection, I should acknowledge that Government has done something for the amelioration of their condition, I mean, by way of starting co-operative banks. But the difficulty is that the co-operative banks do not give as much money as the *sahukars* would give. The banks set a limit to the amount that a debtor can have. They generally set the limit very low. Therefore the zamindars who require larger amount of loan generally cannot get it from the banks. The second difficulty is that whenever the date of repayment approaches, the rules are such that the payments must be made on that due date and cannot be put off. In these circumstances, some zamindars have to go to the *sahukars*, again and I have known several cases in which the *sahukar* has demanded that if the borrower wishes to borrow twenty-five rupees he must sign for rupees thirty. Thus if the zamindar wants Rs. 25 for one month he has to pay five rupees by way of interest or whatever that may be called to the *sahukar*. In this way a greater part of the money which they should have saved by taking loans from the bank is paid to the *sahukar* in some way or other. The third difficulty about the banks is that if the zamindars find that they have no money to repay the loans to the bank at the proper date they are sent to prison. I know from my personal knowledge that at present in Rohtak there are at least six such persons who are undergoing imprisonment on account of this reason. I am quite sure that the *sahukar*, though he takes larger amount from the zamindars than the banks, does not take such drastic action against the debtors and he does not put the zamindars in prison. Moreover, they have to pay whatever expenses may be incurred for keeping the debtors in prison. In the case of the *sahukar* he is afraid of incurring this expenditure and so he does not take such drastic action, but in the case of the banks there is no limit to their incurring such expenses and so they can keep the zamindars in jail for four months, six months or even longer periods. In this way though the zamindars banks are doing some useful work, if these defects are not removed they are bound to be unpopular and the amount of benefit that the zamindars can derive from them will not be what it should be. The next difficulty is the one to which neither the social reformers nor the Government have paid any attention. I think that has not been brought to the notice of Government. The difficulty is that the joint family system is breaking down, and on account of the break down of the joint family system we find that the holdings are being divided into smaller and smaller holdings. Of course, I know that consolidation of holdings is to some extent working in these districts, but I do not think the working is as efficient as it ought to be. On account of the break down of the joint family system we find that the holdings are becoming smaller and smaller and very much scattered about. One zamindar who

has nearly say 25 *bighas* of land has to go to four places to till his lands. There are various causes which lead to the break down of the joint family system and on account of this break down of the joint family system we find that labour is not cheap as it ought to have been. When the household is united it costs less to cultivate, whereas when the household is divided the expense is doubled and sometimes quadrupled. They have to purchase four oxen where they bought only two before. It is thus quite clear that at least double the amount of money is required to cultivate the same land as that required when the household was united. So, on account of the break down of the joint family system the zamindars are being put to great loss and they require more money to till their lands and for agriculture generally.

The next difficulty is about labour. About three or four years ago there was plague in our district and as many as 25,000 men died in three or four months. Thus the workers, not only among the zamindars but also among the lower classes who helped the zamindars in the harvest work have died and the number of labourers has gone down. Not only has the number of labourers gone down, but also the efficiency of labour has diminished to a great extent. Instead of the experienced elderly men we are now having young people who do not know anything about agriculture and cultivation. Besides labour is very costly now. On account of the paucity of labour, and on account of the scantiness of the cost of labour having risen, the zamindars have to spend more money than they were spending ten or fifteen years back.

Still another difficulty is about cattle. At the same time when there was plague in our district there was also cattle disease there. I know it from personal knowledge that many zamindars suffered very badly. Neither a young buffalo nor a young cow was alive in the household. They had to buy afresh all these animals because they are so essential for cultivation. These circumstances have made the poor zamindars heavily in debt.

As I have already pointed out, they cannot get loans in sufficiently large quantities from the co-operative banks. Besides the co-operative banks charge one rupee per cent. interest at which rate the zamindars can also have from the *sahukars*, who are anxious that their customers should remain with them and should not go to co-operative banks. The land produce of these zamindars also is very precarious. Rains generally fail at the last moment. On account of the failure of the last rain the zamindars cannot get adequate return for their labour on the cultivated land.

Having said all this, I would now turn to the question of the purposes for which the zamindars need the money. First, in addition to the land produce cattle-breeding is another source of income to the zamindars. But cattle-breeding also requires money. Those who are in debt cannot keep their cattle, because the *sahukars*, who lends money, takes away the young buffalo or the young calf which is of the greatest value to the zamindar. The second difficulty is that while cattle-breeding requires money it also requires some land as pasture land. But the pasture lands in the district are disappearing and if the cattle are to be brought up on the produce of the cultivated land, then I think it would be useless to breed any cattle, because it would not be of any advantage from the point of view of economy.

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Again, another thing which the zamindars generally resorted to in addition to land cultivation was to drive *desi* carts. In the villages where there is neither canal irrigation nor wells, the zamindars generally derived income from carts, I mean *desi gharry*. They generally carry loads and excepting that period when they are busy in harvesting and cannot afford to go out they carry loads and earn a livelihood for themselves and their families. But here also there is a difficulty. There are now so many carts and not much produce to be carried to the market. It is quite clear that the rates will come down. On account of the cheaper rates they have not been getting as much as they were getting in former times when the holdings were good and the zamindars were not anxious to carry loads.

Another source of difficulty is the wells. There are certain parts of the country, at least in my district, where wells are dug and used for irrigation purposes. But these wells are *kutchha* wells. *Pucca* wells require money and the zamindars have not sufficient money to have *pucca* wells dug and therefore every year they have to dig new wells. In this way I think the zamindar requires money for digging wells. They require money for breeding their cattle. They require money to place their produce in the market at proper price.

We generally find that the *sahukar* takes away his land produce at the time when it is cheapest. If the poor zamindar can get money at that time and if he can keep his produce for some time longer, then he would get nearly $1\frac{1}{2}$ times or twice as much money as the *sahukar* gives him at the time when the rates are cheap.

The fourth thing which is most urgently needed among the zamindars is education. On account of their ignorance they cannot understand accounts and they fix their thumb-impressions to the *bahis*, not knowing what is written therein, not knowing what the principal is nor the rate of interest. They are absolutely ignorant as to how much they have paid and as to how much still remains as balance standing in their name. Once their thumb-impression has been affixed, the genuineness of the account is presumed and there is no remedy either in the courts or in the panchayats. Nobody will take into consideration the fact that the man was ignorant and therefore he affixed his thumb-impression to the *bahis*. Of course there is no other remedy for this except the spread of education. Education now-a-days is very costly. There are schools in some villages, but not one in every village and even in villages where there are schools, the poor zamindars cannot send their sons because the boys have to tend the cattle. If these poor zamindars are given some money without interest I am quite sure that they would be able to save something from their produce. They will be able to disentangle themselves from the heavy debt in which they are getting involved and, in this way, I think the Government will be doing a great deal towards the amelioration of their conditions. It is also known that in addition to the cattle diseases, there were also floods in our district. During the floods the zamindars and the non-zamindars alike had to suffer. In order to erect suitable houses in place of those destroyed by floods, they have had to contract debts and that at very high rate of interest. Therefore for such zamindars who are quite honest and who are

willing to pay but who owing to these misfortunes have to incur debts, it is quite essential that the Government should give a helping hand and advance loan which should not be repaid at once but it should be made repayable in ten or twelve easy instalments after three or four years when they will be able to repay. By this money they will be able to purchase good cattle, or they will be able to dig wells or they will be benefited by other means which I have indicated. I should also like to point out that these districts are those which were forward at the time of the Great War. The services they rendered are unique and of the first rate in the whole of the Punjab. Last time an honourable member threw some doubts about the genuine loyalty and the real zeal with which the zamindars and the fighting races of the Rohtak district worked during the Great War. I wish to assure him that the Jat High School, Rohtak, alone sent up something like 104 boys and four teachers to active service. The total roll of the school was only 450. Out of these most of the boys were under age. Those who went up for education as far as the 8th and the 9th and even the 10th class cannot be said by any one to be poor or to have been indebted. They certainly belonged to good families. They did not go to the war because they could not earn their livelihood. We also remember that at the time when war was going on, Chaudhri Jagta was sent from village to village singing war songs and calling upon the youths to enlist in the army and thus many Jats joined the army. Therefore to think that the Jats went there because they were poor is altogether wrong and based on a misapprehension. It was the spirit of adventure and genuine loyalty which took the Jat youths to safeguard the Empire. I am quite sure that the Government are anxious to fulfil their pledge about bringing relief to these districts by digging wells or by completing the Bakhra Dam Scheme and I hope they will soon take this scheme in hand. But before that pledge is redeemed, it is most essential that the zamindars should be given relief at once because their condition is very bad and it requires immediate relief. If the relief is deferred, most of them will be beyond any hope of redemption from debt, because some of them are very heavily involved in debt and if relief is postponed, they will be reduced to such a condition that relief even if given afterwards will not be of much use.

As far as the rewards for war services are concerned, it was said that they received their pay. It was also said that jagirs and squares were given and so on. I quite agree they were given. But who has been given all these lands and squares. As is well known, there are everywhere parties and in those districts also there are parties and it is only one party that has benefited. The real and genuine workers were either ignorant or were not sufficiently pushing forward, with the result they were left unrewarded. Those who were crying loudest were benefited. The real workers because they lacked these qualities did not press forward their claims and those who were loud in their cries, though they did not render any service to the Government for which they could deserve any reward, were able to get rewards. However, whoever got the rewards, the rewards were not given to all the zamindars. Unless the rewards are such that they benefit all the communities of the population—because it is the masses that can help the Government—unless the rewards benefit the poor zamindars—I submit that, in my opinion, such rewards

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do not serve the purpose they are intended to serve. With these words, I commend the resolution.

Mr. President : Resolution proposed runs :

"This Council recommends to the Government to set apart a sum of rupees twenty lakhs during the present year to be distributed as loan without interest among the poorer zamindars of Rohtak, Hissar, Gurgaon and Karnal districts and the recovery of the loan be commenced four years hence by easy instalments spread over fifteen years."

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce) : Sir, I came here to-day somewhat interested in this resolution, but I must say that I am rather disappointed at the way the honourable mover has presented his case. He has not really given us anything of a constructive nature. Supposing the Council recommends this resolution for the acceptance of Government, the honourable mover does not tell us in what way he suggests spending the money. He merely asks for a sum of twenty lakhs for the poor zamindars. Is he going to give each zamindar so much money or in what way is he going to control the spending of that money? If he will give us a very definite line of action when the money has been granted, I think we might accept his resolution. Coming as I do from Delhi, I am very much in touch with the scheme which has come to be known as village uplift at Gurgaon and it seems to me that Mr. Brayne in that district is doing things in exactly the right line and if some such scheme as that was possible in all the districts mentioned then I will heartily support this resolution. If any one who had been round about Gurgaon districts ten years ago would go about the same places now he would be perfectly astonished to see the changes. These villages now are quite healthily clean, there are no dirty dung heaps, and all the filth that used to lie about now goes into the village rubbish pit. The houses, which even to-day are still only mud huts have however now got windows or opening, so they do get a bit of air and light into the houses, doing away with dirty and dark corners, and altogether the general level of the ways of living in the district has increased enormously. People seem to be much happier. They have got over to a large extent their trouble of herds of unproductive cattle by getting a good breed of bull, the Hissar bulls. I understand that every pair of bullocks is worth now about Rs. 450, and there is no doubt that if one goes on the road or in the villages, around Gurgaon, one will find the villagers much happier than before, and what appeals to me as a commercial member, is that the purchasing power of the district is so enormously enhanced. If some such scheme as this introduced in Gurgaon were to be spread to all the other districts mentioned in this resolution, it would be good. The amount allotted to Gurgaon could be handed over to the Gurgaon district board, for they are at present very much handicapped I understand for want of funds. If in other districts similar schemes could be launched, and the money controlled, I think this Council might support this resolution wholeheartedly. The people in Gurgaon are so pleased with the uplift work done by Mr. Brayne that they are willing even to be taxed. I have before me two resolutions of the Gurgaon district board, I went to a lot of trouble in obtaining the copies, one

is Resolution No. 25, dated 14th July 1927 and the other Resolution No. 7, dated 11th April 1928. They are both of a similar nature, emphasising in the opinion of this district board the great value they attach to this uplift work, and they confirm that the district is prepared to tax itself to the utmost to continue the work. The first proposes annas 2 on the hasiyat tax for the purchase of Hissar bulls and a levy of pies 2 in the rupee on land revenue. This shows how they appreciate the work, actually to want to tax themselves to keep it going.

It seems to me that some such scheme as this is wanted in all districts. This Gurgaon scheme is causing intense interest everywhere except funnily in the Punjab, so far as I can see. One of the members of the managing committee of the Punjab Chamber of Commerce was over there last week end. I saw him just before I came here and he told me he found many people inspecting the work including the head of the Indore Education Department, who had been there for several days, also one missionary and four ladies including the President of the W. C. T. U., the Principal of the Aligarh Muslim Girls School an emissary sent by the Collector of Meerut, a deputation from Muzaffarnagar (in the U. P.) including the Chairman, and Vice-Chairman of the district board, two members and Secretary, Health Officer and the Deputy Collector. This was last week end, just what one of our members who went over there saw, but I understand someone is always there. The interest caused, especially in the United Provinces, of the work going on in the Gurgaon district is intense. Now I suggest you build up from this and increase this enthusiasm and push on a similar scheme all round say in Rohtak, Hissar, and the various other places mentioned in this resolution. If the mover agrees to this in closing the debate and the various other members who follow me will give the Government some lead as to spending the money in some such way, some constructive scheme of this sort and not haphazardly give the money to each individual person which will only result in time in this money getting into the hands of the money lenders without attaining any real benefit, but if some definite scheme by a definite body is adopted to uplift the district and help the zamindars, I myself will wholeheartedly support the resolution.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, Muhammadan, Rural,] (Urdu): Sir, undoubtedly the honourable mover of the resolution has not given us the details of the scheme proposed by him and he has given us no idea as to how the money demanded is to be distributed amongst the zamindars, but that is no reason why we should disallow the resolution. The most important question is whether the relief asked for is justified and if Government has nothing to say against it, I think the details of the scheme proposed can be worked out by the Government afterwards in consultation with its experts. I quite agree with the honourable mover that the districts named in the resolution deserve help. I would go a step further and say that there are other districts too in the province to which Government should extend its helping hand. Some of these districts are worse off and are, therefore, more deserving of help than those mentioned in the resolution. Of course the conditions in the different districts are different and if Government were to agree to grant relief to all such districts, the nature of relief should vary according to the conditions of each district. I think there are six

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such districts in the Punjab in which there is much scope for further development, Mianwali and Jhang being two of them because in the former the density of rural population per square mile is 61 and the percentage of net cultivated area is only 17 and in the latter the density of rural population per square mile is 149 and the percentage of cultivated area is only 31. In such districts it would be better to provide means of irrigation instead of distributing money in the shape of loan as proposed by the mover. I need hardly say that a vast area of land is lying waste in these districts for lack of the means of irrigation and you can guess for yourself what amount of relief it would bring if that vast area is brought under cultivation. But in districts like Amritsar, Gurdaspur and Hoshiarpur, in which there is little scope for further development, Government would do well to grant money on loan to the zamindars of these districts. And if it is not possible to give effect to such a comprehensive scheme, at once, I would not say that because the whole can not be done, therefore, the part should also be left to care for itself. I, therefore, support the resolutions now under consideration.

Chaudhri Ram Singh [Kangra, Non-Muhammadan, Rural,] (Urdu): Sir, I wish that the district which I have the honour to represent, I mean the Kangra District, should also be included in the resolution moved by the honourable member for North-West Rohtak.....

Mr. President: Order, order. The honourable member has given notice of three amendments. Amendment (1) is that for the word "twenty" in line 2, the word "Twenty-five" be substituted. This amendment clearly goes beyond the scope of the original resolution, which proposes that a sum of twenty lakhs be set apart. The amendment proposes that a sum of 25 lakhs be set apart. Thus the amendment is out of order.

Amendment (2) is in order and may be moved. But amendment (3) is again out of order. It suggests that in line 4, the word "and" be deleted, and the words "and Kangra" be added after the word "Karnal".

I have every sympathy with the mover of the amendment and such other honourable members as think that the scope of the resolution as worded is not sufficiently comprehensive and that other districts should also be included if possible; but I regret to say that this cannot be allowed under the rules in force. It is open to the honourable mover to withdraw the resolution under discussion and to give notice of a more comprehensive resolution. But if he prefers not to do so, I must rule out of order amendments (1) and (3) which propose respectively that the amount may be enhanced, from 20 to 25 lakhs, and that the territorial scope of the resolution might be widened.

Amendment (2) that "after the word 'poorer' in line 3, the words 'and indebted', be added" is in order and the honourable member is welcome to move it.

Chaudhri Ram Singh (continued in Urdu): I bow to your ruling, Sir, and I would avail of this opportunity to speak on the main motion before the House. Sir, besides the districts mentioned in the resolution, there are other districts in the Punjab, Kangra being one of them, which deserve help

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at the hands of Government. But according to the ruling of the Chair their names can not be included in the resolution at this time. I will have to move a separate resolution to seek help from Government at some other time. At present I content myself with supporting whole-heartedly the resolution under discussion. The honourable mover has very ably explained the reasons which led him to move his resolution and it requires no further explanation to show that the poorer zamindars of Rohtak, Hissar, Gurgaon and Karnal Districts are very much in need of financial help asked for.

Rao Bahadur Captain Rao Balbir Singh [Gurgaon (non-Muhammadan) Rural] (Urdu): Sir, I have risen to support the resolution moved by my learned friend Chaudhri Baldev Singh. The four districts mentioned in the resolution really deserve great help and encouragement at the hands of the Government inasmuch as their plight is pitiable on account of the absence of canals and rain water; and the whole area looks like one illimitable arid and waterless desert. The people are immersed in debt and can hardly eke out a precarious living. Further, they deserve help for another reason. They have always stood by the Government at the hour of its direst need and have never left it in the lurch. If an example of their devotion to the Government and their immense sacrifice for its sake be needed, I may refer Sir, to the yeoman service rendered by the people of these districts during the Great War.

Sir, some honourable members, of the House were pleased to oppose the resolution on the ground that besides the four districts mentioned in the resolution, there were also other districts deserving help from the Government. In reply to their argument, I beg to submit, Sir, that comparatively speaking the aforesaid districts are in a worse condition than any other district in the province. The latter at least have the advantage of canals and sufficiency of rainwater, but even this is denied to the former. If, therefore, Sir, these districts which deserve greatest help from the Government, receive its due share, I see no reason why the representative of other districts should cry hoarse over it. In my humble judgment, the best course open for them is this, that they should also move similar resolutions and get the desired help.

10 A.M.

With these words, I extend my heartiest support to the resolution, and trust that other honourable members would also follow suit.

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I found it a little difficult to understand what was the exact object of the honourable mover. As far as I understood he wished the sum of twenty lakhs of rupees to be distributed as a loan free of all interest to the poorer zamindars of certain specified districts and he proposed that no recovery whatever should be made for four years and when recovery is made it should spread by easy instalments over fifteen years. The net result would seem to be that he advocated that the State should lend money—which is not to be finally recovered for twenty years—to certain selected persons and certain selected districts of the province without interest. It was not clear to me for what specified purposes the loan would be made. It is of course contrary to Government policy to make a loan for an unspecified purpose. We already have a large loan programme: we lend money to local bodies, to zamindars and to co-operative credit societies, but in all these cases the

[Hon. Sir Geoffrey deMontmorency.]

objects for which the loan may be made are either fixed by statutes or by orders of the local Government and a loan cannot be made for any purpose not specified in the statute or rules. Similarly, it is quite clear that unless some provisions of that kind are insisted on there is a great risk of abuse in the giving of loans and of unjustifiable expenditure of money which comes from the tax-payer either directly or indirectly.

Then it was not very clear why zamindars of certain districts only are selected. If the test is poverty, there are poor zamindars in every part of the Punjab who no doubt would only be too glad to get a loan without interest. There are other parts of the province also that have war services to their credit and while in no way wishing to belittle the services of the portion of the Punjab which the honourable mover referred, there are others too that are worthy of all praise in that respect. Then again, I do not understand exactly why it is proposed that no recovery should be made for four years. It might so happen that those four years might be years of good crops and they might be just the years in which persons who have received the loan would find it convenient to repay either the whole of it or some instalments of it.

As regards the question of loan without interest. If the money is to be lent the money must come out of the Provincial Loan Account. Now, the Provincial Loan Account is mainly financed by loans from the Government of India on which the province pays interest. This interest has to be paid by somebody. The usual plan is that the local bodies or persons to whom these loans are made pay interest and by this means interest is paid to the Government of India. But if this loan is made without interest, the actual result will be that the tax-payers of the province in general will have to bear the interest charges in order that certain persons in one corner of the province may receive a loan without interest. I therefore venture to think, having full sympathy with the difficulties under which agriculturists suffer, that our existing machinery for assistance to zamindars in agricultural matters is preferable and more equitable in its working. It may be possible to improve the methods or the conditions under which loans under the existing arrangements are made. This point is already engaging the attention of Government. But the principles on which the system rests are sound and appear to be far more definite than what the honourable mover proposes. The present policy of Government as regards assistance to land-owners and agriculturists may be summed up as follows. Firstly, that improvements involving a large expenditure of capital should be financed entirely by the State. Instances of such improvements are the great canals or minor canals, the rural drainage schemes, training of *chos*, building of bunds and embankments—and in an instance which will be of special interest to the area to which the honourable mover refers is the Bhakra Dam scheme now under investigation. The second method by which Government is assisting is the system by which in the case of other improvements loans may be given by Government to assist people to effect improvements. Such loans are given to persons who have the right to make the improvement and the interpretation of the word "improvement" is very wide and embracing. The repayment is spread over a long period, indeed over a longer period than that which the honourable mover advocated. Interest is charged and there are

provisions for the suspension and remission of instalments in case of serious crop failures or other serious calamities. The other way in which Government assists agriculturists is under the Agriculturists' Loans Act. It makes advances to the occupiers of arable land for the relief of distress, for the purpose of purchase of seed and cattle and any other purposes connected with agriculture which do not come under the Land Improvement Act. Much the same principles as regards recovery and interest apply, but it should be noted that the scope of assistance given under this Act is wider than that under the Land Improvement Act, because under this Act in certain circumstances assistance may be given to the tenants-at-will. Fourthly, Government recognises that it should encourage thrift and relieve agricultural indebtedness by stimulating the co-operative credit society movement. This encouragement includes not only lending money to co-operative credit societies but it includes providing at State expense a free organising and supervising agency for such societies. This, Sir, is the existing policy of Government for assisting land-owners and agriculturists. The policy is well known. It has weathered the tests of time and experience, both in this and in other provinces. It aims at legitimate assistance on a semi-commercial basis and it avoids every form of pauperising. It safeguards the tax-payer by the provision for interest and for the regular recovery of principle and interest due. It has the advantage that the benefits of it can be shared by all the agricultural classes of the province and are not confined to any one corner of the province. Our present budget has a sum of 19 lakhs for loans under the Land Improvement Act and the Agriculturists' Loans Act and over 8 lakhs for loans to co-operative credit societies.

I feel sure that if necessity arose during the course of the year this Council would be prepared to supplement those funds even further. These appear to be the proper lines upon which to proceed. It may be that a more liberal provision of money is required. If that is the case, I have no doubt the Council would provide the money. May be that the machinery and conditions under which such loans are granted are capable of some improvement in detail. That, I understand, the administrative department is already investigating. But to give money for the somewhat vague scheme put forward by the honourable mover of the resolution would be in effect to divert money from the programme which I have explained and to lessen the amount of money which would be available to carry it out.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, anybody who has the welfare of the country at heart will readily support the resolution moved by my learned friend from Rohtak, in as much as it seeks to help and elevate the lowest strata of the society of the Punjab, viz., the zamindars and tends to bring them into line with their rich and free brethren. The Honourable Member for Finance has expressed sympathy with the object of the resolution but he could not find his way to support it, because the honourable mover and the supporters of the resolution, in his opinion, had not put forth any concrete scheme, on which this gigantic sum could be properly spent. Sir, I beg to propose that the best solution of the problem lies in the fact that a rural uplift department be established at once and that work be begun simultaneously in all districts of the province. Mr. Brayne, the Deputy Commissioner of Gurgaon, should be put in charge of the department and the Government

[Sayad Muhammad Husain.]

should spend the money ungrudgingly. And if, Sir, more money be needed for this noble work we shall be glad to pay more taxes. The people of the district want the uplift work to be begun at once, and if the Government still continues to flout the unanimous opinion of the province, the blame will rest on its shoulders and not on ours.

Again, Sir, my next suggestion is this, that measures should be adopted to release the zamindars of the province from the iron grip of the *sahukars*. They are badly immersed in debt, and unless this heavy load is not removed from their shoulders, education, drainage scheme and Bakhra scheme would do them little good. I admit, Sir, and Government can be well proud of this achievement, that it has spread a net-work of co-operative societies and banks in the province and that they have helped to some extent in the liquidation of the debt of the zamindars. But, Sir, they are not commensurate with the magnitude of the task before us. These societies take loan on 8 per cent. from the Government and in their turn lend at 12½ per cent. to the people. It is true, Sir, that the rate of interest charged by the co-operative societies is less than that charged by the *sahukars*, but still it would do the zamindars little good, if the money is not given to them without interest. As the proposed resolution has made similar demands, I lend my support to it, and also take this opportunity to tell the Government plainly that I am backed in this demand by the teeming population of the province and it would be flouting the unanimous wish of the people, if it does not support the resolution. With these few words, I once more support the resolution most heartily.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : As the mover of this resolution has referred to matters which relate to rural economics I just wish to say a few words to correct him in certain matters. He laid a great deal of emphasis on the joint Hindu family system and its break down. He said that owing to the break down of the joint Hindu family system the holdings were broken up, that labour was getting inadequate, that minor industries, such as carting of goods, were not bringing in the income which they ought to bring to the agriculturists. I am quite sure if he would care to examine the position he will find that the joint Hindu family system so far as economics are concerned does not add to the wealth of the country. One man earns and about half a dozen men sit idle and live on that man. If the honourable member would care to look into it further, he will find that wealth is nothing but what a man earns himself, and when half a dozen men sit idle and do not earn anything it does not add to the wealth of the family. Therefore, it is not right to say that the break up of the Hindu joint family is responsible for the poverty of the agriculturists.

Then, again, when he comes to the question of cheap wages and cheap food, there is one thing I wish to tell him. There has been a great deal of misconception about cheap food. It is entirely ignored that the majority of the population of this province are producers of food and their wealth depends on the prices that they can realise on this commodity; and it is not in the interests of the agriculturists to say that they should not get the world price of their produce, and if I may say so, we agriculturists are concerned deeply in having some stable measure of values. Our prices are subject

to fluctuation in exchange, and what we need is stable currency which should secure for the agriculturists world price for their produce.

The honourable mover recommends that we should help a few districts by a system of doles by placing money without interest at their disposal. I must confess that I have very little faith in these doles which I venture to call 'methods of charity'. If I may say so, without arrogating to my department any superior powers, it seems to me that the prosperity of the agriculturists rests upon what the Agricultural Department is prepared to accomplish. It is on the success of the Agricultural Department producing enough from small holdings that the prosperity of the country depends. It is in our success in providing irrigation where it does not exist, in our success in providing good seeds and introducing better methods of breeding cattle that we can secure permanently the prosperity of the agriculturists. So, what I wish to impress on the members of the House generally is that there is no short cut to liquidation of old standing debts. The only way we can meet the situation is by succeeding in producing better crops and thus creating better possibilities of earning in the villages, providing cottage industries so that the raw produce is turned into manufactured articles. Towards that end I can assure you that Government is making every effort which must eventually lead to a general prosperity in the villages and stop such things as fragmentation of holdings, use of bad seeds, unscientific breeding of cattle.

The honourable member also mentioned the activities of co-operative societies. We have merely touched the fringe of our problem. But we hope that in times to come with the general co-operation of all the people of the Punjab we must have enough funds at our disposal to meet all the needs of the agriculturists. The honourable member was not quite right in observing that on long term loans Government charge such high interest as 12 per cent. The interest charged by mortgage banks is 9 per cent.

We have just started in meeting the demand for long term loans by the creation of mortgage banks. Mortgage banks are specially designed to give long term loans; and we hope that in time to come we may be able to follow up the practice of some European countries. These loans are given for long periods and recoveries are by instalments spread over a long period of years. Out of these instalments realised a sinking fund is created which eventually wipes out the whole of the loan. Increasing the prosperity of the peasant is the only means by which to liquidate the districts which are heavily in debt such as Muzaffargarh. I am examining the possibility of starting more mortgage banks. We are hoping to secure the services of a banking expert to help us in this direction. The Council sanctioned the appointment some time ago, but we have not yet been able to secure the officer required.

On the resolution itself I need say no more than what the Honourable Finance Member has said. He has explained how loans for the agriculturists are provided in three or four ways and I do not think the honourable mover will press this resolution that an amount of money should be provided which would be entirely inadequate, without interest and without any definite scheme as to its distribution.

Rai Sahib Lala Ganga Ram [Ambala-cum-Simla (non-Muhammadan), Rural] (Urdu): Sir, I have risen to support the resolution before the House,

[R. S. Lala Ganga Ram.]

but in doing so, I shall not inflict a lengthy speech nor repeat the arguments advanced by the honourable mover in support of his resolution, but rather content myself with making a few observations on the matter before the Council.

Sir, anybody who has even nodding acquaintance with the conditions obtaining in the province would be aware of the fact that the zamindars of the Punjab can be safely placed into two categories. In the first category falls those zamindars who are comparatively well-off; whose holdings are comparatively big; whose lands yield comparatively greater produce and who in consequence of all these facts can get loans from the sowcars as well as from the co-operative societies. But, there is another category and rather the more important and the bigger category of the zamindars, whose holdings are very small and the produce of their fields is limited and who have not enough money to buy good seed or scientific implements. And it is to such zamindars that *sahukars* and co-operative societies refuse to lend money and their plight is getting worse day by day. And it is for the latter category that I request the Government that it should give special attention to it. Again, the Government members have expressed sympathy with them. But, I respectfully submit, Sir, that lip sympathy would do them, but little good. What is needed is practical help and succour, and this can be given in this way that when any scheme for the rural uplift is brought into being, the case of such poor zamindars should be preferentially considered. It is true, Sir, that co-operative societies and the *sahukars* are rather useful in this purpose but we cannot expect much from them and it is Government and the benign Government alone who can adequately come to their rescue.

My next submission, Sir, is that it is customary with the Government to take its own time in formulating and putting into practice the schemes of the nature referred above, but in this case at least, I respectfully submit, Sir, that it should not sleep over the matter but rather use expedition. With these remarks, I once more support the resolution.

Pandit Nanak Chand (Hoshiarpur Non-Muhammadan, Rural): Sir, I have full sympathy with the resolution which has been moved by my honourable friend to my right. The district of Hissar, especially has got a great claim on me because that is the district which mainly feeds me. I am fully acquainted with the conditions of the district and I fully endorse every word that has been stated by my honourable friend. I have seen this district from my childhood and I cannot possibly forget the scenes which I witnessed in the years 1897 and 1900. There was a big famine and the people were in great and terrible distress and in spite of various remedies and in spite of large contributions and donations made by the Government and philanthropic societies the distress could not be relieved. In a sense this is the perpetual condition of Hissar district because in this district I find that it is only once in five years that you get rain. Whereas there are canals and other irrigation facilities in other districts, so far as the major portion of this district is concerned, it is not served by canal water. In the first place, there is no rain and in the second place there is great limit placed upon irrigation. On account of these and various other things which have been recounted by the honourable mover of the resolution,

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there is great distress in this particular tract which comprises Hissar, Gurgaon, Rohtak, Karnal and Ambala districts. Unfortunately I have not been able to understand the opposition either from the Government benches or from the Khilafatist or Nationalist benches. One of the reasons given by one of those who sit on the opposite benches is that there are other districts in similar condition or in worse condition and because they have not been included in this resolution, the Government should not extend its helping hand to these districts. Point was made that instead of a comprehensive scheme for the whole province, this resolution covering only a few districts is brought forward, and so some of the members are obliged to oppose this resolution. So far as we are concerned, we are prepared to support any movement which seeks to relieve distress in any part of this province and the argument that because one district is mentioned and the other districts are not mentioned should be no ground for opposing the resolution for the relief of misery of those whose case has been brought forward before the House. I submit most respectfully to the honourable members who are always telling us about the difficulties of the zamindars that they should support this resolution wholeheartedly.

I entirely fail to understand the opposition made by the Honourable the Finance Member to this resolution. One of the chief grounds of his opposition was that this resolution was vague and it did not lay out a definite or a specific purpose for which this money was going to be spent. If resolutions can be defeated by picking holes in them, well, I submit that I can defeat or criticise even the most ably drafted bill or circular or resolution of the Government members. I can cite as an instance the Gurdwara Act which has been passed after so much deliberation by Government. Many of the Judges even up to the present time say that they do not understand certain of the provisions and yet it is the law of the land, it is being acted upon and is being worked. In this manner I submit that there is no human document whose language cannot be criticised or modified or improved upon and wherein holes cannot be picked in one place or the other. So far as this resolution is concerned, I submit that its object is very definite and very clear and with your permission, I should like to read the resolution once more so that the Council might be clear on its wording. I really congratulate the honourable mover upon his having framed the resolution after very careful deliberation. The resolution says:

"This Council recommends to the Government to set apart a sum of rupees twenty lakhs. . . ."

Is there any ambiguity with regard to the sum? The sum that the honourable member wants the Government to set apart for a specific purpose which is given later on in the resolution is a definite sum of rupees twenty lakhs. There can be no ambiguity, or vagueness or indefiniteness with regard to these words. The resolution proceeds:

"during the present year to be distributed as loan. . . ."

The honourable mover does not want that this sum should be given as a present to these zamindars living in these districts. This sum should be given as loan which implies that it should be recovered by the Government at suitable times. The resolution further says:

"without interest among the poorer zamindars of Rohtak, Hissar, Gurgaon and Karnal districts and the recovery of the loan be completed four years hence by easy instalments spread over fifteen years."

[Pandit Nanak Chand.]

Now, with regard to the poorer zamindars, everybody will understand that the spirit of the resolution is not that this money should be given on loan to those who have already got much but it is to be given to those who stand in need of money, who on account of various difficulties which have been pointed out by the honourable mover of the resolution are unable to get money either from the co-operative society or from the *sahukars* or who if at all they get money get it on very harsh terms either from the co-operative society or from the *sahukar*. Therefore, the honourable mover wishes that this amount should be given not to the rich classes, not to those who have got means, but to the poorer zamindars who are unable to seek relief any where else and who if they were to go into the market will get money on very harsh and stringent terms either from the co-operative societies or as in the instances which he gave and from the *sahukars* whose instances also he narrated. He also narrated, how the *sahukars* prey upon a person who is in difficulties. This difficulty is to cease by giving loan without interest for these people cannot afford to pay interest. This arm is to be recovered during the period of fifteen years by easy instalments. Is there any vagueness or indefiniteness with regard to the period? Now the Honourable the Finance Member was pleased to say that a zamindar may have a bumper crop or a good crop during the first four years and he may not have the same crop during the next fifteen years. The object of the resolution is that you are going to give the loan in order to help the poor zamindar. The moment the man is able to set his house in order, during the next four years the Government should not pounce upon him for the recovery of this loan, the moment he is able to stand on his own legs, he will begin to pay the loan. During the first four years he should be left in such a position that he will be able to purchase cattle or other necessities for his agriculture. During the first four years if the crops are good and if he has got a bumper crop, then in that case it would go to relieve the misery of the zamindar. If the Government is at once going to pounce upon this man, where would the relief be afforded to the unfortunate zamindar. Therefore I submit, there is a good basis and there is a good ground for the honourable mover to say that the Government should not touch the zamindar for the first four years but allow him to recover his normal position, allow him to stand on his own legs and when he has done that, the Government should then come forward and recover the loan in easy instalments. Now, in a resolution of this kind, neither the honourable mover nor any member of the House can possibly dilate upon all these matters by which the loan can be recovered. If the various methods by which loan should be recovered are incorporated in the resolution itself, then it would not be a resolution and you, Sir, would at once disallow the resolution on the ground that it is argumentative, or that it is giving reasons or that it contravenes some other rule. When a resolution is moved, we must take the spirit of the resolution and it is the look out of the Government in what manner the loan is to be recovered, what is the security that the Government need and such other details. The ground which the Honourable the Finance Member advanced in opposition to the resolution is, I beg to submit with all respect; absolutely flimsy and cannot hold water even for a minute. The system of granting loans to peasants, to poor people is known to all

civilised countries. What the honourable mover says is that the Government should follow this system so far as the zamindars of these districts are concerned. We know that in the Punjab the system of *takkavi* is worked and we know how the *takkavi* loans are recovered. What the honourable mover says is that the loan should not be recovered during the first four years, but that it should be recovered afterwards. It is no ground to say that the Government is undoubtedly doing many things already and so no further relief should be given to the zamindars. We do not say that the Government is not doing. Here are a large number of people belonging to these districts, in Gurgaon and a large part of Hissar, where there is no rain and where it is absolutely impossible for people to subsist on agriculture and so require relief. I submit that the Government should not be harsh and they should not say: "we are already doing this, we are doing that and we are not going to listen to even a reasonable demand which has been made by the honourable mover" I submit it is all very good to have co-operative societies and to adopt other methods of rural uplift. Nobody is opposed to them. But here is a practical problem confronting the Government with regard to these districts and the attention of the Government is drawn to the fact that immediate relief is needed and that immediate relief should be afforded now. At this time the Government is in a position to do so. If this resolution had been brought forward three or four years ago, the Government would have said that there was no money and so they could not afford to give this relief. Now that excuse cannot be given by Government. The Honourable the Minister for Agriculture who ought to have sympathised with this resolution who ought to have accepted it or at any rate who ought at least to have kept quiet even came forward to oppose the resolution. Well, Sir, one point that he made was that the joint Hindu family was a most pernicious system. He said that this joint Hindu family system was standing in the way of the zamindars being given any relief. He says that because one man earns in a family and the other members of the family are living on his earnings, the family is reduced to the present poor circumstances. Well, Sir, this may be true with regard to what are called higher castes, but so far as the zamindars are concerned, this joint Hindu family does not stand in their way. We know that in a family, the father, the son, the daughter and the mother all go to work in the fields and consequently this joint Hindu family system is not at all standing in the way of these people. What the honourable mover of the resolution meant by stating that the system of joint Hindu family has broken up was that under the Sikh rule, or under the Hindu-Mahamadan law or under the customary law these big holdings are ultimately divided into small holdings and so long as the joint Hindu family system remains the holding remains intact and it is possible to draw large amounts provided the holdings were big. That is what he meant to convey. He did not mean to imply anything else. The Honourable Minister for Agriculture said: 'Look here, we are making researches, we are doing this and we are doing that and we are slowly collecting evidence.' All that is perfectly true. What I would ask the Honourable Minister is whether all these researches are going to help the people who have got no money in their pocket.

[Pandit Nanak Chand.]

If research is being done by Government departments and people have not got the money to take advantage of those researches, to purchase improved implements of agriculture, etc., what is the good of those researches? You may go on making researches. But you are only putting money into the pockets of those who are already rich, but you are not helping the people who cannot take advantage of these researches on account of their poverty. Therefore I submit that whenever a case is made out that a particular district or a particular class of people is in need of loan from Government on easy terms, help should be extended and so far as I am concerned, I am ready to vote for money whenever a case is really made out. It is the lookout of the Government to find security and other things. But they should not try to pick holes in the language of the resolution or the object of the resolution. We understand the spirit of the resolution and the Government should sympathise with the object of the resolution and give an undertaking that it is prepared to advance loans to those zamindars who stand in need of Government help and Government can then recover these loans at suitable intervals.

Raizada Hars Raj [Jullundur-cum-Ludhiana (non-Muhammadian), Rural] (Urdu): Sir, the honourable mover of the resolution and other learned speakers, who have followed him, have drawn such a pitiable picture of the indebtedness and the impecuniosity of the zamindars in the province, that none, who has a heart of flesh in his bosom can but support the resolution. But like a sane man, one should not be carried away by sentiments and therefore before recording one's vote one way or the other, one should carefully consider the *pros and cons* of the matter. In this connection, I beg to submit, Sir, that I have grave misgivings about three matters, and unless the Honourable mover himself or his friends do not clear my mind of these doubts, I cannot say positively, which way I would vote.

The supporters of the resolution have made much of the indebtedness of the zamindars. I admit, Sir, that they are very poor and are over head and ears in debt. But what I want to know in this connection is this, whether their poverty or indebtedness is hereditary or due to their own extravagances or indiscreetness. If, Sir, the latter be the cause of their misery, I do not think that they deserve anything but wholesale condemnation from us, like the well-connected prodigal who has played ducks and drakes with the hard-earned wealth of his parents. This, Sir, is a very important matter and unless it is elucidated, I cannot be positive whether I shall vote for or against the resolution.

Sir, the second point on which I have grave misgivings and consequently desire elucidation is this. Whenever any resolution, motion or amendment is brought forward by any zamindar member of the House on any conceivable subject, I always find him harping on one theme, namely, the so-called meritorious services rendered by the zamindars during the 'Great War.' But Sir, the question always arises in my mind 'what led them to serve the Government during the 'Great War.' Did they sacrifice their lives for the love of the Government, just as a brother or a son seldom hesitates to do his best to extricate his beloved relation from some trouble. If, Sir, this was the cause of all their sacrifice and devotion, then they should better hold their

souls in peace. Or did they serve the Government for monetary considerations? Were they out of employment and therefore wanted employment? If this was the cause of their service, then they should thank their stars that they got work and have not really placed the Government under any obligation. Last but not the least Sir, these zamindars might have served the Government through indiscreetness? If this be so, then they have to blame themselves and none else. This, too, is an important point because we see, Sir, that war is raging in China, and war-clouds are hanging over the Egyptian atmosphere and I therefore trust that the supporters of the resolution would kindly throw light on it.

The third thing that has been agitating my mind is this. The honourable member Sayad Muhammad Husain remarked that unless the Government gave to the zamindars loans without interest, all the money that they would earn from the land, would go to replenish the coffers of the *sahukars*. But, Sir, is it not correct to say that not only the money of the zamindars would go to *sahukars* but their persons as well?

These, in short, are some of the misgivings in my mind, and unless they are not thoroughly removed, I cannot positively tell, whether I would vote for or against the resolution.

Mr. E. Maya Das [Nominated, non-official] (Urdu): Sir, the supporters of this resolution have drawn such a sad picture of the poverty of these four districts that we have been greatly touched, and I feel certain that every one in the House is very anxious to do whatever may be possible to lighten their burden.

The mover of the resolution has suggested that 20 lakhs of rupees be given to these four districts without interest, so as to improve their condition, but the question is whether this would prove a full and complete remedy for all their hardships and difficulties. If this were so, I would have no hesitation in giving my support to this proposal, I would go further and suggest that if it be possible, the money be not taken back at all. But so far as I am aware not only would this sum not suffice to meet their present needs, but would benefit them to a very poor extent only.

Let us examine this question from another point of view. So far as we can judge, if this resolution were accepted and Rs. 20 lakhs made over to these districts, the money would be utilised, in land improvement, obtaining improved seed, better cattle, better implements, and in fighting diseases among cattle and crops, also in giving better protection to human beings, from ravages of epidemics such as plague, cholera, &c. If these be some of the objects for which this money is asked for, then I would say that the Government is already engaged in this work and in case the pace at which the Government is working is too slow, then what is wanted is, that the special attention of the Government be invited to this matter to quicken their pace.

Sir, there is no doubt that the intention of the supporters, is to bring true relief to the inhabitants of these districts, but will the help given in this form really enable them to stand on their legs? The condition of these districts may be likened to a child with weak legs, it would not be for his lasting and true benefit if he were carried about or wheeled about in a carriage the whole time, far better to devise means to enable him to stand on his own

[Mr. E. Maya Das.]

legs than give him support in a manner as will keep him a sort of cripple for life. It is far better to strengthen a man's legs and to enable him to stand than to keep him in a state which may be termed "spoon feeding." What is really wanted is that the money-earning capacity of the peoples of these districts be increased rather than help be given in this form, which is not calculated to be of any appreciable benefit to them.

For these reasons I would suggest to the mover to withdraw his resolution.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, I did not propose to speak to-day, but I must make a few remarks with reference to the speech of the honourable member from Hoshiarpur. He spoke with very great sympathy of a district, Hissar, which I also know extremely well. Indeed, I probably know the district better even than he, as I was stationed for over nine years in it and with its people I have, as has he, the utmost sympathy.

Chaudhri Afzal Haq: The honourable member is not addressing the Chair.

Mr. C. A. H. Townsend: The honourable member from Hoshiarpur spoke of the famines of 1897-93 and 1900-01. It is quite true that they were very bad famines in that part of the province. I served in the Gurgaon district in the famine of 1900-01. But I am now particularly speaking of Hissar and my impression is that Hissar is the poorest district in that part of the province. It was my pleasure when I was Settlement Officer there to get the assessment reduced in the worst tracts, where it is now only a few annas per acre.

That point, however, is hardly relevant to the present discussion. To return to famines. When I was Deputy Commissioner of Hissar in 1905 the Commissioner was anxious that I should start test works. On his instructions I did so. But nobody came to the test works. Since 1906 it has been unnecessary for Government to open any famine works in that part of the province. This is doubtless due to some extent to fairly satisfactory rains.

But my own general impression is that the Hissar district is on the whole slowly, very slowly I admit, increasing in prosperity as the years go on. I went there the other day, and met many of my old friends: they all told me that their condition was improving slowly and steadily. I do not in the least wish to give the impression that it is a flourishing district. Still it is improving. To turn to another point. The honourable member for Hoshiarpur said that irrigation there was negligible. That is not quite the case. I might almost say that his remark is a "terminological inexactitude." Irrigation there is not inconsiderable, especially in the Hansi and Hissar tahsils, and it is increasing slowly. This year the *rabi* supply of water was better than it has ever been in past years.

Pandit Nanak Chand: What are the irrigated and unirrigated areas?

Mr. C. A. H. Townsend : I have not come fortified with books of reference. But of the Hansi tahsil I should think it is half and half and of the Hissar tahsil it is about one-third irrigated and two-thirds unirrigated. That is my rough impression : I cannot bind myself to the figures. Wells are of very little use in the poorest tracts as the water is bitter. However, leaving these points, I would now assume that the House pass this resolution and Government give effect to it. Government sets apart twenty lakhs of rupees to be distributed among the poorer zamindars of these five districts as a loan. The Deputy Commissioner of Hissar is told that he has to distribute five lakhs to people of his district. The tahsildar of Bhiwani is told that he has to distribute $1\frac{1}{2}$, say $1\frac{1}{2}$ lakhs, in his poor tahsil as a loan to zamindars. He will go about and say to the zamindar : Government says that you are to take Rs. 20 as a loan. The zamindar will reply : "I do not want it because I have got a pair of bullocks and enough fodder and no other special need of money at present." His reply is unheeded :

Government thrusts the loan on the man, saying : "you are to have this loan repaying it after four years." Does the honourable member think that after four years the money will be repaid with ease. The zamindar when he gets it, will probably give a feast of rice and other luxuries to his friends and after this festivity will forget all about the money. His ultimate position will be not a bit better than before. It will, in fact, be worse, because when after four years the tahsildar goes to him and asks him to repay his loans, he will say that he knows nothing about it, or if he does remember it, will say that he cannot possibly repay it. If the House pass this resolution, the people whom it is intended to benefit will in the long run have no reason to be grateful to those who passed it.

Shaikh Sir Abdul Qadir [Nominated (Non-Official)] (Urdu) : Sir, I had no intention of taking part in the discussion this morning, but like the honourable member (Financial Commissioner) who has spoken before me I have been induced to make a few observations on this question, in view of what the honourable member for Hoshiarpur (Non-Muhammadian—Rural constituency) has said. I was surprised to find that in lending his support to the resolution he has said that as to the proposed loan to the zamindars in the districts mentioned in the resolution we need not concern ourselves as to the security of the proposed loan or the conditions which would render it possible to recover it from the zamindars concerned. He has also added that the loan should be without interest as suggested by the mover of the resolution. It is rather significant that the honourable member for Hoshiarpur expressed a different view on the question of interest whenever there was a question relating to the private money-lenders, as is illustrated by his sympathy with money-lenders when a Bill concerning them was before the Council and when he was opposed to any kind of interference with contracts as to interest and even against controlling and regularising such dealings. As we all know he represents a rural constituency and perhaps his idea to-day was to make amends to a certain extent for his attitude in favour of money-lenders in the past by expressing his sympathy with the agriculturists when that sympathy can be shown at the expense of the public purse. But as guardians of the public purse it is our duty to see whether the proposal put forward is sound or not. I assure you I share the sympathy which so many honourable members in the House have with the rural classes and I would

[Shaikh Sir Abdul Qadir.]

have been in favour of the idea suggested if the honourable mover had put forward a scheme of loan, restricted strictly to be used for the advancement of agricultural purposes or the wiping off of previous necessary debts, on easy terms of interest and with due guarantees for the repayment of the loan. One other consideration should naturally influence our decision on this matter, and that is whether we can afford a sufficient sum for making such advances by way of loan, not only in a small area but in the greater part of the province. If we cannot do that we would be creating invidious distinctions which would be hard to justify. I think it is the duty of everyone of us in this House, including the honourable member for Hoshiarpur, to suggest such measures as would show that we are ready to administer the funds on which we have the right of vote in such a way as we would adopt if the funds were our own—that is on principles of good management. How can we call any proposal like the one made in this resolution as an act of good management. Where we may give loans to persons who have not asked for them, irrespective of their needs at the moment of such disbursement and without charging any interest at all, when the Government itself often has to borrow money on interest for public purposes and has to pay interest on sums which it owes to the Government of India? Moreover, I do not think it would be an act of real friendship to the poorer zamindar to offer him loans free of interest and to add to his habit of borrowing which has already done so much harm to him. We can only do a good turn to him if we relieve him of the present burden of heavy interest charged by the ordinary money-lender and afford relief to him at times of real need for real wants, on reasonable terms.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural], (Urdu): Sir, at first I had no mind to speak on the resolution, now put before the House; but as I consider it against the interests of the zamindars, so I feel compelled to express my ideas.

Two classes of people you will find in every country of the world, namely, one that has to borrow money to make its living and another which lends money. This latter class is always on the lookout to see that the borrowing class does not diminish in numbers, nor do its members become so rich that they may not stand in need of money-lenders.

This sum of 20 lakhs of rupees which the proposer wishes to give to the zamindars will naturally be utilized by them in paying up their old debts and borrowing afresh. So that the state of indebtedness will remain where it is. Again it will unnecessarily create a rupture between the zamindar members of the Council, which is most undesirable. The *sahukars* cannot buy land from the zamindars now, but the Government can, and then when the Government would sell by auction the land of the defaulters *sahukars* would buy such lands of the defaulters if they want to do so. The ultimate result of all this will be that the poor zamindars will be robbed of lands when it be proposed that something useful be done for the zamindar, the Government would say that the zamindars have already got a lion's share of Government help. Government pays for their education, for their sanitation. Moreover, the Government has paid their debts. The

payment of the debts of the zamindars by the Government might only accentuate their bad habits and therefore actually prove detrimental to their interests.

Again, Sir, why has the honourable mover selected these four districts particularly for such help from the Government? Will not all the other districts have a legitimate ground for complaint for certain invidious distinction? The method that the honourable mover has proposed of paying up the debts of the zamindars is not at all satisfactory. To pay one creditor by borrowing from another does not stand to reason. It simply means that the debt will go on increasing and further and higher demands made on the funds of the Government. How can, therefore, Government be expected to meet this charge? With these words I strongly oppose this resolution.

Diwan Bahadur Raja Narendra Nath (Tunjab Landholders, General): I had no intention of speaking on the resolution, but the speeches of my honourable friend Sir Abdul Qadir and my honourable friend from Kasur have induced me to say a few words. I am glad to hear that levy of interest is looked upon by the two speakers who have preceded me as a necessary part of all monetary transactions involved in loans. I am also pleased to hear that undue facilities in the way of repayment of loan are not considered to be conducive to the interests of the borrower himself. If these two propositions are generally recognised as correct by all the members of this Council much of the controversy that takes place as to the conflict of economic interests between one section of the people and another would disappear. I do not question the wisdom of the old rule under which taking of interest was interdicted. It was, perhaps, thought by those who condemn the levy of interest that loans must be taken in the light of monetary help from one individual of the society to the other and should be made without being converted into a source of profit. I, therefore, do not question the motive or intention which led to the custom. But rules of society which were good and universal at one time cannot be treated as sacrosanct for all times to come. Modern economic conditions have completely changed. But I am glad that there is some hope of the recognition of the utility of this change. As to the resolution itself I have not much to say. Its two features are that interest should not be levied for certain number of years and facilities should be given for repayment by the insolvent. Perhaps the resolution was put forward in the hope that it will commend itself to a council that does not find fault with those two principles. I have full sympathy with the resolution, but I can form an idea of the difficulties which the Government will have to face in complying with the resolution. The annual budget has been framed, heads of income and expenditure specified. Any material change in the heads of expenditure will be difficult without affecting all the heads of expenditure, some of them of a very useful character. I would not be surprised if owing to the peculiar seasonal features of this year, estimates of income may also have to be lowered to a certain extent. Before long, I believe, in this very Council you may have to deal with a proposal for the remission of a part of land revenue and *abtana*. But if government can without making material alterations in the budget meet with the resolution I should be only too pleased.

Malik Nawab Major Talib Mehdi Khan [Jhelum (Muhammadan) Rural], (Urdu) : Sir, my honourable friend Raja Narendra Nath has said that Government's attitude towards the zamindars is very sympathetic. There is no doubt that the zamindars do need an uplift. Their present condition is not at all enviable. They are groaning under the heavy weight of indebtedness. But, I don't think that it is possible to improve their present state of affairs by giving them grants like this. I do not think it is the right way of rooting out the evil. If you were to extend a helping hand to one particular district, will not the other districts also cry for similar help? I am sure they will. Let Government's help be based upon some principle. I should suggest the employment of a staff who should study the question and apprise the Government of the legitimate needs of every district.

Again, I submit, that the method of giving help to the poor zamindar is not at all satisfactory. We should try to find the root cause of all this trouble. To me the ignorance of the zamindars seems responsible for all their troubles. In the first place, we should try to educate them. Secondly, we should endeavour to better their social and economic conditions.

So far it seems nobody has taken the trouble to study and remove the root causes of their state of affairs. Attention no doubt has been paid to a few surface defects, but the real defects have neither been explored nor remedied. I submit therefore that a committee be selected and the present question be handed over to it for report.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, we have listened to a very interesting debate, very interesting in more ways than one, this morning. The number of speeches on the resolution, if I am not mistaken, is a record one, as many as 17 or 18 speakers having taken part in the debate. The debate has been remarkable for another reason as well, namely, the variety of interests that have found expression during the course of the debate. There have been those who have accorded their support in well-chosen few words associating themselves with the mover of the resolution. There have been others who have expressed their general sympathy with the object in view, but have felt doubtful as to the advisability of the ways and means suggested in the resolution for securing the object that the honourable mover has in view.

Those who have sympathised in mild terms, have also realised the difficulties of the machinery that has been provided in the resolution for carrying out its object. There has been, if I am not mistaken, but one speech which can be singled out for its directness of attack and for the expression of strong feeling whether of support or resentment. It will perhaps be necessary for me during the course of the few remarks that I have to make to point out that not a few inaccuracies have crept into that brilliant speech. I will not try to take advantage of the various points which are more or less obscure in the resolution. I will not try to say that the resolution is unworkable for this little or for that little reason. I am free to admit that no doubt the phrase, "poorer zamindars" is an extremely vague one; and those who have

said that on that account, the resolution cannot be given practical effect, have also said a great deal in support of the resolution. At the same time I realise that the honourable mover meant by "poorer zamindars" men who really need loan and yet are in a position to repay the loan within the next fifteen or twenty years. He has no intention that this loan be given to those people who within the next fifteen or twenty years cannot repay, and I trust I am right in interpreting the intention of the honourable mover.

His second point was not quite clear. What for is the loan to be given? I have not the slightest doubt that the honourable mover meant that the loan was to be given for the improvement of the land and for improved cultivation, by buying good bullocks and by buying seed, and for improvement of that kind. Surely the honourable mover did not mean that the loan was to be granted for celebrating expensive marriages, although marriages are also necessities for the zamindars. Am I wrong, Sir, in my interpretation of the intention of the honourable mover? (*A voice: No*). Considering that the honourable mover and myself are not at issue on these two or three points, namely, that 'poorer zamindars' does not mean zamindars who are out and out poor, that he means by 'poorer zamindars' those who are able to repay the loan, and that the object of the loan is to improve the land and such other things that are conducive to agriculture, and that the object of loan is not to enable the zamindars to invest the money in costly jewellery or such other extravagant expenses: considering that the honourable mover and myself are agreed on all these points, then what is the issue between him and me? Some might say it is how the money is to be recovered. The honourable members say that you shall not recover any portion of the loan during the first four years. Those who put that interpretation on the resolution are doing a violence to the intentions of the honourable mover. What he meant was that if a debtor is not at all able to repay any portion of the debt, you should not insist upon recovering it during the first four years, but in case he has good luck in the shape of good harvests during the first four years he ought to repay a portion of the loan. Surely the honourable mover never intended that you should not take back any money during the first four years, and that you should leave the whole money in his hands and thus allow him to lay himself open to the temptation to which zamindars are unfortunately too prone. That would not be doing a good turn to the poor zamindar. You should be ready to take from him as much money as he can legitimately spare. I have not the slightest doubt that that is what the honourable mover meant, and I think all others who sympathised with him in his resolution did so believing him to mean that.

I am afraid some sort of feeling has been imported into this debate altogether unnecessarily. Some members imagined that the honourable member meant to exclude other districts of the province from the benefits of this scheme in case this scheme were given effect to. As a matter of fact he said distinctly that he had no desire to exclude any of the districts in this province. His supporters have said the same thing. If the principle is conceded by the Council in regard to these four districts, given the same conditions in other districts, I cannot conceive the possibility of its being urged that it should not be extended to other districts also. For the sake of argument, I will assume this Council is prepared to do to other districts what

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it is prepared to do for these four districts. After all, to me it is a self-evident proposition. The population of these four districts, if I am not mistaken, is nearly 15 per cent. of the total population of the province, and if 20 lakhs are set apart for these four districts, I believe the Council would expect the Government to set apart very nearly $1\frac{1}{2}$ crores for the whole province in case other districts are in the matter of indebtedness and so forth more or less on the same level as these four districts. I notice that two or three of these districts are not altogether devoid of canal irrigation. I also notice that there are districts like Rawalpindi, Jhelum and Kangra which cannot reasonably be said to be blessed with good things of the world to a higher degree than any of these four districts. But as I said before, it is a point which has been brought into the controversy which ought not to have been brought in at all. The honourable mover of the resolution never intended that these four districts should be meted out a treatment different from other districts or that other districts should be excluded from this special treatment. Therefore, I think the criticism of one of the leading members of the Nationalist party—I regret to see the whole bench is deserted by them today, at all events just now—the criticism that these people have been putting forward their claims on account of recruitment, and so on, and that they are trying to achieve something for which they were already paid when they fought, all these criticisms are beside the point altogether. I have not been able really to see the relevancy of that criticism. When the honourable mover says that these four districts are, from an agricultural point of view, so situated as to need the help of loans either with interest or presumably if that is impossible on very low rate of interest, it does not lie in his mouth to say: 'you fought, you made money, you were mere mercenary soldiers.' It did not lie in his mouth to say whether the claim for assistance or for loan from the State for agricultural purposes was well founded or ill-founded. It was equally open to him to say 'you need not have a loan free of interest from Government because there are other agencies, such as co-operative societies and private capitalists who are ready to lend money on these low rates, why are you going to Government and draw upon the purse of the State.' Although I am often in agreement with the honourable member from Jullundur belonging to the Nationalist party in this particular instance, I regret to find myself more or less in disagreement with him. Having made clear the point and made it obvious that the proposal really amounts to finding very nearly $1\frac{1}{2}$ crores every year to be distributed to the needy zamindars of the Punjab.....

Dr. Gokul Chand Narang : It is only once and not every year.

The Honourable Mian Sir Fazl-i-Hussain : I assure you, Sir, that the honourable members are not justified in distorting the resolution in the way they do. The honourable mover has said that he wants this money to be put in the budget for the current year, and he follows it up by saying that for four years there shall be no recovery. The implication is not only that for four years the process of recovery should not be begun, but that the process of giving loan should continue for four years, and it is only in the fifth year a beginning should be made to recover the loans. (*A Voice : No*). I have no objection to the honourable mover now restricting the scope of the

resolution and the scope of his demand. I will be very glad of it, provided that we feel that the object he had in view would not be served much better if this generosity is extended for a period longer than one year. There is nothing so far as I can see to show that having distributed $1\frac{1}{2}$ crores in the year 1928-29, the indebtedness in the Punjab would come to an end. If I am not wrong in assuming that the indebtedness of the agriculturist classes in the Punjab extend to several crores, then this $1\frac{1}{2}$ crores is a very small percentage of that. I fail to understand the reason why some honourable members insist that this thing, if it is good, should not be done more than once. Now, I really begin to see light. What they have in mind is that the absurdity of their proposal may not be made more clear by extending it over a number of years so that even the man with the meanest intelligence may say that there is no practical sense in the proposition that has been placed before the Council. I assure, you, Sir, that in marshalling the facts before the Council, I do not start with that intention. I think, Sir, what the Council wants is much better use and a greater use to be made of the facilities provided for loans by State to agriculturists. There are provisions to assist the poorer zamindars not only in the Land Improvement Act, not only in the Agriculturist Loans Act, but for help exists also the agency of the co-operative societies, and the desire of the Government in common with the desire of every member of this House is to increase those facilities, and this should be a sufficient guarantee in itself that those facilities will be added to as opportunities arise. We are most anxious to lend as much as possible to the zamindars who need funds for agricultural purposes subject to the most important conditions. Firstly, recovery of the loan in which all the members have insisted, and secondly, in this process State should not lose very much.

It should be remembered that we borrow from the Government of India for loan purposes and have to pay interest and it is our desire not to lose very much in this transaction. We do not mind losing one or two per cent., but beyond that it is inadvisable to go. This year, two months ago, instructions were issued to all Deputy Commissioners to the following effect and I trust honourable members of this Council will take particular note of this. "If a Deputy Commissioner finds that his allotment of *taccari* is insufficient, he is to at once apply to the Commissioner for additional funds. The Deputy Commissioner distributes the allotment to the tahsils according to their requirements in order to avoid delay which occurs when a tahsil is to apply for funds to the district headquarters. The Deputy Commissioner may keep a reserve in hand; he may transfer funds from one tahsil to another." Last February the Government through their Financial Commissioners issued this circular to all the Deputy Commissioners stating that in the first instance a certain allotment is made but in case there is a greater demand in any tahsil for *taccari* they should not consider that they are limited to the funds at their disposal. But they are at once to write to the Government, to wire, if necessary, and get further funds which will be placed at their disposal. What was the reason for issuing these instructions? The reason was that Government felt that people needed loans to a larger extent than have been given in the past. Government was ready to meet the greater demand. Government desired through the executive officers, their representatives in the districts, to lend out as much money as was needed. Having satisfied that the requirements of the rules are fulfilled, one of the essential require-

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ments being securing recovery—a point on which both the honourable mover and I agree—the money is lent. How is it to be recovered? This is again with reference to the financial condition. The period of recovery may be as long as 20 years. That period, it will be noticed, is longer than the period which the honourable member contemplates. Really we are at issue on one point. The honourable member says that the amount should be given without interest and I say “no.” I say we will lend it at a rate of interest which is cheaper than the rate at which a very well-to-do man can borrow. Surely, Sir, Government cannot be called upon to provide facilities for borrowing at a rate at which the well-placed man in the country is not able to get. If a big land-owner—a rich man like the honourable leader of the party to my right—cannot get at a rate less than 6 per cent., is it right to insist that the poorest zamindar should be supplied at rate lower than 6 per cent? I think the claim that the utmost leniency should be shown is one with which this Government is in entire sympathy. But there is a great deal of difference between charging no interest and charging a small rate of interest. Since Government gets it at $5\frac{1}{2}$ per cent., it lends it at 6 per cent. and none of us probably fall under the definition of poorer zamindar mentioned in this resolution, but I can assure the House that none of us can get loans at 6 per cent. Will it not meet the wishes of this Council in this matter when I state that it is the desire of Government to lend as much as is needed by the people who need it for agricultural purposes at a rate of interest which is to be as low as it can possibly be—and I claim that 6 per cent. is such a rate—when I state that it is the desire of the Government that the distribution of the *taccavi* should be not only through the Deputy Commissioners, Tahsildars and Naib-Tahsildars, but that Government is exploring the possibility of distributing it through co-operative societies, when I state further that Government is prepared to consider all other possible means of increasing facilities for agricultural credit? If so, I trust that this general assurance which is of particular value to the four districts which the honourable member has mentioned in this resolution will satisfy the honourable mover. He will see that the object of his resolution has been fully served and the assurance I have given is of particular reference to his districts. Lest he should feel any doubt on the point, that Government is not as solicitous of the interests of these 4 districts as of other districts, I will try to place certain facts before the Council which will establish to the satisfaction of the Council that these 4 districts have been the pet children of the Government. On an average 14 lakhs have been distributed every year in the province as *taccavi*. Out of these 14 lakhs, as much as 5 lakhs went to these four districts. So nobody can complain that the treatment meted out to these districts was harsh and when we remember that these four districts are, so far as population is concerned, not more than 15 per cent., while the *taccavi* is more than 33 per cent. they will realise that every possible claim that can be put forward before Government has been most sympathetically taken into account. There are, the Council will no doubt realise, very many difficulties in accepting a general, vague, loosely worded resolution, whose intentions are noble, whose object Government is prepared to appreciate and applaud, and whose aim Government will try its best to serve.

Chaudhri Baldev Singh [North-West Rohtak (Non-Muhammadan), Rural], (Urdu): Sir, Some of the honourable members have objected to my resolution on the ground that the subject of the resolution should have been discussed during the Budget Session and not during the year when it is impossible to allot fresh money. In reply I beg to say that I did send the notice of this resolution last time, but unfortunately it did not come in the ballot.

Sir, in my own district I have experimented on these schemes and I have found them immensely useful for the people. For example there was a friend of mine who wanted to give a donation of Rs. 100 to Jat High School. He came to me for advice. I suggested to him to buy a cow instead and to keep the cow and to sell its breed. He acted on my advice, with the result that in a short time he was in a position to give about Rs. 500 to the school instead of Rs. 100. Similarly a great many of my friends have benefited by sinking *pucca* wells in their fields. In this way they become better fitted to earn more. If this resolution is passed their earning capacity will increase very much. For this very purpose I have drawn the attention of the Government towards this question, and I hope that the official members will support my resolution whole-heartedly. The wording of my resolution may not be in accordance with the law. I have no fear on this score. If my resolution is put into practice I can say with full confidence that the condition of the poor zamindars will be very much improved. Education can be spread among them. You can put a stop to the unemployment, which is forced upon them for want of capital. They can evolve new methods of work. Again there was an objection to the joint family system. This objection can only hold good if the various members of a joint family sit idle. In such cases joint family system will prove fatal. But if all the members of a joint family were to work together then it will do immense good to the said family. Suppose there are four boys in a house, if one of them were to take up cattle, grazing and another were to take up field ploughing and a third were to look after the household management and the fourth were to ply country-carts, then consider how much good will come out of this system. I believe the scheme to be practicable and extremely useful for the poor zamindars, and the nature of my idea is more than clear. I therefore strongly press for a division of the House.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): I just want to mention one point which I omitted to mention in my speech and it is this. It has been said that Government can afford to give twenty lakhs this year, and even more for other districts. I wish to point out, Sir, that Government is in no such condition of affluence as some members appear to believe Government to be. As a matter of fact as the leader of the honourable mover's party pointed out we have just trouble about wheat crop and gram crop, a very widespread sort of trouble, it is alleged to be. I cannot tell what the extent of the trouble is because enquiries are not yet complete. But if the trouble is serious and if that involves remission of land revenue and *abianz*, it will run into lakhs and lakhs and thus very substantially reduce the income of the current year. The second thing

12 NOON.

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which has been brought to light recently is that our district boards are altogether incapable of meeting the calls on their purse to finance the ever-expanding primary education. It was not realised it appears that the progressive policy of district boards will lead them in four or five years into such difficulties. It is for the Minister for Education or the Minister for Local Self-Government either to close down the schools or to tell them that we will try to find money for them. I am told that the money needed for this purpose, not for extraordinary expansion but for the one already sanctioned and for maintaining what has already been going on, may cost more than twenty lakhs and the cost may go up to a higher figure. That will just indicate whether the finances of the provincial Government are in an affluent condition or not.

Mr. President : The resolution proposed is—

"That this Council recommends to the Government to set apart a sum of rupees twenty lakhs during the present year to be distributed as loan without interest among the poorer zamindars of Rohtak, Hissar, Gurgaon and Karnal districts, and the recovery of the loan be commenced four years hence by easy instalments spread over fifteen years."

The question is that that resolution be adopted.

The Council divided : Ayes 15, Noes 30.

AYES 15.

Dr. Gokul Chand, Narang.

Mr. Labh Singh.

Lala Mohan Lal.

Chaudhri Ram Singh.

Pandit Nanak Chand.

Chaudhri Baldev Singh.

Dr. Gopi Chand, Bhargava.

Rao Bahadur Captain Rao Balbir Singh.

Rai Sahib Lala Ganga Ram.

Lala Gopal Das.

Lala Joti Prasad.

Lala Kesho Ram, Sekhri

Sayad Muhammad Husain.

Lala Bodh Raj.

Chaudhri Afzal Haq.

NOES 30.

Col. C. A. Gill.

Mr. H. D. Craik.

Mr. C. A. H. Townsend.

The Honourable Malik Firoz Khan,
Noon.

Mr. W. R. Wilson.

Mr. R. Sanderson

Mr. A. R. Astbury.

Mr. J. B. G. Smith.

The Honourable Mr. Manohar Lal.

**RESOLUTION RE GRANT OF LOANS TO ZAMINDARS OF ROHTAK, ETC., 869
DISTRICTS.**

Nose 80—concluded.

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 Nawab Muzaffar Khan.

Mr. M. M. L. Currie.

Mr. Owen Roberts.

Rai Bahadur Lala Rattan Chand.

Pir Akbar Ali.

Chaudhri Ali Ahmad.

Mr. V. F. Gray.

Sardar Ujjal Singh.

Lieutenant Sardar Raghbir Singh.

Sardar Bahadur Captain Dalpat Singh.

Sardar Bahadur Sardar Sheo Narain Singh.

Sardar Sahib Sardar Fateh Singh.

Mr. E. Maya Das.

The motion was lost.

**RESOLUTION RE MILITARY TRAINING FOR COLLEGE
STUDENTS.**

Rai Sahib Lala Gangs Ram [Ambala-cum-Simla (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move the resolution which stands in my name and which runs as follows:—

"This Council recommends to the Government that steps be taken to introduce the training of military drill and the use of fire arms along with the physical drill in all the Government recognised colleges."

Sir, the proposal which I have put forward for the consideration of the House is indeed a very useful one, and I have no hesitation in saying that it is also very important. This proposal has two advantages. It is an open secret, Sir, that the health and strength of our college students are not up to the mark, and if this resolution is accepted I am sure that the health of the students will improve a good deal, and this would enable them not only to become good citizens, but they would also be in a position to defend themselves against outside aggression. Also the Government can make use of them at a time of internal commotion.

As I have already stated, the health of our educated men is not very good, so much so that the education department has been obliged to recognise this fact, and they have tried to promote the physical well-being of the students by appointing physical instructors in all schools and colleges. In view of the facts mentioned by me it is of the utmost importance that military training should be introduced in all recognised Government colleges. You are probably aware of the fact, Sir, that a few years ago, the Government started the Punjab University Corps, and you are also aware of the

[R. S. Lala Ganga Ram.]

fact, Sir, that the college students took the fullest advantage of this institution and showed their eagerness for military training by joining the corps in large numbers. It is also a well-known fact, Sir, that the members of the Punjab University Corps did their little bit during the great war and earned encomiums on all sides. In England, and other European countries, students are allowed to take the fullest advantage of military training, and they are taught the use of fire-arms. When such is the case, I do not see any reason as to why the Indian students be deprived of the chance of receiving military training. I have no hesitation in saying that it will not redound to the benefit of the country at large if Indian students are kept in ignorance of the military science.

The only argument, which may be advanced against my proposal is that it would be rather dangerous to give fire-arms to young hot-bloods lest they should make an improper use of them. But my contention is that if in European countries reliance can be placed upon college students, why should not the same courtesy be shown to Indian students. I am prepared to admit that the Indian students have not fully imbibed the spirit of discipline, but if they are trained on military lines, there seems no reason as to why they should not imbibe this spirit, and be of some use to the Government as well as to their country in a time of emergency. With these few words, Sir, I commend my resolution to the Council for its acceptance.

Mr. President : The resolution proposed runs—

"This Council recommends to the Government that steps be taken to introduce the training of military drill and the use of fire-arms along with the physical drill in all the Government recognised colleges."

Sardar Ujjal Singh [Sikh (Urban)] : Sir, I rise to express my hearty association with the resolution moved by my honourable friend opposite. It has been admitted on all hands that the question of self-government is indissolubly bound up with the question of self-defence. The helplessness of the people of this country to defend their hearths and homes has been pointed out to us times without number as the one himalayan barrier that stands in the way of our demand for full responsible Government. The resolution just moved by my honourable friend asks for opportunities for the elementary training of the youths of this country in the art of warfare. The object of this resolution, I believe, is twofold: *Firstly*, that a course of military training will help in the improvement of the physique of the college students and will turn out manly citizens instead of physical wrecks. The second object is this, that it will prepare the youth of this country for its defence. It will form the nucleus of the national militia which in times can be easily converted into the regular army without much loss of time. These ideas have been supported by the Esher Committee's report. The report says, speaking about the Calcutta University Corps: "It appears that even with an insufficiency of officers the corps has made healthy progress, the men have improved much in physique under the training." The report further says that they "are becoming more amenable to discipline and turn out smartly on parade. We consider the success attained by the Calcutta University Corps a hopeful indication that these

corps are likely to furnish the best material as well as the surest foundation on which to build."

The demand for military training for college students has been made by several eminent universities. The Bombay and the Calcutta Universities have requested the Government to take immediate steps to introduce compulsory military training for the students of colleges. But the Government has so far paid absolutely no attention to this demand. On the one hand, we are accused of incapacity for self-defence and consequently for self-government and on the other when a demand is made, whether in the Council or outside the Council, for providing reasonable facilities to put us on the road that we may be able to defend ourselves Government shakes its head. How are we to be capable of defending ourselves? We have got the Arms Act which has deprived us of any facilities for the possession and use of arms and which has emasculated the Indian manhood. The Indianisation of the higher ranks in the army has been postponed to doomsday, and we have not been given first rate military college like Sandhurst and Woolwich where Indian youths can be trained. These may be bigger problems, and there may be difficulties of an insuperable nature, but the demand made in the resolution for providing military training for students does not involve any deflection of military policy nor does it present any insurmountable difficulty. The Punjab is eminently fitted for this purpose as it is the recruiting ground for the Indian army. The Punjab soldiers have shown their mettle on many a battlefield, and have won the praise of all nations. It is in this province that we find the best fighting material. It is therefore only to the advantage of this country and the British Empire that facilities are provided in this province for the military training of youths in order to enable them to keep up their military traditions inspite of the emasculating influence of modern education, and like manly citizens to set aside their civic duties and to take up arms at the call of the motherland in the hour of need. With these few words I heartily support the resolution that has been moved.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadian)], (Urban): Sir, it is with the greatest pleasure that I rise to support this resolution. In fact the wonder is that such a resolution was never brought before this Council before. It has been pointed out that the Indian youths are at a great disadvantage as compared with the young men of other countries. That disadvantage is due to political circumstances, but I do not think that those political circumstances should stand in the way of acceptance of this modest resolution. It is beyond question that the health and strength of young men in this country and particularly of those who are in our schools and colleges are not at all up to the mark; and the one thing the acceptance of this resolution and the carrying out of it would do would be to improve the physique of young men studying in the various colleges. We have also noticed that the young men in our colleges in spite of the training that they receive there and in spite of coming in contact with even European teachers are sadly lacking in discipline. We have noticed in meetings that students swarm to seats which are reserved for a special class of visitors, and even if they are employed as volunteers curiosity would prevail upon them and make them desert their posts in spite of the lessons learnt from such stories as that of Casablanca. We have noticed that they

[Dr. Gokal Chand Narang.]

sometimes on very important occasions misbehave simply because they have not imbibed the great lesson of discipline which we find as a rule in European countries, although of course one finds occasional exhibitions of wild spirits even in European universities.

Then, again, we find that reproach of effeminacy is always flung at them; such names as *schoolia* and *masitar* they are called in the villages by their brethren who are engaged in cultivation or some other pursuits. The students in colleges lack in spirit and enterprise and adventure which are to be found more in their brethren who have not had the disadvantage of studying in schools and colleges.

Then again, I would submit, the most important question that arises is this. If there is any truth in the stories of trusteeship and guardianship and India is really supposed to be brought up and trained under the fostering care of the British Government, then the question is whether the British Government is going to keep India always in leading strings or whether it is going to enable India to stand on its own legs. We have often heard the retort and reproach that whereas Pandit Motilal Nehru and his friends would like to rule India and would like to occupy all the civil posts, they would like the British Tommies to protect them from outside aggression. That is a taunt which I believe has been flung at the Indians more than once by very highly placed people. I admit the truth of this taunt and the force of this reproach to a very great extent. India, as at present situated, is totally unfit for self-defence and the cry of Swaraj is absolutely baseless, is absolutely absurd as long as India is unfit to defend itself. But the question is whether the inability of India to defend itself is due to any fault of the Indians themselves or whether it is the fault of those under whom Providence has placed India. I admit that in the first instance it is the fault of the Indians themselves, because it is the fault of Indians that they have found themselves placed under others and are not able to manage their own affairs and keep their own house in order. But once conceding that fact, the question is whether the Indians themselves are responsible for their present helpless condition or whether the fault lies at the door of the Government with whom the destinies of India have been entrusted by an All-wise Providence. So far as I can judge, the greatest blow that was dealt to this country as a whole was the deprivation of the people of this country of the use of arms by the introduction of the Arms Act. Never under the Hindu rule nor under the various Muhammadan governments were the Indian people deprived of the possession of arms or the use of arms, and this was, as I have submitted, the greatest blow that was struck at the Indian people. The result has been that a vast majority of people have totally forgotten the use of arms. They have become absolutely alien to the spirit of warfare, and therefore they have lost all spirit of adventure and enterprise. There was a time when even the cloth merchants, itinerant cloth merchants, who used to go out to sell cloth used a measuring rod which was in the form of a sword so that they could measure their cloth with that rod and also defend themselves with that rod if necessity for self-defence arose. But all those things are now past and gone. Therefore it is time that the British Government, if it really means well by the

people of this country should retrieve its reputation by undoing the mischief that has been to a very great extent done by it to the people of this country.

No better beginning can be made than by the introduction of military drill and the use of arms in the colleges. This is a very humble beginning but I think if a beginning like this is made, it will be a step in the right direction, it will be the beginning of the undoing of the mischief which has been done to this country. It might be said that if the youths of this country are trained in the use of arms and are also trained in military drill, they might possibly be a source of danger to the country. Well, in one sense there could not be any danger to the country because the country is theirs and their country would not stand to suffer at their hands. If by the country you mean the present government of the country, even then I would submit that whether it would be a source of danger to the Government will again depend upon the Government itself. If there is to be comradeship which is often talked about between the people of this country and the people of Great Britain real friendship, real comradeship, real partnership in the vast and "glorious British Common Wealth." then I would submit that there could be no danger at all to the British Government in this country. If by their conduct the Government shows to the people of this country that they mean well by them and that the Government want the people to progress along the path of self-government as was announced in August 1917 and if the Government mean that by gradual stages, the people of this country should attain independence or self-government according to the system that prevails in British dominions, then my submission is that there cannot be the slightest danger to the Government even as it is situated at present. The more people there are in this country who are acquainted with the use of arms, the greater will be the support to the Government. Now-a-days Government have to depend upon material which is absolutely uncouth, uncivilised and unintelligent. The difference between an intelligent soldier and an unintelligent and uneducated soldier, who might be driven but not led, should be well known to people who have to deal with men of this kind. I do not see even the slightest danger to the British Government or to the country. Rather if this resolution is accepted in its entirety and if it is introduced practically, it will be a proof of the *bond fides* of the Government and it will strengthen the relations between the rulers and the ruled. I do not want to take up any further time of the Council and strongly commend the resolution to the support of the House.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadian), Rural] (Urdu): Sir, the honourable mover of this resolution has not taken us into his confidence as regards the object he had in view in moving this resolution: I should have liked to ask him as to what should be the object aimed at by the students who are to receive military training. Some of the speakers who have preceded me gave out that the main object of this resolution is to enable young men to defend their hearths and homes and their country should a contingency arise: If that was the object, the honourable mover of this resolution had in view, then I must congratulate him. But it gives me great pain to say that two of the speakers, who have just spoken expressed the opinion that the only object of this resolution is to train youngmen in the use of fire-arms, so that they can be made use of

[Ch. Afzal Haq.]

by the Government in its various schemes of aggression. It is a matter of great regret that some of the members of the council are in the habit of making irresponsible statements, and in my opinion this tendency on the part of some members is even more harmful than the lack of military training in this country.

I would gladly support this resolution if the Government were willing to co-operate with us, and willing to come to a compromise with us. If this comes to pass, I am sure that it would be a happy day both for the government and the governed. If, however, the only object of this resolution is to turn our youngmen into instruments of foreign aggression, then I have no hesitation in saying that we do not want military training at all. If the honourable mover of this resolution declares in so many words that the end he has in view falls nothing short of service to the motherland, then I would extend my heartiest support to this resolution. But if he fails to do so, and does not say in clear and unambiguous terms that the ideal to be placed before our students is that they should see that the frontiers of India are made safe against foreign aggression, then I cannot see my way to support this resolution. I would, therefore, ask my honourable friends to insist upon the mover to make his meaning clear. Let him come out with the proposition that he wants his compatriots to receive military training for the simple reason that he wants to see more strength in their bodies and the frontiers of India safer and more secure.

Diwan Bahadur Raja Narendara Nath [Punjab Landholders, General]: Sir, I give my whole hearted support to the resolution which has been put forward by my honourable friend from Ambala. Self-government is upon every body's lips. Complete self-government may be long in coming or it may come soon. There is not the least doubt that self-government is within sight. Self-defence is inseparable from self-government. A country or a people unable to defend themselves cannot be self-governing. The country has made marked advancement in education. There has been a general awakening amongst the people due to education. But that education which merely awakens people to their political or economic needs is incomplete. Physical training must form a necessary part of our education at every stage. Another thing which I consider essential for India's political advance is the complete obliteration of the distinction between martial and non-martial classes, a distinction which has come to the fore only recently. In India governed by Indian rulers there was no such distinction as exists now between martial and non-martial classes. It is to a large extent due to the policy of the British Government followed in the recruitment of their Indian armies. At the time of Maharaja Ranjit Singh no such distinction existed. I can cite certain names of his generals who belonged to non-martial classes. Any one who has read Cunningham's History of the Sikhs must be familiar with the names of Diwan Mohkam Chand of Kunjah who conquered tract after tract for his chief. I need not mention other names but there are several. Another objection against English education and university education is that it is emasculating and enervating. In the earlier days spectacles were considered to be an inseparable appendage of a graduate. I remember when I came out of the College an old friend

of my family approached me and congratulated me that I had been able to obtain my degree without being driven to the necessity of wearing glasses. I wore no glasses upto the age of 50. Although matters have improved in respect of physical training since the time that I was a student yet there is a great room for improvement. For these reasons I support the motion which is before the Council.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Urban] (Urdu) : Sir, the resolution under discussion is a very important one and if accepted will have far reaching consequences on the destinies of India. I find myself in a dilemma as to whether to support or oppose the motion. From the arguments put forward in its support I have not been able to arrive at a decision as to whether it would be worthwhile on my part to support it. The present state of affairs is such that neither the Government nor the people are in a position to come forward honestly and face one another with a clear conscience. The Government suspects the *bond fides* of the people and the people are not slow to return the compliment. As long as there is mutual distrust between the Government and the people, the moving of such resolutions is not likely to do any good to the parties concerned and it is just possible that this resolution may prove a source of inconvenience to the Government.

It is an open secret that whenever there has been an outbreak of any kind, the students have always been found in the fore front of it. You are aware, Sir, that during the martial law days a very large number of college students had to suffer for their temerity in defying the law. They were made to parade in the hot sun with their beddings on their heads and if the intention of this resolution is to make the students more hardy and capable of bearing hardships, then there is something to be said for this resolution. But if the Government suspects the *bond fides* of the students and has been obliged to issue a circular to the effect that if the students or managers of a school take part in politics the grant-in-aid given to the school would be stopped, then I am sure that the sooner this resolution is withdrawn the better it would be. If the people of this province again take to head-breaking, it would indeed be a sight for the gods to see a cavalry regiment of the Islamia College fighting against a regiment of the D. A. V. College. In my opinion this resolution ought not to have been put forward at this stage. The country is not yet in a position to make the fullest use of such concessions. If, however, you can change the atmosphere of the country and the people and the Government can see eye to eye the fact that the defence of the country should be shared by the people and the Government, there would be a chance of deriving some benefit from this proposal. My honourable friend, Raja Narendra Nath was pleased to remark in the course of his speech that military training should be given to all and sundry. I am afraid I cannot agree with him in this respect. Military training should be confined to military classes alone.

Dr. Gokul Chand, Narang : May I ask the honourable member a question, Sir ? Does he mean that we should first establish a tradition and then introduce this ?

Sardar Harbakhsh Singh : I do not know. This was one of the arguments advanced on the other side. As I have already observed, Sir, military training should not be given to all classes of people. Only such people should

[**Sardar Harbakhsh Singh.**]

receive military training as have military traditions behind them. The Punjab has already suffered for having given military commands to non-military chiefs.

Dr. Gokul Chand, Narang : You lost the Punjab through your own folly.

Sardar Harbakhsh Singh : No. The Sikhs lost the Punjab because they had as their commanders men like Teja Singh and Lal Singh, people who had adopted the profession of arms, but who had no military tradition behind them.

Now, to turn to the subject under discussion I submit Sir, that it would be a good thing indeed if military drill and military training were introduced in the rural areas, because the people living in rural areas care more for becoming jamadars in the army than Extra Assistant Commissioners in the Civil Department. Then I submit, Sir, that it would be futile to expect the college students in urban areas to become more manly if they receive military training. It may improve their health, but it is not likely to make them more courageous. If, to-morrow a foreign army attacks India, these youngmen would first like to study the past history of the invaders rather than go into the battle-field and face the enemy, and by the time they have finished studying their history books the invaders would be at the gates of Lahore. With these few words, Sir, I oppose the resolution.

Lala Mohan Lal [North-East Towns (Non-Muhammadan) Urban] (Urdu) : Sir, I am surprised that this important resolution is being opposed. My surprise becomes all the more greater when I see, that it is being opposed by a member of the Nationalist Party, who are anxious to make India free. I do not know to what we are coming ? It appears that the mentality of some of the members has entirely changed. Having regard to the importance of the resolution, it should have been passed without any opposition. I agree with Chaudhri Afzal Haq, that the college students who are trained should be used for the defence of the country in time of emergency. I regret that the resolution should have been confined to recognized colleges, in my opinion military training should be given in all colleges whether recognized or unrecognized. (A voice from the Government benches : All colleges are recognized).

I submit Sir, that the military training should not be confined to the members of any particular class, caste or creed, but should be open to all classes, Hindus, Muhammadans, Sikhs, agriculturists, non-agriculturists. If this is not done, there will be mistrust in the minds of different classes and we will never be able to free ourselves. It is absolutely essential from the National point of view that military training should be given to the members of all classes, in case it is intended that Indians should defend their country. If the military training is confined to a particular class I am sure that we will never be free. One class or community will try to dominate the other. We will remain where we are. Let the young men of all castes and creeds be trained on footing of equality and I can assure you that we will be able to govern ourselves and achieve our goal of independence.

The Council then adjourned till 9 A.M. on Saturday, the 5th May 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 5th May 1928.

The Council met at the Council Chamber at 9 of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

JINJI BATAL.

***1292. Lala Bodh Raj :** With reference to reply to starred question No. 904¹ asked on 20th February 1928, will the Honourable Revenue Member please state when the announcement referred to in the reply is going to be made?

The Honourable Mian Sir Fazl-i-Husain : The matter has been referred to the Government of India and the Government of India has been asked to give an early decision on the subjects of the reference.

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

***1293. Lala Bodh Raj :** With reference to reply to starred question No. 911² asked on 20th February 1928, will the Honourable Minister for Local Self-Government please state what has been the result of the instructions issued to the Deputy Commissioner as referred to in the reply?

The Honourable Malik Firoz Khan, Noon : Further enquiries made show that it cannot be held that Sardar Autar Singh was less than 25 years of age.

WATER SUPPLY.

***1294. Lala Bodh Raj :** (a) With reference to reply to starred question No. 914³ asked on 20th February 1928, will the Honourable Minister for Local Self-Government please state if the report referred to has been received?

(b) Will the Honourable Minister please lay it on the table?

(c) What action has been taken in the matter on the said report?

The Honourable Malik Firoz Khan, Noon : (a) & (b), The substance of the report received is contained in the further reply to starred question No. 914, which was forwarded to the Secretary of the Council.

¹ Page 10 ante.

² Page 13 ante.

³ Page 14 ante.

[Hon. Malik Firoz Khan Noon.]

with letter No. 7918, dated 5th March 1928, for communication to the honourable member.

(c) No action has been taken by Government. Government are not aware whether the honourable member has intimated to his constituents the course which, it was suggested, they should pursue if they desire any assistance in this matter.

SMALL TOWN COMMITTEE, KOT ADU AND ROAD TAX.

***1295. Lala Bodh Raj :** With reference to reply to part (c) of starred question No. 919¹ asked on 20th February 1928, will the Honourable Minister for Local Self-Government please state if the enquiries have been made and what action has been taken in the matter?

The Honourable Malik Firoz Khan, Noon : The further reply² promised was forwarded to the Secretary to the Council with letter No. 7826, dated the 28th February 1928, for communication to the honourable member.

[Answer to starred question No. 919 (c).³]

(c) Yes, though the Deputy Commissioner gave no order, but merely referred the committee to a rule requiring it to observe the general principles which Government has approved in the several departments of administration.

PIND DADAN KHAN MUNICIPAL COMMITTEE.

***1296. Lala Bodh Raj :** (a) With reference to reply to starred question No. 989³ asked on 25th February 1928, will the Honourable Minister for Local Self-Government please state if the report called for from the local officers has been received?

(b) What action has been taken on the said report?

(c) Will the Honourable Minister please lay the report on the table?

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

(b) The allegations were found to be frivolous, and it is not proposed to take any action on them.

(c) Government does not consider it to be desirable to lay the reports of its officers on the table.

PIND DADAN KHAN MUNICIPAL SCHOOLS.

***1297. Lala Bodh Raj :** Will the Honourable Minister for Education please state with reference to reply to starred question No. 941⁴ asked on 25th February 1928, what action has been taken in the matter by the authorities?

The Honourable Mr. Manohar Lal : The attention of the Divisional Inspector of Schools has been drawn to the matter.

¹Page 16 ante.

²Vide Appendix.

³Page 138 ante.

⁴Page 138 ante.

HAISIYAT TAX.

***1298. Lala Bodh Raj :** With reference to reply to starred question No. 943¹ asked on 25th February 1928, will the Honourable Minister for Local Self-Government please state the figures referred to in part (ii) of the question?

The Honourable Malik Firoz Khan, Noon : The figures² required were forwarded to the Secretary of the Council with letter No. 8049, dated 5th March 1928, for communication to the honourable member.

[Answer to starred question No. 943 (ii)¹.]

The Honourable Malik Firoz Khan, Noon : (ii)

Year.	AMOUNT OF HAISIYAT TAX IMPOSED.		AMOUNT REMITTED ON APPEALS.	
	Hindus.	Muham-madans.	Hindus.	Muham-madans.
	Rs.	Rs.	Rs.	Rs.
1926-27	1,069	570	NIL	NIL
1927-28	2,908	787	817	NIL

DISPUTE *re* Tharrah IN DAIRA DIN PANAH.

***1299. Lala Bodh Raj :** With reference to reply to starred question No. 986³ asked on 1st March 1928, will the Honourable Finance Member please state the result of the enquiries made?

The Honourable Sir Geoffrey deMontmorency : The matter is still under enquiry.

ZILLADARS IN THE IRRIGATION DEPARTMENT.

***1300. Lala Bodh Raj :** With reference to reply to starred question No. 1027⁴ asked on 2nd March 1928, will the Honourable Revenue Member please supply the information as stated?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the Consolidated Statement showing the proportionate representation of the various communities as it stood on the 1st March 1927, a copy of which is on the table.

¹Pages 139-40 *ante*.

²Vide Appendix.

³Page 229 *ante*.

⁴Page 293 *ante*.

NAIR-ZILLADARS.

***1301. Lala Bodh Raj :** With reference to reply to part (b) of starred question No. 1029¹ asked on 2nd March 1928, will the Honourable Revenue Member please state what orders have been issued on the subject referred to therein?

The Honourable Mian Sir Fazl-i-Husain : The matter is still under consideration, and it is probable that orders will be issued shortly.

CLERICAL ESTABLISHMENT IN THE PUBLIC WORKS DEPARTMENT,
IRRIGATION BRANCH.

***1302. Lala Bodh Raj :** With reference to reply to parts (b) and (c) of starred question No. 1031² asked on 2nd March 1928, will the Honourable Revenue Member please state how the matter was finally settled?

The Honourable Mian Sir Fazl-i-Husain : The matter was carefully considered, and it was decided not to revise the existing sanctioned scales of pay.

MUNICIPAL COMMITTEE, KASUR.

***1303. Lala Bodh Raj :** With reference to reply to starred question No. 1087³ will the Honourable Minister for Local Self-Government please state what action has been taken by the Government as stated in part (c) of the reply?

The Honourable Malik Firoz Khan, Noon : The Commissioner has recently appointed a Hindu Member in place of a Muslim member who resigned.

GRANTS-IN-AID TO SCHOOLS.

***1304. Lala Bodh Raj :** Will the Honourable Minister for Education please state with reference to reply to the supplementary question to starred question No. 931⁴ asked on the 25th February 1928, concerning the terms of existing provision in the Code regarding the grants-in-aid to schools, if any change is to be made in the said provision?

The Honourable Mr. Manohar Lal : The terms of the existing provision in article 85, chapter III, Punjab Education Code, regarding the grant-in-aid to schools have been examined and the paragraph in question of the said article has been modified in important particulars. A copy of the recent amendment is laid on the table.

¹Page 293 ante.

²Page 294 ante.

³Page 300 ante.

⁴Pages 132-33 ante.

Grants are liable to be withdrawn from a school if the management or the staff of the school take part in agitation directed against the authority of Government or disseminate opinions tending to excite feelings of disloyalty or disaffection against Government or of enmity and hatred between different classes of His Majesty's subjects. Grants will not be withdrawn under this provision without giving opportunity to the school authority concerned to show cause why the grants should not be withdrawn.

Government reserves to itself the right, anything in the rules of this Code notwithstanding, to refuse or withdraw any grants at its entire discretion.

A comparative statement is also placed in the seats of members.

MUNSHI AHMAD BAKHSH, ETC.

***1305. Lala Bodh Raj :** With reference to reply to part (ii) of starred question No. 1088,¹ asked on the 5th March 1928, will the Honourable Minister for Education please state the result of the enquiries about the complaint referred to therein?

The Honourable Mr. Manohar Lal : The necessary action has been taken.

Lala Bodh Raj : Will the Honourable Minister please state what action has been taken in the matter.

The Honourable Mr. Manohar Lal : I can give no further definition of this matter. All necessary action has been taken.

SMALL TOWN COMMITTEES.

***1306. Lala Bodh Raj :** With reference to reply to starred question No. 1111,² asked on the 7th March 1928, will the Honourable Minister for Local Self-Government please state which of the Small Town Committees in the district of Lyallpur have elected non-official presidents?

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.

CHAUBARA-LEIAH ROAD.

***1307. Lala Bodh Raj :** With reference to reply to starred question No. 1148,³ asked on the 8th March 1928, will the Honourable Minister for Local Self-Government please state if the report referred to in the reply has been received?

Will the Honourable Minister please lay the report on the table?

¹Page 397 ante.

²Page 445 ante.

³Page 500 ante.

The Honourable Malik Firoz Khan, Noon : Yes, and a reply was forwarded to the Secretary to the Council with letter No. 9847, dated 20th March 1928, for communication to the honourable member.

[*Final reply to starred question No. 1148.*¹]

The Honourable Malik Firoz Khan, Noon : (a) No. It has only been repaired.

(b) No.

CUTTING OF A PIPAL TREE IN DAIRA DIN PANAH.

***1308. Lala Bodh Raj :** With reference to reply to starred question No. 1150,² will the Honourable Finance Member please lay on the table the result of the enquiries made?

The Honourable Sir Geoffrey deMontmorency : The matter is still under enquiry.

LAND ACQUISITION IN MULTAN AND SUTLEJ VALLEY PROJECT.

***1309. Lala Bodh Raj :** With reference to starred question No. 1151,³ asked on 8th March 1928, will the Honourable the Revenue Member please lay on the table the reply to the question?

The Honourable Mian Sir Fazl-i-Husain : Reply to question No. 1151¹ is laid on the table.

[*Answer to starred question No. 1151.*²]

The Honourable Mian Sir Fazl-i-Husain : (a) As a general rule the procedure laid down in the Land Acquisition Act is followed. In some cases, however, where it was necessary to take over land in anticipation of the notification in the interests of the cultivators, land has been entered into with their consent.

(b) No.

(c) All applications received are dealt with on their merits and compensation, when due, allowed.

Lala Bodh Raj : Will the Honourable Member please state if he is aware of certain complaints made that Land Acquisition Officer took possession of land and no compensation was granted?

The Honourable Mian Sir Fazl-i-Husain : No.

EDUCATION OF DEPRESSED CLASSES.

***1310. Lala Bodh Raj :** With reference to the reply to starred question No. 1209,³ asked on the 14th March 1928, will the Honourable the Minister for Education please state the result of the enquiries made?

The Honourable Mr. Manohar Lal : A reply to question No. 1209³ has been sent to the honourable member through the Secretary, Punjab Legislative Council, and a copy is also now placed on the table.

¹Vide Appendix.

²Page 561 ante.

³Page 707 ante.

⁴Vide Appendix.

[Answer to starred question No. 1208.]

The Honourable Mr. Manohar Lal : It is not true that admission is not allowed to the children of the depressed classes in the Primary Schools, Lahore. Further, the Municipal Committee is also maintaining special schools for these children.

REPRESENTATION IN LOCAL BODIES.

***1311. Lala Mohan Lal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the object of the present system of representation in (i) the municipal bodies ; and (ii) the district boards of the province ;
- (b) the nature of protection which the present system of representation gives to the minorities of the areas concerned ;
- (c) in what bodies the ratio of representation of minorities has been (i) increased, (ii) reduced, since 1920 ;
- (d) how and to what extent the interests of the minorities have been better protected since 1921 in the local bodies of the Punjab ;
- (e) whether the present system of representation is to be altered if minorities of any area object to the continuance of communal representation in the local body of that area ;
- (f) in what places communal system of representation has been introduced on the demand from (i) majority community, (ii) the minority community, of the area concerned ;
- (g) the policy of Government regarding the complete safeguard of the interests of the minorities in the local bodies of this province and to what extent the same is in force now and by what time it will come into effect fully ?

The Honourable Malik Firoz Khan, Noon : (a) To represent the people residing or owning property or carrying on business in the jurisdiction of the local bodies concerned.

(b) There is no single system of representation on all the local bodies in question ; it is, however, not the object of any system of democratic representation to protect minorities but to represent them.

(c) To answer this part of the question would involve an examination of the composition of something like 150 local bodies and a comparison of the strength of communities within their jurisdiction in two different years. Government do not consider that the results of such an enquiry would be worth the labour involved. The following figures, which show the results of the reconstitution of municipalities undertaken since 1920 may, however, partially serve the purpose of the honourable member :—

(1) Municipalities in which the elective system was previously in force—

(a) where communal electorates were already in existence—

(i) Muslim representation increased in greater proportion than non-Muslim representation (including 7 cases in which equality of representation or Muslim preponderance has

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replaced non-Muslim preponderance or communal equality	18
(ii) Non-Muslim representation increased in greater proportion than Muslim representation (including 2 cases in which non-Muslim preponderance has been substituted for communal equality)	5
(iii) Communal electorates with Muslim preponderance converted into non-communal electorates	1
(iv) No change in proportionate communal representation ..	14
(b) Where communal electorates were not previously in existence—	
(i) Two-member non-communal wards substituted for single-member non-communal wards	4
(ii) Communal representation with a Muslim preponderance substituted for non-communal electorates	1
(iii) Communal representation with a non-Muslim preponderance substituted for non-communal electorates	2
(iv) Communal representation with equality of seats as between Muslims and non-Muslims	1
(v) No change	33
(2) New municipalities and municipalities in which the elective system was not previously in force—	
(a) Non-communal representation—	
(i) with single-member wards	8
(ii) with two-member wards	4
(b) Communal representation—	
(i) With Muslim preponderance	2
(ii) With non-Muslim preponderance	6
(iii) With equality of representation	1
(c) No change (i.e., elective system not introduced)	5
(d) It is a matter of opinion as to how far such arrangements as have been made since 1921 for the special representation of minorities have resulted in affording them better protection or not.	
(e) No such intention is at present entertained.	
(f) To answer this part of the question would require an examination of the history of the introduction of communal representation in about 50 places at different times from 1886 onwards, a labour which Government are not prepared to undertake.	
(g) The protection of minorities as distinct from their representation on local bodies is entrusted by law to Commissioners and Deputy Commissioners, who are empowered to suspend any resolution of a local body which they consider likely to cause injury or annoyance to any class of persons. This arrangement has been in force for fifty years, and Government have no intention of proposing any alteration of the law.	

MUNICIPAL COMMITTEE, LUDHIANA.

***1312. Lala Mohan Lal :** Will the Honourable Minister for Local Self-Government be pleased to state what action has been taken by the Government on the resignation of the late President of the municipal committee of Ludhiana and the people's memorial against that body?

The Honourable Malik Firoz Khan, Noon : A report has been called for and the information called for by the honourable member will be communicated to him in due course.

COWS AND PLOUGH CATTLE.

***1313. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that according to the figures of cattle census the number of cows in 1892-93 was 3,282,454 and according to the census of 1923-24 the number has reduced from 3,282,454 to 2,798,401, i.e., a decrease of five lakhs ;

(b) what steps the Government proposes in this matter to check the decrease of cows and plough cattle in the province?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) If the honourable member will be so good as to consult the annual report for 1926-27, he will find that the Government is making a special effort in promoting cattle breeding.

HILL TORRENTS.

***1314. Rai Sahib Lala Ganga Ram :** Will the Honourable Revenue Member please state—

(a) the area damaged by hill torrents in the tahsils Naraingarh and Ambala in the Ambala district ;

(b) whether it is a fact that a large area of culturable land has been damaged by torrents and it is increasing every year? If so, what are the measures that Government is going to adopt to check the effect of the hill torrents?

The Honourable Mian Sir Fazl-i-Husain : (a) Exact figures are not available.

(b) Yes. A special staff of one Naib-Tahsildar, one Forester, and six Forest Guards is employed on re-afforestation work in the Ambala district. Besides this an Imperial Officer of the Forest Department has been placed on special duty to inspect areas in the Ambala and other districts affected by hill torrents, and to report on the necessity for a Forest Reclamation Division.

BANASPATI GHI.

***1315. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government please state what steps he has taken and proposes to take to give effect to the resolution *re* the sale of *banaspati ghi* and its preparation, which was passed by the Legislative Council, Punjab, in 1927 ?

The Honourable Malik Firoz Khan, Noon : Steps were taken to give effect to the resolution of the Council in a Bill for the amendment of the Punjab Adulteration of Food Act, 1919, which was introduced in the Council in March 1928 and has been referred to a select committee.

DISTRICT BOARD, AMBALA.

***1316. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the election of the district board of Ambala is to take place in June next ;
- (b) If so, whether the right of vote has been given to the *haisiyat* tax-payers who have paid the tax in the year 1927 ?

The Honourable Malik Firoz Khan, Noon : (a) A general election for the district board, Ambala, is due in the present year, but it rests with the Deputy Commissioner to fix the date.

(b) Under the District Board Election Rules, 1927, any person who, in the year ending on the thirty-first day of March last preceding the date on which the electoral rolls of the constituencies are published previously to a general election, has paid a sum of not less than two rupees on account of any cess, rate or tax payable to the board, is entitled to be registered as a voter.

OFFENCES PUNISHABLE UNDER SECTION 354, INDIAN PENAL CODE.

***1317. Rai Sahib Lala Ganga Ram :** Will the Honourable Finance Member please lay on the table a statement showing the number of cases in which the Punjab Railway Police and Railway servants were challaned for offences punishable under section 354, I. P. C., during the year 1927 ?

The Honourable Sir Geoffrey deMontmorency : The statement required by the honourable member is laid on the table.

STATEMENT SHOWING THE NUMBER OF CASES IN WHICH THE PUNJAB RAILWAY POLICE AND RAILWAY SERVANTS WERE CHALLENGED FOR OFFENCES PUNISHABLE UNDER SECTION 354, INDIAN PENAL CODE, DURING THE YEAR 1927.

Serial No.	F. I. R. No. and date with name of Railway Police Station.	Section of Law.	Name of complainant.	Name of accused.	Number of accused arrested.	Number of accused challenged.	Conviction awarded.	Discharged or acquitted.	REMARKS.
1	Amritsar F. I. R. No. 125 of 15th October 1927.	354	Crown through Musammat Sharifan.	1. Abdul Majid Shah. 2. Abdullah, Constable, Railway Police.	2	2	2		No. 1 six months. No. 2 three months by District Magistrate, Amritsar on 14th February 1928.
2	Jind, F. I. R. No. 6 of 15th February 1927.	451 354	Crown through B. Omka Prasad, Station Jind.	Badri Nath, Mate of Loco, Shed, Bhatinda.	1	1	1		Security bond for Rs. 500 for 1 year under section 499, C. P. C.
3	Wazirabad, F. I. R. No. 81 of 6th November 1927.	354	Crown through Musammat Souni.	Muhammad Amin, Jamaradar Cooly.	1	1		Discharged.	As the complaint proved to be false, case was therefore cancelled.

ARTIFICIAL ATTA.

***1318. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government is aware that artificial *atta* is being imported in the Punjab ;
- (b) if so, whether the Government intends to enquire and chemically examine the *atta* and publish the result of such examination for the information of the public ?

The Honourable Malik Firoz Khan, Noon : (a) and (b). Government have no precise information, but enquiries are being made and the action, if any, to be taken will be considered when the enquiries have been completed.

WATER-SUPPLY FOR AMBALA.

***1319. Rai Sahib Lala Ganga Ram :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether there is any scheme to improve the water supply for Ambala City and Ambala Cantonment under consideration of the Government ?

- (b) If so, will he please state as to when it is expected to be completed ?

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

- (b) It is impossible to say at present when the scheme will be completed.

BOOK ENTITLED "NAGHMA ZAR".

***1320. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the book entitled *Naghma Zar* has been sanctioned for the libraries of schools in the province ;
- (b) if so, whether the attention of the Director has been drawn to the criticism published in *Bhisham* and *Guru Ghanial*, dated 8th April 1928, on page 16 to the effect that the study of the book will not produce any healthy effect in the minds of young students ;
- (c) if the answer is in the affirmative, whether the Government will please reconsider the circular No. 20448, issued by the Director of Public Instruction ?

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

- (b) No, but copies of the papers are being obtained to note the criticisms urged.

- (c) Does not at present arise.

BOY SCOUTS.

***1321. Rai Sahib Lala Ganga Ram :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Scout Commissioner, Rawalpindi division, did not allow the boy scouts to join the Ramnami procession in Rawalpindi ;

- (b) if so, whether the Government intends to cancel this order and allow the boy scouts to join the religious ceremonies in future?

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

- (b) Does not arise.

The Association is a public and non-official body not controlled or directed by any Government Department.

UNSTARRED QUESTIONS AND ANSWERS.

Rajbahas.

678. Sardar Hira Singh : (a) Will the Honourable the Revenue Member kindly state whether it is a fact that some *rajbahas* on the Upper Bari Doab Canal are going to be remodelled in the near future?

- (b) If so, is it proposed to follow the same principle for reducing the size of these *rajbahas* as was followed in the case of Rakh *Rajbaha* on the same canal?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. On Upper Bari Doab Canal the remodelling of outlets on the Buchar-Kahna system has been sanctioned but the main scheme for remodelling that system is under consideration. Also other schemes for remodelling Chhina and Basarke *Rajbahas* are at present under consideration.

- (b) Yes.

SARDAR LAHORA SINGH.

679. Sardar Hira Singh : Will the Honourable the Finance Member be pleased to state—

- (a) whether the Government is aware of the fact that Sardar Lahora Singh of *auza* Thethar, district Lahore, was sentenced to seven years' imprisonment in connection with Gurdawara Manak case;
- (b) how much he has lost in weight since his incarceration;
- (c) the present state of his health;
- (d) whether it is also a fact that according to jail rules a person may be released after he has served two-thirds of his sentence;
- (e) whether Government is preparing a list of such prisoners;
- (f) whether his name is included among those who are going to be released under the rule mentioned in (d)?

The Honourable Sir Geoffrey deMontmorency : (a) Yes..

- (b) This prisoner was 182 lbs. in weight on admission. His weight fell to 110 lbs. but as a result of special diet and treatment has again increased to 159 lbs.

- (c) Indifferent.

- (d) There is no such rule.

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

JAIL POPULATION.

680. Sardar Ujjal Singh : (a) Will the Honourable the Finance Member please state the total jail population at the present time in the province communitywise ?

(b) Will he please also state the number of ordinary criminals and of those convicted for political offences ?

The Honourable Sir Geoffrey deMontmorency : (a) No record for the province as a whole of convicts by communities is maintained.

(b) The information is being collected and will be supplied to the honourable member in due course.

OFFICE OF THE DIRECTOR OF INDUSTRIES.

681. Sardar Ujjal Singh : Will the Honourable the Minister for Education please state the number of Sikh superintendents, assistants, senior clerks, junior clerks and stenographers in the office of the Director of Industries, ministerial establishment ?

The Honourable Mr. Manohar Lal : None.

OFFICE OF THE CHIEF ENGINEER, HYDRO-ELECTRIC BRANCH.

682. Sardar Ujjal Singh : Will the Honourable the Minister for Agriculture please state the number of Sikh superintendents, assistants, senior clerks, junior clerks, and stenographers in the office of the Chief Engineer, Hydro-Electric Branch ?

The Honourable Sardar Jogendra Singh : The following posts are held by Sikhs in the combined office of the Chief Engineer, Hydro-Electric Branch and the Superintending Engineer, Administration Circle :—

1 post of stenographer in the scale of Rs. 100—5—150.

1 post of assistant clerk in the scale of Rs. 40—4—140.

1 post of junior clerk in the scale of Rs. 40—2—90.

TAHSILDARS.

683. Sardar Ujjal Singh : Will the Honourable Revenue Member, please state the number communitywise of candidates for direct appointments as Tahsildars so far selected or proposed to be selected for the years 1927 and 1928 ?

The Honourable Mian Sir Fazl-i-Husain : Candidates so far selected during 1927 are :—

Muhammadans	10
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Hindu	1
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Sikh	1
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but the selection is not yet complete ; and selection for 1928 has not yet taken place.

ZAMINDARS OF MAUZA SABRAON.

684. Sardar Hira Singh: (i) Will the Honourable Revenue Member kindly state whether it is a fact that it has been decided to declare the zamindars of mauza Sabraon or some other mauza in tahsil Kasur, district Lahore, as a criminal tribe in the near future?

(ii) If the answer to (i) above be in the affirmative, does Government propose to reconsider its decision?

The Honourable Mian Sir Fazl-i-Hussain: (i) A proposal to declare the Jats of mauza Sabraon, tahsil Kasur, district Lahore, as well as certain other residents of this place, as a criminal tribe under section 3 of the Criminal Tribes Act, 1924, is under the consideration of Government.

(ii) No notification has yet been issued under the Act, but from the information received from the local officers it appears that the only effective way of checking the criminal tendencies of the residents of this village is to take action against them under the Criminal Tribes Act.

KUNGI.

685. Sardar Hira Singh: Will the Honourable Revenue Member kindly state whether Government is aware of the fact that *kungi* has done a lot of harm to wheat crop in the Sheikhupura and Lyallpur districts, and that owing to this pest the average yield per crop has come down to less than one-half? If so, what steps do Government propose to relieve the zamindars?

The Honourable Mian Sir Fazl-i-Husain: Yes, Government has received reports of some damage having been caused to the wheat crop by *kungi*. The extent of this damage is, however, not exactly known yet.

Applications for remission have been made by agriculturists. Government has already requested local officers to inspect, investigate and report as early as possible and the matter will receive the most careful consideration of Government.

SAYEDWALA AND BARAGHAR POLICE STATION.

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

(a) whether the Government is aware of the fact that the area included in the Sayedwala and Baraghar police stations, now attached to Sheikhupura district, were from time to time transferred to different districts which adjoin each other;

(b) if (a) is in the affirmative, whether it is a fact that zamindars who were *timi* payers of aforesaid area were consequently deprived of the grant of land given to the remaining zamindars of Sheikhupura;

(c) whether it is a fact that the Deputy Commissioner, Sheikhupura, prepared a list of people so affected in 1926;

(d) if such a list was ever prepared, what steps have so far been taken in this respect?

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

(b) Yes.

(c) Yes.

(d) The claims of the zamindars of the area in question will be considered along with others in connexion with the scheme for the colonization of certain areas by means of extensions on the Lower Chenab Canal.

RABI CROP IN THE LYALLPUR DISTRICT.

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

(a) whether the Government is aware of this fact that the *rabi* crop in the Lyallpur district has considerably suffered owing to the infection by the *kungi* disease ;

(b) whether it is a fact that the agriculturists of that district have approached for the remission of land revenue ? If so, will the Government please state what steps the Government proposes to take for the relief of poor zamindars ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, Government has received reports of some damage having been caused to the wheat crop by *kungi*. The extent of this damage, is, however, not exactly known yet.

(b) Yes, applications for remission have been made by agriculturists. Government has already requested local officers to inspect, investigate and report as early as possible and the matter will receive the most careful consideration of Government.

LOCAL RATE.

688. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state—

(a) whether under section 9 of the Punjab District Boards Act, 1883, Local Government ever directed that whole or any portion of net proceeds of the local rate levied within the limits of any municipality, notified area or military cantonment be credited to their funds respectively by the district boards in the Punjab ;

(b) if so, what district boards were so directed and the amount which they paid ?

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

(b) The information is being collected and will be communicated to the honourable member in due course.

LUDHIANA DISTRICT BOARD.

689. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state the reasons which led to the postponement of election of members of Ludhiana district board last year ?

The Honourable Malik Firoz Khan, Noon : The revision of the rules constituting electoral circles.

CONSTITUENCIES OF DISTRICT BOARDS.

690. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the principles on which constituencies of district boards of the Punjab are or have been carved ;
- (b) whether the population, amount of local rate and number of electors are taken into account or not? If not, for what reasons?

The Honourable Malik Firoz Khan Noon : (a) The instructions issued to local officers require that electoral circles should be so devised that subject to the convenience of electors and adherence so far as possible to zail boundaries no one community should obtain more seats than it would be entitled to on the basis of its population and voting strength.

(b) Population and voting strength are taken into account but not the amount of local rate. Constituencies based on tax paying capacity are hardly appropriate to democratic institutions.

PANCHAYAT OFFICERS.

691. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state how much the panchayat officers appointed in different districts have helped the progress of establishment of panchayats?

The Honourable Malik Firoz Khan, Noon : Since the appointment of these officers preliminary notifications have issued in respect of the constitution of 44 panchayats in "the districts concerned."

LICENCES FOR MOTOR LORRIES.

692. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Revenue Member be pleased to state (a) if complaints of motor drivers in the Ludhiana district who ply their motor lorries on hire as regards their licenses have been brought to his notice; (b) what action has been taken in the matter?

The Honourable Mian Sir Fazl-i-Husain : (a) Government received no complaints from lorry drivers, but is aware, from an article published in the *Zamindar Gazette* of Ludhiana of the 14th January 1928, and from a subsequent report by the Deputy Commissioner, that a certain amount of dissatisfaction existed.

(b) The Deputy Commissioner, after giving full consideration to the views of lorry drivers, has introduced, with effect from the 1st April, new arrangements for the issue of road certificates and driving licenses.

COMMITTEE TO CO-OPERATE WITH THE INDIAN STATUTORY COMMISSION.

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

"That the election of the committee of seven representatives of the Legislative Council to take part in the Joint Conference of the Indian Statutory Commission be according to the principle of proportionate representation by means of the single transferable vote."

The motion was carried.

Mr. President: Nominations will be received up to 8 p.m., on Monday, the 7th May.

ELECTION OF A MEMBER TO THE FOREST BOARD.

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

"That this Council do proceed to the election in such manner as may be approved by the Honourable the President of a non-official member of the Council to serve on the Forest Board in place of Sardar Kundan Singh, resigned."

The motion was carried.

Mr. President: Nominations will be received up to 8 p.m. on Monday, the 7th May.

THE PUNJAB PRE-EMPTION (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to present the Select Committee's report on the Punjab Pre-emption (Amendment) Bill.

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

"That the Punjab Pre-emption (Amendment) Bill as reported by the Select Committee be taken into consideration."

Honourable members will have noticed that the select committee has made no change whatever.

The motion was carried.

Mr. President: The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That part 2 of clause 1 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 part 1 of 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 Pre-emption (Amendment) Bill be passed.”

The motion was carried.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to present the Select Committee's report on the Punjab Land Revenue (Amendment) Bill.

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

“That the Punjab Land Revenue (Amendment) Bill as reported by the select committee be taken into consideration.”

Mr. President : The question is—

“That the Punjab Land Revenue (Amendment) Bill as reported by the select committee be taken into consideration.”

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

“That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of eliciting opinion thereon.”

Sir, I have already pointed out on many previous occasions that Government is in the habit of presenting to this House very important Bills and motions without giving sufficient time for consideration of the same, and, in the present case too, the Government has followed its old policy. If my honourable friends would be pleased to cast a glance on the notices of amendments received so far, they will find that all amendments with the exception of those, whose notice has been given by Rana Firoz-ud-Din Khan, are not in time. This fact alone is sufficient to prove that sufficient notice was not given to the members so as to enable them to send in notices of amendments. It may be said that since this Bill has been pending before the House for a long time past, it was, therefore, not necessary to give notice to the members. But my submission is that if we give a moment's consideration to the report of the Select Committee we shall find that the issues involved are of such great importance that weeks are needed to thoroughly discuss them. For example, we have to consider as to what should be the basis of assessment. We have also to consider the limit and duration of assessments, and these things, my honourable friends will realise, cannot be settled in an off-hand manner. They require the fullest consideration and it would be well if the Bill is circulated for eliciting public opinion. Then there is the question of small holdings, to which attention has been drawn by several members of the Select Committee in their notes of dissent. It is for the Council to consider whether the Bill in its present form would be acceptable to the public if no relief is given to the proprietors of small holdings. On this ground also it would be advisable to postpone the consideration of the Bill for the present.

Next comes the question of the exclusion of urban assessment circles from the operation of section 51 (3). The Government has, by introducing this innovation, created a bone of contention between the rural and urban areas. It has given a special status to areas situated within the limits of municipal committees, small towns and notified areas and has not fixed any

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reasonable limit to the enhancement of land revenue in such areas. This is a very important matter and requires to be carefully considered.

Then there is the question of the duration of assessment, a matter of such vast importance that it cannot be decided at a moment's notice. We have to consider whether the duration proposed by Government is more reasonable or the duration of assessment proposed by the members of the Select Committee meets the wishes of the public and this, as will be admitted on all hands, is a matter for the consideration of which a longer time is needed.

I may mention here that thrice I came to the Council office for the purpose of getting a copy of the original Act, and thrice I was disappointed, because a copy of the Act was not available. This clearly shows that the Council office has not attached much importance to this Bill. Then again, the fact that even the members of the Select Committee have not been able to send in notices of amendments in time clearly shows that sufficient time has not been given for the consideration of the Bill.

In view of the facts mentioned above and also in view of the fact that the Honourable the President of the Council has decided not to proceed to England, it would not be difficult for Government to hold another session in the near future, in which this question may safely be taken up, and in the meanwhile we can consult our constituents and can make up our minds as to what attitude we should take in regard to this Bill. With these words, Sir, I again pray that the consideration of this Bill may be postponed for the present and that it may be circulated for eliciting public opinion thereon.

Mr. President : The original motion was—

“ That the Punjab Land Revenue (Amendment) Bill as reported by the Select Committee be taken into consideration.”

since which an amendment has been moved—

“ That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of obtaining opinion thereon.”

It has been stated that amendments can not be moved in time. I may inform of the House that I have already directed the Secretary to receive notices of amendments even at the last moment, i.e., before a clause is actually disposed of by the House. Therefore, the consideration of the Bill should not be delayed on that account, if the Council is otherwise prepared to proceed with it.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, the motion of the honourable member that the Bill be circulated for the purpose of eliciting opinion thereon is an old stager. Six months ago when I moved that this Bill be referred to a select committee, the honourable member got up then and moved that it be not committed to a select committee but that it be circulated for expression of opinion. At that time, I tried to place before the House the history of this legislation. It seems to me that the honourable member has not benefitted by that statement of facts which I ventured to place before the House. I pointed out then that it was in 1921 that the Punjab Legislative Council was keen in having a statutory garb given to the right which the executive was up till then exercising of carrying on assessments and determination of matters connected

therewith. In 1922 a committee was formed in order to advise Government as to what form that legislation was to take and I am glad to notice that several members of that committee are still representing their constituencies in the present Council. That committee gave its advice at the end of 1922 and in the beginning of 1923 the Bill was framed. Sir, that Bill was very much the same as was introduced in 1926. The Punjab Government applied to the Government of India for the necessary previous sanction to the introduction of the Bill towards the end of 1923. But apparently the Bill prepared by the Punjab Government was considered to be so liberal in favour of the zamindars that it was under very close scrutiny and consideration of the Government of India for no less than nearly two years. During that period of two years, honourable members of the Council will remember that public spirited members of this Council took every possible opportunity and had resort to every constitutional device to force the pace at which the Government was prepared to proceed to legislate.

They proposed cuts in the budget discussion and in some cases carried them. They put questions. They threatened Government with resolutions. We were lucky to obtain the previous sanction of the Government of India to the introduction of the Bill and at the beginning of 1926 the Bill was introduced into this Council. A motion was made to refer the Bill to the select committee and that motion was carried unanimously and a select committee was appointed. To make available all suggestions and amendments for the select committee, I had undertaken to give wide publicity to the fact that the Bill was on the legislative anvil and that all criticism from members and non-members would be welcome and that the Financial Commissioner would receive all suggestions, with the result that a good many members availed themselves of that opportunity. A mass of amendments was received by the Financial Commissioner and at the request of the select committee they were all catalogued, printed and made available to the members of the select committee. As 1926 was the last year of the second Council, it was felt that when the select committee was to report there would perhaps be only one session left and that session would be such as would not be able to secure the undivided attention of the legislature to the Bill as elections for the present Council were to take place soon after and the legislature agreed that the select committee need not proceed further with the consideration of the Bill and that the Bill might be presented at an early date in the next Council. Government undertook to do so. In 1927, it will be remembered, the Bill was reintroduced. Having introduced the Bill, it having already been published in the Gazette, I did not proceed to move that the Bill be referred to a select committee so that the Bill may have as much time as the public and members of this Council need for its further consideration. There was another reason as well. I was proceeding to England and it was felt that if I went away perhaps such assistance as I might be able to render to the select committee I would not be able to render on account of my absence. Therefore in November 1927 I made another motion, the motion for referring the Bill to the select committee. This Council is well aware of the debate on that motion. The Bill has been in the custody of the select committee for nearly six months. A large number of meetings of the select committee were held and the report of the select committee shows that some important

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

changes have been made but very few and that the nature of those changes is such that in the opinion of the select committee the Bill did not require republication. Therefore, Sir, it seems to me that the motion the honourable member has made that the Bill be circulated for eliciting public opinion surely means something much more than what it purports to do. It is not with the object of eliciting public opinion that this motion is made because that has already been done. We know what the public opinion is. We know perfectly well that the honourable member and those of his way of thinking would like the proportion of the net assets to be fixed at 20 or 25 per cent., instead of 33 as in the Bill. We know perfectly well that if he had his own way he will see that the advance on the past is 25 or 30 per cent., or that there should be no advance at all. Still there is a difference in eliciting public opinion and enforcing one's own opinion in a Council constituted in accordance with law. If the honourable member feels strongly on these points and if the other honourable members share his feeling and if the Council as a whole feels that by passing such a provision they will really be serving the best interests of their constituents and that what they are doing is something which will secure for them something more than mere pleasure of passing resolutions, then it is open to them to do so.

I will now very briefly take up the points which the honourable member has urged in support of his amendment. In the first place he said that the amendments are not in time. He has been duly corrected by the Chair and it has been pointed out that there is no such thing as amendments not being in time. Under the rules the member in charge has the right to point out to the Chair that sufficient notice under the rules has not been given. I have no intention whatsoever of taking advantage of that. So the question of the amendments not being in order obviously falls to the ground. Moreover, it is obvious that this is not the consideration which weighed with the honourable member who made it as he himself sent his amendment sometime before the last day on which the amendments could go in.

The second point urged is that the Bill is difficult. I appreciate it; but if a legislature which has been seized of a Bill for three years, or 2½ years to be quite accurate, and for 5 or 6 years so far as the inception of this legislation is concerned, is not ready for it, from lack of sufficient notice, I do not think a few days or a few weeks or two or three months more would make any difference. Then the honourable member thought he was reinforcing his argument by picturing before the eyes of particular sections of the House their favoured topics and hoping that each part of the House will imagine that these things will look better only if they are not considered to-day but if they are considered 4 or 5 months hence. The honourable member referred to the question of small holdings. Does he believe that if the Bill is taken up 5 months hence, the House will be prepared to agree to the exemption of small holdings which it is not prepared to agree to to-day? Does he imagine that the members of the Council can be rushed into passing a measure like that? I may inform him that the point was discussed at some length in the Select Committee and the advice given me was—it is not a matter of any secrecy—to the effect that it is not advisable

to start this experiment and that if Government is to make an experiment it had better make that experiment with reference to the graduation of local rate, for if the experiment did not succeed the extent of mischief done will be much smaller than would be the case if the experiment were made in the case of Land Revenue.

Then the honourable member mentioned the case of urban assessment sections. Obviously he meant to attract the votes of the leader of the National Reform Party to my right.

Chaudhri Afzal Haq : As you are doing now.

The Honourable Mian Sir Fazl-i-Husain : I must meet that line of tactics which the honourable member is pleased to adopt. It would be unfair to expect me not to meet an argument. I have not the slightest doubt that what the honourable member said is not what is shared by another section of this House. He must remember that when he is trying to attract the votes of one section, he is thereby losing support from another section. I may at once state that in the matter of urban assessment I have an absolutely open mind. It is not with the help of official votes only that I would have a matter like that settled. If the majority of the members of this House desire that urban assessment as such should be done away with, I have no objection. It is up to the House to decide that matter. I may, however, venture to point out that neither of the arguments urged in support of his contention that the Bill be circulated for eliciting public opinion can be said to have any force. With these few observations, Sir, I beg to submit that I cannot but treat this motion as implying that the honourable member considers this Bill as it stands not good enough to be accepted and not good enough even to be considered with a view to improve it in this Council. If that be the view of the Council then there will be no option left to me but not to proceed with this Bill. If the Council feels that this Bill is so bad, so incapable of being improved upon in the consideration stage, then Government must wash its hands of it and must say that it did its best to give statutory sanction to the existing practice and to improve matters, but did not succeed. If this Bill does not satisfy the people for whose benefit it is intended, if they prefer that the executive should continue to hold the authority in this matter, then naturally it is not for Government to persist in thrusting this Bill down unwilling throats. Therefore let there be no mistake on this point that Government has any desire to rush this matter through and that it wants to pass the Bill in the teeth of opposition. Nothing of the kind; far from it. If the honourable members, particularly those who represent the rural interests, feel that those interests will be better served by not having this legislation, Government will let the matter stand at that, and drop the Bill.

Sayad Muhammad Hussain [Montgomery, (Muhammadan), Rural] (Urdu) : Sir, I am not at all convinced by the arguments advanced by the Honourable Revenue Member, against the motion so ably moved by my honourable friend from Hoshiarpur. I do not agree with the Honourable Revenue Member, that this House is not keen upon passing this Bill. This House has always been keen to pass this Bill and this keenness has not abated a whit by the passage of time. The country has always been desirous of

[Sayad Muhammad Husain.]

having an Act which would meet their wishes, and this desire has been expressed not only in this Council, but in previous Councils too, and I shall not be far wrong in saying that the country has been keenly desirous of having an improved Act ever since the advent of British Government in this province. I may tell you, Sir, that this eagerness for an improved Act is not likely to abate, and that the people would be as keen as ever until an Act is passed, which would meet their wishes.

As has been pointed out by the Hon'ble Revenue Member, a large number of amendments had been received for the consideration of the Select Committee, but I regret to say that the Select Committee, consisted as it does of a majority of official members, failed to give them the consideration which was due to them. The official majority.....

The Honourable Mian Sir Fazl-i-Husain : As a statement of fact it is wrong.

Sayad Muhammad Husain : Will you please explain how it is wrong.

The Honourable Mian Sir Fazl-i-Husain : If he will state how it is right, I will explain how it is wrong.

Sayad Muhammad Husain : Sir, almost all the non-official members of the Select Committee have written notes of dissent, and I am sure that if a copy of the report had been made available a little earlier to the honourable member for Gujranwala, he too would have dissented from the report of the Select Committee; none of the non-official members of the Select Committee liked to agree with the Bill, and the present report of the committee simply represents the official view, who were in a majority in the Select Committee.

The Honourable Mian Sir Fazl-i-Husain : The honourable member has made a definite statement as to the constitution of the Select Committee, viz., that the officials were in a majority on that committee, and I say that this statement is wrong.

Sayad Muhammad Husain : You are in a hurry to proceed to Simla, and, therefore, you want to be done with this Bill as soon as possible. However, I have no hesitation in saying that the Bill as it has emerged out of the Select Committee is acceptable neither to the members nor to the public at large. Land Revenue Amendment Bills have, during the last few years, been presented in all the provincial legislatures, but none of them has yet thought it fit to give its assent to it, and we do not wish to give a lead, which is likely to prove injurious to the interests of other provinces. It is, therefore, essential that we should be given a longer period to consider the various items of interest in this Bill. The report of the Select Committee was made available to some members on the 28th or even on the 29th, while it was circulated on the 25th. The members of the Select Committee have not, therefore, been given sufficient time to consider the merits or demerits of the Bill, and it would be in the best interests of the country if this Bill is circulated for eliciting public opinion thereon.

The Honourable Member for Revenue is himself a zamindar, and he ought to have every sympathy for the zamindars. I can assure him that we have no desire to wreck the Bill, but at the same time we do not wish to

make the settlement officers more despotic by entrusting them with greater powers. It, therefore, behoves us to present the Bill in a form acceptable to both the Government and the people. The most vital interests of the people are involved in this Bill, but if it is so brittle that it will go to pieces even if we touch it, then I am afraid we cannot consent to the passing of such a Bill. The Punjab has managed to live without this Bill for a pretty long time, and it can afford to put up with the present inconveniences for some more years to come. A large majority of the zamindar members of the Council have not had time to study this Bill carefully and some of them have not even read it. I would, therefore, request, that the consideration of the Bill be postponed till November next, and in the meanwhile we shall be in a position to study it carefully.

Dr. Gokul Chand, Narang : I shall be very much obliged if the honourable member will point out the shortcomings in the Bill, because I am a non-zamindar and am not personally interested.

Sayad Muhammad Husain : At this stage it would not be desirable on my part to enumerate the various shortcomings of this Bill, but since the honourable member is desirous of being enlightened, I shall try to oblige him. Supposing that a settlement officer has committed a blunder in the matter of assessment or has been guilty of a breach of law under the existing arrangements, the word of a settlement officer is taken for gospel truth and the poor zamindars cannot make headway against him. The zamindars want some court of appeal to which they could prefer their complaints. If such a court could be created or if the High Court were made the last court of appeal they would be satisfied. The Honourable Judges of the High Court should have no difficulty in interpreting this law, because a good many of them have actually served as settlement officers.

10 A.M.

I should like this point to be incorporated in this Bill, and I am anxious to obtain the opinion of my friends of the legal profession in regard to it.

Then, Sir, it is proposed, to fix the share of the State in respect of self-cultivated holdings on the average price of the landlords' share, and it is an open secret that the landlord's actual share is not correctly represented by the entries made in revenue records. The proprietors of self-cultivated holdings want that some allowance should be made for additions to a tenant's share, and I should like this point to be incorporated in the Bill, and I want Dr. Narang's help in this matter.

Then there is the question of the assessment of urban circles, the question of the basis of assessment, the question of the limit and duration of assessments and so on and so forth. We want time to come to a conclusion in regard to these things, we want legal help and legal advice for the purpose, and if this is denied to us we shall not be in a position to do justice to the claims of the various parties interested in this Bill.

Sardar Habib Ullah [Lahore-Muhammadan (Rural)] : Sir, I object to the consideration of the Bill merely on a personal ground, and that is that the report of the Select Committee has not been made available to me for seven days as required by article 87 of the Business Manual. It was only on the 1st of May, during my visit to the Secretary, that I was informed that

[Sardar Habib Ullah.]

some sort of a report of Select Committee has been circulated. On enquiry made I was told by my clerk at home that there was some sort of paper which was not properly stamped and it was returned under my general instructions. In these circumstances the report of the Select Committee has not been made available to me for seven days as required by the Standing Orders.

The Honourable Mian Sir Fazl-i-Husain: May I draw your attention to one fact? The motion before the House is that the Bill be circulated for eliciting opinion thereon. The grievance of the Deputy President can be considered when the motion that the Bill be taken into consideration is under discussion.

Mr. President: The stage at which the learned Deputy President's objection can be properly raised is when the question that the Bill be taken into consideration is discussed. Just now the question before the House is whether the amendment "that the Bill be circulated for eliciting public opinion thereon" be made. So long as this question is under consideration the original motion that the Bill be taken into consideration is set aside. So, the objection, if necessary, may be raised at the proper time.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra Sikh (Rural)]: Sir, I heartily support the amendment put forward by my honourable friend Chaudhri Afzal Haq. I mean no disparagement to the Honourable Revenue Member when I say that almost all non-official parties in this House are at one on this point that this Bill should not be finally considered in indecent haste. It is quite clear as the Honourable Revenue Member has himself stated that this Bill has a long history of its own. Having such a history, as has been related, I do not think it will matter much if a little more time is allowed, say a couple of months or three months as the sayings goes "over shoes over boots." This is a very important measure. In 1887 when the original Act was passed there was no public opinion, not even of the general public, not to speak of the zamindars alone, and after that it is as an outcome of long agitation and awakening that this Bill has come forward now. It is also said that similar measures may be under consideration in other provinces, but they have not so far assumed practical shape. Now that the Statutory Commission is coming, I think it is to snatch away the great force which may be put forward on behalf of the zamindars in making a claim on the Government in the shape of a demand for reforms that this Bill is required to be passed some months before the arrival of the Commission. The Bill has its very many faults, and we do not know whether when put into practical shape it will be detrimental to the zamindar interests, and they will repent for having it or whether they would like to have some more amendments properly made in it. It is well-known that the demand of the zamindars for permanent settlement is a very reasonable demand, and that at least in fully developed districts there should be permanent settlement. Here we find in this Bill that the measures which have been inserted in the Bill fall far short of that demand. All that is made there is that instead of a maximum period of 90 years a period of forty years has been inserted. In certain districts, as I heard yesterday, the conditions are such that under the present circumstances this prolongation of the period in such a way unaccompanied by other modifications may be a great drawback for the zamindars and land-

holders in those districts. For instance, in Sialkot if the conditions are perpetuated for forty years it will be very hard because there a decrease in revenue seems necessary. Therefore, the learned member who has put forward this amendment has in effect tried his best to shift the weighty responsibility which would otherwise rest on our shoulders by demanding that more time should be given, before the final consideration of the Bill is taken up, for eliciting public opinion. True zamindars' opinion is now available in a large measure in the districts of the Punjab, because among the local bars there are good many LL.-B.'s coming from the zamindar section. Moreover, I may say that in my own district, for instance, there are now so wide-awake zamindars living who subscribe, even though they are not members of the legal profession, to the law reports of the High Court and have always kept considering the points which are to their detriment or to their benefit, as zamindars. So, when such a population is living in this province at this moment it is hardly just that no time should be allowed to them to give the final opinion or verdict before this Bill is finally considered in Council. The amendments also may be circulated to them for eliciting opinion, or for the members to consult their constituents. If this suggestion is not accepted then the only course will be to reject this measure and be satisfied with what we have got by the Act of 1887 and continue our agitation for a permanent settlement or whatever measure may be useful for the agricultural classes. With these few remarks I beg the Honourable Member in charge who has expressed so much sympathy for the zamindars and who has taken years and years to bring this measure before the House, to allow some more time. Otherwise people will look upon it with an eye of suspicion that now that the Statutory Commission is coming, with indecent haste they have passed this Bill into an Act so that when the zamindars put forward their grievances before the commission it would be said 'Here, your Legislative Council has just considered this measure and passed it, and what you urge now is a mere after-thought.'

Mir Maqbool Mahmood [Amritsar (Muhammadian) Rural]: Sir, I do not know whether at this stage I should express any views on the main issues involved in certain sections of the Bill. The primary question before the House at the moment is whether the Bill should be taken into consideration forthwith or referred for public opinion. On that matter, I have full sympathy with those who are responsible for sponsoring the amendment. I would have been prepared to lend them my support if I were convinced that that would in any way help to solve the issues involved in the Bill. If I am not wrong, the Bill in its various forms and the main issues involved therein have been before the public for more than five years. If I am not wrong, I also know that those who have given any thought to this question have definite views on this question, and knowing as I do the opinions of some members who have expressed themselves in this matter in my constituency, I know that we have some definite views on the issues involved here. I would, therefore, like the member who has moved the amendment and the other members who have supported him, to explain what particular new issues they are prepared to thresh out and what new lines of action they have got to suggest when the Bill is referred for public opinion. I have come definitely to this opinion, and this is strengthened by my limited experience when introducing my Bill in this House, that the most considered opinions

[Mir Maqbool Mahmood.]

that come on measures of this kind are those which come very soon. Sir, the main issues involved in the Bill are the period of assessment and the periodical enhancement of assessment and the postponement of any assessment that may be desired. No new issue can be added. On these issues the zamindars of the province and the Government have definite views and I do not see how the allowance of more time is going to alter their views. I think that so far as the zamindars are concerned, the sooner the question is settled the better. If, in the final stage of the Bill, the shape of the Bill is not acceptable then it is open to the House to say "We shall not be a party to this Bill". With these words I oppose the amendment.

At this stage Chaudhri Afzal Haq rose to make a reply.

Mr. President : Is the honourable member sure that he has a right of reply ?

Chaudhri Afzal Haq : Yes, Sir, I think so.

Mr. President : The mover of an amendment other than an amendment to a demand for grant or a clause of a Bill has no right of reply.

Chaudhri Afzal Haq : I have a right of reply, because it is a Bill we are considering.

Mr. President : I do not think so. Had the honourable member moved an amendment to a clause of the Bill, he would have a right of reply, but he has no right of reply on the amendment moved by him.

Mr. Labh Singh : If there is any doubt the honourable member may have the benefit of it.

Mr. President : On reference to Standing Order 33 (B) the honourable member will find that there is no right of reply.

Mr. President : The original motion was :

"That the Punjab Land Revenue (Amendment) Bill as reported by the Select Committee be taken into consideration."

since which an amendment has been moved :

"That the Punjab Land Revenue (Amendment) Bill be circulated for the purpose of eliciting opinion thereon."

The question is that that amendment be adopted.

The Council divided : Ayes 24, Noes 42.

Ayes.

Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi Khan.
Pir Akbar Ali.
Rai Shahadat Khan.
Chaudhri Ali Ahmad.
Sayad Muhammad Husain.
Khan Bahadur Malik Muhammad Amin Khan.
Malik Khan Muhammad Khan, Wagha.
Khan Bahadur Mian Muhammad Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Syad Muhammad Raza Shah, Gilani.

Sardar Narain Singh.
Rajzada Hans Raj.
Lala Bodh Raj.
Chaudhri Muhammad Abdul Rahman Khan.
Chaudhri Afzal Haq.
Sardar Hira Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Habib Ullah.
Rai Bahadur Lala Dhanpat Rai.
Sardar Ujjal Singh.
Lt. Sardar Raghbir Singh.
Sardar Bishan Singh.

NOMS.

Col. C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan,
 Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. A. R. Astbury.
 Mr. J. B. G. Smith.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Dr. C. A. Owen.
 Khan Bahadur Shaikh Sir Abdul
 Qadir.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra
 Nath.

Dr. Gokul Chand, Narang.
 Mr. Labh Singh.
 Mir Maqbool Mahmood.
 Khan Bahadur Captain Sirdar
 Sikandar Hyat Khan.
 Lala Mohan Lal.
 Chaudhri Ram Singh.
 Pandit Nanak Chand.
 Chaudhri Baldev Singh.
 Mian Ahmad Yar Khan, Daultana.
 Mr. Owen Roberts.
 Rai Bahadur Pandit Daulat Ram,
 Kalia.
 Rai Sahib Lala Ganga Ram.
 Lala Gopal Das.
 Lala Joti Prasad.
 Rai Bahadur Lala Rattan Chand.
 Khan Sahib Khan Muhammad Saif-
 Ullah Khan.
 Chaudhri Zafarullah Khan.
 Shaikh Faiz Muhammad.
 Mr. V. F. Gray.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.

The motion was lost.

Sardar Habib Ullah [Lahore (Muhammadan), Rural]: May I have your ruling, Sir, on this point I object to the consideration of the Bill because a copy of the select committee's report was not made available to me for seven days as required by article 87 of the Punjab Constitutional Manual. The copy of the report reached me only on the 1st May when I came to the Council office personally. Only when I asked the Secretary about the report, and he told me that the report was out and that it had been circulated to all the members already. Under the circumstances, I submit that as required by article 87, the copy of the select committee's report was not made available to me for seven days to which I am entitled, and so I object to the consideration of this Bill now.

(Mr. President called on the Secretary of the Council to state when and how the copies of the report were made available to the honourable members.)

Secretary to the Council: Sir, I have ascertained from the office that copies of the report were posted to all the members on the 27th April, and I have verified from more than a dozen members that they received their copies all right. The Honourable the Deputy President says that he has not received his copy, and at the same time he adds that he understands from his servant that some cover from the Council office which was insufficiently stamped was returned by his clerk. He assumes that that cover contained the report in

[Secretary to the Council.]

question. I further find from the Council office that no cover addressed to the Sardar Sahib has been received back. I have no reason to doubt that the report was posted. I may further refer the Honourable the Deputy President to the instruction which appears at page 91 of the Punjab Constitutional Manual, which reads:—

"For the purpose of Standing Order No. 12 (2) a notice or other paper shall be deemed to have been made available for the use of a member if a copy thereof has * * *

(b) been posted to the address registered by him in the Council office."

Under the circumstances, I have no reason to find fault with the Council office. All I can say is that a copy of the select committee report was duly posted to the Honourable the Deputy President.

Mr. President : As the Honourable Deputy President did not personally return the cover alleged to contain the report and as the covers containing the document were duly received by the other honourable members, to whom they were sent by post, it may be presumed that the report was duly made available to the Deputy President, as required by the instruction in force.

Sardar Habib Ullah : I will submit that it is not my fault that I did not receive the cover. I would further submit that posting, if it was not properly stamped, shall not be considered real posting.

Mr. President : How can the honourable member assume that it was not properly stamped or posted ?

Sardar Habibullah : I am not simply assuming. I have definite information from my clerk that some cover reached my office and it was not properly stamped, and in accordance with my general instructions, he had returned the cover.

Mr. President : It is difficult to hold under the circumstances that the cover was not properly stamped. It may have been refused for some other reason. There is no direct evidence on the point.

Sardar Habib Ullah : It was a very simple matter. I do not think my clerk would have refused to receive the cover for any other reason. However, I only wanted your ruling, Sir. I should not like that any further discussion should take the time of this Council.

Mr. President : May I refer, the honourable member to page 10 of the Business Manual, where it is laid down :

"A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the President may from time to time direct."

This is Standing Order 12 under which one of my predecessors issued an instruction. May I refer the honourable member to page 91 of the Business Manual, where it is laid down :

"For the purposes of Standing Order No. 12 (2) a notice or other paper shall be deemed to have been made available for the use of a member if a copy thereof has :

- (a) been delivered by hand, receipt being acknowledged either by the member himself or by some responsible person on his behalf in the delivery book;
- (b) been posted to the address registered by him in the Council office."

According to this instruction, all that is required is that the document should be posted, and in this instance the report was posted on the 27th April. If posting is proved, it will be presumed that the cover was received by the addressee. It is not possible for the chair to decide in every case whether a certain document reached the addressee or not. Once the *factum* of posting is proved, the matter ends, and I have no reason to hold that the report was not posted.

Honorary Lieutenant Sardar Raghbir Singh (Amritsar (Sikh), Rural) (Urdu) : Sir, I think that it is not doubted that the report of the select committee was posted, but it is alleged that because the cover containing that report was understamped, it was not delivered to the addressee.

Sardar Narain Singh : May I know what evidence there is of the actual posting of this letter ?

Mr. President : The Secretary, whose duty is to see that all documents are duly posted, has definitely stated that it was posted. If the honourable member considers that statement to be unsatisfactory, that is a different matter. The same document was posted to all members of the Council including the local members. When all of them received it, the presumption is that it was posted also to the Honourable the Deputy President. Does any honourable member doubt the accuracy of the statement made by the Secretary ?

Dr. Gokul Chand, Narang : Nobody doubts his statement.

Sardar Narain Singh : The only thing that the Secretary could do was to give the practice of his office. It was not he who posted the document. We are asked to make this assumption that because it is posted to all, it must have been posted to the Honourable the Deputy President. We want evidence of the actual fact of the posting.

Mr. President : If the honourable members will not mind a little inconvenience, I will send for the despatch register and see if it contains an entry as to posting.

Dr. Gokul Chand, Narang : When it is stated by the Secretary that he has ascertained from the office that it is posted, his word must be taken ; it is sufficient.

Sardar Habib Ullah : I did not want to waste the time of the Council. I only wanted to bring the matter to your notice.

Mr. President : According to the instruction the mere *posting* of a document makes it available to the member concerned. It may not reach him at all. The Secretary says that what is noted in the despatch register is that a certain document was posted to all members.

Dr. Gokul Chand, Narang : The Deputy President, of all the members, will be the last person to be made an exception of.

Sayad Muhammad Husain : There may be the fact that the Secretary might have forgotten to post it to the Deputy President. We must give full weight to what is stated by the Honourable the Deputy President.

Mr. President : How can it be held that the document was not posted ? The Deputy President has admitted that it came by post but that it was returned by his clerk. So it is proved on the honourable member's own statement that it was *posted* ; and the fact that it was *posted* means that it was made available.

Raizada Hans Raj : (Urdu) : May I point out one thing in this connection, Sir ? It is now 8 days that the cover containing the report of the select committee is said to have been posted. Well, if that cover was posted and as is said, it did not reach the addressee, it ought to have reached back the office of the Legislative Council during these 8 days. But we have not been told that the envelope containing the report came back to the office undelivered. Where did, then, that envelope go ?

Mr. V. F. Gray : It has been proved that the document has been sent ; it is also proved that it has been received ; but it was understamped and it was returned by the clerk. So it was sent and received. The fact that there was demand for extra payment has got little or nothing to do with the non-receipt.

Mir Maqbool Mahmood : If I may be permitted to say, the rules only require that it should have been posted. The Secretary's definite statement is that it is posted. The honourable Deputy President does not say that it was not posted. Unless he definitely states that it was not posted, the definite statement of the Secretary that it was posted should and must be accepted. Whatever the rules might be, I hope the Deputy President under these circumstances will see the possibility of having been misled and that he will accept the definite statement of the Secretary.

Sayad Muhammad Husain : Can the Secretary say that this particular thing was actually posted to the honourable Deputy President ? If he can say that we do not challenge it. But if he says that certain things were posted and he does not remember whether an exact copy of this document was posted to the Deputy President, then the statement of the honourable Deputy President that he has not received it might be accepted.

Mr. President : Is there any other gentleman in this House who did not receive the report of the select committee ?

[The House by its silence indicated that there was no other gentleman who had not received the document.]

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : I am afraid the enquiry is proceeding far beyond the scope which the honourable Deputy President, I believe, intended to cover. All that he wanted to do was to draw your attention to the fact that he did not receive a copy of the document. He never challenged the fact that it was posted. He simply expressed the view that the document that was returned by his clerk might have been this one ; he does not say that it was that one. All that ought to be done in this case has been done by you and it was pointed out that the failure to receive or the failure of the post-office to deliver the document to the person for whom it is intended is not covered by the rules, the assumption being that things have been done in the ordinary course.

Therefore I do not think any further investigation or expression of opinion on the matter is called for. The honourable member simply wanted to draw your attention to the fact that he did not receive it and I do not think we need have its scope extended further.

Mr. President : Assuming that the document is not proved to have been posted, in the exercise of my power under Standing Order 45, I suspend the operation of the Standing Order so far as the Deputy President is concerned. The relevant portion of the Standing Order is : "and such objection shall prevail, unless the President, in the exercise of his power to suspend this Standing Order, allows the report to be taken into consideration." I think positive evidence is always more reliable than negative evidence on the same point. Here is some direct positive evidence that it was posted. Against it there is the negative evidence of non-receipt. The evidence of *posting* is heavier and weightier. But even if it were not so, it is only one individual member who is affected and not the whole Council. So, I am not prepared to rule that the Bill should not be taken into consideration on that ground.

Chaudhri Afzal Haq : I wish to oppose the Bill.

Mr. President : The honourable member moved an amendment. It was open to him to speak on the original question before the House. No second speech can be allowed.

Chaudhri Afzal Haq : Article 81 (2) of the Manual says "If the member-in-charge moves that the Bill be taken into consideration any member may move as an amendment that the Bill be recommitted or re-circulated for the purpose of obtaining further opinion thereon." Then article 88 says "When a motion that a Bill be taken into consideration has been carried" and so on. So unless the motion is carried, I think I have a right to speak on the original motion.

Mr. President : This argument can be always advanced whenever any question and an amendment to it are before the House. I am afraid I cannot allow the honourable member to make a second speech.

The question is—

"That the Punjab Land Revenue Amendment Bill as reported by the Select Committee be taken into consideration."

The motion was carried.

Chaudhri Afzal Haq : May I ask whether my amendments will be in time ?

Mr. President : I have already announced that the honourable members are welcome to propose amendments up to the last moment, *i.e.*, unless a clause is actually carried or negatived by the House. Every amendment will be admitted provided it is given in writing to enable me to read it to the House.

Dr. Gokul Chand, Narang : Is this privilege only with respect to this Bill or will it be a practice with respect to every Bill ?

Mr. President : My inclination is that amendments to a Bill, if they are reasonable, relevant and admissible should be received up to the last moment. As a rule all amendments, unless they are irrelevant or obstructive will be allowed.

Dr. Gokul Chand, Narang : Then there was no ground for postponing the Bill.

Mr. President : I should think so.

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

"That in clause 2, new clause (18), after the words 'as ascertained or estimated' the words 'and the cost of labour' be added."

Sir, the select committee certainly deserves our thanks for clarifying the meaning of the phrase "ordinary expenses of cultivation." No doubt the settlement officers will not have now the same unlimited discretion for determining the nett assets of an estate or a group of estates as they had before. But I am sorry to point out that the select committee has overlooked one important point. Water rates, maintenance of means of irrigation and other details of expenditure have been mentioned which must be deducted in order to find out the annual surplus produce of an estate or a group of estates, but I find that no provision has been made for deducting the cost of labour which a hardworking farmer and his family has to put on the land. In my humble opinion it is a serious omission and unless provision is made for giving allowance for the cost of labour, I have no hesitation in saying that the Bill presented before the House will be meaningless. Because the cost of hard labour that a farmer, his wife and children have to put are not taken into consideration, the cultivation of land does not pay the farmer and he can hardly make both ends meet from the produce of his land. It is why that the population of Hoshiarpur, Gurdaspur, Ludhiana, Sialkot and Amritsar is daily decreasing. Out of the 18 lakhs of Indian immigrants most of them belong to the five districts named above. The petty zamindars are giving up their ancestral occupation because, inspite of hard labour they cannot get sufficient income from their lands to eke out their existence. You will find that most of the servants employed in the houses of rich persons come from this class of zamindars. It is apparent, therefore, that some important factor has always been ignored by the Settlement Officers while determining the nett assets of the zamindars and I may assure the House that it is nothing else than the cost of labour. . . .

Diwan Bahadur Raja Narendra Nath : Sir, the honourable member is not confining himself to the question of labour. He is covering the whole ground of assessment which is not covered by the amendment.

Mr. President : Will the honourable member confine himself to the amendment ?

Chaudhri Afzal Haq (continued in Urdu) : Sir, I was explaining all this to show that it is essential to deduct the cost of labour before the nett assets can be determined correctly. We know that the average income of a zamindar is only Rs. 9 as was said some months ago by the Honourable Home Member to Government of India and until the Government is inclined to show every concession to the zamindars, it is not unlikely that the situation in the rural areas will grow worse. If the pay of the constables could be increased because the Inspector-General of Police warned the Government of the unpleasant results that might be produced otherwise

I do not see why the lot of the zamindars should not be improved when there is equally a danger of the situation growing worse in the case of zamindars. And to improve the lot of the zamindars it is necessary to deduct the cost of labour while determining the nett assets.

Mr. President : Clause under consideration, amendment moved :

"That in clause 2, new clause (18), after the words 'as ascertained or estimated' the words 'and the cost of labour' be added."

The question is that that amendment be made.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) (Rural)] (Urdu) : Sir, so far as the principle underlying the amendment moved by my honourable friend (Chaudhri Afzal Haq) is concerned, I fully agree with him. He is quite right in saying that while determining the nett assets for the purposes of fixing the rate of land revenue, the cost of labour of the farmer and his wife and children should be deducted. But the difficulty is that the amendment is out of place. It will serve no useful purpose if the words 'and the cost of labour' are inserted as suggested by the honourable mover. If a provision for deducting the wages or customary dues paid to the artisans, etc., has been made, it is because these are some of the payments which the land-owner has to bear. But the cost of the personal labour of the land-owning farmer and his family are outside the scope of the clause under consideration and the proposed amendment, therefore, should be made in some later portion of the Bill.

Mr. President : The honourable member is proposing a fresh amendment.

Sardar Harbakhsh Singh (continued in Urdu) : No doubt, Sir, I was going to propose a new amendment, but I was doing so according to the announcement made by the chair only a few minutes ago.

Mr. President : If the honourable member will hand over to me the amendment he wishes to move I shall gladly consider it.

Sardar Harbakhsh Singh (continued in Urdu) : Then, Sir, I have nothing else to say at this stage than that the object which the honourable mover has in view cannot be achieved by making the amendment in clause (2) of the Bill, because sub-section (11) already contains some items on account of "the cost of labour" and all that is needed is that allowance for the labour of the cultivator himself and for the assistance rendered by his wife and children be added to this sub-section.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] (Urdu) : Sir, I would have gladly supported the amendment moved by the honourable member from Hoshiarpur-cum-Ludhiana, if the demand made therein, had already not been included in explanation No. (11), which clearly lays down that "wages or customary dues paid to artisans or menials whose products or labour are utilised for the purposes of cultivation" are included in the "ordinary expenses of cultivation". Moreover, his amendment Sir, besides being irrelevant, is also not very practicable; for it would be next to impossible to fix a standard by which the value of the labour of supervision by land-holder or his family can be arrived at. For

[D. B. Raja Narindra Nath.]

example, suppose a retired Judge of the High Court goes to his fields and personally supervises cultivation, what would you pay to him as remuneration for this work?

Sir, my next submission is, that if tenants spend more labour in the cultivation of crops, then automatically the share of the land-holder in the produce is reduced. Land revenue is share of the State in rent. Moreover, crops requiring greater labour and expense are not cultivated as frequently and in such abundance as those crops which require less labour and expense. For example, take the case of tobacco and sugarcane. They are not cultivated as abundantly as rice or wheat are cultivated. What is the reason for this difference? Clearly the latter require more labour than the former, therefore, it is cultivated more abundantly than the former. Again, Sir, if the amendment is made the assessing officers would experience great difficulty in ascertaining the 'nett assets' and assessing land revenue. For these reasons, Sir, I oppose the amendment.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: I think the Raja Sahib and the Sardar Sahib have misunderstood the real intention of the mover of the amendment. What was in the mind of the mover of the amendment was not the big landlord or retired Judge of the High Court or retired Commissioner or anybody else of that sort. What the honourable member had in mind was the little zamindar having an uneconomic holding, say half a square or 10 acres or 5 acres. He was contemplating the case of the zamindars with a wife and number of children, all working on a small piece of land, starving and getting loans from *sahukars*. The honourable member wanted that some regard should be given to the labour of such a class of people if the Government really wants this Bill to be of any help to them. Unfortunately the Bill as it is proposed proceeds upon the assumption that the big landlord rents his land either in cash or in kind and upon that assumption proceeds to assess the peasant proprietor. Unfortunately the land revenue system emanated first from the United Provinces, where the whole phenomenon was that a single landlord possessed a whole tahsil or half-a-tahsil. The conditions here in the Punjab are quite different. Here, both in colony and non-colony areas you will find very few people who are really landlords in that sense as you find in the United Provinces. Here you have got a class of peasant proprietors whose lands are parcelled out among poor people having economic or uneconomic holdings, as the case may be, putting all their labour, not only male labour but also female labour, into the whole affair. To base the assessment of land tax of these people as is done in the United Provinces will adversely affect the interests of the zamindars. If the Government and the country are really in favour of improving the lot of the poor, there must be some sort of provision like the one proposed. Even the present amendment does not go far enough. Provision should be made for the labour of the people being taken into consideration in the matter of assessment. I can say on my own personal authority that these people who are poor zamindars are not getting even one anna per day for the labour. With these remarks, I strongly support the amendment.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, the object of the amendment moved by the honourable member from Hoshiarpur-cum-Ludhiana seems to be this, that land taxation should be fixed after deducting from the gross assets such expenses as are incurred by the land-holder in respect of labour and other ordinary expenses of cultivation. Sir, the proposal of the honourable member is such that there can be no two opinions about it. Officials and non-officials would, all without exception, support it. But the question is whether the amendment is at all necessary, and whether the demand made in the amendment is not already provided for in the Bill. Sir, if the honourable member would kindly direct his attention to explanation (11) he would readily find that what he desired to get by the amendment is already granted therein.

Sir, the real question at issue is simply this, whether the share of half-nett assets should be determined on the basis of rent-receiving land-owner or on the basis of self-cultivating land-owner; whether the opinion of the select committee be followed or that of Chaudhri Chhotu Ram as expressed in his note of dissent, appended to the report of the select committee. Sir, if the honourable member is of the same opinion as expressed by the select committee, then his amendment is obviously irrelevant and out of place. If, however, he concurs with Chaudhri Chhotu Ram, then his demand is included in the amendment (6). The proposal of the Select Committee is based on old practice; it is supported by the majority of the non-official members of the select committee; and I believe it is the view held by the majority of those whose cause he is championing here with so much vigour and force. While on the other hand, the proposal of Chaudhri Chhotu Ram is a new one; it has not been tried before; and the probability is that it would do more harm to zamindars than good. Sir, in view of these considerations, I hope the honourable mover would not press for the amendment and would withdraw it. With these remarks, I oppose the amendment.

Mr. President: Does the honourable member wish to withdraw his amendment?

Chaudhri Afzal Haq: No, Sir.

Mr. Labh Singh [Rawalpindi Division and Lahore Division, North (Non-Muhammadian), Rural]: Sir, I wish to suggest a verbal amendment in clause 2 and it is to this effect:

"In clause 2, proposed new clause 18, the word "estimated" and the words "as ascertained or estimated" be omitted."

This is purely a verbal amendment and my submission is that the words 'estimated' and 'ascertained' may mean much or may mean nothing. There seems to me no apparent justification why the words should be retained. It is just possible that the right to appeal against assessment orders might be conceded by the House and in that event these words, if retained, would be productive of many technical difficulties which it is proposed to avoid. I may also submit that the retention of these words serves no ascertainable useful purpose at all. At any rate I am not able to see in these words any use unless, of course, we proceed to choose to define these words in the body of the Bill, which we are not doing.

Mr. President: Clause under consideration, amendment moved:

"That in clause 2, proposed new clause 18, the word 'estimated' and the words 'as ascertained or estimated' be omitted."

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain: This is an amendment moved by Mr. Labh Singh. Will you not first close up the amendment already moved?

Mr. President: If the last part of the clause were amended, an amendment to an earlier part of the clause would be inadmissible.

The Honourable Mian Sir Fazl-i-Husain: I have just been trying to find the reason for this amendment. It is urged that if it is average annual surplus it is average annual surplus and so 'estimated average annual surplus' does not make it more definite. The explanation that I believe the revenue officers give is this, that when you are arriving at the average annual surplus of an estate or group of estates, it is not the estimated value of the produce of every bit of that land independently. What they do is to make out a rate for every sort of soil, catalogue the soils and classify them as A, B, C, D, etc., and then arrange them into small a, b, c, d, etc., and multiply the big A with the small a. Therefore, after all it is not really the average surplus. It is an estimate, not really the direct result of *bona fide* calculation referred to by these particular words.

Therefore they feel that it is but right to say that it is only an estimate and not actual average struck by any method. Further in all the blue books, the word 'estimated' has appeared from time immemorial. Do you think it would be wise to start in this Bill a departure from the traditional phraseology?

Pir Akbar Ali [Ferozepore (Muhammadan), Rural]: Sir, I submit that the amendment proposed by the honourable member for the deletion of the words 'estimated' and 'as ascertained or estimated' is most valuable for the following reasons. The word 'estimated' here means 'estimated by revenue officers'. It may be that the actual surplus may not be the same as the surplus estimated or ascertained by the revenue officers. It may be that the revenue officers may not include in the calculation for arriving at 'nett assets' other expenses which ought to be included in order to arrive at a correct estimate of average annual surplus. From the point of view of the zamindars the amendment is a most valuable one and it ought to be admitted.

Mr. H. W. Emerson (Chief Secretary): Sir, I understand that the point made by the honourable member is that the words 'estimated' and 'as ascertained or estimated' should be omitted from the definition of 'nett assets'. In settlement practice, as it exists at present, one 'does not refer to the nett assets of an assessment circle, but one refers to the nett assets estimate of an assessment circle, thereby expressing the fact that it is an estimate on which the settlement officer has to base his proposals. It is necessarily an estimate because into the calculation of that estimate come four factors, none of which could be determined with absolute certainty. First of all there is the classification of the soil. There are different kinds of soil and according to the different kinds of soil one has naturally to take different yields; one takes a different yield on *barani* soil to the

yield taken on canal irrigated soil. Therefore first of all the different classes of soil come into play. Secondly, there is the question of yield. Of course it is quite impossible for a settlement officer or anybody else to say what the yield of a particular field is in a certain year without actually carrying out experiments to ascertain what it is. He cannot sit down and put on paper that the yield of such and such a field will be 12 maunds, the yield of the next field 18 maunds and the yield of another field 9 maunds and so on. He has to strike an average.

Then again another uncertain factor which comes into this calculation is what the average cultivated area will be in the future. He knows what the cultivated area has been during each of the past five years, but he is not legislating for the past, he is legislating for the future and he has, therefore, to make an estimate of what the cultivated area is going to be. Again he has to estimate how that cultivated area is going to be split up amongst the various classes of crops; he has to estimate how, out of 100 acres, 40 per cent. will be under wheat, 3 per cent. under gram, so much under cotton, so much under sugarcane and so on and for that purpose in attempting to forecast what is going to happen in future, he takes as his basis what has happened in the past and in order to estimate what has happened in the past, he examines the past history of the district. If during the past ten years he sees that in such and such a year harvests were exceptionally good or that in such and such a year the harvests were exceptionally bad, he will strike that year out. He will try to find five or six, or even ten, normal years that will give him a good criterion as to what the total cultivated area will be in future and also as to how that cultivated area will be split up between various crops. In that way he gets his cropping figures, and having got these he applies his estimated yields, based partly on experiment, partly on what has been taken in other districts and partly on what the zamindars tell him. They must necessarily be estimates. Having got his figures of the various crops and the yields, there is still another uncertainty, that is, the uncertainty of prices. Here again he knows what the zamindar has been getting for his grain in the past. He does not know,—he cannot possibly know—what they are going to get in future and there again he has to make an estimate of future prices. The basis for that estimate is the price that has been received in the past, with a very generous allowance to the zamindar in all cases of doubt. From the little I have said—it is a very incomplete account of the number of uncertain factors that come into the preparation of nett assets—I think honourable members will realise that it is essentially an estimate on which the assessment of land revenue is made and any attempt to delete the words as suggested in the amendment from the Bill under consideration would, I think, give an entirely wrong impression of the basis and principles of land revenue system and I think it would also create, though I have not carefully considered the point, a real legal difficulty. If the words were deleted as proposed by the honourable member, it might then be open to the owner of land to go to court and say: 'You have not made a true account'. You are bound to take a certain proportion of the actual surplus. You have taken a certain proportion of the estimated surplus. The law does not allow you to do so, because you must only take the actual surplus.' I will leave this point for the lawyer members to consider. I think at any rate it would

[Mr. H. W. Emerson.]

create the risk of a land-owner being put in that position and being able to say to a court that the settlement officer has not strictly carried out the law. For these reasons, I hope the honourable member will not think it necessary to insist on his amendment.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural]: Sir, the House has been treated to the traditional learning on the subject although I do not feel satisfied with it. For exactly the reasons put forward by the Chief Secretary for their retention, I want the deletion of the words as proposed by me in the amendment.

Mr. President: Is the honourable member going to withdraw his amendment or does he propose to reply to the debate?

Mr. Labh Singh: Personally I think these words should be deleted from the clause. In this Bill we are trying to codify the existing practice as it obtains in our settlements and in our assessments. My fear is that those whom it concerns may not be able to understand the provisions and so my submission is that they should be made explicit. I think that the entire discretionary powers are sought to be retained in the old style and this will not be any advance on the existing state of things. The zamindars should understand that they are getting nothing by means of this piece of legislation.

Mr. President: Clause under consideration, amendment moved:

"In clause 2, proposed new clause 18, the word 'estimated' and the words 'as ascertain or estimated' be omitted."

The question is that that amendment be made.

The motion was lost.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan)-Rural] (Urdu): Sir, the measure of incidence of land taxation is determined by a definition of 'nett assets' and the complexion of this definition as given in clause 2 of the Bill, depends on what we allow as 'ordinary expenses of cultivation'. It is apparent, therefore, Sir, that the words 'ordinary expenses of cultivation' are all-important, and we must, therefore, have no ambiguity about their meanings. The select committee has for the same reason appended a comprehensive explanation to the clause. But what I desire to point out is this, that in the explanation attached to clause 2, new clause 18, no mention is made of the cost of labour in explicit terms, though I admit it is implied therein, and in consequence of this omission, I submit, Sir, that there is some likelihood of ambiguity creeping in while determining the incidence of land taxation.

The Honourable Mian Sir Fazl-i-Husain: Sir, you should have no apprehension in respect of that. I have clearly stated that the 'ordinary expenses of cultivation' do include 'cost of labour'.

Chaudhri Afzal Haq: Sir, then why not incorporate these words in the Bill?

Chaudhri Afzal Haq (continued in Urdu): Sir, it is to remove the likelihood of this ambiguity and to draw the particular attention of the assessing officer to the item 'cost of labour', while assessing land revenue that I have brought forward the amendment. Trusting, Sir, that the Honourable Revenue Member will find no difficulty in acceding to my request, I commend my amendment to the House.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member)(Urdu): Sir, I have already explained in the most explicit and unambiguous terms that 'the cost of labour' is included in 'the ordinary expenses of cultivation' and for the further satisfaction of the honourable mover, I would request him, Sir, to read carefully the last portion of the explanation attached to clause 2, new clause (18), of the Bill, beginning with 'and the share that would be retainable by a tenant if the land were let to a non-occupancy tenant paying rent whether in cash or in kind at the normal rate actually prevalent in the estate or group of estates'. In view of my personal assurance and my drawing his attention to the above extract from the Bill, I trust, Sir, that the honourable mover will be more than satisfied and will not press for the amendment. With these remarks, I resume my seat.

Mr. President : Clause under consideration, amendment moved :

"That in clause 2, new clause (18), after the words 'as ascertained or estimated' the words 'and the cost of labour' be added."

The question is that that amendment be made.

The Council divided Ayes 27, Nos. 32.

AYES.

Rai Bhadur Lala Sewak Ram.
Mir Maqbool Mahmood.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Chaudhri Baldev Singh.
Mian Ahmad Yar Khan, Daultana.
Khan Sahib Khan Muhammad
Saifullah Khan.
Chaudhri Zafrullah Khan.
Malik Nawab Major Talib Mehdi
Khan.
Shaikh Faiz Muhammad.
Rai Shahadat Khan.
Sayad Muhammad Husain.
Khan Bahadur Malik Muhammad
Amin Khan.
Malik Khan Muhammad Khan,
Wagha.

Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad
Raza Shah, Gilani.
Rana Firoz-ud-Din Khan.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Ujjal Singh.
Sardar Bishan Singh.
Sardar Mohindar Singh.
Mr. E. Maya Das.

NOES.

Col. C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan,
 Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. A. R. Astbury.
 Mr. J. B. G. Smith.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Dr. C. A. Owen.

Khan Bahadur Shaikh Sir Abdul
 Qadir.
 Khan Bahadur Nawab Muzaffar
 Khan.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra
 Nath.
 Lala Mohan Lal.
 Pandit Nanak Chand.
 Mr. Owen Roberts.
 Rai Bahadur Pandit Daulat Ram,
 Kalia.
 Rai Sahib Lala Ganga Ram.
 Lala Gopal Dass.
 Lala Joti Prasad.
 Rai Bahadur Lala Dhanpat Rai.
 Mr. V. F. Gray.
 Sardar Bahadur Capt. Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.

The motion was lost.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]:
 Sir, I beg to move—

"That in clause 2, proposed new clause (18), explanation, the following be added as
 No. 12: 'depreciation of cattle'."

Mr. President: Order, order, I have to point out to the honourable member that of notice of amendment to this effect has already been given by Rai Sahib Chaudhri Chhotu Ram. It is amendment 6 (3) on the agenda. So the honourable member is anticipating the question.

Sayad Muhammad Husain: Rai Sahib Chaudhri Chhotu Ram may not be present here to-day.

The Honourable Mian Sir Fazl-i-Husain: I should have no objection to the honourable member being permitted by you to move the amendment which stands in the name of Chaudhri Chhotu Ram. According to your ruling the honourable member may write out the amendment and hand it over to you.

Mr. President: There appears to be some misunderstanding about the announcement I made this morning. It was not a ruling, but a mere announcement. In the case of an important measure, like the Revenue Bill, it is desirable to allow amendments till a late stage, provided they are relevant and otherwise admissible. But I will not allow that right to be abused. Amendments proposed by the honourable members must be moved by their proposers and not by other members. But if any honourable member wishes to adopt another member's amendment as his own he will give the same to me in writing and I will consider it. It is

one thing to adopt another member's amendment and quite a different thing to stand up and move an amendment standing in the name of another member.

Sayad Muhammad Husain : Am I in order in moving this amendment ?

Mr. President : The amendment is all right. But who can say that its proposer will not be here to move it when it is reached ? Is it possible to say with any degree of certainty that the mover of the amendment is not coming at all ?

Rana Firoz-ud-Din Khan : I can say that, Sir. He is conducting a murder case at Rohtak. He is not at all coming to-day.

Mr. President : If that is so, the amendment in question may be moved by the honourable member from Montgomery.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] (Urdu) : Sir, I beg to move—

"That in clause 2, proposed new clause 18, Explanation, the following be added as No. 12 : "depreciation of cattle."

Sir, it is a well known fact, and I trust that every honourable member of this House is familiar with it, that there are two classes of land-holders in the province, viz., self-cultivating owners and rent-receiving land-holders. The former class forms an overwhelming majority of the land-holders, but their plight is comparatively much worse than the latter. Their holdings are very small; produce is limited; income negligible. They cultivate their own petty lands and have no tenants to plough for them. As a natural consequence of all these facts they can scarcely eke out a precarious living. While on the other hand, the other class, i.e., rent-receiving landholders, though in a minority, are much better off than the self-cultivating landholder. They have big land sometimes running to 50 to 100 acres; they have numerous tenants to cultivate for them whom they give land either on 'bati' or cash rent, and their condition as a whole is more than satisfactory. But I regret to say, Sir, that in the Bill under discussion, the interests of the rent-receiving landholders are very scrupulously safeguarded while no attention is paid or any effort is made to ameliorate the condition and promote the interests of the poorer and the bigger and hence the more important class of landholders. It is, with a view to better their lot, to reduce their burden and to enable them to live a more comfortable life that I have proposed this amendment. What it aims at is simply this, that in the ordinary expenses of cultivation the expenses borne by the landholders in case of the death of cattle be deducted. Every now and then, pestilences break out in villages and destroy large number of cattle. The rent-receiving landholders may find it not difficult to replace the dead cattle by fresh ones, but in the case of self-cultivating landholders this is very difficult. They can ill-afford to spare every now and then a huge sum of 3 to 4 hundred rupees, for the purpose. Since they cannot give up cultivation because they have no other means of living they perforce have recourse to *sahukars* and take loans from them which they are hardly able to repay. Some of them, because of the dearness of plough animals have begun to employ camels for cultivation purposes.

[Sayad Muhammad Husain.]

Again Sir, in the past assessment has been made by officers who had been actuated by the instincts of benevolent despotism—sentiments of *ghar aba parwar*, etc., and benevolent despotism is capable of being extraordinarily generous. Future settlements however, will be made by officers of different types and under different conditions. Their instincts of generosity are likely to be dulled by a sub-conscious psychological process which must result from a curtailment of their discretion and the obligation to conform to statutory rules.

In view of the above arguments I trust, Sir, that the Honourable Revenue Member, who is noted for his generosity would find no difficulty in acceding to the legitimate request of the landholders, if he really has the welfare of the zamindars at heart. With these remarks, I resume my seat.

Mr. President : Clause under consideration amendment moved—

"That in clause 2, proposed new clause 18, Explanation, the following be added as No. 12: "depreciation of cattle."

The question is that that amendment be made—

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, I would just like to say a few words on the amendment in Urdu for two reasons. In the first place, because the honourable mover has proposed the amendment in Urdu, and secondly because he has made some such remarks in his speech, that their answer can be given for the benefit of non-English-knowing members only in Urdu.

Sir, the honourable mover has said during his learned speech that if the Honourable Revenue Member has really the welfare of the zamindars of the province at heart, he will certainly in that case support his amendment. In other words, Sir, it comes to this, that if I cannot find my way to support the amendment it would mean Sir, that I have no sympathy with or desire to promote the vital interests of zamindars. With great deference to the honourable mover, I would ask whether he is quite justified in suspecting my *bona fides*. Has he given any valid reasons for speaking of me in such terms as he has been pleased to employ? Intention of a person can be known only to God but actions are its representation. The zamindars no longer remain as simple and credulous as before that one can easily dupe them with soft words and honeyed speeches. Nor can one Sir, earn good opinions by simply proclaiming that he has their welfare at heart. God forbid I suspect the *bona fides* of Sayad Sahib or attribute selfish motives to him.

Dr. Gokul Chand, Narang : Is "Niyat" (intention) under discussion?

Mr. President : The honourable member need not discuss the intention of other members. It will be enough if he meets the arguments advanced by them.

The Honourable Mian Sir Fazl-i-Husain : Sir, I am just pointing out that *bona fides* are to be judged from actions and not from mere words. The honourable member doubted my *bona fides*. Am I out of order in alluding to what he said?

Mr. President : I think, the *bona fides* of the members of this Council cannot be questioned in any form whatsoever.

The Honourable Mian Sir Fazl-i-Husain : I wish, Sir, that this well recognised principle were followed by the honourable member in question, and failing that I felt it necessary to point out that, such propriety should not be violated especially as you did not take notice of the validity of this rule.

Mr. President : I wish my attention were drawn at that time.

The Honourable Mian Sir Fazl-i-Husain (*continued in urdu*) : Sir, the proposal of the honourable mover as to the inclusion of the expenses of depreciation of cattle in the ordinary expenses of cultivation was so fair and just that none would dare to oppose it, provided that it was not already included in the Bill. The remuneration given to tenants does include expenses of depreciation of cattle in it. I, therefore, submit, Sir, that the amendment proposed by my friend is superfluous and irrelevant.

Sir, the real point at issue was whether the proportion of net assets was to be determined from the view point of self-cultivating owners or from the point of view of rent-receiving owners. The select committee favoured the latter view and I am glad to observe that at that time the honourable mover himself shared the opinion of the select committee. On the other hand Chaudhri Chhotu Ram voted for the other method, and, now it appears that the honourable mover of the amendment has turned round to Chaudhri Chhotu Ram's view. He is perfectly justified in changing his opinion as often as he likes and I in no way doubt his *bona fides* in doing so. What I submit is simply this that his amendment is irrelevant in as much as it is already included in the Bill and that he should have more advantageously discussed the real matter at issue mentioned above.

Sir, Chaudhri Chhotu Ram has very candidly remarked in his note of dissent "that landholders take excessive share of the produce and the tenant does not get anything like the share to which he is entitled as a result of labour and expense which he incurs in cultivation." I therefore, submit, Sir, that the best solution of the difficulty is that instead of half share of the landholder he may be persuaded to accept one-third or even less. I trust, Sir, that the honourable mover, who is a leader of zamindars and has great influence over them, would try to mitigate the poverty and consequent sufferings of the poorer zamindars and cultivators by acting up to this suggestion and would include it in the objects of the Zamindara League.

Malik Nawab Major Talib Mehdi Khan [Jhelum (Muhammadan) Rural], (Urdu) : Sir, I have the honour of representing that part of the province, which is unfortunately a hilly country, where there are no canals, and where the soil is to a large extent stoney or sandy. With due respect to the opinion of my honourable friend Chaudhri Chhotu Ram, I regret that I cannot agree to what he has said in his note of dissent, *viz.*, that the landlord's share of the produce is considerably more than one-half of the nett produce. It is incorrect to say that landlords receive more than their due share from the tenants. As a matter of fact if we were to take into consideration the various concessions allowed by the landlord to the tenant, it will be no exaggeration to say that the landlord's share does not go even beyond one-third of the net produce. The landlord gives the tenant bullocks at cheap price

[Malik Nawab Major Talib Mehdi Khan.]

if not gratis in many cases, and does not press him for repayment. He provides him with grain to eat and seed and does not charge any interest for the same. He supplies him with wood, stones and other material for the construction of a house without payment. From the day that the canal system was introduced in the plains, the condition of non-irrigated areas has been deteriorating, and now their plight is simply miserable. Most of these non-irrigated lands are now lying fallow, because there are no cultivators to look after it. The proprietors of small holdings in many cases have been obliged to abandon their lands and emigrate to the more fortunate parts, which enjoy the advantage of canal irrigation, where they are earning just enough to keep body and soul together. The landlords in my part of the country cannot afford to be harsh to their tenants, and it is not correct to say that landlords in any part of the country are rack-renting their tenants. If in calculating the landlord's share the various concessions given by them to the tenants are taken into account, it will be found that his share is nearer 25 per cent. than 33 per cent. of the nett produce.

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu): Sir, I rise to oppose the statement made by Rai Sahib Chaudhri Chhotu Ram, that landlords take more than one-half of the produce of the land as their share. This statement, I venture to submit is not based upon actual facts of the case. In the Kangra district, the landlords of the *barani* lands do not take as their share more than one-third of the produce of the land. In *nakri* as well as in *barani* lands the proprietors do not take rent in kind, e.g., in the case of turmeric, sugar-cane and cotton crops the proprietors take rent in cash and not in kind, and this cash rent forms a very small part of the value of the crops. As far as my district is concerned, the proprietors' share of the produce is indeed very small. There are many lands in the Kangra district for the cultivation of which cultivators are not available. I, therefore, again protest against the statement made by Chaudhri Chhotu Ram.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)], (Urdu): Sir, it is true that in determining nett assets, the question of the depreciation of cattle should also be taken into account. It is also true that the tenant has to bear the cost of maintaining bullocks, and it would be well to determine as to how long a good bullock can work and what are the causes which lead to its gradual deterioration and ultimately to its death. The tenant has to bear the loss of bullocks, but I should like to ask the honourable member from Montgomery as to how he proposes to estimate this loss. At the time of the fixing of rent between the landlord and the tenant the cost of the depreciation of cattle is certainly taken into account, but there are certain other things, of which no account can possibly be taken. For example it is impossible to say at the time of fixing the rent as to when the locusts are likely to visit a particular part of the country. Again, it is impossible to calculate the harm which may be done by kungi. Who could have foreseen that the wheat crop in the Punjab would be destroyed by kungi. The question of the depreciation of cattle belongs to this category. It is undoubtedly true that it is essential to take into account the cost of the depreciation of the cattle, but it is difficult, if not next to impossible,

to calculate it separately. And if the settlement officers are entrusted with the duty of determining this, it will simply mean putting more money into the pockets of patwaris, because it is evident that the settlement officer cannot himself take up this work. All these things are taken into account at the time of the fixing of the rent between the landlord and the tenant, and it is no use incorporating this item in the list of ordinary expenses of cultivation.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural], (Urdu): Sir, a mistake seems to have crept into the debate now going on in the Council. The question of the depreciation of cattle does not and should not form part of the debate at this stage. The first question which arises in this connection is what is meant by nett assets. As defined in this Bill nett assets of an estate or group of estates means the estimated average annual surplus produce of such estate or group of estates remaining after deduction of the ordinary expenses of cultivation as ascertained or estimated. The ordinary expenses of cultivation consist of 11 items as enumerated in the Bill. In this connection the question of small holdings of peasant proprietors does not arise at all, because in clause 2 of the Bill we have to deal with the tenancies of the tenants-at-will.

It is, however, correct to say that the nett assets of a self-cultivating landlord should not be taken as the basis of assessment. The proprietors of lands not only take begar, but they also take water when it is not their turn to take it. Also, they cultivate the good lands themselves and give over to tenants for cultivation the worst kind of lands. They are thus enabled to make use of such of the advantages and facilities which are not available to the tenants. It would, therefore, be dangerous, if not actually disastrous to calculate the nett assets on the self-cultivating landlord's share of the produce. These things I have mentioned by the way. They need not be discussed at this stage, as also the question of the depreciation of cattle, which as I have already shown is beside the point. Because the nett assets, as now defined in the Bill, means full fair rent realized from tenants by the landlords, and this method of assessment has up to the present time been followed by capable settlement officers with success.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I am sorry I have been a little misunderstood or made to be misunderstood by the Honourable Revenue Member. I want to tell him that I had no intention whatsoever, of challenging his *bona fides* now, nor have I challenged it in the past nor am I going to challenge it in the future. I shall be the last man to challenge the *bona fides* of any member of this House and least of all of the Honourable Revenue Member whom we all regarded as our leader when he was a Minister and who is now the leader of the House.

The Honourable Mian Sir Fazl-i-Husain: I am perfectly ready to accept that statement.

Sayad Muhammad Husain: That is all the more to be honoured by the Leader of the House. What I mean to say is it is an ordinary thing, the inclusion of depreciation charges of cattle. Its inclusion in the list of ordinary expenses of cultivation does not make any difference at least so far as the Government is concerned and the Government should not be reluctant in accepting this amendment. Those people who own lands know well the loss they suffer under the head of cattle.

[Sayad Muhammad Husain.]

Whether they are tenants or unfortunate peasant proprietors, they all lose and they have to replace the cattle thus lost. As regards the honourable member's statement about Chaudhri Chhotu Ram's amendment, I think really that he did not want to put that interpretation upon his amendment. The honourable member Chaudhri Chhotu Ram never meant any attack on the land-owners or the tenants. He meant that something should be done for them. What I have understood him to mean is that the landlord's share of the tenant's produce should not be made a real guide for the assessment of land revenue. It may be that the landlord is sometimes taking more than his due share, more than what he ought to take. Supposing we take into consideration the labour which the tenant puts in any district or in any area, in that case, in the opinion of my honourable friend Chaudhri Chhotu Ram, the landlord should not take one-half but one-third. After all it may be an error of judgment. I do not say that landlords always take half share. My honourable friend wants that the landlords should not take more than one-third. He does not mean to suggest that the landlords are taking more. I hope the honourable members will follow the order given by the Chair, namely that nothing should be attributed to the members and the Chair. I want to clear that point. Now as regards putting both things together, I say that as in the Punjab the element of population of land owning classes and peasant proprietors is far greater than landlords, something should be added in estimating the ordinary expenses which should benefit those classes whom the passing of this measure is intended to benefit. If we include in the ordinary expenses, depreciation charges on cattle, surely this will have a very beneficent effect on these poor people who are peasant proprietors and who till the lands with their own hands and who suffer loss by pests and diseases and who also suffer ordinarily from loss of cattle.

My honourable friend representing the Hindu landholders said that it would be difficult to estimate the depreciation charges on account of cattle. He said it could not be determined with certainty. I think it is quite simple. It can be worked out very easily from the ordinary age of a bull or the ordinary price which a tenant has to pay for the purchase of the bullock. What is the principle that he has to borrow for the purchase of the bull, what is the interest that he has to pay on the debt? He has also to safeguard the cattle against diseases. These things can be very easily calculated. He cannot suggest that the landlord in taking rent from the tenant either in cash or in kind does not take these factors into consideration. I think all these things are taken into consideration. Perhaps he has not fully understood that. I have seen in many cases an account of the failure of the crops, landlords do give up the whole rent and in several cases even half the rent. Unless they do that the tenants will not be able to live here. The tenant has a most difficult time of it in the Punjab. As has been rightly said by my honourable friend representing Jhelum, if you trouble the tenant he will migrate and shift to some other part. You cannot afford to trouble the tenant or rack-rent him as they do in the United Provinces. The conditions here are quite different. As regards what my honourable friend representing Ferozepore district has said, I must say he has also misunderstood the point. He says you must take into consideration the income which is derived from the owners. The basis of our assessment should be *khudkasht*.

Supposing a big landlord uses all the water for his fields, a man with four or five acres or half a square will not get any water for his fields. He cannot ask the big people to give their share of water to be diverted to his fields. He will depend upon his own labour. It is really to benefit the peasant proprietor, the owner of half a square or one square, that this amendment is moved. This amendment aims at helping the man who is tilling the land with his own hand. Unfortunately this has not been understood. I would again appeal to the leader of the House without attributing any motive or anything that he will kindly reconsider his decision. This is a very small matter from the point of view of Government, but from the point of view of peasant proprietors, this is very good.

Mr. E. Maya Das : If a cultivator were to insure his bullocks and pay premia on them will the premia thus paid be looked upon as part of the expenses of cultivation? Would this come under depreciation of bullocks?

Mr. President : From whom is the honourable member asking that question?

Mr. E. Maya Das : From the Honourable the Revenue Member.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, the question which the honourable member has just put, as I understand it, is whether the premium of insurance on cattle would be taken into account by the settlement officer in arriving at the expenses of cultivation. The answer is that it would be taken into account if the proprietor were paying premium. Now, so far as the amendment of the honourable member is concerned, I really do not know how to convince him that what he wants cannot possibly go into the place where he wants it to come. The explanation that is under consideration relates to the case of a proprietor who has got a tenant to cultivate land for him and, that tenant is taking a portion of the produce from the land. There such cattle as the tenant uses are accounted for, whether it is the cost of purchase, or the maintenance charges or the depreciation charges, all are included in the particular percentage, either one-half or one-third, the tenant gets as his share of produce. Really as has already been pointed out, what the honourable mover has in mind is the case of self-cultivating proprietor and you cannot bring in what you want to be put in the interest of that man while the explanation deals with the tenant.

Sayad Muhammad Husain : Indirectly he will gain benefit out of that.

The Honourable Mian Sir Fazl-i-Husain : The two positions are quite different, I do not know how I can make it more clear to the honourable member.

Sayad Muhammad Husain : As apprehended by the Government it will not affect those people who are owners of the soil who take rent either in cash or kind. If the provision that I suggest is inserted, it will automatically benefit the peasant proprietors.

The Honourable Mian Sir Fazl-i-Husain : Unless other changes are made this cannot be effected at all. What he really wants to achieve can be achieved only if he were to put his amendment after the other amendments are accepted. I am referring first to amendment No. 2.¹ Unless

¹ "That in clause 2, in the explanation the words 'in the case of rent receiving land holders' be inserted between the words 'cultivation' and 'include'."

[Honourable Mian Sir Fazl-i-Husain.]

amendment No. 2 is made no alteration can legitimately be made in the explanation which is under consideration now. In case the Council adopts amendment No. 2, then that amendment will be valueless unless amendment No. 6¹ also were adopted. What he really wants to achieve is the purport or the object of amendments Nos. 2 and 6 under this clause. I wish he had closely scrutinised this point. If he does, I do not see how he can arrive at any conclusion other than this that his proposed amendment is altogether out of place. Has not the honourable member seen amendments Nos. 2 and 6? Does he not realise that in the proposed explanation in amendment No. 6, the cost of maintenance and depreciation in respect of necessary animal power is exactly what he has suggested. Whether it would be wise to bring in the self-cultivating proprietor or not is altogether a separate matter. Opinion on the point is divided. There are land-owners anxious to protect their own interests as well as the interests of their class who feel that the proposed change would make their position worse. I do not know whether it will or not, I cannot say. I am not expressing any opinion on that point. But there are members sitting opposite me who know that there are a number of land-owners who genuinely and conscientiously believe that it is not a right move. I do not say that the amendment of Chaudhri Chhotu Ram is necessary or that the amendment of the honourable mover of the present amendment is necessary. But the honourable member seems to favour his amendment no matter whether it will achieve the object he has in view or not. As I have said, opinion on the subject is divided and so far as Government is concerned, our view is that from the point of view of land-owners it will be a mistake to introduce a new method of assessment. It is not certain to bring about any good² and it is possible it may bring about loss.

Mr. President : Clause under consideration, amendment moved :—

"In clause 2, proposed new clause 18, Explanation, the following be added as No. 12 :
"depreciation of cattle".

The question is that that amendment be made.

The motion was lost.

Rana Firoz-ud-Din Khan : May I ask whether in view of the importance of this question and in view of the fact that the honourable member Rai Sahib Chaudhri Chhotu Ram who has given notice of these amendments is not present and is not expected to-day, any other honourable member of this House will be allowed to move those amendments?

¹ That in clause 2 the present explanation be described as "Explanation (a)" and the following be added as explanation (b) :—

"Explanation (b) : Ordinary expenses of cultivation, in the case of self-cultivating land-owners include :—

- (1) items 1, 2, 3, 4, 5, 8 and 11 enumerated in Explanation (a), and
- (2) cost, maintenance and depreciation in respect of implements,
- (3) cost, maintenance and depreciation in respect of necessary animal power,
- (4) normal wages for such members of the family of the land-owner as actually assist in the operations of husbandry."

Mr. President : On that point I have twice made an announcement and I leave it now to the honourable members to avail of it or not.

Chaudhri Afzal Haq : I will move amendment No. 2 and I will withdraw the other amendments.

The Honourable Mian Sir Fazl-i-Husain : It is useless unless amendment No. 6 is moved.

Mr. President : I have tried to make it clear to the honourable members of the House that, while a member cannot be allowed to move an amendment standing in the name of another, it is open to a member to adopt as his own an amendment of which an absentee member has given notice, provided he gives it to me in writing.

Chaudhri Afzal Haq handed over the amendment to the President.

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

“ That in clause 2, in the explanation, the words ‘ in the case of rent-receiving land-holders ’ be inserted between the words ‘ cultivation ’ and ‘ include ’ ”.

Sir, I do not think it necessary to make any speech while moving this amendment. It has already been thoroughly discussed and I hope that the Government will not find it difficult to accept it.

Mr. President : Clause under consideration, amendment moved :

“ That in clause 2, in the explanation, the words ‘ in the case of rent-receiving land-holders ’ be inserted between the words ‘ cultivation ’ and ‘ include ’ ”.

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, I have already explained to the House that the subject of this amendment was thoroughly discussed in the select committee and that, besides the official members, the majority of the non-official members of the committee did not agree to have this amendment made in the Bill. They were of opinion that if the change, contemplated in the amendment, was introduced, it will prove harmful to the interests of the zamindars. On making enquiry from some of the zamindar members yesterday I found that they were also opposed to such a change being made. One of the reasons why this innovation does not find favour with them is that they apprehend that the settlement officers are likely to exact higher rate of land revenue from the land-holders than from the tenants in spite of the explanation added to this clause by the select committee. Under the circumstances, I do not think there is any justification for making the proposed amendment.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, I am really at a loss to understand the attitude taken up by the Honourable Member for Revenue. Only a few minutes ago he was kind enough to suggest that amendment No. 6, which I was going to move, would be useless unless the present amendment was moved and accepted. I do not know why the Honourable Member refuses to accept the amendment when both the parties concerned, that is the Government and the non-official members, are in favour of this amendment being made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I am sorry to find that the honourable mover has not understood my point of view. I have clearly told him that the majority of the non-official members of the Select Committee were opposed to this amendment being made and I do not think that any one of them has since changed his opinion. Besides one honourable member has told us even to-day in his speech that the proposed change, if introduced, will adversely affect the interests of the zamindars and I may tell him that there are many other members holding this view. In the face of all this, I do not know how the honourable mover can say that the members or even the majority of the members of the Council are for making the amendment. I am sure that my reason for not accepting the amendment was not fully understood. Now that I have made my position clear once more, I hope that the amendment will be withdrawn.

Mr. President: Clause under consideration, amendment moved—

"That in clause 2, in the explanation, the words 'in the case of rent-receiving land-holders' be inserted between the words 'cultivation' and 'include'."

The question is that that amendment be made.

The motion was lost.

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

"That in clause 2, at the end of paragraph (11) of the explanation to new clause (18), the words 'and gathering crops' be added."

Sir, I notice that while the select committee in explaining the words 'ordinary expenses of cultivation' has included almost all important items of expenditure connected with the cultivation of crops, it has altogether ignored to mention any item of expenditure incurred in gathering crops. Surely some expenses are incurred in gathering crops. For example, the reaping and thrashing of crops require some labour and consequently certain amount of expenses. But no mention of these expenses has been made in the explanation. In my opinion, unless the various items of expenditure connected with the gathering of crops are included in the explanation, the explanation, as it stands, is of no great use.....

Mr. President: Will the honourable member please explain himself a little more clearly?

Chaudhri Afzal Haq (continued in Urdu): Sir, my contention is that in order that there may be no mistake in determining the nett assets, the expenses incurred in gathering crops should also be deducted and it is why I have asked that a provision to that effect should be made in the Bill.

Mr. President: Clause under consideration amendment moved:

"That in clause 2, at the end of paragraph (11) of the explanation to new clause (18), the words, 'and gathering crops' be added."

The question is that that amendment be made. Does the honourable member mean that land-owners sometimes share the expenses of gathering the crops sown by the tenants? Is that what the honourable member means?

Chaudhri Afzal Haq: No.

Mr. President: If this is not his meaning, the amendment is irrelevant. The explanation says, "Ordinary expenses of cultivation include

payments, if any, which the land-owner customarily bears whether in kind or in cash either in whole or in part in respect of". So it is the expenses which are borne by the land-owner, whether in whole or in part, which are referred to here and I do not think that land-owners bear, as a rule, any expenses of gathering the crops sown by tenants. Thus the amendment appears to be based on a misapprehension.

Mr. H. W. Emerson : Sometimes they are included in the common share.

Mr. President : Then the amendment is relevant.

Chaudhri Afzal Haq : Then I will not pursue my amendment.

Mr. President : The Government itself is conceding the point.

The Honourable Mian Sir Fazl-i-Husain : I want to be clear whether the honourable member wishes to proceed with his amendment or not. If he does not then naturally the matter ends; if he does, then it is for Government to decide in what way to deal with the amendment.

Mr. President : It is not a question of deciding what to do. The honourable member has moved an amendment which has been proposed from the chair and unless it is withdrawn by leave of the House, it is before the House.

The Honourable Mian Sir Fazl-i-Husain : I understand the technical part of it. But if the honourable member is not keen on it, it may be dropped.

Mr. President : I do not think it is fair on the part of the honourable member, after the statement made by the Chief Secretary, who has been a settlement collector, to suggest that the amendment be withdrawn.

The Honourable Mian Sir Fazl-i-Husain : But our position is that what is put down in clause 11 does cover the intention of the honourable member; but if he still feels that it does not cover, we are prepared to make it more explicit.

Mr. President : Has the honourable member (Chaudhri Afzal Haq) followed what the Honourable Revenue Member has just said? He says that the position of the Government is that this expense is sometimes borne by the land-owner and it is included in the expenses enumerated in the explanation and that, therefore, the proposed addition is unnecessary.

The Honourable Mian Sir Fazl-i-Husain : But if honourable members are keen to make it more explicit Government has no objection.

Mr. President : The Government appears to have gone too far to recede. Their position is that the amendment in question is already covered by the explanation; but that if the mover insists on its adoption there is no objection.

Sardar Ujjal Singh (Sikh, Urban) : The cost of reaping the wheat crop is borne by the land-owner and the tenant; it is shared by them jointly. In the case of cotton also it is shared by the land-owner and the tenant; so that the cost of gathering has got to be considered.

The Honourable Mian Sir Fazl-i-Husain : Our point is that it is already covered by the explanation, but if they want it more explicitly, we have no objection to make it so.

Mr. President : As to whether such an alteration should be made or not will be seen to when consequential and formal changes are considered by the committee appointed under Standing Order 50. At present we might proceed with the amendment and see if it is acceptable to the House.

The Honourable Mian Sir Fazl-i-Husain : In that case, subject to drafting alterations, "and gathering crops" might be added to clause 11 where the mover has suggested it.

Mr. President : Clause under consideration, amendment moved :

"That in clause 2, at the end of paragraph (11) of the explanation to new clause (18), the words 'and gathering crops' be added."

The question is that that amendment be made.

The motion was carried.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan) Rural] (Urdu) : Sir, I beg to move—

"That in clause 2, new clause (18), Explanation, after (11) add:

'(12) amount of interest on the advances made to the tenants.'"

Sir, anybody who has even a nodding acquaintance with conditions obtaining in rural areas, must be aware of the fact, that land-holders in general and of *chahi* tracts in particular, have to provide large sums of money for distributing amongst the tenants as advances without interest. The reason for providing this facility is quite apparent. There is always a dearth of tenants in the villages in general and in *chahi* tracts in particular, with the result that unless land-holders give them this concession, they refuse to work. And the land-holders who have not money enough to meet the demand of their tenants resort to *sahukars* for money and although they have to pay interest on the money so borrowed, they lend it to the zamindars without interest. I, therefore, submit, Sir, that as the making of advances to the tenants without interest is inevitable for land-holders in their own interest, and as they have to bear huge expenditure in this connection, the Government would kindly include this expenditure in the 'ordinary expenses of agriculture' and thereby earn the good wishes of the land-holders. Sir, it may not be out of place to mention that these advances to the tenants without interest, are not given for purposes of agriculture only, but also to meet contingencies like marriage and funeral ceremonies, etc. If, Sir, the money that land-holders have to lend to their tenants in this connection were to be invested in some profitable business, would it not tend to ameliorate their conditions vastly? With these few remarks, I commend my amendment to the Government and trust that in view of the fairness of the demand, the Honourable Revenue Member, would readily accept it.

Mr. President : Clause under discussion, amendment moved :

"That in clause 2, new clause (18), Explanation, after (11) add:

'(12) Amount of interest on the advances made to the tenants.'"

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, the amendment moved by the honourable member from Shahpur West seems to me very fair and equitable, and I shall be glad to incorporate it in the Bill, provided he satisfies me on one or two points. The first point, on which I desire him to throw light, is whether, when advances for seed are made to the tenants, any interest is charged from the tenants or not?

Khan Bahadur Mian Muhammad Hayat, Qureshi: I beg to submit, Sir, that tenants get advances without interest not only for seed, but also for purchase of cattle and celebration of marriages, etc.

The Honourable Mian Sir Fazl-i-Husain: Sir, the second point with respect to which I seek light and elucidation, is whether land-holders really make advances to their tenants without interest for the aforesaid purposes.

Khan Bahadur Mian Muhammad Hayat, Qureshi: Sir, I beg to assure the Honourable Revenue Member that land-holders do make such advances to their tenants. Not only this, these land-holders make advances to their tenants for other numerous purposes also.

The Honourable Mian Sir Fazl-i-Husain: Sir, I am very glad to hear this, but at the same time let me tell all concerned that the Government would deduct from 'the ordinary expenses of cultivation' only such sums which land-holders bear by way of interest on advances to their tenants for purposes of agriculture only and not for any other purpose like marriages and other things as detailed by the honourable mover. With these remarks, I accept the amendment.

Mr. President: Clause under consideration, amendment moved:

"That in clause 2, new clause (18), Explanation, after (11) add:—

'(12) Amount of interest on the advances made to the tenants.'"

The question is that that amendment be made.

The motion was carried.

Mr. President: The question is—

"That clause 2 as amended stand part of the Bill."

The motion was carried.

The Council then adjourned till 9 A.M. on Monday, the 7th May 1928.

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FUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 7th May 1928.

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

STARRED QUESTIONS AND ANSWERS.

ABIANA IN DIPALPUR TAHSIL.

***1322. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state—

- (a) the present rate of *abiana* on various crops in Dipalpur tahsil, district Montgomery;
- (b) whether Government is considering the advisability of enhancing water rate in that tahsil;
- (c) what the enhanced water rate will be;
- (d) whether Government received representation from the zamindars of that tahsil protesting against the enhanced water rate;
- (e) the action which Government proposes to take on that representation?

The Honourable Mian Sir Fazl-i-Husain : (a) The portions of the Dipalpur tahsil irrigated from the Dipalpur Canal, Sutlej Valley Project, and the Lower Bari Doab Canal pay the water rates according to the Schedule published in Irrigation Branch Notifications No. 1841-R.-I., dated the 12th December 1927, and No. 0164-R.I., dated the 20th July 1927, respectively. The former is the ordinary schedule, the latter is the same increased by Re. 1-4-0 per acre on account of share of land revenue, which is as a matter of convenience collected in this way.

- (b) No.
- (c) Does not arise.
- (d) No.
- (e) Does not arise.

ZAMINDARS OF KHAWAJA BAINS.

***1323. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state whether the Government received a representation in the month of March 1928 from the zamindars of Khawaja Bains, tahsil Dasuya, district Hoshiarpur, to the effect that their lands and animals have been washed away by the river? If so, what have the Government done to give relief to the zamindars of the ilaqa?

The Honourable Mian Sir Fazl-i-Husain : Yes. On enquiry Government did not consider any special measures necessary.

DAMAGES BY FLOODS.

***1324. Chaudhri Afzal Haq :** Will the Honourable the Revenue Member be pleased to state the names of those villages that have been damaged by the flood in the years 1927 and 1928 in districts of Hoshiarpur and Ludhiana ?

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.

MAULANA HABIB-UL-RAHMAN.

***1325. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether it is a fact that Maulana Habib-ul-Rahman, who is imprisoned in Rawalpindi jail and who has long been suffering from heart disease, is now in a dangerous state of health and whether the Government is considering the question of releasing him soon ?

The Honourable Sir Geoffrey deMontmorency : The convict referred to has been medically examined and found not to be suffering from heart disease but from nervous and digestive troubles. He is not considered by the Medical Officer to be in a dangerous state of health.

POLITICAL PRISONERS.

***1326. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether Government is aware of the general belief prevailing amongst the public that political prisoners are handcuffed under Government instructions in order to make them feel humiliated ;
- (b) whether it is a fact that in this province even those political prisoners were handcuffed who were respectable and least likely to effect an escape ?

The Honourable Sir Geoffrey deMontmorency : (a) No. -

(b) The honourable member is referred to rules 26·23—24 and 27·9 of the Police Rules and to paragraphs 756 and 757 of the Jail Manual, which contain the instructions on the subject both in regard to convicts and to under-trials. In brief it may be said that there is no discrimination of any kind against " Political Prisoners " in any of these instructions.

DEMONSTRATION AGAINST SIMON COMMISSION.

***1327. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether on the day of the arrival of the Simon Commission in Lahore any demonstration against the Commission was made ;

(b) whether it is a fact that respectable demonstrators were beaten outside Lohari Gate by responsible district and police officers ;

(c) whether the officials who themselves beat the leaders submitted any report as to true facts of Lohari Gate incident ;

(d) If so, whether it will be laid on the table ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) It is not a fact that any responsible district or police officer beat any demonstrator outside the Lohari Gate.

(c) and (d) Do not arise.

Chaudhri Afzal Haq : Will the Honourable Member please say whether any enquiry was made to ascertain the fact whether any responsible district and police officers beat respectable demonstrators ?

The Honourable Sir Geoffrey deMontmorency : Yes.

Chaudhri Afzal Haq : Who made the enquiry ? Was it through any official agency ?

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

UPLIFT OF RURAL PEOPLE.

***1328. Chaudhri Afzal Haq :** Will the Honourable the Minister for Education be pleased to state—

(a) whether it is a fact that the Deputy Commissioner of Gurgaon has published a book for the uplift of rural people ;

(b) if so, whether the book is kept in rural libraries ;

(c) whether the Government is considering the advisability of providing a copy of it to zaildars and lambardars free of cost ?

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

(b) Not at present ; but the question of supplying the book for rural libraries is receiving consideration.

(c) The book has not yet been examined by Government with a view to come to a decision on this point.

POLICE OFFICERS, LUDHIANA.

***1329. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that public agitation is going on in Ludhiana for about a year against certain Police officers ;

(b) whether it is a fact that even the lawyers of very long standing, municipal commissioners and traders, in a deputation made certain allegations with respect to those officers ;

(c) whether the Government has decided to ignore this agitation against officials ?

The Honourable Sir Geoffrey deMontmorency : (a) There was no general agitation against certain Police officers, though some complaints of a vague nature were received against certain Hindu officials.

(b) Certain persons approached the Commissioner who found after enquiry there was no basis for their complaints. At different times two pleaders approached the Finance Member who informed them that if they would refer him to any specific cases and reduce the substance of their complaints regarding these cases to writing, he would have them enquired into. Though many weeks have passed, no communications in writing have been received from the two gentlemen in question.

(c) Does not arise.

POLICE CONSTABLES.

***1330. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) the total number of police constables in the Rohtak district ;
- (b) the total number among constables referred to in (a) who belong to Rohtak, Jhajjar and Sonapat towns, respectively ;
- (c) whether the disproportionately large number of constables from Rohtak, Jhajjar and Sonapat towns was, at any time, felt as inconvenient ;
- (d) whether any, and if so, what steps have been taken to increase the element of rural men in Rohtak police ;
- (e) whether special attention will be paid to the recruitment of constables from rural areas in future ?

The Honourable Sir Geoffrey deMontmorency : The information required by the honourable member is being collected and will be communicated to him as soon as it is available.

SUB-INSPECTORS OF POLICE.

***1331. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) whether it has been laid down as a general principle that no sub-inspector of police should be allowed to serve for more than five years in the same district ;
- (b) whether this principle extends to the case of head constables also ;
- (c) whether if a head constable is promoted to be a sub-inspector, he is allowed another period of five years ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

(b) and (c) Do not arise.

SUB-INSPECTORS OF POLICE.

***1332. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

- (a) whether the Government has accepted it as a general principle that a sub-inspector of police should not be allowed to serve in his own native district ;
- (b) if the information suggested in (a) is not well founded, whether the Government intends to consider the advisability of adopting this principle ;
- (c) how many sub-inspectors in the Rohtak district belong to that district and whether the Government intends to apply to them the principle referred to in (a) ?

The Honourable Sir Geoffrey deMontmorency : The information required by the honourable member is being collected and will be communicated to him as soon as it is available.

EXTRA ASSISTANT COMMISSIONERS.

***1333. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the total number of Extra Assistant Commissioners in the province ;
- (b) the total number of agriculturists from Rohtak, Hissar, Karnal and Gurgaon districts among these Extra Assistant Commissioners ;
- (c) the number of agriculturists from the province of Delhi (excluding Delhi city) among the Extra Assistant Commissioners ?

Mr. H. W. Emerson : (a) On the 1st May 1928, there were 281 Extra Assistant Commissioners whose names are borne on the cadre of the Provincial Civil Service, including officers on deputation and foreign service.

(b) and (c). As the honourable member is aware, the census by 'agriculturists' has been abolished. The number of Extra Assistant Commissioners who are members of notified agricultural tribes of the districts in question is 10. The similar number from the Delhi Province is 2.

EXTRA ASSISTANT COMMISSIONERSHIP.

***1334. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the number of candidates accepted directly for the post of Extra Assistant Commissioner at the last selection ;
- (b) the number of accepted candidates referred to in (a) belonging to Rohtak, Hissar, Karnal and Gurgaon districts and rural portion of the Delhi Province, classified as agriculturists and non-agriculturists ;
- (c) the number of years which the candidates accepted in (a) took in obtaining their B.A. degree after passing their matriculation examination ?

Mr. H. W. Emerson : (a) Thirteen candidates were provisionally selected last March, out of whom 10 have since been admitted to the Punjab Civil Service and posted out for training. One selection has been cancelled on account of the age of the candidate and two candidates have to undergo further medical examination.

(b) One, who has been posted out. He is a member of a notified agricultural tribe.

(c) It is regretted that this information is not available and Government does not propose to collect it as the time and trouble involved would not be commensurate with the results.

TAHSILDARS.

***1335. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

(a) the total number of tahsildars in the province ?

(b) the total number of agriculturists from Rohtak, Hissar, Karnal and Gurgaon districts and the rural portion of the Delhi Province holding the post of tahsildars ?

The Honourable Mian Sir Fazl-i-Husain : (a) There were 102 permanent tahsildars in the province in the beginning of the year, of whom 65 belonged to notified agricultural tribes.

(b) 18.

RECRUITMENT FOR SERVICES.

***1336. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state—

(a) whether there is a Government circular laying down the principle that for purposes of Government employment preference will, with due regard for efficiency, as far as practicable, be accorded to those whose near relatives have served, been killed or wounded in the Great War.

(b) whether the degree of relationship referred to in (a) has been specified, and, if so, what it is, and if not, whether the Government intends to specify it now ?

The Honourable Sir Geoffrey deMontmorency : (a) Save in exceptional cases preferential treatment in the matter of granting civil employment is not accorded to the near relatives of ex-soldiers as such but only to those whose near relatives have rendered approved service during the Great War in the combatant ranks, provided they are otherwise qualified.

(b) A copy¹ of the relevant orders giving the information is placed on the table.

MEN KILLED OR WOUNDED IN THE WAR.

***1337. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state the number of Jat graduates in Rohtak,

¹ Vide paragraphs 3 and 4 at page 403 ante.

Hissar, Karnal and Gurgaon districts and Delhi province, respectively, whose fathers, grandfathers, fathers' brothers, brothers or first or second cousins served, were wounded or were killed in the Great War?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the information required by the honourable member is not available.

KHALSA HIGH SCHOOL, RUPAR.

***1338. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the grounds on which the application of the Khalsa High School, Rupar, for recognition was rejected?

The Honourable Mr. Manohar Lal : Recognition was refused because the Department was not convinced of the need of a separate Khalsa High School at Rupar.

EDUCATION.

***1339. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

(a) whether Gurgaon is a backward district educationally;

(b) whether Ahirs are a backward class educationally?

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

(b) Yes, they are so treated in the list of educationally backward classes prepared by the Department recently.

AHIR HIGH SCHOOL, REWARI.

***1340. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

(a) whether an Ahir High School was started at Rewari in 1926;

(b) whether this school applied for recognition and was refused recognition;

(c) whether this application was forwarded by the Inspector with his recommendation to the Director of Public Instruction;

(d) if the Inspector refused to forward this application, what are the grounds for such refusal;

(e) if the Inspector forwarded the application, what are the grounds for the Government having refused recognition?

The Honourable Mr. Manohar Lal : (a) The School was started in 1925.

(b) The application for recognition was received in February last and is under consideration.

(c) Yes.

(d) Does not arise.

(e) Does not arise.

VERNAICULAR MIDDLE SCHOOL.

***1341. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of vernacular middle schools in the province teaching English as an optional subject ;
- (b) what is the opinion of the Inspectors about the arrangement referred to in (a) ;
- (c) whether the district boards have ever been invited to express an opinion about the usefulness of the arrangement referred to in (a), and if not, whether it is intended to invite their opinion now ?

The Honourable Mr. Manohar Lal : (a) 122.

(b) We have no such opinions in any formal or definite shape available.

(c) No. The honourable member's suggestion will be taken into consideration.

MIDDLE SCHOOL AT KOSLI.

***1342. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

- (a) the total number of students in the Middle school at Kosli, in the Rohtak district ;
- (b) the distance of Kosli from the nearest high school ;
- (c) whether the inhabitants of Kosli have ever made a representation pressing for the conversion of their present school into high school, and if so, whether the Government intends to give a high school to Kosli, and if it does not intend to do so, what are the grounds for not doing so ?

The Honourable Mr. Manohar Lal : Permission for the addition of High classes to the District Board Anglo-vernacular Middle School, Kosli, District Rohtak, has already been granted.

TEXT BOOK COMMITTEE.

***1343. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

- (a) whether it is a fact that there is a paucity of rural members on the Text-Book Committee ;
- (b) whether it is a fact that the Text-Book Committee prescribes text-books for schools in rural areas as well as those in urban areas ;
- (c) whether he intends to take any steps to secure rural representation on the Text-Book Committee, and if not, why not ?

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

(b) Yes.

(c) Does not arise.

DISTRICT INSPECTORS.

***1344. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state—

- (a) the total number of district inspectors in the province and the number of agriculturists among them ?
- (b) the number of agriculturists among the district inspectors serving in the Ambala division ;
- (c) the number of agriculturists among inspectors and deputy inspectors of schools, respectively, in the province ?

The Honourable Mr. Manohar Lal : In view of the answers to Council questions Nos. 1961-1975,¹ given on 14th December, 1925, it is not proposed to collect the information.

INSPECTORS OF EXCISE.

***1345. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Agriculture kindly state—

- (a) the number of Inspectors of Excise serving in the Ambala division and the number of agriculturists among them ;
- (b) the number of Sub-Inspectors of Excise serving in the Ambala division and the number of agriculturists among them ?

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

MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.

***1346. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Agriculture kindly state the number of students reading in the MacLagan Engineering College, Mughalpura, and the number of those among them who come from the Ambala division ?

The Honourable Sardar Jogendra Singh : The number of students now reading in the MacLagan Engineering College is 241 and of these 5 are from the Ambala division.

ZILLADARS.

***1347. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) the number of zilladars appointed this year ;
- (b) the number of those appointed zilladars this year directly and of those who were selected from among the munshis serving in the Irrigation department or from among the ministerial staff in other departments ;
- (c) the number of zilladars which have gone to men of Ambala division this year by direct appointment and by promotion, respectively ?

¹ Vol. VIII-B, pages 1167-81 and page CXXI, Appendix VIII.

The Honourable Mian Sir Fazl-i-Husain : Assuming the Honourable member refers to the year commencing 1st January 1928, replies are as follows :—

- (a) 31.
- (b) 19 and 12 respectively.
- (c) This information is not yet available.

CHAHI RATES.

***1348. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) whether the Government has ever made an attempt to estimate the loss of revenue which would accrue if *chahi* rates were abolished, and if so, what is the amount of the estimated loss ;
- (b) whether the Government has ever made an attempt to estimate the loss of revenue which would accrue if revenue on all holdings now assessed to an annual revenue of Rs. 5 were foregone, and if so, what is the estimated loss ?

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

(b) No.

ELECTIONS FOR THE LEGISLATIVE COUNCIL.

***1349. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state—

- (a) what is the total number of voters in the Punjab who are entitled to vote at the elections to the local council ;
- (b) what is the total number of persons among the voters referred to in (a) who derive their right of vote from the payment of land revenue ?

The Honourable Mian Sir Fazl-i-Husain : (a) 708,828 ;

(b) Figures are not separately available.

VOTERS FOR THE LEGISLATIVE COUNCIL.

***1350. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state the percentage of voters who went to the polls in—

- (a) rural areas, and
- (b) urban areas in 1920, 1923 and 1926, respectively, in the Punjab ?

The Honourable Mian Sir Fazl-i-Husain : The percentage of electors who polled in contested general constituencies in the three elections is as below :—

			1920	1923	1926
(a) Rural	..	..	86.6	46.9	51.5
(b) Urban	..	..	8.5	60.1	54.8

EDUCATION.

***1351. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Minister for Education kindly state the number of students receiving education at the various recognised schools in the Punjab in 1921 and 1927, respectively, the proportion which this number bears to the total population?

The Honourable Mr. Manohar Lal : The required figures are given in "General Table I" given in the Education Report for 1920-21, and the "General Summary" given on pages 1-3 of the Quinquennial Report recently published for 1926-27. They are tabulated below:—

<i>Scholars in recognised institutions.</i>	<i>Percentage to total population.</i>
On 31st March, 1921 500,887	2.42
On 31st March, 1927 1,086,087	5.25

UNSTARRED QUESTIONS AND ANSWERS.

ELECTION TO LOCAL BODIES.

693. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state—

- if he is aware of corrupt practices freely resorted to in elections to local bodies especially district boards;
- whether the local Government ever took action on its own initiative under rule 59 of the District Board Election Rules;
- whether it ever requested the police and other officers to report on the subject of corrupt practices;
- whether it is the intention of Government to ask for such a report in future?

The Honourable Malik Firoz Khan, Noon : (a) Government are aware that allegations are frequently made as to corrupt practices at elections, but not with particular reference to district board elections.

(b) The rule in question came into force only on 1st November 1927, and no enquiry has so far been ordered under the rule.

(c) No.

(d) Local officers are already required to comment on elections in their annual reports on local bodies in their districts, and Government therefore see no occasion to call for any other special report.

LUDHIANA DISTRICT BOARD.

694. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government be pleased to state with reference to question No. 12426 put on the 11th December 1925 whether necessary steps to trace out the said report or re institute an enquiry into the whole matter have been taken? If not, why not?

The Honourable Malik Firoz Khan, Noon : Efforts were made to trace out the report in question but, as already stated, there is no record of any such report ever having been submitted. The question of reinstituting an enquiry into the whole matter is one for the district board to take up.

PANCHAYATS.

695. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state the number of panchayats established in *ilagas* under the jurisdiction of honorary magistrates in the Punjab districtwise; and whether it is the intention of Government to encourage panchayats particularly in *ilagas* under the jurisdiction of honorary magistrates?

The Honourable Malik Firoz Khan, Noon : Government have no information, and do not consider that it would serve any useful purpose to collect it. It is the intention of Government to encourage panchayats equally in all parts of the province.

696. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable the Minister for Local Self-Government please state—

- (a) the number and names of villages that applied for panchayats, but were refused in Ludhiana district in 1927 and the cause of refusal;
- (b) if in any of the above villages, majority of landholders objected to the establishment of panchayats; if so, their reasons; whether a majority of landholders objected to in case of Ghalab Kalan, Ludhiana district?

The Honourable Malik Firoz Khan Noon : (a) None.

(b) (i) Does not arise.

(ii) Yes, in 1926.

KARKUNS OF ZAILDARS.

697. Chaudhri Muhammad Abdul Rahman Khan : (a) Is the Honourable the Revenue Member aware of the fact that the posts of Karkuns of Zaildars are not recognised by law or any rule made thereunder?

(b) If so, has the Government issued necessary instructions to remove all such Karkuns? If not, why not?

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

(b) No. There is no need.

MEMORIAL AGAINST KHAN BAHADUR RAI WALI MUHAMMAD.

698. Chaudhri Muhammad Abdul Rahman Khan : (a) Will the Honourable the Finance Member please state whether any memorial reached the Punjab Government on behalf of public, Raekot thana, Ludhiana district, between 31st May 1927 and 4th December 1927 against Khan

Bahadur Rai Wali Muhammad and his son Iqbal Muhammad, both honorary magistrates?

(b) Did the Government enquire into it? If not, why? If it did so, will the proceedings be placed on the table? If not, why not?

(c) Is it a fact that Rai Wali Muhammad, Khan Bahadur, was not given magisterial powers last year? If so, why?

(d) Have the grievances mentioned in those complaints been redressed now?

(e) Why has the said Rai Wali Muhammad been given magisterial powers again?

The Honourable Sir Geoffrey deMontmorency: (a) Two petitions were received, one extensively signed and purporting to be from the Hindu inhabitants of Raekot police station and the other signed by about 10 individuals, although purporting to come from the inhabitants of Raekot.

(b) An enquiry was made into the complaints, and they were found to be baseless. No formal proceedings were recorded as the charges brought against the honorary magistrate and his son were too general to admit of this procedure.

(c) Yes, the renewal of his powers was postponed for a time. This was partly due to the enquiry made into the complaints received against him and partly due to Government having under consideration the question of the advisability of the appointment of near relatives as honorary magistrates in the same neighbourhood.

(d) Does not arise.

(e) Does not arise.

HONORARY MAGISTRATES.

699. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable the Finance Member kindly state—

(a) in what districts of the Punjab both fathers and sons are honorary magistrates in the same *ilaga*;

(b) whether it is a fact that the Government have resolved to have only one magistrate in such cases and remove one, either the father or the son? If not, why?

The Honourable Sir Geoffrey deMontmorency: (a) In the districts of Karnal, Ludhiana, Shahpur and Rawalpindi.

(b) No, but Government have issued instructions that in regard to new appointments no person should be recommended whose father or son is already exercising these powers unless there are any special grounds of public interest to justify it.

HONORARY MAGISTRATES.

700. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable the Finance Member kindly state how many honorary magistrates

[Chaudhri Muhammad Abdul Rahman Khan.]

there are in the Punjab whose fathers, grandfathers and closely related persons were honorary magistrates, and how many persons who are the sons of honorary magistrates have been given magisterial powers during the last ten years ?

The Honourable Sir Geoffrey deMontmorency : It is regretted that the information is not available.

MEMORIAL AGAINST RAI WALI MUHAMMAD.

701. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Local Self-Government kindly state—

- (a) if district board electors of Raekot constituency in Ludhiana district have sent him a memorial stating that honorary magistrate Rai Wali Muhammad of the said *ilaqa* used undue influence in connection with the last district board elections ;
- (b) if it is a fact that he was given magisterial powers only about a week before the poll was to be taken ;
- (c) whether the Government has enquired into the complaints mentioned in the memorial ?

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

- (b) The powers in question were renewed on 27th March 1928.
- (c) Does not arise.

SUPPLY OF MATERIALS THROUGH CONTROLLER OF STORES.

702. Dr. Gokul Chand, Narang : Will the Honourable the Revenue Member be pleased to state—

- (a) if there is a rule that all imported materials required for public works in the province must be procured through the Controller of Stores even when more favourable terms are quoted by private firms ;
- (b) whether the indenting officer has any discretion in placing orders for such materials ;
- (c) whether it is a fact that many officers have complained of late deliveries and excessive prices in the existing method of purchase ;
- (d) the special advantages accruing to the province by the existing method ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. *Vide* rules 8 (a) and (c), 4, 5 and 12 of the rules for the supply of articles for the public service, a copy of which is placed on the table¹.

- (b) Yes, subject to these rules.
- (c) Government is not aware of any general complaint of excessive prices or late deliveries, but there are no doubt isolated cases.
- (d) (i) Convenience.
- (ii) Economy combined with the principle of value for money.
- (iii) Encouragement of industries in India.

¹ Kept in the Library.

EXTRA ASSISTANT COMMISSIONERS.

703. Pir Akbar Ali : Will the Chief Secretary please state—

- (a) whether the Extra Assistant Commissioners appointed before and after 1st April 1921 get increments on different scales ;
- (b) whether there is any differentiation of ability possessed and duties performed by the two sets of Extra Assistant Commissioners mentioned in (a) ;
- (c) if the answer to (a) be in the affirmative, and to (b) in the negative, will the Honourable Member kindly state the reasons for variation in the pay ?

Mr. H. W. Emerson : (a) Yes.

(b) No.

(c) In 1920 the Punjab Government introduced a time-scale of pay for the Provincial Civil Service rising from Rs. 300 to Rs. 850 per mensem, by annual increments of Rs. 40, the result being that the maximum was reached in about the fifteenth year of service. The Government of India represented that this scale of pay was more generous than that prevailing in other Provinces, and that the comparatively early attainment of the maximum was likely to lead to discontent, since except for promotion to the selection grade, it would leave members of the Provincial Civil Service without the prospect of any advancement of pay during the later years of their service. The Punjab Government, therefore, re-examined the question, and with effect from the 1st of April 1921 introduced a new scale under which the annual increments were reduced from Rs. 40 to Rs. 30, with the result that the maximum is now attainable in the 18-19th year of service. Since the previous scale has necessarily to remain in force for those members of the Provincial Civil Service who had been recruited previous to the 1st of April 1921, the consequence is that different scales of pay are in force. It may be observed that in the selection grade (Rs. 900—50—1,200), for which both classes of officers are eligible, no distinction is made.

HOLIDAYS IN CIVIL AND CRIMINAL COURTS.

704. Pir Akbar Ali : Will the Chief Secretary kindly state—

- (a) how many holidays were observed in civil courts during 1927 ;
- (b) how many holidays were observed in the criminal and revenue courts ;
- (c) if it is a fact that civil courts enjoyed more holidays than the criminal and revenue courts ;
- (d) if the answer to (c) be in the affirmative, will the Chief Secretary state reasons for this distinction ?

Mr. H. W. Emerson : (a) One hundred and fourteen inclusive of Sundays, but exclusive of the vacation. When vacation is taken, it is debited against an officer's leave account.

(b) Ninety-six inclusive of Sundays.

[Mr. H. W. Emerson.]

(c) Yes.

(d) It is understood that judges of civil courts utilize holidays in writing judgments which are often long and complicated.

SARDAR HAROHAND SINGH, *ex-M.L.C.*

705. Rana Firroz-ud-Din Khan : (i) Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Sardar Harohand Singh, Rais, Lyallpur, *ex-M. L. C.*, has been refused a passport for going to Tanganyika, (British East Africa) where he wanted to proceed with the object of acquiring some land there ;
- (b) whether the attention of the Government has been drawn to his statement published in the *Tribune*, Lahore, dated the 6th March 1928, and the other vernacular papers of the province ;
- (c) whether the Government is aware of the fact that the said Sardar has never been convicted by any court in any case of any kind ;
- (d) whether the Government is aware of the fact that he is a hereditary Jagirdar, Lambardar, and a big landlord, a licenseholder of gun and revolver, and that he made substantial contributions towards war loan, aeroplane and war relief funds during the Great War ;
- (e) whether the Government is aware of the fact that Bhai Pyara Singh, of Langeri, district Hoshiarpur, convicted in a conspiracy case, and Bhai Gurdit Singh of Sursingh, district Lahore, convicted in a bomb and conspiracy case, were granted passports to go to America and China, respectively ;
- (f) whether the Government is aware of the fact that Lala Lajpat Rai, convicted for political offences, was granted passport to go to Europe ?

(ii) If the answers to the above questions be in the affirmative, will the Government be pleased to explain the reasons of refusing the passport in question ?

The Honourable Sir Geoffrey deMontmorency : Attention of the honourable member is invited to the answer to be given to Council question No. *1408.¹

GOVERNMENT COLLEGE, LUDHIANA.

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

- (a) whether he has received complaints that there is a gang of rowdy students in Government College, Ludhiana ;
- (b) whether one of them was rusticated for serious misconduct ;

¹ Pages 1034-55 *infra*.

- (c) whether that boy with his friends broke all the college doors and windows on the night following his rustication;
- (d) whether the rowdy boys are supported by some members of the staff;
- (e) what action he proposes to take to put an end to this unruly spirit in the college?

The Honourable Mr. Manohar Lal : (a) No such complaint about the existence of a gang of rowdy students has been received.

(b) A student of mischievous propensities, aged about 20, who was exerting improper influence on two younger boys, has been recently expelled for misconduct, and the other two were suitably punished.

(c) No. Some windows were broken and some registers removed or destroyed. The case is with the Police.

(d) Not so far as is known.

(e) There is no evidence of any such general unruly spirit in the college and no special action is called for. The discipline is in the hands of the Principal who is fully competent to enforce it.

GOVERNMENT INTERMEDIATE COLLEGES.

707. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state the number of professors communitywise serving in the different Government Intermediate Colleges in the Punjab with their emoluments?

The Honourable Mr. Manohar Lal : The honourable member is referred to the Consolidated Annual Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government, a copy of which has already been placed on the table.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President : The Council will now resume discussion on the Punjab Land Revenue (Amendment) Bill.

Rana Firoz-ud-Din Khan : Sir, I beg to move—

Insert the following as sub-clause (1) of clause 3 and renumber the existing clause as sub-clause (2) :—

"(2) :—Except in the case of land hereinafter excepted all land, to whatever purpose applied and wherever situate, is liable to the payment of land revenue to the Government.

Exception (1)—Such land as has been wholly exempted from that liability by special contract with the Government, or by the provisions of any law for the time being in force.

Exception (2)—Holdings not exceeding two acres in canal-irrigated areas, and not exceeding five acres in areas where there is no canal irrigation.

Exception (3)—Land under village abadi or required for its extension."

Mr. President : Before the honourable member proceeds further, may I ask him to explain the first part or the opening words of his amendment? It is stated, "Insert the following as sub-clause (1) of clause 3 and

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re-number the existing clause as sub-clause (2).” Will he please amend accordingly the clause as printed in the select committee’s report? Probably he means to replace clause (1) of section 48, but has not expressed himself rightly.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Yes, Sir, I meant to replace clause (1) of section 48 of the Punjab Land Revenue Act, before speaking on the present amendment I want to make clear its meaning. It means that except in the case of land hereinafter excepted all land, to whatever purpose applied and wherever situate, is liable to the payment of land revenue to the Government. The amendment which I have made makes the following exceptions to this general rule:—

(1) Such land as has been wholly exempted from that liability by special contract with Government or by the provisions of any law for the time being in force.

(2) Holdings not exceeding two acres in canal-irrigated areas, and not exceeding five acres in areas where there is no canal irrigation.

(3) Land under village abadi or required for its extension.

The controversy about the land revenue is a very old one. One party says that land is the property of the State and therefore the Government is entitled to demand revenue as rent. The other party is of the opinion that land is the property of the sons of the soil and hence the State can only impose a tax on it. But this controversy has been set at rest by the report of the Indian Taxation Enquiry Committee, which has held that the people of the country being the descendants of ruling tribes are its rightful owners. But I don’t want to enter into an elaborate discussion on this subject. Suffice it to say that land revenue is not a rent but a tax. In levying a tax the ability of the tax payer should not be lost sight of. The ability to pay is the most essential thing in taxation. We should always tax him according to his ability to pay. But I am conscious that this principle cannot be very strictly enforced in the case of land revenue without upsetting the whole administration. For, if all incomes under two thousands derived from cultivation were to be exempted, as in the case of income-tax, the present revenue of the province would divindle down very much. It will probably become one-tenth of the existing amount. Out of the 18 crores of revenue, about 8 crores come from land revenue, and if this principle of income-tax were to be applied to it, there will be left only one crore or so. Therefore we cannot enforce this principle very strictly. But if we can’t enforce it very strictly, we should at least exempt the owners of small holdings from paying land revenue. I don’t want to enforce it very strictly, nor do I want to drop it altogether. What I want is to strike a middle course between the two extremes.

Secondly, I want that the land under village abadi or required for its extension should also be exempted from paying revenue. Under the present system of taxation this land also pays revenue. I feel that the Government would be willing to accede to this demand.

The chief point is the exemption of the owners of small holdings from paying land revenue, and I hope that the Government will be kind enough to grant this much.

Mr. President : Clause under consideration, amendment moved—

"In place of existing clause (1) of section 48 of the Land Revenue Act, the following be substituted :—

'Except in the case of land hereinafter excepted all land, to whatever purpose applied and wherever situate, is liable to the payment of land revenue to the Government.

*Exception (1).—*Such land as has been wholly exempted from that liability by special contract with the Government, or by the provisions of any law for the time being in force.

*Exception (2).—*Holdings not exceeding two acres in canal-irrigated areas, and not exceeding five acres in areas where there is no canal irrigation.

*Exception (3).—*Land under village abadi or required for its extension."

The question is that that amendment be made. I may point out that exception (1), if I understand it rightly, is covered by the existing clause (1) of section 48. So speaking correctly exceptions (2) and (3) only are the newly proposed exceptions and, therefore, these only are to be discussed.

The Honourable Mian Sir Fazl-i-Husain : May I ask whether they are liable to be discussed and voted upon together or separately.

Mr. President : Separately ; I do not propose to put them together.

The Honourable Mian Sir Fazl-i-Husain : I take it, Sir, that you have ruled that for the present it is exception (2) which is under discussion.

Mr. President : I have no objection to both the exceptions being discussed together, but they will be put separately to the vote of the House.

The Honourable Mian Sir Fazl-i-Husain : I should like to have them discussed separately and voted upon separately.

Mr. President : Very well. The House might discuss exceptions (2) and (3) separately.

The Honourable Mian Sir Fazl-i-Husain : That would help everybody.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural], (Urdu) : Sir, I will only deal with exception (2).

My learned friend says that holdings not exceeding two acres in canal-irrigated areas and not exceeding five acres in areas where there is no canal irrigation should be exempted from the payment of land revenue. If my honourable friend's wish were to be granted, then who would meet the shortage which would accrue thereby in the income of the Government ? If the Government were to exempt the petty landholders from paying land revenue, then surely there will be a great deficiency in income, it is impossible for the Government to carry on its work with less income.

It would have been alright if my honourable friend had suggested some method to make up the deficiency, but I am sorry to say that he has failed to do so. I beg to suggest that the tax of the petty landholders should

[Rai Bahadur Lala Sewak Ram.]

be added to the tax of big zamindars. If you do so, the income of the Government will remain intact and the small landholders will also be saved from paying the land revenue. This is the only solution.

Mr. President : I wish to point out to the honourable member that the question as to how the alleged deficiency is to be made up is not at this moment before the House.

Rai Bahadur Lala Sewak Ram : If my suggestion is agreed to, then I will support the amendment, otherwise I beg to oppose the said amendment as it stands.

Sirdar Hira Singh [Lahore (Sikh), Rural] (Urdu) : Sir, I very strongly support the amendment moved by my honourable friend. The plight of the poor zamindars is very pitiable. They can hardly keep their body and soul together. The income from the petty holdings is quite insufficient to support them. They cannot pay the revenue. At the time of the payment the poor wretches pawn their things to meet the demands. Those who can easily pay the tax why should not this burden be thrown on their shoulders. I do not mind if the Government taxes the big zamindars in the place of these petty landholders. These big zamindars should be made to pay, because they can easily pay. They can pay without any inconvenience to them, while these poor petty landholders pay the revenue by cutting down the very necessities of life. But for the present we should leave this discussion. We should not say anything as to who should bear this extra burden. Let us see first, what steps the Government proposes to take in connection with the amendment moved by Rana Sahib.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] (Urdu) : Sir, nobody will deny the fact that the amendment, which is moved by Rana Sahib, is of great importance for the zamindars.

It has been opposed on the ground that if the petty landholders were to be exempted from paying land revenue, how will the Government meet the deficiency which will thereby occur in the Budget? The honourable members who stand to oppose this do not mean to make a new amendment, but their object is to frighten the big zamindars and they do so by saying that if the petty landholders are exempted from paying land revenue, this extra burden will fall ultimately on their shoulders. I am at a loss to understand their point, because if a man is incapable of paying any tax, how can the burden fall upon him? Sir, the Honourable Home Member declared that the yearly income of an average zamindar is Rs. 9. Now a man whose income is only Rs. 9, how can he be deemed fit and capable of paying any tax. I have investigated from reliable sources that the average yearly income of a zamindar is Rs. 36. Not that every member of the family enjoys that income, but only that adult which goes to the field and works there. Now, Sir, one who earns this meagre income is not a fit person to be taxed. Suppose, Sir, that I have only Rs. 2 with me. It will pinch me very much if I were to give away annas 8 out of those Rs. 2 as a tax.

I am at a loss to understand why all this burden should fall on the shoulders of poor zamindars. The Government is aware of the pitiable condition of the poor zamindars. It knows that they are groaning under the heavy weight of indebtedness. Yesterday it was said that zamindars, in order to support themselves, are being compelled to sell their daughters and sisters even. These petty landholders haven't even sufficient bread to eat, then why should they be tortured any more? Why should they be ordered to pay land revenue, when these poor fellows have not even got enough to eat? They should be left alone. They should be shown some mercy. If a shopkeeper who earns less than two thousands is exempted from paying income-tax, why should not that zamindar be exempted who only earns about two hundred rupees. If you say that it is so because the shopkeeper earns that much from his own capital, we can very safely say the same thing in the case of the zamindars, because they also earn from their own capital. It is now decided that land is not the property of the State. If land were the property of the State, then the Government would be justified in taxing it in any way it liked. A labourer who earns a wage at the rate of Re. 1 a day is exempt from paying any income-tax, but on the other hand, a zamindar whose yearly income is Rs. 36 is made to pay land revenue. Is it fair? The Government feels the necessity of doing justice to the small landholders. The big zamindars under cover of the name of small landholders enjoy every sort of advantage themselves. I submit, Sir, that the Government, in order to help the owners of small holdings, should pass this amendment, otherwise the case will be—

”دگر زمین دوزخے پیرنے ۛ مہ لہیں قابل

جو اکیہ ہی سے نہ ٹیکا تر ہزار لہو کیا ۛ

I have every hope that the Government will accept this amendment, because a similar amendment, which was moved by my honourable friend Chaudhri Chhetu Ram, invited great sympathy from the Government. At that time I did not press the Government too much, because I knew that another amendment is coming. Sir, with these words I strongly support the amendment with all the force at my command and I ask the Government to accept it.

Mr. E. Maya Das (Nominated, Non-official); Sir, it has been repeatedly urged with great force that the petty landholders should not be burdened with taxation, but it would be more correct to take up the position that no person shall be called upon to carry a burden of which he is incapable, because if a man has no means whereby to pay, then a tax of even a single pie is too great for him. But on the other hand, if there be a man who has been taxed howsoever small the amount may be, and if he has the ability to pay, then there is no reason why he should be exempted, and the State be deprived of his contribution.

We should never lose sight of the fact that it is the small amounts coming from the public in the shape of land revenue, taxes, fees, etc., that go to build up the larger portion of the revenues of the State, and which

[Mr. E. Maya Das.]

are required for the carrying on of the work of the Government. For instance in the Railway Department it is the 3rd class passengers rather than the 1st class, that contribute the larger portion of the revenue. In the same way is the duty on salt. Although the amount which the individual has to contribute is very small, these amounts when put together grow into a very large sum.

For these reasons to make a rule that the owners of five or two acres of land be exempted from payment of land revenue is not fair, because not only would the State be deprived of a very large contribution, but on the other hand there are many cases, where the owners of small holdings are able to make comparatively large profits.

Some speakers have pointed out, that in the case of income-tax persons having an income of less than two thousand are exempt and therefore by analogy some consideration should be shown to zamindars having small incomes. But one of the reasons why persons with incomes below Rs. 2,000 are exempted is that the difficulties and cost of assessment and realisation as well as the trouble to all concerned would be out of proportion as compared with the amount realized, and that is why this exemption is allowed.

For these reasons I oppose the amendment.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders, General] (Urdu): Sir, I have great sympathy with the object underlying this amendment. But I feel that before voting on the subject under discussion, the honourable members of this House should realise their responsibility in this matter. The first question which arises in this connection is that if land revenue were not assessed upon the owners of small holdings what would be the amount of loss to Government; and the next question is as to how this loss would be made up. In some districts of the Punjab there is a proposal to fix local rate on a graduated scale. The owners of smaller areas to pay at a lower and those of larger areas to pay at a higher rate, so that the loss which accrues to a district board on the one hand may be made up by increasing the rate in the case of the richer people. This proposal has not yet reached its final stage, and the matter has not been decided. When the matter is decided and a graduated scale for local rate is introduced, it would be time to see whether it gives general satisfaction. If this proposal proves a success then it would be open to any member of this Council to bring forward an amending Bill by means of which he can introduce a similar graduated scale for land revenue. As matters stand at present, it is difficult to estimate the loss in revenue to Government. Also, we are not yet in a position to say as to what means should be adopted for recouping this loss. Besides that we are not certain as to whether this proposal will commend itself to the public as a whole. Under the circumstances, I would ask the honourable mover to wait for sometime and see whether the proposal regarding the assessment of local rate on a graduated scale succeeds or not. With these words, Sir, I request the honourable mover to withdraw his amendment.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] (Urdu): Sir, there is no denying the fact that under the existing arrangements the small cultivators are experiencing great difficulty in making the

two ends meet. They have to toil like slaves, so as to be able to pay the Government demand. They would be perfectly justified in demanding that just as people whose incomes are below Rs. 2,000 are exempted from the payment of the income-tax, similarly they should also be exempted from the payment of land revenue. This, however, does not mean that we should put forward impracticable and illogical schemes for affording relief to them.

My honourable friend, the mover has moved this amendment with a view to lighten the burden of poor cultivators, but there are certain very grave issues involved in this amendment, and I would ask him to withdraw his amendment. I think it sufficient that he has brought this matter to the notice of the Government, and he has made the Government members realise the disabilities and injustices under which the small holders are labouring. It is now for the Government to find ways and means for getting out of this difficulty. My honourable friend wants to exempt from the payment of land revenue holdings not exceeding two acres in canal irrigated areas, and not exceeding five acres in *barani* and *chahi* areas. But in proposing this amendment he probably failed to take account of the fact that even bigger holdings are becoming smaller by the process of fragmentation, and if the number of small holdings goes on increasing the principle proposed in this amendment would become impossible of application, for the simple reason that Government cannot afford to forego entirely the revenue from land.

He also failed to take cognisance of the fact that by the introduction of improved methods of agriculture, the produce of our lands is bound to increase, and it is just possible that we may be getting in the future as much out of a holding of two acres as we are now getting from a holding covering an area of 10 acres, and then we shall feel that we made a mistake in exempting holdings of two acres.

Then there is another thing to which he has not paid attention. There are certain tribes, e.g., the Arains and Sainis who by dint of their labour are getting much more out of their small lands than many other tribes get out of their large areas and if the Arains, etc., are allowed to take advantage of the concession proposed, they would be deriving undue benefit as compared with other agricultural tribes.

Then there are some districts, where the process of fragmentation of holdings has reached the highest pitch. If this amendment is carried, it will have the effect of exempting such districts from the payment of land revenue and their share of the burden will have to be borne by other districts.

I hope that the honourable mover is convinced of the futility of his amendment and that he will see his way to withdraw it.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural] (Urdn): Sir, I am glad to find that the motion under consideration is being opposed in a wheedling manner. It is, however, the duty of the members not to be led away by the silky speeches of the opponents of this motion. It is undoubtedly true that this motion is an important one and that the arguments advanced against it are not very weighty. One of the arguments put forward is that since people whose income is below Rs. 2,000 are exempt

[Pir Akbar Ali.]

from the payment of the income-tax, similarly the proprietors of small holdings be exempted from the payment of land tax, because their income hardly suffices to keep body and soul together. In reply, to this argument an honourable member said that as it was difficult to assess the income of people whose income is less than Rs. 2,000, and that extra staff will be needed if the incomes of such people were to be assessed. In my opinion this counter-argument has no weight at all. If you care to exempt the proprietors of small holdings, it can be done very easily and you will not require extra staff for the purpose.

Another argument advanced against this amendment was that we do not yet know as to what would be the result of this exemption. I think that the result of this exemption is quite clear and it is this that small holders will be freed from the burden of paying land revenue. Then, Sir, it was pointed out that if the proposed amendment is carried and given effect to, it will involve a loss of Rs. 50 lakhs in the land revenue and there are no means for recouping this loss. But my submission is that it is not for the zamindars or their representatives to show you the light. It is for the Government to find ways and means of increasing the revenue from other sources. It is no use terrifying the people by saying that the consequences of carrying this amendment into effect would be disastrous. The zamindars should be treated on the same footing with traders and other people engaged in petty commercial dealings. If the Government makes up its mind to give effect to this proposal, means are sure to be found for increasing the revenue from other sources.

Another argument advanced against the motion was that the loss in revenue would go on increasing because the number of small holdings is sure to increase with the process of fragmentation now going on in the province. But, Sir, a similar danger is staring us in the face in the matter of joint commercial concerns. Such concerns are being split up every day and the income assessable to income-tax is decreasing also. Such dangers exist in every quarter and in every walk of life and we should not be led away by such flimsy arguments in denying justice to petty landholders.

Rao Bahadur Captain Rao Balbir Singh [Gurgaon (Non-Muhammadan), Rural] (Urdu): Sir, I have great pleasure in supporting the amendment of my learned friend Rana Firoz-ud-Din Khan. I consider it a meritorious act to sympathise with the poor zamindars, and anybody who is in touch with these zamindars cannot help feeling for them.

It has been said, Sir, that if income-tax were leviable from persons whose income is less than Rs. 2,000, the collection of it would involve a good deal of difficulty, because it is not an easy job to check the accounts of people with petty incomes. But Sir, the same is true of small landholders; the same difficulty is experienced in the collection of land revenue from them. It would, therefore, be advisable to exempt them from the payment of land revenue.

My friend Raja Narendra Nath in opposing this motion remarked that the consequences of carrying this amendment into effect are yet hidden from our eyes. But my submission is that unless a trial is given to this proposal, it would not be possible to arrive at a conclusion as regards its

consequences. Lastly, Sir, it has been pointed out that land revenue has been declared by many competent courts and even by the Privy Council to be a tax. If that is so, and if certain people are exempted from the payment of income-tax, where is the justification for depriving zamindars from this concession. With these words, Sir, I again submit to the House to support this amendment and pass it without a single dissentient voice being raised against it.

The Honourable Mian Sir Fazl-i-Husain [Revenue Member] (Urdu) : Sir, the principle of the amendment now under consideration was discussed at length at the last budget session, and different opinions were expressed from different points of view. The question under consideration is indeed a very difficult one, and the principle involved in it is one which has neither been acted upon in the past nor in recent times here or elsewhere. We have to see whether this principle can be put into practice or not; if this can be put into practice, what would be the consequences of the same; and if it cannot be put into practice, what would be the consequences thereof. The next point we have to consider is whether this is the only way in which the object of the amendment can be achieved or whether there are other ways and means by which this object can be attained. And if there are other ways than the one proposed, would it be advisable to put into practice the proposed way. But before I enter into a discussion of these things I should like to mention two or three things.

The discussion of this matter is based upon a principle the appreciation of which does great credit to the Punjab. The members of the Council have entered into a discussion of the matter not for the sake of gaining certain advantages for themselves, but for the sake of obtaining certain concessions for people who are poorer and weaker than themselves and their constituents. In other words the Punjab Councillors do not represent only their own cause and of their voters and are anxious not only to safeguard their interests but are, on the other hand, anxious to safeguard the interests of those, whose representatives have not entered even the district boards, not to speak of the Councils.

The next point to which I wish to draw the attention of the members is that as the result of an exchange of views in the land revenue committee as well as outside it I have come to the conclusion that the members of this honourable House are prepared to accept the principle that if for the sake of the poorer zamindars a heavier burden is laid upon the shoulders of the richer zamindars, the latter would gladly acquiesce in it but within certain bounds. This is a matter, Sir, of which we might well be proud. This matter was taken up at a meeting of the land revenue committee. It was proposed that the assessment of local rate be fixed on a graduated scale, so that the poorer and the richer zamindars should in future pay less or more according to their capacity. The non-official members of the committee were almost unanimously of the opinion that a graduated scale can be safely introduced provided the burden of local rate does not exceed by one-half on the richer zamindars, so that a relief equivalent to that amount may be given to the poorer zamindars to the extent of halving their burden. All the non-official members were unanimously of the opinion that until the Government reached some conclusion in regard to the local rate, the

[Honourable Mian Sir Fazl-i-Husain.]

question of the exemption of small holdings from land revenue may for the present be not pursued; that there was no hurry to take action in the matter and that it may safely be postponed. In the select committee, too, the members sympathised with the object underlying this amendment, but they were strongly of the opinion that time had not come to put it into practice. The upshot of all these things is that both the Government and the members of the Council are of one mind in regard to the fact that the smallest holders should not be treated on the same footing with big zamindars. The Government has realised the fact that the burden of local rate should be heavier on the bigger ones and lighter on the smallest holders. In other words, if a district board desires to collect one lakh of rupees for carrying on certain schemes, the money for the same should be obtained from the pockets of the bigger zamindars, and the smaller zamindars may be asked to share the burden in accordance with their capacity to pay. I want the members of this Council to realise the fact that Government is not a separate entity from them. They and the Government form part and parcel of the machinery which is carrying on the administration of the country for the good of the country. The Punjab is a co-operative society of the members and the Government is simply carrying on the management of their society.

Now, I will address myself to the amendment which has been so ably moved by my honourable friend. He proposes that holdings not exceeding two acres in *nahri* tracts and holdings not exceeding five acres in *barani* and *chahi* tracts be exempted from the payment of land revenue. But, may I point out to him that good many holdings of two acres each in the *nahri* tracts are paying from Rs. 6 to Rs. 7 per acre, and if his amendment is accepted it would mean that Government will have to forego Rs. 12 or Rs. 14 from such holdings, and in non-irrigated areas, the Government will have to forego from annas 4 to Rs. 1-2-0. This would mean that the weakest will get much less relief than the comparatively stronger.

Now the next point we have to consider is how much loss of revenue would accrue to Government if this amendment is accepted. No enquiries have been made in this respect, but it is safe to say roughly that Rs. 50 to Rs. 75 lakhs are involved. The question is, where are we to get this money from? We have explored before now all the avenues for obtaining more revenue, as the honourable member are aware. It is not advisable, therefore, to say that this amendment must be given effect to now and the question of making up the loss, which would result from it can be taken up afterwards. We should also take account of the fact that the areas of holdings are becoming less and less on account of fragmentation, and therefore, the present estimated loss of Rs. 50 to 75 lakhs is not likely to remain stationary. It is bound to increase every year, and there are no means of recouping this loss. The Bill under consideration has not been introduced with a view to give such concessions; the only aim of this Bill is to give legal sanction to certain executive orders, and to embody in the shape of law the present land revenue policy of Government.

I am in perfect agreement with the principle of the amendment that additional burden should not be imposed upon the poorer zamindars, but

it would not be advisable at this stage to remove the burden, which they have been bearing from time immemorial.

Sardar Ujjal Singh (Sikh, Urban) : Sir, though I have full sympathy with the object of the amendment, I fail to see how this object is to be achieved by the amendment proposed by the honourable mover. The object is to give relief to zamindars with small holdings, but the question is how this relief is to be given. The real difficulty lies in the fact that small holdings do not pay and they are uneconomic, and that is the reason why the small landholders with uneconomic holdings require some relief. We have to see whether the amendment proposed by the honourable member will provide relief to these small landholders or it will in a way set up a propaganda, which will result in the creation of a larger number of small holdings. This question of not taxing small holdings to the extent of two acres or five acres will result in the fragmentation of land and will result in the creation of a larger number of small uneconomic holdings. Besides, this amendment is impracticable. If the small holdings are to be exempted, how are they to be exempted? Are they to be exempted at the time of settlements or from time to time whenever a small landholder applies. If small holdings are to be exempted from time to time, then the time will come when all the holdings will be sub-divided. There is no country in the world where this provision for exempting small holdings is made. It was made in Australia with the result that larger estates were broken up into small estates and there too. I think the State put forward a Bill not to tax the land progressively.

Then, Sir, this amendment will be a propaganda against the consolidation of holdings. On the one hand we have the scheme that we ought to consolidate small holdings and on the other we propose to exempt small holdings. If we accept the present amendment we would be setting at nought the scheme of the consolidation of small holdings, because people would much rather divide their holdings than consolidate them, if thereby they are exempted from paying any tax. For this reason I oppose this amendment. It will result in a loss of revenue to the extent pointed out by the honourable member without providing any relief to the zamindar.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I am in perfect accord with every word of the preliminary remarks that have been made by the Honourable Member for Revenue. I agree with him in this respect that in the administration of the country the members of this Council also hold a share, and that attempts should not be made to put obstacles in the way of the administration of the country. There are, however, times when Government, which considers itself to be a representative of the people treats with contempt the united voice of the country. At such times it becomes incumbent upon the real representatives of the public to obstruct the Government for the sake of obstruction. I am fully cognisant of my responsibility in this matter, and it was with the fullest realisation of my responsibility that I moved this amendment. I was very glad to hear that the Honourable the Revenue Member agreed to the principle of this amendment, and that the only objections he had related to the merits of the question.

[Rana Firoz-ud-Din Khan.]

He was pleased to remark that in future the small zamindars shall not be taxed beyond their capacity. So far so good. But my submission is that his promise relates to the future. May I ask him what steps he proposes to take with a view to lighten the existing burden of zamindars, under which they are groaning and which is beyond their capacity to bear? Does not his remark amount to lip sympathy? If not, how does he propose to put his words into practice?

Then, Sir, he referred to the proceedings of the land revenue committee and said that it was proposed to introduce a graduated system of local rate, by virtue of which the smallest zamindars would be called upon to pay less than the big zamindars. But, Sir, my contention is that small landholders should be exempted from the payment of land revenue altogether, and if this proposition is accepted, they would automatically be spared the necessity of paying local rate, because the local rate is leviable from persons who pay a certain amount of land revenue.

The arguments advanced against my proposal are such as I had already expected, viz., that there would be a loss of revenue to Government and that there are no ways or means to make up this loss. I wonder as to why the Government is asking us this question. It is for the Government to find out ways and means of making up the loss. The Government is in possession of all the books and facts and figures and is in a better position than myself to answer this question. However, since the Government wants me to suggest some means for meeting this difficulty I would point out to them that the best way of doing it is that Government should curtail their expenditure. Another suggestion which I would like to put forward for their consideration is that income-tax may be made a provincial subject, and if the Government are desirous of giving relief to the poor zamindars, they ought to put pressure upon the Government of India; and if the Government of India agree to it the loss accruing to the Punjab Government from the exemption of small holdings will be more than made up.

Then, Sir, the Honourable the Revenue Member was pleased to remark that big landlords have signified their assent to share the burden of small landholders. That is very good of them indeed. But my point is that if an unjustifiable burden has been placed upon a certain class of people, it is our duty to remove that burden, no matter whether the other classes like it or not. I also fail to understand why the big zamindars should be called upon to bear the burden of which the small holders have been relieved. Would it not be more just if this burden were equitably distributed amongst all classes?

My friend, Sardar Ujjal Singh, opposed this amendment on the ground that in order to escape the payment of land revenue the fragmentation of holdings is sure to go on at a rapid pace and this would make them uneconomic. I concede that it may happen but can he prove by any means that by rejecting this amendment, this fragmentation of holdings will come to a stop. It is a natural process and it is bound to go on unless some such law as the law of primogeniture is enacted, whereby this process can be put a stop to.

Sardar Ujjal Singh : There is the process of consolidation of holdings.

Rana Firoz-ud-Din Khan : Oh, I am well aware of the utility of this process. It is like—کنی لہ بڑا دردن مری—the mountain in labour brought forth a mouse. The process of consolidation of holdings is possible where the lands are homogenous or consist of large areas. But in districts like Hoshiarpur and Jullundur, where the area of holdings is very small, this process has proved a failure. In principle it is correct, but in actual practice it has failed completely to achieve the desired end, and especially in areas, where it is most urgently needed. The Honourable Member for Revenue has asked three pertinent questions and I should like to answer them one by one. The first question he put was : "whether it is practicable to introduce the innovation contemplated by this amendment." My answer to this question is that it is practicable. The second question was "what would be the consequences if this amendment is given effect to." My reply is that the consequences of this amendment are apparent, viz., that it will afford relief to the smallest holders. His third and the last question was "whether the object in view can be achieved in any other way, beside the one proposed." To this my reply is that my only desire is that relief should be given to the owners of small holdings. If the Honourable Member had taken the trouble of placing before the House some other way, I would have gladly considered it, and if found acceptable I would have withdrawn my amendment. I do not want lip sympathy. I do not want to place obstacles in the way of Government, nor I do wish to postpone the consideration of this Bill. My only aim is to draw the attention of the Government to the pitiable state of the poor zamindars, and it was with this end in view that I put forward this suggestion for the consideration of Government. But since the Government has not come forward with an alternative proposal, I am obliged to press for it. This amendment has been approved on all hands, in principle at least, and I would request my honourable colleagues and especially my zamindar friends, who are always shedding tears over the miserable plight of small landlords and tenants, to vote for this amendment.

Mr. President : Clause under consideration, amendment moved—

"That the following exception be added to section 48 (1) :—

"Holdings not exceeding two acres in canal irrigated areas and not exceeding five acres in areas where there is no canal irrigation be exempted from payment of land revenue."

The question is that that amendment be made.

The Council divided : Ayes 14 ; Noes 33.

AYES.

Chaudhri Baldev Singh.
Rai Sahib Chaudhri Chhotu
Ram.
Maulvi Sir Rahim Bakhsh.
Shaikh Faiz Muhammad.
Chaudhri Duli Chand.
Pir Akbar Ali.
Sayad Muhammad Husain.

Rana Firoz-ud-Din Khan.
Raizada Hans Raj.
Chaudhri Muhammad Abdul.
Bahman Khan.
Chaudhri Afzal Haq.
Sardar Hira Singh.
Sardar Hari Singh.
Sardar Partap Singh.

NOES.

Col. C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan, Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. A. R. Astbury.
 Mr. J. B. G. Smith.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Dr. C. A. Owen.

Khan Bahadur Nawab Muzaffar Khan.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra Nath.
 Rai Bahadur Lala Sewak Ram.
 Lala Mohan Lal.
 Chaudhri Ram Singh.
 Mian Ahmad Yar Khan, Daultana.
 Mr. Owen Roberts.
 Lala Joti Prasad.
 Rai Bahadur Lala Rattan Chand.
 Rai Bahadur Lala Dhanpat Rai.
 Sardar Ujjal Singh.
 Sardar Bahadur Capt. Dalpat Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.
 Sardar Sahib Sardar Fateh Singh.
 Mr. E. Maya Das.

The motion was lost.

Mr. President : The Council will now proceed to discuss the following amendment :—

“ That the following exception be added to sub-section (1) of section 48 :—

“ Land under village abadi or required for its extension be exempted from payment of land revenue.”

Rai Bahadur Lala Sewak Ram : I want to speak on the amendment after the mover of the amendment has discussed it.

11 A.M.

Rana Firoz-ud-Din Khan : It is my look out to say whether I will discuss it or not again.

Mr. President : The mover while moving his amendment discussed all the points raised therein. Exception (3) only is to be dealt with now.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammdan), Rural] (Urdu): Sir, I would like the following amendment to be substituted in place of the amendment moved by Rana Sahib—

‘ And such land as is included in the village site.’

I need hardly say that the amendment moved by my friend Rana Sahib is indefinite and vague. No one can say how much land will be required for the extension of village abadi at any future time or when such land will be required. Unless the nature of the requirement is definitely known, it is no use making any provision for it. My amendment is definite and simple. I think it also covers most of the ground which the honourable member for South-East Towns wanted to cover by his amendment. I hope that the Honourable Member for Revenue will accept my amendment.

Mr. President : Clause under consideration, original amendment moved was—

" That the following exception be added to Section 48 (1) :—

' Land under village abadi or required for its extension be exempted from payment of land revenue. ' "

since which the following further amendment has been moved—

" That the following be added at the end of Sub-section (1) of Section 48 :—

' And such land as is included in the village site. ' "

The question is, that that amendment be made.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, I rise to oppose the amendment moved by the honourable member for South-East Towns (Rana Firoz-ud-Din Khan) and I do so because I am not prepared to subscribe to the view expressed by the mover that State is not the primary master of all lands. From time immemorial lands have been considered to be the property of State and even in the time of Manu the State was considered to be the first and foremost master of all lands. The landlords come next to the State. However, I am prepared to request the Government that only a nominal rate of land-revenue should be charged from lands under abadi, so that the claim of the Government as the primary master of all lands must remain established as ever.

The Honourable Mian Sir Fazl-i-Husain [Revenue Member] (Urdu) : Sir, we have two amendments before us, one by Rana Sahib and the other by Rai Sahib Chaudhri Chhotu Ram. Rana Firoz-ud-Din Khan has proposed that " the land under village abadi or land required for its extension " should be exempted from the payment of land-revenue, but Chaudhri Chhotu Ram's amendment supports the first part of that amendment and rejects the second part of it. So far as land under village abadi is concerned, it is already exempt from the payment of land-revenue and as I am anxious to embody the present practice into law, I am prepared to accept the first part of Rana Sahib's amendment if it were feasible to cut it into two parts. Now as regards Chaudhri Chhotu Ram's amendment, I may say that while it covers practically the whole of the ground covered by the amendment of Rana Sahib, it is a little wider in its scope than the present practice, according to which the land that may come under abadi after a settlement is declared exempt at the time of next settlement. However, I prefer this amendment to that of Rana Sahib and I am accordingly prepared to accept it.

Pir Akbar Ali : Sir, I wish to say. . . .

Mr. President : Order, order, no honourable member should begin to speak without receiving a call from the Chair.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, while I support the amendment moved by my friend Rana Firoz-ud-Din Khan, I beg to differ from my honourable friend Chaudhri Chhotu Ram. Perhaps Chaudhri Chhotu Ram's knowledge of the people in the rural areas is confined to the districts in the Eastern Punjab in which the rural population is settled once for all. But in Sargodha, Lyallpur and Montgomery districts and even in the Kangra district the conditions are different and the village abadis are undergoing the process of extension day by day. The people are no longer afraid of dacoits as they were in the

[Sayad Muhammad Husain.]

time of Sikh rulers and consequently they do not think it necessary or safe to build their houses at one place. Then there is a growing tendency amongst the villagers and particularly amongst those who are educated to build their houses in open places where they may have a small garden attached to their place of residence, a pipe and other amenities of life. Besides the village artisans and kamins, whose economic condition is better than that of many of the petty zamindars, are anxious to live near the fields. Under the circumstances the amendment moved by Rana Sahib is quite essential. The extension in the period of settlement that is proposed to be made by means of this Bill is another reason which can be put forward in favour of that amendment. If Government will not accept this amendment, it will indirectly discourage the extension of village abadis. (Interruption). Raja Sahib is a rich man and, therefore, he cannot realise the difficulties of the poorer zamindars. For them the payment of one or two rupees extra is a heavy burden. I think all this was not explained before, otherwise I am sure the Honourable Member for Revenue would have accepted the amendment moved by Rana Sahib. I hope he will now revise his opinion and will see his way to accept that amendment.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu): Sir, I am sorry to find that the honourable member for Montgomery has not cared to understand what Chaudhri Chhotu Ram said in his speech while putting forward his amendment. He has not taken into consideration the difficulties that will have to be experienced if the amendment moved by Rana Sahib is accepted. Rana Sahib's amendment is indefinite and, therefore, impracticable. It is not possible for any one to say how much land is required for the extension of village abadi. In my opinion the amendment moved by Chaudhri Chhotu Ram practically covers the whole ground which Rana Sahib wanted to cover and the Honourable Revenue Member has accepted it.

As regards the question whether land under village abadi is *kharaj az bachh* or *kharaj az parta*, which the honourable member from Kasur wanted to raise, I think the question does not arise at all. According to the system of land-revenue administration in this province only, that land is liable to payment of land-revenue, which is cultivated and because the land under abadi is not cultivated it is automactially exempted from the payment of land revenue. Of course the question of *kharaj az bachh* or *kharaj az parta* can arise only in places where the system of fixed assessment obtains, but not when the fluctuating system of assessment prevails, where revenue is imposed from harvest to harvest on cultivated area. I think that further discussion on this subject is fruitless when the Honourable Revenue Member has accepted Chaudhri Chhotu Ram's amendment.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural] (Urdu): Sir, so far as I recollect according to section 48 of the Land Revenue Act, only such land is liable to the payment of land-revenue, which is used for agricultural purposes or for purposes subservient to agriculture. The land under abadi, therefore, does not come in that category and it is no use making any fresh

provision for the land under abadi. I will read from the Act the relevant portion in this connection—Section 48 of the Act says :—

(Then continued in English)—“All land to whatever purpose applied and wherever situated.” “All land” and land as defined in the Tenancy Act. The definition of land should be taken as given in the Tenancy Act as it is not found anywhere else and such land only is liable to pay revenue. We have to see what is meant by the word “land” in the Act. Throughout the Act land is defined as land used for agricultural purposes and for purposes subservient to agriculture and land which is under abadi, according to the definition in the Revenue Act or the Tenancy Act, is not land. I, therefore, submit that the amendment which is now under discussion does not at all arise, because land which is under abadi is not land at all. Moreover, in all the settlements and which is under abadi is excluded from the assessment of rent.

Rai Bahadur Lala Rattan Chand : On a point of information, Sir, may I know whether we should accept the statement of the Honourable Member for Revenue as correct or that of the members on this side of the House? According to my knowledge the land under bungalows is liable to the payment of land revenue.

Malik Nawab Major Talib Mehdi Khan [Jhelum (Muhammadan), Rural] (Urdu) : Sir, the question before the House is very simple and I think it is also easy of solution. No doubt the amendment moved by Rana Firozud-Din Khan is indefinite and, therefore, impracticable, but if it is made to read as follows :—

‘land under village abadi or which falls under it by extension’
it will serve the purpose. I will explain presently that by the acceptance of my amendment Government will not suffer any loss in land-revenue. We know that the land under village abadi at the time of settlement is exempt from the payment of land-revenue, but the difficulty is that the land to which the abadi extends subsequently is not exempted until the next settlement takes place. This is not justifiable. The conditions prevailing in villages demand that as soon as a field falls under abadi, it should be declared revenue-free. It is an established fact that whenever any contagious disease visits any village, the people evacuate the abadi and unless the villagers have their houses built somewhere outside the village abadi, where can they go and seek shelter? In order to encourage the villagers to take this essential precaution, it is necessary to make a provision that land under such houses shall be exempt as soon as it ceases to be used for cultivation. Moreover, one should not lose sight of the fact that villagers like to have their houses near their fields so that no time may be wasted in going to the fields for ploughing and other purposes. A cultivator who lives near his land is able to plough one or two kanals before the other whose land is situate at a distance of one or two miles from his place of residence. It is also being realised that land near abadi possesses more facilities of being manured than distant lands. The health of the province, the convenience of the farmers, and the advantages that accrue to the land near abadi favour the adoption of the suggestion I have put forward. As regards the loss in revenue that Government is likely to suffer if my suggestion is adopted, I may say that it will be more than compensated by the enhanced rate of land-revenue chargeable on the lands near abadis.

Sardar Hira Singh [Lahore (Sikh). Rural] (Urdu): Sir, I heartily support the amendment moved by my honourable friend Rana Feroz-ud-Din Khan. My reason for doing so is that we find that everywhere extension is taking place rapidly in village abadis and it is not reasonable to ask the villagers to wait till the next settlement before the land on which houses have been built outside village abadi shall be declared exempt from the payment of land revenue. When the landlords do not charge any rent from the tenants for the land outside village abadi on which the latter may have built their houses, I see no justification for the Government to charge land revenue from such land. The amendment of Rana Sahib is, therefore, quite reasonable and Government should not hesitate to accept it.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I think that this storm in a tea-cup is due to some misunderstanding about the matter under discussion. To me it appears that there is no serious difference of opinion amongst the various members who have spoken on this question. The first thing that the Government is required to do is to make a provision in the Bill according to which land under village abadi should be exempt from the payment of land revenue. On that score the honourable members need have no fear because even now such land is not assessed to land revenue and as the present practice is going to be embodied into law, the required provision is not going to be given up. Then some members desire Government to declare exempt land that may be required for extension of village abadi which, in my opinion, means slow and steady extension near the abadi. I do not think it can mean extension one or two miles beyond village abadi, as Sardar Hira Singh seems to think. However, this desire on the part of some members is vague and indefinite as has been made clear before and I do not think anyone will ask me to incorporate such a vague provision in the Bill. If I am not wrong Rana Sahib himself, realises this difficulty. What the honourable members Sardar Hira Singh and Sayad Muhammad Hussain have said in the course of their speeches, is that they are more anxious to provide safeguards for the land situate one or two miles beyond village abadi to which abadi may extend. Now this desire on their part may mean that the area of two or three kanals over which the tenants may build their houses should be exempted from the payment of land revenue. If that is their desire I can assure them that such land will not be assessed to land revenue and as a matter of fact such land has never been assessed. But if they mean that the area of 4 or 5 acres over which a zamindar, who is rich and enterprising, may establish one or two factories, and a garden besides his *kothi*, should be exempted from the payment of land revenue, then I am sorry I can not see eye to eye with them. I do not think any other members will agree to such a proposition.

Sardar Hira Singh: Sometimes the tenants build their houses in an area of 4 or 5 acres and it is such land that we want to be exempted.

The Honourable Mian Sir Fazl-i-Husain (continued in Urdu): The honourable member can not mean, thereby, that after every 10 or 20 acres of agricultural land, 4 or 5 acres are utilized for building huts and houses. I can think of such abadis after every 400 or 500 acres of agricultural land and in such cases the land under abadi is exempted from the payment of land revenue.

Sardar Hira Singh : But not till the next settlement takes place.

The Honourable Mian Sir Fazl-i-Husain (continued in Urdu): That can not be helped. Government can not undertake to change the *jamabandis* every now and then. I think the amendment of Chaudhri Chhotu Ram covers practically the whole ground which most of the members want to be covered and that I have accepted. I am sure the House will not like me to incorporate any vague or indefinite provision in the Bill.

Mr. President : Clause under consideration, the original amendment moved was—

“That the following exception be inserted after sub-section (1) of section 48 :—

“Land under village *abadi* or required for its extension be exempted from payment of land revenue.”

since which the following further amendment has been moved :

“That the following be substituted for that amendment :

“and such land as is included in the village site.”

The question is that that amendment be made.

The motion was carried.

(At this stage Rana Firoz-ud-Din Khan stood up to speak.)

The Honourable Mian Sir Fazl-i-Husain : Which amendment is the honourable member being called upon to move ?

Rana Firoz-ud-Din, Khan : I have the right of reply.

Mr. President : There is no right of reply. The honourable member moved an amendment. An amendment to that amendment was moved. The second amendment is of such a nature that, if carried, it would replace the original amendment in entirety. Therefore, when the House has adopted the amendment to the amendment, the original amendment is entirely replaced and is no longer before the House.

Dr. Gokul Chand Narang : Sir, will it not be possible to include my amendment in it ? My amendment is—

“That in clause 3, the following words may be added after the first sub-section of section 48, viz. :—

“and such lands as have been built upon or included in *abadi*.”

Mr. President : If his amendment is not inconsistent with the principle of the amendment which the Council has adopted, it may be taken up.

Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move—

“That in clause 3, the following be inserted as sub-clause (i) and the existing sub-clauses (i) and (ii) be changed into (ii) and (iii) :

“At the end of sub-section (1) the following words shall be added :—

“Or such holdings as would, if assessed, yield an annual revenue.”

The Honourable Mian Sir Fazl-i-Husain : Which amendment is the honourable member moving now ?

Rai Sahib Choudhri Chhotu Ram : Amendment No. 2.

Mr. President : Amendment No. 6 is the only amendment now before the House. Amendments Nos. 2, 3, 4 and also No. 5, are already out of the agenda. The only amendment which the honourable member can move now is No. 6.

Rai Sahib Chaudhri Chhotu Ram : My amendment No. 2 has not necessarily been disposed of by the disposal of the amendment—exception (2).

Mr. President : The Council has decided the principle whether any exemption should be given at all. That is the matter of principle that has been under discussion throughout. It was not two, three or five acres that were actually being discussed. No. 6 is the only amendment which, I think, the honourable member is entitled to move, but if he can satisfy me that the principle underlying his amendment is not covered by that amendment and that it is altogether an independent amendment, I shall allow him to move it.

Rai Sahib Chaudhri Chhotu Ram : My contention is that the principle underlying the amendment moved as exception (2) does not necessarily bar my amendment which stands as No. 2. The House may have given its verdict against the amendment moved by Rana Firoz-ud-Din Khan on account of certain defects which are inherent in the acceptance of this amendment.

Mr. President : As the principle has already been discussed, the honourable member may have his amendment put to the vote if he likes.

Rai Sahib Chaudhri Chhotu Ram : Whatever is permissible I should like to have—vote or discussion or anything.

Mr. President : Will the honourable member move his amendment.

Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move—

- "That in clause 3, the following be inserted as sub-clause (i) and the existing sub-clauses (i) and (ii) be changed into (ii) and (iii) :—
- * At the end of sub-section (1) the following words shall be added :—
- * or such holdings as would, if assessed, yield an annual revenue of five rupees or less."

Mr. President : Clause under consideration, amendment moved :

- "That in clause 3, the following be inserted as sub-clause (i) and the existing sub-clauses (i) and (ii) be changed into (ii) and (iii) :—
- * At the end of sub-section (1) the following words shall be added :—
- * or such holdings as would, if assessed, yield an annual revenue of five rupees or less."

The question is that that amendment be made.

The motion was lost.

Mr. President : The same remarks apply to amendments ¹, 3, 4 and 5. Therefore, I call upon Rai Sahib Chaudhri Chhotu Ram to move amendment No. 6.

13. BY CHAUDHRI AFZAL HAQ : That in clause 3, after the words "In section 48 of the said Act" the following sub-clause be added :—

(i) after sub-section (1) add the following :—

"Provided that no holding which does not exceed ten acres in area shall be liable to pay land revenue."

4. BY CHAUDHRI AFZAL HAQ : That in clause 3, after the words "In section 48 of the said Act" the following sub-clause be added :—

(i) after sub-section (1) add the following :—

"Provided that no holding which does not exceed five acres in area shall be liable to pay land revenue."

5. BY DR. GOKUL CHAND NARANG : That in clause 3, the following words may be added after the first sub-section of section 48, viz. :—

"and such lands as have been built upon or included in abadi."

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

"That in clause 3, the following be added as sub-clause (iv) :—

"The following sub-section shall be added as sub-section (4) :—

"The Local Government shall have power to exempt, in whole or in part any holding or any class of holdings from the payment of land revenue."

Sir, as is apparent from the wording of the amendment, this provision, if made, will give Government power to exempt any holding or class of holdings from the payment of land revenue at any future time when favourable circumstances will permit this being done. I think that the Honourable Member for Revenue was once pleased to say that Government was itself anxious to do every thing that was possible in order to lighten the burden of the zamindars having small holdings. If that is really its desire, then my amendment ought to be readily accepted because, according to this provision, Government will have power to give relief to the poorer zamindars whenever it will be in a position to do so. If I am not wrong I recollect the Honourable Revenue Member saying once that if small holdings were exempted from the payment of land revenue, Government will suffer a loss in its revenue to the extent of 50 to 75 lakhs of rupees. I grant that this estimate of loss is correct. But I venture to say that it is not a loss which Government cannot easily bear. Its income is increasing year by year and, if need be, retrenchment can be effected very conveniently in various Government departments to make up that loss. What is required is Government's readiness to help us. Let me here remind it that it is not only possible for it to help the poorer zamindars, but it is also its duty to do so. But the wonder of all wonders is that every time the question of giving relief to the zamindars of small holdings comes up it is shelved by putting forward one plea or the other. In opposing this demand the argument is always trotted out that if zamindars having small holdings were relieved the burden so removed would shift on to the shoulders of big zamindars. I do not see how that is the necessary consequence of the proposed step, if taken. As I have already hinted, the loss can be made by more than one means, by imposing new taxation and by effecting retrenchment in various Government departments. Even if the amount of loss is divided over the whole population, the big zamindars will have to pay only their share and not of the others. Therefore they need not have any fear on that score.

Mr. President : I am afraid I must ask the honourable member to change the trend of his speech. He is discussing the same matter as has been repeatedly discussed in the current session of the Council. It has been discussed even to-day.

Rai Sahib Chaudhri Chhotu Ram (continued in Urdu) : Very well, Sir, I will leave that discussion alone. I would urge the Government with all the earnestness that I can command to incorporate the proposed provision in the Bill. It only gives power to Government to help the poorer zamindars. Supposing at any time in future the sources of its income develop and in consequence its income increases and, then, it thinks of giving relief to such zamindars, it will be armed with power to do so. I think, no objection can be raised against this amendment. It is very reasonable.

[R. S. Chaudhri Chhotu Ram.]

It does not limit the powers of the Government, but it extends them. And if the Government objected even to the extension of its powers, it will give cause to the people to doubt its statement often made that it has every sympathy with the zamindars and is prepared to take every possible step to help them.

Mr. President : Clause under consideration, amendment moved :

"That in clause 3, the following be added as sub-clause (iv) :—

"The following sub-section shall be added as sub-section (4) :—

"The Local Government shall have power to exempt, in whole or in part, any holding or any class of holdings from the payment of land revenue."

The question is that that amendment be made.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, the honourable mover seeks to empower Government with a very wide discretion of exempting from the assessment of land revenue any holdings of any class of holdings. In his speech he is obviously swayed by the view that giving Government this power may enable Government to do something for the small landholder. But obviously the power is very wide indeed and might be extended beyond this class and Government might have pressure put upon it by individuals or by certain classes of landholders and in certain circumstances that pressures might be difficult to resist. I would ask whether it will not be better that if at any time Government is persuaded that it is necessary to exempt certain kinds of holdings from land revenue, it should then bring proposals before the legislature to that effect. Then they could be judged on their merits. With these powers Government would have discretion to take action in cases without any one in the legislature knowing anything about it. I think the considerations which I have brought to your notice are specially strong considerations and make it inadvisable to accept this particular amendment.

12 noon.

Khan Bahadur Captain Sardar Sikandar Hyat Khan (Muhammadan Landholders) : Sir, the Honourable the Finance Member said that he opposed this motion on the ground that this power if vested in Government would put them in the predicament that pressure might be put upon them to exempt certain holdings and that Government might not be able to resist such attempts and might exempt such holdings without the legislature and the public coming to know anything about it. As a matter of fact I am certain that that eventuality would never arise, firstly, because Government is very cautious in exempting any tax, once it has been imposed, and secondly, if it did, the legislature would come to know of it sooner or later, because it would involve a reduction in taxation; if not earlier, at least in the budget session the Council is sure to come to know of the reduction that has taken place. Personally I think that if this clause is added to the existing Bill, it would give the Government an opportunity, when occasion arises, to give relief to the small zamindar, for whom so much has been said in this Council now and before. As a representative of the big landholders in the province, I did not think it fair to actively support the proposals put before the House by my honourable friend from Hoshiarpur and my honourable friend on my right here, and a still greater reason for my keeping neutral was

because I felt that the extra burden on the big landholder would not be justified in view of the fact that relief given to the small landholder would not be such that it can be called by any means an adequate relief. Again, the shifting of the burden from the small landholder to the big landholder, may involve oppression of the tenant, because the big landholder at the present moment gets a portion of the amount payable by him as land revenue—usually half—from the tenants. If the burden is shifted on to the big landholder, he would force the tenant to pay his share of the increase. By relieving the small landholder, we would obviously be putting more burden on a class which cannot at present by any means be called affluent and which cannot possibly bear the burden now proposed, as his condition is worse than that of the small owners. For these two reasons I did not take an active part in the preceding debate but I think, this clause if added to the Bill would give an opportunity to Government when occasion arises, and when it finds that its resources can meet the demand for giving relief to the poorer zamindars, without affecting the tenants or the big landholders, when it feels that it can safely reduce taxation on land by adopting other equitable means for raising revenue for the provincial exchequer. This would give an opportunity to the Government to exempt if necessary certain classes of holdings from land revenue. I think it is very hard on the face of it to deny this power of discretion to the Government. This clause is not mandatory. It merely gives the Government an opportunity to use this discretionary power whenever it deems it useful to do so. With these words, I support the motion of the honourable member.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, I have every sympathy with the motion that has been moved by Chaudhri Chhotu Ram. But what I feel in my mind is this that perhaps this will lead to greater corruption and greater bribery for the small landholders than exists at present. As soon as the small landholders come to know that the Council has come to the conclusion that certain small holdings could be exempted from payment of land revenue and that the Council has vested the powers in the hands of Government, for exemption, I believe that the qanungoes and patwaries will take advantage of it and would inform the small holders of land and induce them to put applications for exemption. They would say here is an opportunity for you and if you pay us 3, 4, or 5 rupees we will recommend your application for exemption. The ignorant landholder will be duped. He will lose money, he may or may not get exemption. This is a danger which I want to bring to the notice of my honourable friends who are in favour of the motion. The Government will not be able to meet the demands of all the applicants and as pointed out by the honourable member representing Muslim landholders, Government will have to be cautious. I submit, Sir, that the adoption of the resolution will open the door for corruption.

Chaudhri Zafullah Khan [Sialkot (Muhammadan), Rural]: Sir, I should have thought that this very simple amendment proposed by my honourable friend would scarcely arouse any controversy at all. Yet it has been my good fortune to listen to two of the most curious arguments that I have ever listened to in opposition to this amendment. As the Honourable the Finance Member remarked the amendment proposes to

[Chaudhri Zafrullah Khan.]

do nothing more than to invest the Government with discretionary powers and to give relief whenever it thinks necessary and whenever the circumstances might arise which might justify the granting of such relief. I should have thought that when it is proposed to this House that Government should be invested with certain discretionary powers to be used under certain circumstances when they arise, Government would have welcomed such a proposal. The proposal is not to force the Government or to compel the Government to do anything particular, it merely grants the Government power to do something when they feel that the need for doing that something has arisen. The first argument put forward so far against this proposal is "please do not invest us with any such power. If you do this we will be pelted with applications for such relief and pressure may be brought to bear upon us and we may not be able to resist that pressure." Now that is a plea which would as a logical consequence involve the surrender by Government of all kinds of discretionary powers which they at present possess. That is practically an admission that Government cannot be trusted, when pressure is put upon them, to arrive at a just conclusion with regard to the exercise of its discretionary powers. The Government already possesses many kinds of discretionary powers and pressure is often put upon the Government to exercise those powers. I am perfectly certain that in order to arrive at a decision whether it should or should not exercise those powers, Government is not solely influenced by the fact that pressure is being put upon it. That is as I have already submitted a strange and extraneous plea that I have ever heard for a person, or a body or a corporation disclaiming powers because it cannot resist pressure put upon it. Another argument which has been put forward is that that will open the door for corruption. That again leads to the conclusion that when Government is provided with the means for the obtaining of relief for people who are suffering under disadvantages, it should do away with this because it necessarily involves the person who wants relief in the procedure of trying to obtain favourable reports or favourable remarks from a petty official or from a high official before relief can be granted. That happens in any case and there is no doubt that it does open the door for corruption. It is no argument to say that because people may have some difficulty in obtaining relief, Government should have no power to give that relief. This is a very curious argument put forward. In order to procure or maintain the purity of the administration of the Government, when one finds that a perfectly just and obviously necessary amendment of this kind is being opposed on grounds like these, one is convinced of the fact that there is really nothing serious to say in opposition to it. I, therefore, hope that the House feeling that, would give its support to this entirely reasonable amendment which has been put forward.

Mr. H. W. Emerson (Chief Secretary): Sir, I should like to attempt to explain to honourable members the scope of the amendment and how, if discretionary powers were given to Government of the nature suggested, they might be used to the detriment of a very important class. The present system of land revenue assessment leaves to the actual revenue

payers of the village an important voice in the distribution of that assessment over the holdings. Land revenue payers are consulted by a number of land revenue officers in order that their wishes can be definitely ascertained as to the manner in which they would like the land revenue to be distributed for the area. It is usual first for the settlement naib-tahsildar to make an enquiry, later the statements made to him are verified by the settlement tahsildar; then later the extra assistant settlement officer actually draws up the *bachh*, which finally is confirmed by the settlement officer. The land revenue payers in this way are given full opportunity to decide as to the rates they would like to be put on different classes of land and as to which particular fields they would like to be left out of the *bachh* and as to any other matters directly affecting the distribution. This amendment, if accepted, would allow the local Government by an executive order to determine the manner in which the land revenue should be distributed over an estate. Supposing the land revenue on an estate were fixed at Rs. 5,000, the local Government could by an executive order say that that sum of Rs. 5,000 was to be paid not by the whole body of land revenue payers, in the manner which those land revenue payers wish it to be distributed, but it was to be assessed on a particular class of holdings to the complete exception of all other classes. That seems to me a power which in a matter affecting the public revenues ought not to be left to executive order. If it is the wish of the Council at any time to exempt a particular class of persons from the payment of land revenue then effect should be given to their wish by an amendment of the law and not by an executive order of the Government. In the case of income-tax there is nothing in the Act which will allow the executive Government purely by an executive order entirely to exempt the whole of persons from the payment of that tax.

Nor do I believe it is anywhere the custom to give to an executive Government such sweeping powers for exemption from the operation of taxation as are proposed in this amendment. The objections to it from the constitutional point of view are so great that it is largely for this reason that a finance bill is introduced each year so that any changes that may be necessary in the distribution of the burden of taxation may be given effect to by an amendment of the law and not by an executive order. With these few words I oppose this amendment.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): I should like to say a few words, Sir. I had no intention of speaking on this amendment had it not been for the speech delivered by my honourable friend, the member from Sialkot. If he is surprised at executive officers disclaiming all intention of possessing discretionary power, I am equally surprised that a representative of a constituency, and advocate of democracy in a representative institution, the object of which is to regulate the discretionary powers vested in the executive, should advocate the giving of power unfettered or unhampered by any rules and regulations. The object of this Act is to bring into a statutory form those executive instructions which already exist and which are in operation, to regulate by statute those discretionary powers which are exercised by executive officers in making the assessment and I think it would be incompatible and in

[D. B. Raja Narendra Nath.]

consistent with the object of legislation that is before us to give the executive any wide discretion and not to regulate it by definite instructions. The real object of the amendment is to keep a loop-hole for the agitation for the exemption of small landholders. But as I said before and as my honourable friend, the Chief Secretary, has already remarked, there is always room for bringing forward another Bill which embodies that very object instead of starting that controversy at the present stage and instead of our having to investigate matters for which data are not now available and which had better wait till sufficient data are available and till we have made up our mind as to how to meet the deficit arising from the exemption of small holdings and on what classes that burden would fall. Until we thresh out all those questions we are not in a position to adopt the change which has so often been put forward before this Council and if it is with that intention that the amendment is now proposed, I think it had better be dropped because the opinion of the Council has been more than once expressed on this point.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, the amendment moved by my honourable friend is a harmless one and I really do not see any reason why the Government should have any apprehension in accepting that amendment. It only places discretionary powers in the hands of the Government. In the event of an opportunity arising of public opinion materialising that the small landholders should get some relief, then Government should not stand in need of again bringing forward another amending Bill ; but if such a power as is now proposed is already there in the statute book, then Government can exercise that power whenever an opportunity arises. The fears which were in the mind of the Honourable Finance Member were fully dealt with by my honourable friend from Sialkot. The honourable Chief Secretary has got another fear and it is quite a baseless one. He is afraid, presumably in our interests, that when such an exemption is made, the pressure or the burden will fall upon the big landholders by giving relief to the small landholder. He should not be afraid of that, nor should we. The amendment is clear. The amendment does not give the executive power to put the burden on the big landholder. It simply gives power to the local Government to exempt wholly or in part any holding or any class of holdings from the payment of land revenue. It does not give them power to divert that pressure from the small landholder to the big landholder. There was a similar fear in the mind of my honourable friend representing the Punjab landholders ; but he can rest assured that the burden will not be put on the big landholders. The big landholders are already paying 88 per cent. of the income, that is more than the super-tax. The income-tax is only 8 per cent. of the net assets as compared with 33 per cent. in the case of land revenue. If the Government were to exempt the small landholders I do not see any reason why the burden should fall upon the big landholders. Does the honourable member, Rai Bahadur Lala Sewak Ram, or anybody else think that the pressure could logically be more than 88 per cent. of the net assets in any civilised country, whoever is paying the tax, whether the big landholder or the small landholder ? Already in some cases the tax is 25 per cent. and in other cases it is 33 per cent. and the Government has got power now to go to the limit of 50 per cent. Surely no country or no

civilised government can go beyond that. If the Government shall have to exempt the small landholders, it will have to find out other avenues of income but not to throw the burden on the big zamindar, who is already overtaxed. So, there need be no fear in the mind of anybody, that by giving this discretionary power to the Government the big zamindar will have to bear the extra burden caused by the exemption of small landholders. Under the circumstances it would have been very wise and very sympathetic on the part of the Government if they were to agree to the amendment moved by my honourable friend. Let us now pass this and when the time comes Government will not be weak. Government has never been weak in the matter of giving relief to the people. Now when the whole wheat crop is suffering from disease, Government is silent. Government is not going to give relief so very easily. Government is not going to be so weak as to be amenable to outside pressure. It is—

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But let us hope the time will come in the near future when land-revenue will be a transferred subject and the Honourable Revenue Member will again be as amenable to public opinion as he was when he was Education Minister.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I have tried to persuade myself to accept this amendment. It is a great temptation, I must admit, to have this power to exempt any holding I like or any class of holdings I like. It will be realised by those who agree with the proposer of this amendment that it is a very great temptation placed before me and I must be obliged to them for trying to invest me with it and I must try to do the best I can in the exercise of that discretion which the honourable members have so generously and so confidently tried to place in my hands. But I find that the amendment as it stands goes far beyond that which its supporters profess to achieve through this amendment. They have all been talking of nothing else except Government exempting under this amendment the small holdings, while the amendment itself does not say that it invests the local Government with power to exempt in whole or in part the small holdings. It says 'any holding or any class of holding'. Therefore, Sir, whatever the intention of the honourable mover of this amendment may have been and whatever the intentions of his supporters, the amendment as it stands invests the Government with powers far beyond those which are necessary to help the small holders in case Government is in a position to help them. May I, with your permission, illustrate what, given these powers, Government could do with them? First, I will take the instance of the present Government, the irresponsible Government in charge of land revenue. Having obtained powers through this amendment, is it not open to the Government to exempt the holdings of those who have distinguished themselves in their conduct in this Council by giving unstinted support to the Revenue Member? Does this amendment prevent its being utilized for that purpose? Similarly, he may have other persons in the province who have given loyal support to him in his multifarious activities, and who may very rightly demand exemption under this provision. Again, would not the political workers who oppose other political workers and who

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

support the Government be justified in coming to the Government and asking them to use the power of exemption from the payment of land revenue, saying 'have I not stood by Government? Am I not deserving of support?' Thus this amendment which invests Government with very wide powers might easily become the source of very great anxiety for this Council in controlling the vagaries of Government in the exercise of that power.

Now let us assume, Sir, that the irresponsible Government's career is going to be cut short within the next year or so when land revenue will become a transferred subject and come under the control and power of this legislature. Cannot you picture me as a Minister in charge of land revenue, being threatened with a vote of censure, keenly desirous of retaining my post with all its emoluments and depending upon the good will of one of the honourable members who has 10 or 12 friends with him? Is it not obvious that you place the poor wretched Minister in charge of land revenue armed with this power in a delicate position? How can you then possibly think that the right and constitutional thing for this legislature is to invest the executive with such arbitrary and wide powers through your own generosity? I really assure you, Sir, that I feel that in my non-official days I would never have developed that amount of confidence and trust in the executive which the proposer and supporters of this amendment appear to do to-day.

One word more, Sir, as to the class of holdings. That again is quite vague, indefinite and of general application. I need hardly point out that if this amendment became a part of the Act it would stand by itself shorn of all the speeches that have been made in support of it, showing that it relates only to cases of small holdings. Small holdings do not come into it. Therefore, Sir, so far as I can see there are all these dangers in case this Council accepted this amendment. What does this Council lose if it does not accept this motion? Is it that there is the possibility of this Council persuading Government to do something which this Council will not be able to get done if this amendment did not form part of the Bill? The object is that at some future time it should be possible for Government under particular circumstances of affluence to examine certain small holdings to see whether their revenue can be reduced. Is it, Sir, the distrust of the successors of this Council that the present members have? Will they not be as conscientious as the present members. Will they not, realising that Government is in conditions of affluence, at that time exercise their power in getting this thing done, in getting this reform carried out, if they are also of the view that it is a reform? Therefore, my submission is that the omission of this provision entails no hardship whatsoever and that its inclusion is full of risks. Under the circumstances it is but obvious that the Council should adopt the course that is not open to objection, and leave the Council of the future entirely free to act as it would, when the opportunity arises.

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

That the words "any holding or" be deleted from the amendment No. (6) on clause (3) moved by Rai Sahib Chaudhri Chhotu Ram.

Sir, although I have tried my best to persuade myself to support the amendment moved by my learned friend from South-East Rohtak, I

must admit, Sir, that I have not been able to do so for several reasons. And unless the words "any holdings or" are deleted from it, I have grave misapprehensions that it would fail to achieve the objects for which it is moved. My first apprehension, Sir, is this, that if the amendment, as it stands at present, is accepted by the House, the Government would use it as a political weapon in helping its supporters and ruining its opponents. For example, suppose that the supporters of the Simon Commission or the zaildars or lambardars who have rendered political services to the Government, request it that in lieu of their so-called services, their holdings be exempted from the payment of land revenue. Would it be not difficult for the Government to refuse their request? Would it not succumb to this extraneous pressure, as the Honourable the Finance Member has remarked, brought to bear upon it by its friends and supporters.

Again, Sir, we daily hear complaints from zamindars against the tyranny, corruption and high handedness of the revenue officers. If the amendment is accepted, they will, so to say, have great powers of harassing the poor and exacting money from them. While, on the other hand, Sir, the zamindars would find it well nigh impossible to resist the temptation of procuring recommendations from the revenue officers for the exemption of their holdings from the payment of land revenue and they would willingly pay these officers sums of money for this purpose. In short, the doors of corruption would be let open for the revenue officers, and I trust, Sir, that nobody in the House would be willing to subscribe to such a measure.

For these reasons, I submit, Sir, that the amendment of Rai Sahib Chaudhri Chhotu Ram is fraught with numerous dangers and unless the words "any holding or" are deleted from it, it would not conduce to the welfare of those for whom it is meant. While on the other hand, the danger of its being used as a political weapon would be minimised if my amendment is carried. Toadies and supporters of the Government are individuals and not a class. If the words 'any holding or' are deleted from the amendment, the Government would not be able to submit to their pressure, because in that case the Government would only be entitled to exempt 'class of holdings' from the payment of land revenue. In the latter case it would have powers to do justice to the claims of deserving persons alone.

I hope, Sir, that the honourable mover and the Government would find no difficulty in accepting my proposal and with these remarks, I commend my amendment for the favourable consideration of the House.

Mr. President : Clause under consideration, the original amendment moved was—

"That in clause 3, the following be added as sub-clause (1c) :—

"The following sub-section shall be added as sub-section (4) :—

"The local Government shall have power to exempt, in whole or in part, any holding or any class of holdings from the payment of land revenue."

since which an amendment has been moved—

"That the words 'any holding or' be omitted."

The question is that that amendment be made.

Dr. Gokul Chand Narang : Sir, my amendment stands No. 5 on the agenda, and when the amendment No. 1, exception (3), was being discussed, I drew your attention to my amendment and asked whether my amendment would not be amalgamated with the exception (3) to No. 1, and I was told that this exception (3) was being considered and if my amendment was not inconsistent with this exception (3) then it would be considered. After that you were pleased to rule that all these amendments 2, 3, 4 and 5 were unnecessary and superficial as they were all covered by the various parts of amendment No. 1. My submission is that my amendment is not covered by exception (3), because exception (3) takes into consideration only the village abadi while my amendment.....

Mr. President : The honourable member may have been rightly informed but I may inform him now that this amendment was not passed over on that ground alone. The arguments advanced by him might have persuaded me to allow him to move his amendment, but he was absent. He was not in the House at the time. So it is mainly for this, rather than for any other reason, that his amendment cannot be allowed to be moved at this stage.

Dr. Gokul Chand Narang : Yesterday there was an amendment on the agenda which stood in the name of the honourable member for Rohtak, I mean, Rai Sahib Chandhri Chhotu Ram, and as he was unavoidably absent Rana Firoz-ud-Din Khan was allowed to move the same amendment. Before I left on an unavoidable professional call, I had instructed my learned friend, Lala Mohan Lal, to move the same amendment on the principle which was adopted yesterday. But before he could do that, it was announced that all these amendments were superfluous. I am only asking if you will be pleased to reconsider your decision so far as this amendment is concerned.

Mr. President : The honourable member named by the speaker did not intimate to the chair his desire to move any amendment on behalf of the honourable Dr. Gokul Chand Narang. Besides, the principle to which the honourable member has alluded was not in fact admitted or allowed to be followed by the chair even yesterday. I distinctly remember to have ruled that no member would be allowed to move an amendment tabled by another member unless he gave a written notice adopting the amendment as his own. I am unable at this stage, even if I were inclined to show indulgence to the honourable member, to help him, because when an amendment 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.

Dr. Gokul Chand Narang : On that point I would quote your own ruling, rather quote an instance which happened say yesterday, from which a ruling could be deduced. You will be pleased to remember that when an amendment to clause 2 was under consideration and the latter part of it had been discussed Mr. Labh Singh, the member from Gnjranwala, handed in an amendment which related to an earlier part of the clause, namely, that the word "estimated" or something of that kind, should be omitted, and you were pleased to allow that amendment.

Mr. President : Is the honourable member quite sure ?

Dr. Gokul Chand Narang : Absolutely sure.

The Honourable Mr. Manohar Lal : Is this the stage when Dr. Gokul Chand Narang should be allowed to agitate this matter? The amendment of Rai Sahib Chaudhri Chhotu Ram has been duly proposed. To that another amendment has been proposed and you were actually putting it from the chair when Dr. Gokul Chand Narang makes a grievance that a certain amendment of his, which relates to an earlier part of the clause, should be taken for consideration. I think the proper stage to take up his amendment is after the particular matter which is definitely before the House is disposed of. Otherwise our minds are really taken away from the amendment which we are considering and on which we are engaged and this leads to the entire diversion of our attention from the matter in hand.

Dr. Gokul Chand Narang : I am glad that, the Honourable Minister for Education has broken the ice. My submission is that an exactly similar thing happened yesterday. Discussion on an amendment to the latter part of a clause had taken place, but before you actually asked the House to vote on it Mr. Labh Singh's amendment was brought to your notice and a discussion was allowed on that amendment and this House was able then to divert its attention to Mr. Labh Singh's amendment although another amendment was under discussion. I do not think the Honourable Minister who could divert his attention in one case cannot do so in another.

Mr. President : If amendment (6), which is now before the House, falls through, I will consider the possibility of allowing the honourable Doctor to move his amendment, but I cannot help him at this stage.

Dr. Gokul Chand Narang : As you please, Sir.

Mr. President : Clause under consideration, the original amendment moved was—

“That in clause 3, the following be added as sub-clause (ir) :—

“The following sub-section shall be added as sub-section (4) :—

“The local Government shall have power to exempt, in whole or in part, any holding or any class of holdings from the payment of land revenue.”

—since which a further amendment has been proposed—

“That the words ‘any holding or’ be omitted.”

The question is that the proposed words be omitted from the amendment.

The motion was carried.

Mr. President : Clause under consideration, amendment moved :

“That in clause 3, the following be added as sub-clause (iv) :—

“The following sub-section shall be added as sub-section (4) :—

“The local Government shall have power to exempt in whole or in part, any class of holdings from the payment of land revenue.”

The question is that the proposed amended amendment be made.

The Council divided : Ayes 28, Noes 35.

AYES.

Khan Bahadur Captain Sardar
Sikandar Hyat Khan.
Mian Ahmad Yar Khan, Daul-
tana.
Sardar Buta Singh.
Khan Sahib Khan Muhammad
Saifullah Khan.
Rai Sahib Chaudhri Chhotu
Ram.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib
Mehdi Khan.
Dr. Sir Muhammad Iqbal.
Shaikh Faiz Muhammad.
Chaudhri Duli Chand.
Pir Akbar Ali.
Rai Shahadat Khan.
Chaudhri Ali Ahmad.

Sayad Muhammad Husein.
Khan Bahadur Malik Muham-
mad Amin Khan.
Mian Saadullah Khan.
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.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Sardar Habib Ullah.

Sardar Bishen Singh.

NOES.

Col. C. A. Gill.
Mr. H. D. Craik.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. A. R. Astbury.
Mr. J. B. G. Smith.
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. H. M. Cowan.
Mr. H. W. Emerson.
Dr. C. A. Owen.

Khan Bahadur Nawab Muzaffar
Khan.
Mr. M. M. L. Currie.
Diwan Bahadur Raja Narendra-
Nath.
Dr. Gokul Chand Narang.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Chaudhri Baldev Singh.
Mr. Owen Roberts.
Lala Gopal Das.
Lala Joti Prasad.
Rai Bahadur Lala Rattan Chand.
Rai Bahadur Lala Dhanpat Rai.
Sardar Ujjal Singh.
Sardar Bahadur Capt. Dalpat
Singh.
Sardar Bahadur Sardar Sheo-
Narain Singh.

Mr. E. Maya Das.

The motion was lost.

Dr. Gokul Chand Narang : Sir, I beg to move—

"That in clause 3, the following words may be added after the first sub-section of
viz :—

"And such lands as have been built upon or included in abadi."

Mr. President : I have to point out that when the honourable member's amendment was reached he was not in the House. I need not go into any other point.

Dr. Gokul Chand Narang : I had, as I submitted, left instructions with Lala Mohan Lal, but your ruling was given without calling my name or even without giving any reason.

Mr. President : I may assure the honourable Doctor that I called him, but that he was not in the House.

Lala Mohan Lal : When I came in, amendment No. 6 was under discussion.

Dr. Gokul Chand Narang : May I submit, whether keeping in view the spirit of the ruling which you were pleased to announce yesterday you would permit me to move my amendment now. My submission is that this is a very important amendment and in the interests of justice and good government and good administration. I, therefore, request that in the spirit of your ruling the amendment may be allowed to be moved.

Mr. President : For the information of the honourable members of this House, may I read the gist of the Parliamentary practice on the point?

"No amendment can be made in the first part of a question, after the later part has been amended, or has been proposed to be amended, if a question has been proposed from the chair upon such amendment; but if an amendment to a question be withdrawn, by leave of the House, the fact of that amendment having been proposed will not preclude the proposal of another amendment, affecting an earlier part of the question, so long as it does not extend further back than the last words upon which the House has already expressed an opinion; for the withdrawal of the first amendment leaves the question in precisely the same condition as if no amendment had been proposed."

In the present case the amendment to the subsequent part of the clause was proposed from the chair and discussed, but it was not withdrawn. In fact it was put to the House and thrown out. I am unable, therefore, to see my way to allow the honourable member to move his amendment. If I acted differently yesterday, I acted wrongly.

The Council then adjourned till 9 A.M. on Tuesday, the 8th May 1923.

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1990-1991, 1991-1992, 1992-1993, 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036, 2036-2037, 2037-2038, 2038-2039, 2039-2040, 2040-2041, 2041-2042, 2042-2043, 2043-2044, 2044-2045, 2045-2046, 2046-2047, 2047-2048, 2048-2049, 2049-2050, 2050-2051, 2051-2052, 2052-2053, 2053-2054, 2054-2055, 2055-2056, 2056-2057, 2057-2058, 2058-2059, 2059-2060, 2060-2061, 2061-2062, 2062-2063, 2063-2064, 2064-2065, 2065-2066, 2066-2067, 2067-2068, 2068-2069, 2069-2070, 2070-2071, 2071-2072, 2072-2073, 2073-2074, 2074-2075, 2075-2076, 2076-2077, 2077-2078, 2078-2079, 2079-2080, 2080-2081, 2081-2082, 2082-2083, 2083-2084, 2084-2085, 2085-2086, 2086-2087, 2087-2088, 2088-2089, 2089-2090, 2090-2091, 2091-2092, 2092-2093, 2093-2094, 2094-2095, 2095-2096, 2096-2097, 2097-2098, 2098-2099, 2099-2100, 2100-2101, 2101-2102, 2102-2103, 2103-2104, 2104-2105, 2105-2106, 2106-2107, 2107-2108, 2108-2109, 2109-2110, 2110-2111, 2111-2112, 2112-2113, 2113-2114, 2114-2115, 2115-2116, 2116-2117, 2117-2118, 2118-2119, 2119-2120, 2120-2121, 2121-2122, 2122-2123, 2123-2124, 2124-2125, 2125-2126, 2126-2127, 2127-2128, 2128-2129, 2129-2130, 2130-2131, 2131-2132, 2132-2133, 2133-2134, 2134-2135, 2135-2136, 2136-2137, 2137-2138, 2138-2139, 2139-2140, 2140-2141, 2141-2142, 2142-2143, 2143-2144, 2144-2145, 2145-2146, 2146-2147, 2147-2148, 2148-2149, 2149-2150, 2150-2151, 2151-2152, 2152-2153, 2153-2154, 2154-2155, 2155-2156, 2156-2157, 2157-2158, 2158-2159, 2159-2160, 2160-2161, 2161-2162, 2162-2163, 2163-2164, 2164-2165, 2165-2166, 2166-2167, 2167-2168, 2168-2169, 2169-2170, 2170-2171, 2171-2172, 2172-2173, 2173-2174, 2174-2175, 2175-2176, 2176-2177, 2177-2178, 2178-2179, 2179-2180, 2180-2181, 2181-2182, 2182-2183, 2183-2184, 2184-2185, 2185-2186, 2186-2187, 2187-2188, 2188-2189, 2189-2190, 2190-2191, 2191-2192, 2192-2193, 2193-2194, 2194-2195, 2195-2196, 2196-2197, 2197-2198, 2198-2199, 2199-2200, 2200-2201, 2201-2202, 2202-2203, 2203-2204, 2204-2205, 2205-2206, 2206-2207, 2207-2208, 2208-2209, 2209-2210, 2210-2211, 2211-2212, 2212-2213, 2213-2214, 2214-2215, 2215-2216, 2216-2217, 2217-2218, 2218-2219, 2219-2220, 2220-2221, 2221-2222, 2222-2223, 2223-2224, 2224-2225, 2225-2226, 2226-2227, 2227-2228, 2228-2229, 2229-2230, 2230-2231, 2231-2232, 2232-2233, 2233-2234, 2234-2235, 2235-2236, 2236-2237, 2237-2238, 2238-2239, 2239-2240, 2240-2241, 2241-2242, 2242-2243, 2243-2244, 2244-2245, 2245-2246, 2246-2247, 2247-2248, 2248-2249, 2249-2250, 2250-2251, 2251-2252, 2252-2253, 2253-2254, 2254-2255, 2255-2256, 2256-2257, 2257-2258, 2258-2259, 2259-2260, 2260-2261, 2261-2262, 2262-2263, 2263-2264, 2264-2265, 2265-2266, 2266-2267, 2267-2268, 2268-2269, 2269-2270, 2270-2271, 2271-2272, 2272-2273, 2273-2274, 2274-2275, 2275-2276, 2276-2277, 2277-2278, 2278-2279, 2279-2280, 2280-2281, 2281-2282, 2282-2283, 2283-2284, 2284-2285, 2285-2286, 2286-2287, 2287-2288, 2288-2289, 2289-2290, 2290-2291, 2291-2292, 2292-2293, 2293-2294, 2294-2295, 2295-2296, 2296-2297, 2297-2298, 2298-2299, 2299-2300, 2300-2301, 2301-2302, 2302-2303, 2303-2304, 2304-2305, 2305-2306, 2306-2307, 2307-2308, 2308-2309, 2309-2310, 2310-2311, 2311-2312, 2312-2313, 2313-2314, 2314-2315, 2315-2316, 2316-2317, 2317-2318, 2318-2319, 2319-2320, 2320-2321, 2321-2322, 2322-2323, 2323-2324, 2324-2325, 2325-2326, 2326-2327, 2327-2328, 2328-2329, 2329-2330, 2330-2331, 2331-2332, 2332-2333, 2333-2334, 2334-2335, 2335-2336, 2336-2337, 2337-2338, 2338-2339, 2339-2340, 2340-2341, 2341-2342, 2342-2343, 2343-2344, 2344-2345, 2345-2346, 2346-2347, 2347-2348, 2348-2349, 2349-2350, 2350-2351, 2351-2352, 2352-2353, 2353-2354, 2354-2355, 2355-2356, 2356-2357, 2357-2358, 2358-2359, 2359-2360, 2360-2361, 2361-2362, 23

[illegible]

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2007年12月29日

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 8th May 1928.

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

OATH OF OFFICE.

The following member was sworn in :—

C. M. G. Ogilvie (Official nominated).

STARRED QUESTIONS AND ANSWERS.

TAXATION.

***1352. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state the exact extent of new taxation (including *abiana*) imposed by the Government on the people since 1920 ?

The Honourable Sir Geoffrey deMontmorency : Since 1921 additional provincial taxation has been imposed under the heads registration fees, mutation fees, court-fees, stamps, motor taxation and occupier's rate estimated to bring in Rs. 99,50,000. From these additions to taxation, reductions were subsequently made under the heads mutation fees, court-fees, motor taxation and occupiers' rate estimated to reduce taxation by Rs. 35,30,000. The remaining net additions to taxation stand, therefore, at an estimated total of Rs. 64,20,000. The exact net increase is difficult to appraise, because in the case of court-fees and occupier's rates variations are not only due to change in rate but in the extent of the field to which the taxation applies.

HELP AND CO-OPERATION FROM THE LEGISLATIVE COUNCIL.

***1353. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Finance Member kindly state whether the executive government received help and co-operation from the local council in all emergencies, financial, administrative or political since 1921 onwards ?

The Honourable Sir Geoffrey deMontmorency : Honourable member will not expect me to give in reply to his question a full review of the relations which have existed between the executive Government and the

[The Hon'ble Sir Geoffrey deMontmorency.]

Legislative Council since 1921. It will perhaps be sufficient if I acknowledge here the help and co-operation it has received from the Legislative Council on many occasions.

CO-OPERATION BETWEEN THE RESERVED AND TRANSFERRED HALVES
OF GOVERNMENT.

***1354. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable the Revenue Member kindly state whether in the post-reform period there has been co-operation between the reserved and transferred halves of Government in the Punjab ?

The Honourable Mian Sir Fazl-i-Husain : Government believes this to be so.

DAMAGE TO WHEAT CROP BY 'KUNGI.'

***1355. Sayad Muhammad Husain :** (a) Is the Honourable the Revenue Member aware of the fact that considerable damage has been done to the wheat crop by *Kungi* all over the province ?

(b) Is it also a fact that the wheat-crops in the districts of Lyallpur, Gujranwala, Lahore and Montgomery have suffered heavily from the recent untimely rains ?

(c) If answers to (a) and (b) are in the affirmative, what relief does the Government propose to give to the cultivators ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (c) The honourable member is referred to the answer to question No. 1356 (below).

(b) No damage from recent rains has been reported from any of the districts named except Montgomery where the damage is reported to have been very slight.

DAMAGE TO WHEAT CROP BY 'KUNGI'.

***1356. Sayad Muhammad Husain :** (a) Will the Honourable the Revenue Member be pleased to state whether he is aware of the fact that serious damage has been done to the wheat crops of the province by the appearance of *Kungi* and by untimely rains ?

(b) If the answer to (a) is in the affirmative, will the Government state if it has taken any action in the matter ? If so, with what result ?

The Honourable Mian Sir Fazl-i-Husain : (a) Government has received complaints of the serious damage done to the wheat crop by *Kungi*.

(b) Enquiries into the complaints were ordered, and are being made into the nature and extent of the damage done, and the whole matter is engaging the closest attention of Government.

APPLICATIONS FOR PLYING MOTOR CARS ON HIRE.

***1357. Chaudhri Ram Singh :** (a) Will the Honourable the Revenue Member kindly state the number of applications received in the office of the Deputy Commissioner, Kangra district, for plying motor cars on hire in the said district?

(b) Will he also kindly state the name and place of residence of each applicant?

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

(b) Of these 63 are from Kangra district and 29 from other districts. The honourable member's own application is included in the list.

BANSI RAM, BABOO RAM, ARHATIS OF PATHANKOT.

***1358. Chaudhri Ram Singh :** Will the Honourable the Revenue Member kindly state if it is a fact that Bansi Ram, Baboo Ram, Arhatias of Pathankot, have recently been granted a license for plying motor cars on hire in the Kangra district? If so, what are the reasons for overlooking the applications of a great many respectable residents of the Kangra district and giving a license to the above-mentioned gentlemen in preference to the latter?

The Honourable Mian Sir Fazl-i-Husain : Yes, between Pathankot and Shahpur only as an experimental measure.

The licenses were granted solely in the interests of the travelling public. There was no other offer to run vehicles for short distances and at reduced rates as compared with the other companies working in the Kangra District.

Chaudhri Ram Singh (Urdu) : If licenses were issued in large numbers, will it not conduce to the benefit of the public?

The Honourable Mian Sir Fazl-i-Husain (Urdu) : If licenses were issued to all and sundry it would no doubt reduce the rates, but at the same time loss of life would be increased.

Chaudhri Ram Singh (Urdu) : Will the Government kindly consider the advisability of issuing licenses in sufficient numbers?

The Honourable Mian Sir Fazl-i-Husain (Urdu) : Yes, with pleasure.

RULES REGARDING RELEASE OF LONG-TERM PRISONERS.

***1359. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) whether after the expiry of ten years the rolls of long-term prisoners are sent to Inspector-General of Prisons who fixes the date of their release;

[Ch. Afzal Haq.]

- (b) the rules which govern the decision of the Inspector-General of Prisons in fixing the date of release ?

The Honourable Sir Geoffrey deMontmorency : (a) No.

- (b) Does not arise.

The honourable member's attention is drawn to the provisions of paragraph 516-B. of the Jail Manual.

GOVERNMENT WASTE LANDS.

***1360. Sayad Mubarik Ali Shah :** Will the Honourable the Revenue-Member kindly state—

- (a) the total area in acres of Government waste land in the Jhang district sold by public auction during the settlement operations of 1924-25 ;
(b) the total amount of the sale price of these lands ;
(c) the proportion of the total value of the lands so far realised ?

The Hon'ble Mian Sir Fazl-i-Husain :—

- (a) 15202 acres.
(b) Rs. 47,80,980.
(c) Two-thirds.

HAVELI PROJECT.

***1361. Sayad Mubarik Ali Shah :** Will the Honourable Revenue-Member kindly state what progress has so far been made with the Haveli project, and how long it would take to start actual operations of construction ?

The Honourable Mian Sir Fazl-i-Husain : The project is for the present not being proceeded with ; but Government is bearing this project in mind and will take the earliest opportunity of obtaining sanction for it.

RECRUITMENT OF STATUTORY AGRICULTURISTS OF JHANG TO THE POLICE DEPARTMENT.

***1362. Sayad Mubarik Ali Shah :** Will the Honourable the Finance-Member kindly state whether any member belonging to statutory agriculturists family of the Jhang district has so far been recruited in the gazetted post of the police department ? If not, why not ?

The Honourable Sir Geoffrey deMontmorency : No, the reason being that direct appointments to gazetted rank are only occasionally made, and they are given to those who have the best qualifications irrespective of territorial consideration.

GOVERNMENT COLLEGE, GUJRAT.

***1363. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether he received a representation saying that the Principal Government College, Gujrat, degraded and detained some students of the tenth class in January 1928 when names of the boys were sent up for the examination ;
- (b) whether one of the boys brought a legal suit against the Principal ;
- (c) the result of this suit ?

The Honourable Mr. Manohar Lal : (a) One such complaint was received.

(b) Yes.

(c) The suit failed for technical reasons, but the name of the boy in question was eventually sent up for the Matriculation examination.

COMPLAINTS AGAINST PRINCIPALS AND HEADMASTERS OF GOVERNMENT COLLEGES.

***1364. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether he received any complaint to the effect that the principals and headmasters of Government colleges do not send the rolls of weak students for university examination ;
- (b) whether the Minister for Education is considering the advisability of instructing all the principals and headmasters of schools to discontinue this procedure ?

The Honourable Mr. Manohar Lal : (a) Yes, a few such complaints have reached the department.

(b) The matter is already receiving attention.

DEMONSTRATION AGAINST SIMON COMMISSION.

***1365. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that at Rawalpindi on the arrival of Simon Commission boycotters held a demonstration when the demonstrators were beaten by the officers ;
- (b) whether Government received any report of the incident ;
- (c) whether that official report will be laid on the table ?

The Honourable Sir Geoffrey deMontmorency :

- (a))
- (b)) The official report is laid upon the table.
- (c))

[The Hon'ble Sir Geoffrey deMontmorency.]

Copy of a Special Report No. 7 of Part III of 1928, dated 23rd March 1928, by the Superintendent of Police, Rawalpindi.

Unlawful assembly and obstruction, Rawalpindi City. Officer in-charge: Chaudhri Buta Ram, Deputy Superintendent of Police. Date of occurrence, 23rd March 1928; date of report 23rd March 1928.

To-day I received information soon after noon that as a result of the meeting the previous evening some 1,000 persons had congregated in the Ganj Mandi and were preparing to organise a procession to the City. I immediately got into touch with the District Magistrate, and adhering to our rule that all processions must be licensed, the organisers of the procession were directed to apply for a license. I proceeded to the City and I found that the procession had advanced from the Ganj Mandi to the Tonga Chauk near E. Division, although it had refused to apply for a license. The whole Chauk was blocked and all traffic held up. This caused considerable inconvenience to the travelling public, many of whom were proceeding to catch trains. I made it at once clear that no procession would be permitted without a license. Some of the leaders wished to compromise and said they would not go to the station, but asked to be allowed to proceed to the Murree Road near the railway overbridge merely to demonstrate their hostility to the commission. As they wished to go in procession I told them to ask for a license on these lines, and I would grant it. None of the so-called leaders would accept responsibility, and so no application was received by me. Meanwhile, Gopal Singh, another local Sikh, whose name I do not yet know, and a member of the local Arya Samaj were entertaining the crowd with bitter invective, songs, etc., and the crowd was working up to a state of excitement. I then ordered the crowd to disperse, and some of it did, but the stubborn malcontents remained. I then requested the District Magistrate to come to the spot, but before his arrival we were forced to take some action. In spite of repeated efforts to keep the roads clear, the crowd obstructed all movement, and when the Assistant Surgeon tried to leave the Civil Hospital compound in his buggy, the crowd hooted and the doctor's pony shied and only with skilful handling was a serious accident averted. The City Deputy Superintendent, Police, who had done his utmost to soothe the crowd and to keep it in control in face of all sorts of jeers and insults, then arrested Gopal Singh under the Police Act for causing obstruction. The crowd became excited and a few more arrests had to be made. The District Magistrate arrived at this juncture, and he found hundreds trespassing in the Civil Hospital compound. He tried to get the people to disperse, but his efforts were nullified by the action of Kanshi Ram, the local Congress President and a few others. On the refusal of the crowd to disperse, it was declared an unlawful assembly, and the District Magistrate himself ordered the arrest of some of the leading offenders. The minimum of force was used in all cases, and the police kept under my personal control. Some members of the crowd threw stones. One of the offenders was hit by a baton and arrested. Altogether 25 arrests were made, and the procession soon came to an end.

CIVIL PRISONERS.

***1366. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether the attention of the Government has been invited to the pitiable condition of the civil prisoners by the non-official visitors of jails ;
- (b) whether it is a fact that sufficient clothing and bedding and utensils are not provided by the decree-holders ;
- (c) whether it is a fact that their daily allowance is generally inadequate ;
- (d) whether it is a fact that proper attention is not paid to clothing, beddings, etc., of the civil prisoners when they are admitted into the jail ;
- (e) what action, if any, Government proposes to take in the matter ?

The Honourable Sir Geoffrey deMontmorency : (a) A few non-official visitors, including the mover of the question, have drawn attention to the condition of civil prisoners, and suitable action has been taken on those representations.

(b), (c), (d). The answer is in the negative.

(e) Does not arise.

MARTIAL LAW PRISONERS.

***1367. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) the names of martial law prisoners who are serving their terms in the Punjab jails with the dates of their release ;
- (b) the names of the martial law prisoners serving their terms in other provinces with the dates of their release.

The Honourable Sir Geoffrey deMontmorency : (a) The attention of the honourable member is invited to the answer given to question No. 187, asked by Lala Kesho Ram, Sikhri, on the 21st March 1927. The prisoners, whose probable dates of release as given therein have expired, have since been released.

(b) No martial law prisoners are serving their sentences in jails of other provinces. As many as eleven of them are, however, at present in the Andaman Islands.

PRISONERS.

***1368. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the names of those prisoners and the dates of their release who were sentenced to various terms of imprisonment by special tribunals.

[Ch. Afzal Haq.]

in 1915 and 1916 (i) who are serving in jails of the province, (ii) who are serving their terms outside the province ?

The Honourable Sir Geoffrey de Montmorency : A statement is laid on the table.

Prisoners—

Budha Singh, son of Ishar Singh.

Chanan Singh, son of Natha Singh.

Sohan Singh, son of Karam Singh.

Kesar Singh, son of Bhup Singh.

Hari Singh, son of Amar Singh.

Harnam Singh, son of Narain Singh.

Jagat Ram, son of Ditta Ram.

Chuhar Singh, son of Buta Singh.

Kirpa Singh, son of Jawahar Singh.

Pakhar Singh, son of Bhan Singh.

Bhagal Singh, son of Bal Singh.

are serving their sentences in jails of the Punjab and the rest in those of other provinces.

LIST OF POLITICAL PRISONERS CONFINED IN OTHER PROVINCES.

1	2	3	4	5	6
Serial No.	Name with father's name and present age.	Offence for which sentenced and the date of conviction.	Term of imprisonment.	Period served showing remission.	Probable date of release.
1	Budha Singh, son of Ishar Singh, 36 years.	(1) 121 I.P.C., 30th March 1916. (2) 224, I.P.C., 5th March 1924.	(1) Ten years' transportation (not sent to Andamans). (2) Two years rigorous imprisonment.	Yrs. M. D. Sentence served from 30th March 1916 to 5th March 1924 = 8 years 10 months and 7 days. Remission earned ... 0 2 5	7th December 1931.
2	Chusan Singh, son of Natha Singh.	Sedition relating to abetment of mutiny. 19th August 1915.	Death, commuted to transportation for life.	Andamans. Indian Jails. Y. M. D. Y. M. D. Sentence served ... 5 11 5 5 8 7 Remission earned ... 2 1 0 1 0 8	10th May 1931.
3	Sohan Singh, son of Karam Singh, 62 years.	121, 121A, 124A and 121, I.P.C., 13th September 1917.	Transportation for life.	Sentence served ... 5 3 18 5 10 5 Remission earned ... 0 10 24	1st April 1931.
4	Hirdaram, son of Gajjan Singh, 33 years.	121, 121A, 122, 131, 337, 338, 339/109, 339/104, etc., I.P.C., 10th September 1916.	Death, commuted to transportation for life.	Sentence served ... 5 3 15 5 10 5 Remission earned ... 1 3 0 1 11 26	1st May 1937.

[The Hon'ble Sir Geoffrey deMontmorency.]

LIST OF POLITICAL PRISONERS CONFINED IN OTHER PROVINCES—continued.

1	2	3	4	5	6
Serial No.	Name with father's name and present age.	Offices for which sentenced and the date of conviction.	Term of imprisonment.	Periods allowed showing remissions.	Probable date of release.
				Assamese	Indian Jails
				Yr. M. D.	Yr. M. D.
5	Harnam Singh, son of Gurdit Singh, 42 years	121, 121-A and 131, Indian Penal Code, 18th September 1915.	Death committed to transportation for life.	Sentence served ... 5 9 27 Remission earned ...	1st May 1933
6	Kear Singh, son of Bhup Singh, 53 years.	121, 121-A, 124-A and 131, Indian Penal Code, 18th September 1915.	Ditto	Sentence served ... 5 8 18 Remission earned ...	1st April 1933.
7	Permaand, son of Gias, Parda, 40 years.	121, 121-A, 122 and 124-A, Indian Penal Code, 18th September 1915.	Transportation for life.	Sentence served ... 6 8 18 Remission earned ...	1st October 1932.
8	Madan Singh, son of Mal Singh, 40 years.	121, 121-A, Indian Penal Code, 18th September 1915.	Ditto	Sentence served ... 5 8 2 Remission earned ...	12th May 1933.
9	Sher Singh, son of Kesar Singh, 44 years.	121, 121-A, 124-A and 131, Indian Penal Code, 18th September 1915.	Ditto	Sentence served ... 5 7 11 Remission earned ...	July 1932.
10	Bur Singh, son of Attar Singh, 47 years.	121, 121-A and 131, Indian Penal Code, 18th September 1915.	Ditto	Sentence served ... 5 7 0 Remission earned ...	1st March 1933.

[The Hon'ble Sir Geoffrey de Montmorency.]

LIST OF POLITICAL PRISONERS CONFINED IN OTHER PROVINCE—contd.

Serial No.	1	2	3	4	5	6
		Name with father's name and present age.	Offence for which sentenced and the date of conviction.	Term of imprisonment.	Period served showing remissions.	Probable date of release.
18		Nand Singh, son of Ram Singh, 44 years.	(1) 121, 121-A, 122, 395 and 398, I. P. C. 18th September 1915	Transportation for life.	Andamans Indian Jails. Y. M. D. Y. M. D. Sentence served ... 5 8 13 Remission earned ... 0 9 77	6th September 1940.
19		Chubar Singh, son of Buta Singh, 52 years.	(2) 224, I. P. C. ... 3rd June 1923.	6 months' rigorous imprisonment.		
20		Jwala Singh, son of Kenhya Singh, 57 years.	121, 121-A, 122, 395, 397 and 398, I. P. C. 13th September 1915	Transportation for life.	Sentence served ... 5 4 13 Remission earned ... 0 7 33	20th January 1935.
21		Balwant Singh, son of Hamir Singh, 33 years.	Ditto ... 121, 121-A, 122, 395, 397, 398 and 399, I. P. C. 18th September 1915	Ditto ...	Sentence served ... 5 7 2 Remission earned ... 0 6 13 Sentence served ... 11 7 14 Remission earned ... 0 8 11	24th February 1935. 1st January 1935.

25	Randir Singh, son of N. the Singh, 49 years	121- and 121-A, I. P. C. 30th March 1916.	Natural life and forfeiture of his property.	Sentence served ... Remission earned ...	11 0 0 1 7 27	
26	Kura Singh, son of Jawahar Singh, 38 years.	121, 121, I. P. C. 30th March 1916.	Transportation for life.	Sentence served ... Remission earned ...	10 11 27 3 3 10	10th June 1913.
24	Pohar Singh, son of Bhan Singh, 41 years.	(1) 121, I. P. C. 30th March 1916. (2) 224, I. P. C. 3rd April 1918.	(1) Transportation for life. (2) 3 years' rigorous imprisonment.	Sentence served ... Remission earned ...	11 0 0 0 9 9	22nd June 1917.
23	Karier Singh, son of Sunder Singh.	121 and 121A, I. P. C. 6th January 1917.	Death, commuted to transportation by His Excellency the Governor, Punjab.	Sentence served ... Remission earned ...	10 2 27 0 7 27	7th May 1918.
26	Kohar Singh son of Bhan Singh.	Mutiny and Indian Arms Act. 10th August 1915.	Transportation for life.	Sentence served ... Remission earned ...	5 9 24 0 5 13	15th July 1920.
27	Khusal Singh, son of Sahib Singh, 34 years.	121, 121A, and 396, I. P. C. 12th September 1913.	Ditto	Sentence served ... Remission earned ...	5 8 15 2 1 0 1 5 27	October 1915.
28	Bhugal Singh, son of Bal Singh.	323/109, 120-B and 498, I. P. C. 7th March 1916.	Ditto	Sentence served ... Remission earned ...	11 1 4 2 9 5	March 1912.

PEACE REMISSION TO PRISONERS.

***1369. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether any instruction was sent to the jail officers not to give peace remission to a certain class of prisoners ;
- (b) whether it is a fact that prisoners who were sentenced by special tribunals were not given peace term remissions ? If so, why so ?

The Honourable Sir Geoffrey deMontmorency : (a) No, good conduct in jail was the sole requisite.

(b) No, only those were excluded whose conduct had been bad. For the honourable member's information I may add that calculations for peace remissions were based on the date 19th July 1919. Consequently no convict sentenced after that date was entitled to such peace remissions.

Chaudhri Afzal Haq : Is the Honourable Finance Member aware of the fact that martial law prisoners who are serving their terms in the Punjab jails are not given these peace remissions ?

The Honourable Sir Geoffrey deMontmorency : I am not aware of it, but I will look into the matter.

JAILORS AND ASSISTANT JAILORS.

***1370. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state the number of those jailors and assistant jailors who are holding charge of and have not been transferred from a jail for the last ten years ?

The Honourable Sir Geoffrey deMontmorency :

Jailors .. None.

Assistant Jailors .. One who has specialised in Borstal work.

COMPLAINT REGARDING USE OF *sajji* IN PRISONS.

***1371. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether it has been brought to the notice of the Inspector-General of Prisons by the prisoners of Lahore Central Jail that the quantity of *sajji* used for the purpose of washing the clothes is quite insufficient ?

If so, what action has been taken by the Government ?

The Honourable Sir Geoffrey deMontmorency : No.

JHATKA MEAT FOR SIKH PRISONERS.

***1372. Sardar Partap Singh :** Will the Honourable the Finance Member please state if it is a fact that whenever prisoners get meat as rations or sick prisoners are recommended a meat diet by the jail doctor, the Sikh prisoners are not provided with *jhatka* meat ? If so, does he propose to remove this complaint ?

The Honourable Sir Geoffrey de Montrency : Meat is not issued at all in the rations of ordinary prisoners. For hospital patients, meat of animals killed by Muhammadan butchers is issued in suitable cases, or is replaced in the diet by eggs, milk, etc. Enquiries are being made as to the possibility of supplying *jhatka* meat to any Sikh prisoner in hospitals for whom meat diet is recommended.

ORIENTAL TRAINING CLASS.

***1373. Lala Joti Parshad :** Will the Honourable Minister for Education please lay on the table a statement showing—

- (a) the total number of candidates belonging to each community separately who applied for admission into Oriental training class in Persian in the Central Training College during each year from 1922 to 1927 ;
- (b) the total number of candidates of each community who were admitted into the training class in Persian during each of these years ?

The Honourable Mr. Manohar Lal : Such information as is available is given below :—

YEAR.	NO. OF APPLICANTS.		NUMBER ADMITTED.	
	Muslims.	Hindus.	Muslims.	Hindus.
1922-23 .. ..	..	..	..	..
1923-24	Information	not available.	19	1
1924-25	33	2	20	..
1925-26	56	1	20	..
1926-27	36	2	20	..
1927-28	37	3	10	1

* There was no Persian class in 1922-23.

CENTRAL TRAINING COLLEGE.

***1374. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- (a) whether any circular has been issued by the education department about giving preference to teachers of Government schools in the matter of admission into the Central Training College ;
- (b) whether it is a fact that preference is given by the Principal, Central Training College, to inexperienced Muhammadan Munshi Fazals who are not employed in Government service ?

- (c) If the answers to (a) and (b) be in the affirmative what are the reasons for such preference ?

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

(b) No.

(c) Does not arise.

J. V. AND J. A. V. TEACHERS.

***1375. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that junior vernacular teachers are granted promotion in special cases to Rs. 100 a month while the junior Anglo-Vernacular teachers who possess far more superior qualifications are not permitted to draw Rs. 70 a month ; if so, why ;
- (b) the number of junior vernacular and junior Anglo-vernacular teachers separately who are drawing more than Rs. 70 a month in the province ?

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

(b) No junior vernacular teacher in Government service draws more than Rs. 70 per mensem. Thirty-two junior anglo-vernacular teachers are drawing more than that sum.

GOVERNMENT CATTLE FARM, HISSAR.

***1376. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

- (a) the name of the officer and his qualifications who has been appointed as Superintendent, Government Cattle Farm, Hissar, in place of Mr. Branford ;
- (b) whether he is a man from the department or from outside ; if from outside, what are the reasons for his selection ;
- (c) if it is a fact that this appointment has caused great heart-burning amongst the officers of the department ?

The Honourable Sardar Jogendra Singh : (a) Mr. Branford is still Superintendent of the Cattle Farm at Hissar, but Mr. L. A. Smith, who was till recently in the Army Remount Department, has been selected to succeed him in that capacity on his retirement in July next.

(b) He has been selected owing to the shortage of officers in the Civil Veterinary Department. He has considerable practical experience of horse, mule and cattle breeding.

(c) No, not so far as I am aware.

HISSAR DISTRICT BOARD.

***1377. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that Hissar district board election which was to come off in May 1928 has been postponed ;
- (b) if the Government is in a position to say when this election so postponed is expected to be held ?

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

(b) Later in the year.

MAHASHAYA RATTAN CHAND.

***1378. Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that Mahashaya Rattan Chand of Amritsar, a political prisoner convicted during martial law, is suffering from hernia, the only treatment for which is a radical operation ?
- (b) If so, when does the Government propose to get him treated or release him for treatment ?

The Honourable Sir Geoffrey deMontmorency : (a) Not at present.

(b) Does not arise.

"THE NEW MEDICAL COLLEGE."

***1379. Dr. Gopi Chand, Bhargava :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether his attention has been invited to a note published in the *Civil and Military Gazette*, dated 28th March 1928, page 6, under the heading of "The New Medical College" (Maternity Hospital) ;
- (b) if so, what action does the Government propose to take in this connection ?

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

(b) Funds for the construction of a new Lady Aitchison Hospital for Women and Medical School for Women in connection therewith having been voted by the Legislative Council in March, it is proposed to proceed with the scheme.

BHAGAT SINGH.

***1380. Dr. Gopi Chand, Bhargava :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that a young man named Bhagat Singh, son of Sardar Kishan Singh, of Lahore, was arrested by the police without showing any warrant of arrest on the 20th May 1927 ;

- (b) if it is a fact that he was kept in the judicial lock-up for 28 days and for 16 days in Borstal Jail and that he was never produced before any judicial officer ;
- (c) if it is a fact that he was released on 4th July 1927 on bail with two sureties of twenty thousand each and a personal bond of twenty thousand without ever bringing any specific charge against him ;
- (d) if it is a fact that his application for cancellation of bail was dismissed ;
- (e) if so, why such a heavy bail is demanded of him without informing him of his guilt ?

The Honourable Sir Geoffrey deMontmorency : (a) Bhagat Singh was arrested by the police on May the 29th, 1927, on suspicion of complicity in a cognizable case for which no warrant of arrest was legally necessary.

(b) He was produced before the Additional District Magistrate, Lahore, on May the 30th within 24 hours of arrest and was twice remanded for 14 days at a time to police custody. At the expiry of the second remand on June the 27th, magisterial orders were issued that he should be released on bail and that he should be confined to jail until he found the security demanded.

(c) On July the 4th, 1927, he was released on bail with two sureties of Rs. 20,000 each and a personal bond of Rs. 20,000. It is not a fact that no specific charge was brought against him.

(d) He was discharged from his bond in January 1928.

(e) He was informed of the charges on which he had been arrested, and the question, therefore, does not arise.

IMPRISONMENT OF A CERTAIN PUNJABI.

***1381. Chaudhri Afzal Haq :** Will the Honourable the Finance Member please state—

- (a) whether he is aware of the fact that a Punjabi young man who went to study Economics in Moscow University has been sentenced to three years' rigorous imprisonment under section 121, Indian Penal Code, and is now imprisoned in Sialkot ;
- (b) whether it is a fact that he has been for four years in Europe ;
- (c) if it is a fact that he is treated as an ordinary prisoner ;
- (d) If so, whether the Honourable Member will be pleased to state whether the Government is considering the advisability of treating him as European prisoner ?

The Honourable Sir Geoffrey deMontmorency : (a) and (b) One Fazal Ilahi, a political prisoner, who was sentenced to 5 years' rigorous imprisonment by the Additional District Magistrate, Peshawar, on 6th August 1927, is confined in the Sialkot Jail and is said to have been a student at the " University for Eastern Workers " at Moscow for a little over 4 years.

(c) Yes.

(d) Prisoner applied to be classed as " Special Class ", and his application was rejected by the Chief Commissioner, North-West Frontier Province.

UNSTARRED QUESTIONS AND ANSWERS.

GOVERNMENT INTERMEDIATE COLLEGE, LUDHIANA.

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

- (a) whether he has received complaints that admission to the tenth class of the Ludhiana Government Intermediate College has considerably fallen down ;
- (b) whether he enquired into the reason for this ;
- (c) what steps he proposes to take to restore the popularity of the college ?

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

(b) and (c) Do not arise.

GOVERNMENT INTERMEDIATE COLLEGE, HOSHIARPUR.

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

- (a) the number of students in each class of the Government Intermediate College, Hoshiarpur, taking up Sanskrit, Arabic, Persian, Urdu and Punjabi ;
- (b) the number of teachers appointed to teach the above subjects ;
- (c) the number of periods allotted to each of the above teachers from May 1927 to March 1928 ?

The Honourable Mr. Manohar Lal : The statement giving the requisite information is laid on the table.

SUBJECT.	(a).			(b).	(c).
	Number of students in each class of the Government Intermediate College, Hoshiarpur, taking up various Oriental Languages.			Number of teachers teaching the various subjects.	Number of weekly periods allotted to each teacher from May 1927 to March 1928.
	III Year.	II Year.	I Year.		
Sanskrit ..	4	12	13	1	19
Arabic ..	5	21	16	1	23
Persian ..	23	90	52	1	25
Urdu ..	26	70	34	Shared by Arabic and Persian Teachers.	NIL
Hindi ..	21	19	9	1	13+ Clerical work.
Punjabi ..	6	14	4	1	13+ Library work.

GOVERNMENT COLLEGE, LAHORE.

710. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state the number of professors and lecturers communitywise on the staff of the Government College, Lahore, for English, Mathematics, Physics, Chemistry, Botany, Zoology, History and Philosophy ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the Prospectus of the Government College, Lahore. A¹ copy of the Prospectus is placed on the table.

PROFESSORS AND LECTURERS.

711. Chaudhri Afzal Haq : Will the Honourable Minister for Education be pleased to state the number of temporary and permanent professors and lecturers appointed on special gazetted pay or given the maximum pay of the provincial grade communitywise ?

The Honourable Mr. Manohar Lal : If the honourable member will kindly make the terms of his question clearer, I shall be glad to have the information prepared. But the usual information is available in the Annual Consolidated Statement.

MUSLIM DISTRICT INSPECTOR OF SCHOOLS.

712. Chaudhri Ali Ahmad : Will the Honourable Minister for Education kindly inform whether a Muslim District Inspector of Schools has been put in charge of the Gujranwala district schools during the last 45 years ? If so, for how long and what was his name ?

The Honourable Mr. Manohar Lal : The honourable member is referred to part (a) of Council question No. 526² asked in November last.

713. Cancelled.

POLICE SUB-INSPECTORS.

714. Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to state the number of police sub-inspectors who have been dismissed from service in the year 1927 as compared with those dismissed in 1928 for corruption ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being collected and will be communicated later.

JAIL LIBRARY.

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

- (a) whether there is any jail library where such books are stocked which may enlighten the Superintendents, Jailors and visitors as to the jail administration and jail reform of other countries ;

¹ Placed in the Council Library.

² Vol. X-B, page 1428.

[Ch. Afzal Haq.]

(b) if not, what steps, if any, does Government propose to take to supply the deficiency?

The Honourable Sir Geoffrey deMontmorency: (a) No.

(b) Government will take immediate steps to have the suggestion examined and considered.

LICENCE FOR FIRE ARMS.

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

(a) the number of applications for licence to keep fire arms that have been refused since January 1928;

(b) whether any reason is assigned for refusal;

(c) whether those reasons are communicated to the applicant; if not, why not?

The Honourable Mian Sir Fazl-i-Husain: The information asked for is being collected and will be communicated to the honourable member in due course.

STANDING COMMITTEES OF THE LEGISLATIVE COUNCIL.

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

(a) how many times in the last financial year the different standing committees of the Legislative Council met;

(b) if it is a fact that most of the work of the department is carried on without even consulting the Standing Committees?

The Honourable Mian Sir Fazl-i-Husain: (a) The accompanying statement furnishes the information asked for.

(b) No.

Statement showing the number of meetings of the various Standing Committees held during the financial year 1927-28.

Names of the Standing Committees.	Number of meetings held.
1. Finance	4
2. Canals	1
3. Jails	1
4. Industries	2
5. Co-operative Societies	2
6. Excise	1
7. Local Self-Government	2
8. Public Health	2
9. Agriculture	Nil.
10. Education	2
11. Land Revenue	1
12. Police	1

MEETINGS OF STANDING COMMITTEES.

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

- (a) whether it is a fact that sufficient notice of the meetings is not given to the members of the Standing Committees ;
- (b) whether the Government is considering the advisability of sending notice of the meetings 15 days before so that the members may be able to arrange their other engagements accordingly ?

The Honourable Mian Sir Fazl-i-Husain : (a) Endeavours are made to give adequate notice to members, but it may be that, in some cases, the latter do not consider that sufficient notice has been given.

(b) It is not always practicable to give as much notice as the honourable member suggests, as cases of urgency sometimes arise ; but Government has issued instructions that, so far as possible, efforts should be made to give 14 days' notice.

MILITARY GRANTEES.

719. Chaudhri Ram Singh : (i) Will the Honourable the Revenue Member kindly state if it is a fact—

- (a) that one of the conditions on which the military grantees belonging to the Kangra and Hoshiarpur districts have been granted squares of land in the Nili Bar colony is that they should never absent themselves from their lands ;
- (b) that such restrictions do not exist in other colonies and that the agents or servants of the grantees are permitted to carry on the work in the absence of their masters ?

(ii) If the answer to (i) above be in the affirmative, do Government propose to allow the military grantees of the Nili Bar colony the same concessions as are enjoyed by grantees in other colonies ?

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

(ii) No. Experience acquired does not permit Government to do so. In cases in which the grantee is too old or infirm to cultivate his grant personally, the Colonization Officer has, however, been empowered to allow his heir presumptive, if he is a suitable colonist, to reside on the grant on behalf of the grantee, and in cases where the sole heir presumptive is a minor or in Government service, to accept a substitute.

MILITARY GRANTEES.

720. Chaudhri Ram Singh : Will the Honourable the Revenue Member kindly state the number of military grantees in the Nili Bar colony—

- (a) who have been fined, and
- (b) whose squares of land have been confiscated for absentsing themselves from their lands ?

The Honourable Mian Sir Fazl-i-Hussain : The information is being collected and will be communicated later on.

SARDAR HARCHAND SINGH, ex-M.L.C.

721. Sardar Ujjal Singh : Will the Honourable the Finance Member be pleased to state—

- (a) if it is a fact that Sardar Harchand Singh, Rais, Lyallpur, an ex-member of the Punjab Legislative Council, applied in October 1927 for a passport for going to Tanganyika, British East Africa ;
- (b) the object of the journey noted in the application ;
- (c) the orders passed thereon and reasons thereof ;
- (d) whether the attention of the Government was drawn to a statement by Sardar Harchand Singh which was published in *The Tribune* in its issue of 6th March 1928, and in vernacular papers ;
- (e) if the said Sardar Harchand Singh was ever sent up or convicted of any offence, political or otherwise ;
- (f) if the said Sardar Harchand Singh holds any Jagir or other distinction ; if so, what ?
- (g) the contributions the said Sardar Harchand Singh made during the Great War towards War loan, aeroplane and relief funds ;
- (h) if Sardar Harchand Singh holds a licence for a gun as well as a revolver ;
- (i) if it is a fact that Bhai Pyara Singh of Langeri in the Hoshiarpur district and Bhai Gurdit Singh of Sursingh in the Lahore district, who were convicted in the Lahore conspiracy case, were granted passports to go to America and China respectively ?

The Honourable Sir Geoffrey deMontmorency : Attention of the honourable member is invited to the answer to be given to Council question No. 1 1408 starred.

CIVIL VETERINARY DEPARTMENT.

722. Chaudhri Duli Chand : Will the Honourable the Minister for Agriculture kindly state—

- (a) whether it is a fact that in the Civil Veterinary Department all officers except Veterinary Assistants enjoy the benefit of time-scale ;
- (b) the reasons why the Veterinary Assistants are not allowed the benefit of a time-scale ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) The matter was considered in 1924, on memorials presented by Veterinary Assistants and it was decided that no sufficient grounds existed to revise the pay when that pay has been raised only a few years before. Fresh memorials have been recently submitted for the consideration of Government.

STATEMENT OF ADDITIONS AND REDUCTIONS IN THE NON-VOTED GRANTS.

The Secretary laid on the table¹ a statement showing additions and reductions sanctioned by the Finance Department in the non-voted grants for the year ending 31st of March 1928.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President: The Council will now resume discussion on the Punjab Land Revenue (amendment) Bill.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, I beg to move—

"That at the end of clause 3 the following explanation be added:— '*Explanation—Village as used in section 48 (1) of the Act shall include a town or a city.*'"

Sir, my reason for moving this amendment is obvious. The village land has been exempted and my amendment asks that the same privilege should be extended to the town or city.

Mr. President: Clause under consideration, amendment moved:

"That at the end of clause 3 the following explanation be added:— '*Explanation—Village as used in section 48 (1) of the Act shall include a town or a city.*'"

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, the amendment proposed by the honourable member from Simla seeks to have the lands situated in the outskirts of cities or towns exempted from the payment of land revenue. I am constrained to say that I do not see any reason to support the amendment. If the honourable member had asked for the exemption of lands in villages from the land revenue, the matter might have been considered to be arguable, as some people in the villages are poor, and the failure of crops is not unknown but to urge the Government to exempt lands situate in the outskirts of towns or cities from the payment of land revenue, when the value of these lands, because of their proximity to cities has risen 20 times and more than the village lands and when their produce fetches such enormous prices, seems to me preposterous. I do not see any reason why we should deprive the Government of its legitimate share. Sir, you would be simply causing a huge loss to the Government exchequer, without any reason, and it would in its turn, affect adversely the programme of development in hand. With these remarks I strongly oppose the amendment and trust that the House will follow suit.

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan), Rural] (Urdu): Sir, although I have used my best endeavours to see if there is anything to commend the amendment moved by my learned friend from Simla, I have failed to find anything reasonable about it and I am constrained to oppose it. The reasons advanced by the Honourable the Revenue Member against the amendment are so cogent and weighty, that I cannot be a willing party to depriving the Government of substantial income that it usually derives from lands situate in towns and cities. If the amendment under discussion is carried, it would necessarily involve great financial loss to the Government exchequer which, in its turn, would place a hindrance in the way of Government granting any relief to petty zamindars at any future time. For these

¹ Copy kept in the library.

[R. S. Ch. Chhotu Ram.]

reasons, Sir, I strongly oppose the amendment, and trust that other honourable members of the House would also do the same.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, I strongly oppose the amendment moved by the honourable member from Simla, for various reasons. In the first place, there may be some justification in exempting lands situated in villages from the payment of land revenue, but I see no earthly reasons why lands situated in towns and cities, which fetch such enormous prices to their owners when sold for building purposes, should be exempted from the payment of land revenue and thus unnecessarily deprive the Government from huge income accruing from this source.

Again, Sir, if the proposed amendment is carried, it would not be beneficial in the least to the interests of petty zamindars of the province. The only result of it would be to enrich the already rich people and I trust, Sir, that the House will agree with me that enriching the already rich people is no great achievement. It would have meant something if you had done something for the poorer people. Such amendments are moved by the inhabitants of a country which has fallen on evil days, otherwise, the honourable members of the House would have supported the amendments proposed yesterday, which sought to ameliorate the condition of the poor zamindars of the province. With these remarks, I resume my seat and trust that the House would not agree to such amendment.

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu): Sir, I have risen to support the amendment moved by the honourable member from Simla. The arguments advanced by the opponents of the amendment do not seem to me very convincing, in as much as the lands situate in cities and towns generally belong to zamindars, whose cause we are championing here with such vigour and force. Therefore, if the amendment is carried, their land would be exempted from the payment of land revenue and the resultant benefit would go to them. I see no reason, therefore, why the zamindar members of the House should oppose it at all. Sir, another reason given against it is, that the value of these lands and their produce because of their proximity to cities and towns, is very much higher than the lands situate in villages. With due deference to the honourable member who advanced this argument, I beg to submit, Sir, that it is wholly untrue and unfounded. In my constituency at least, lands situated in villages fetch as high a price as those lands which are situated in cities and towns.

Sir, my next submission is, that if the amendment is carried, it would tend to bridge the gulf already existing between townsmen and zamindars. For these reasons I extend my heartiest support to the amendment.

Mr. President : Clause under consideration, amendment moved :

" That at the end of clause 3 the following explanation be added :— ' Explanation—Village as used in section 48 (1) of the Act shall include a town or a city ' "

The question is that that amendment be made.

The motion was lost.

Mr. President : The question is—

“That clause 3 as amended stand part of the bill.”

The motion was carried.

Mr. President : Clause 4.

Chaudhri Afzal Haq : I beg to move—

“That in clause 4, section 48-B., lines 8 and 9, ‘one-third’ be substituted by ‘one-fifth’.”

The Honourable Mian Sir Fazl-i-Husain : Sir, before the discussion begins, may I ask whether the other two amendments following this one will be taken up after the discussion of this amendment or whether they will be treated as having been discussed during the course of this amendment. The honourable members of this House seem to be under some doubt on the point and it would probably be best for you to give your ruling on the subject.

Mr. President : If the discussion is confined to the principle whether the assessment limit should be one-fourth or one-fifth, then after the limit of one-fifth is discussed, the limit of one-fourth will be discussed. But if the general principle of reduction only is discussed, that is to say, whether the assessment should be reduced from one-third to one-fourth or to any lower fraction, then the discussion will be confined generally to the principle of reduction and the vote of the House will be taken on all reduction amendments one after the other.

Chaudhri Afzal Haq : In that case I will not proceed with my amendment.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move—

“That in clause 4, section 48-B., the words ‘one-third’ shall be substituted by the words ‘one-fourth’.”

Sir, heretofore the settlements in this province have been regulated by departmental instructions and orders, there being no codified law or statutory rules on the subject. In 1919, however, the Joint Select Committee on the Government of India Bill expressed an opinion that under the reformed constitution the past practice should be abandoned and the main principles governing the settlement policy should be embodied in law. The present bill, Sir, owes its origin to the recommendation of the same commission. At first the Government demand was fixed at 50 per cent. of the nett assets. But this was only in theory, while in practice it never exceeded 33 per cent. and very often fell short of even this limit of one-third as is apparent from the statement of the “objects and reasons” of this bill. It is stated therein that the figures available show indeed that very often it has not been possible to take as much as one-third of the nett assets. Thus it is a fact and a solid fact that the Government have not been able to realise land revenue even up to this limit.

The following extract from the report of the Indian Taxation Enquiry Committee would further support my contention :—

“In the Punjab, before settlement for the eleven districts was made, the amount of land revenue realised varied from 18 to 27 per cent., the average being 17·8 and after the settlement from 19 to 30 per cent. with the average of 25.”

[Rana Feroz-ud-Din Khan.]

Thus it is quite obvious from this extract that the Government in the past has never succeeded in collecting land revenue more than 25 per cent. of the nett assets, and I, therefore, do not see any earthly reason why it should now be fixed at 33 per cent. I, therefore, on the basis and strength of the existing practice strongly urge that the Government has no justification in fixing its demand at a rate higher than one-fourth of the nett assets.

Another reason why I have moved the amendment is this, that every student of human psychology does know that when any tax or imposition is regulated by departmental rules and regulations and is dependent upon the sweet will of officers, it possesses elasticity and the collecting officer does not show any great harshness. But when the law has been codified their sense of generosity is unconsciously dulled and they have a tendency to exact the maximum limit. In view of this fact, I submit, Sir, that Government should kindly fix the limit of land revenue at 25 per cent. of the nett assets, instead of 33 per cent. as proposed in the Bill.

With these observations, I commend my amendment to the House for its favourable consideration.

Mr. President : Clause under consideration, amendment moved :—

" That in clause 4, section 48-B, the words ' one-third ' shall be substituted by the words ' one-fourth '."

The question is that that amendment be made.

Mr. C. A. H. Townsend (Financial Commissioner) : I ask the House to reject this amendment. As the honourable member who moved the amendment said, the practice of the Government in the past and now is regulated by executive instructions on the matter. Those in force till recently laid down that the percentage of the nett assessment which Government must not exceed should be at 50 per cent. During, however, the last three or four years that figure has been reduced to 33 per cent. The honourable mover said that in practice the assessments have been 25 per cent. and asks, ' why not substitute that figure for 33 per cent. ' ? It is true that of late years assessments have been on the whole steadily sinking downwards. I was a settlement officer more than fifteen years ago, when the standards of assessment were generally considerably higher than they are now. I am confident that in many districts which came under reassessment during the past twenty years the proportion of nett assets taken has been above 25 per cent. I beg the House to realise the magnitude of the concession offered to them in this matter by Government. As I have said, the practice in the past has been based on executive instructions and there was nothing in law to prevent the standard of assessment being raised from 33 to 50 per cent. It is now proposed to embody this limit of 33 per cent. in the law. I ask the House before it votes on this amendment to weigh carefully the very considerable concession that is offered by Government and not lightly to reject it.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, in proceeding to support this amendment moved by my honourable friend I would like to state in the first instance that it is a tax and not rent as has been supposed. Unfortunately this fallacy of rent is responsible in

the past for raising the land revenue to the extent of half the nett assets. This land revenue has never been a rent: it has never been regarded as rent either by the Hindus according to Dharma Shastras of Manu Maharaji or by the Muhammadans of the later period or by the Moghuls or by the Sikhs or even by the Government of India. It is expressly stated, as anybody who is thoroughly acquainted with the Hindu Dharma Shastras will realise, that land is the property of the person to whom it belonged. Then came the Muhammadan period, and I can say with confidence that all the Muhammadan Emperors regarded the land as the property of the people who were owners of those lands. In the time of the Moghul emperors also land was considered to be the private property of individuals and I can support this theory by the fact that when the East India Company requested the Moghul Emperors to sell land for them for the purpose of factories in Bengal it was expressly stated by the Moghul Emperor who was then ruling the country that the land did not belong to the State, but belonged to the people and that, therefore, the company should approach the people and buy the lands on paying the proper price to the owners. Even this fallacy of land paying rent had been refuted by several political economists and I shall prove by reference to the despatches of the Government of India and the Secretary of State that it has never been a rent but has been treated as a tax.

Bishop Heber wrote in 1826 after travelling through India and visiting British and Native States that 'no native prince demands the rent which we do.' "A land tax like that which now exists in India," wrote Colonel Briggs in 1880, "professing to absorb the whole of the land-lord's rent, was never known under any Government in Europe or Asia."

R. C. Dutt writes in his book on '*The Economic History of India under Early British Rule*'—

"The British Government declared its intention in 1864 of realising as land-tax about one-half of the economic rent. But what the British Government does take as land tax at the present day sometimes approximates to the whole of the economic rent, leaving the cultivators little beyond the wages of their labour and the profits of their agricultural stock."

"Three years after the renewal of the Charter, the East India Company recorded their famous despatch, in which they laid down that the 'right of Government is not a rent which consists of all the surplus produce after paying the cost of cultivation and the profits of agricultural stocks, but a *land revenue* only! And after the abolition of the East India Company, Sir Charles Wood (afterwards Lord Halifax), the grandfather of our present Viceroy of India, then Secretary of State for India, recorded in his equally famous despatch of 1864 that he desired only to take a share, and only a *half share of the rent* as land tax."

It will be evident from this reference which I have made that it was never a rent but it was a tax, one of the heaviest taxes in the world. It was due to its rigidity and to its being very heavy that the agricultural population of the whole of India was reduced to poverty and that so many famines

[Sayad Muhammad Husain.]

occurred during the past several years. Fortunately the Punjab Government did not see its way to take the limit which was taken either by the East India Company or by the other provinces. Again, I want to explain what has been the practice in the past of realising this land tax—

“John Briggs pointed out that among the ancient nations—the Greeks, the Romans, the Persians, and the Chinese—the right of the State consisted in levying a tax of one-tenth of the produce. Among the ancient Hindus the right of the king or the State was to levy of grain one-eighth part, a sixth or a twelfth, according to difference of the soil and the labour necessary to cultivate it.”

Coming to the Muhammadan period, the *Shariat* of Islam never allowed any monarch to take more than one-tenth on the barani land and more than one-twentieth on *chahi* or well-irrigated land. This is expressly laid down in the unaltered and the unalterable *Shariat* and so no Muhammadan sovereign could transgress the limits laid down there. The Muhammadans before the Mughal period never went beyond that; they never charged more than that. From the time of Akbar right down to the permanent settlement of the East India Company in the time of Cornwallis the land revenue did not vary very much.

“Mr. Shore refers to the subsequent enhancement made by Suja Khan, Alivardi Khan, and Mir Kasim. An appendix furnishes us with the following figures for the land revenues of Bengal on different dates :—

	Rs.
By Todar Mall's settlement, 1582	.. 1,06,98,152
By Sultan Suja's settlement, 1658	.. 1,81,15,907
By Jaffar Khan's settlement, 1722	.. 1,42,88,186
By Suja Khan's settlement, 1728	.. 1,42,45,561

It will be seen that the amount of the land revenue was not much altered to the close of the Muhammadan rule, although sundry other taxes were imposed between 1722 and 1768.”

Now, Sir, it was upon that basis that the permanent settlement was assessed in Bengal. No great variation took place during practically the whole of the Muhammadan period and the British Government coming as the inheritors of the Mughal emperors also based their assessment upon that prevailing during the Mughal period in fixing the permanent settlement rates in Bengal.

Coming now to the Punjab I refer to the brightest spot in the Sikh administration. I am referring to Diwan Sawan Mall who assessed the Multan division and Diwan Rup Chand of the Jullundur Doab. These two good administrators were responsible for the increase of cultivation in the Multan division and in the Jullundur Doab division respectively and nobody can ever complain about their good administration. It was due to the moderate demand which they made on the people in the way of assessment that the

agricultural condition of the people in these tracts was in a flourishing condition during the Sikh reign. The other point in favour of the system of assessment of olden days was that it was very elastic. It was usually in kind, not in cash. There was no rigidity which we now see in our present system of assessment. During the Moghal period as also during the time of the Hindu monarchs, whenever there was famine, whenever there was bad harvest and when there was drought, there was not only remission of the entire land revenue, but the people were given the grains that were accumulated by the Rajas and the Maharajas so that the people might tide over the difficult time. The grain which was collected by the Rajas and the Maharajas of the several States was always considered as the property of the people and whenever there was drought or famine, the grain thus stored was distributed to the people for their use with the option of returning the grain back if they were in a position to do so or of never returning the grain back if they were unable to do so. There was no rigidity about the relief afforded to the people. If good season followed the famine, the people would return the grain given by the monarchs, but if famine continued, the grain was never returned. Now-a-days the present land revenue system is like the steam roller which crushes everything before it. No one can withhold a single pice of Government land revenue. The laws for the collection are so rigid and so severe that unless there is remission or suspension, there is no possibility of any man escaping from the rigidity of the law under any circumstances. If a person who is assessed does not pay the land revenue, his property is liable to be attached and sold, his cattle will also be taken away and sold in auction and the poor tenant will be harassed in all possible ways which the ingenuity of the Government brain could devise for the collection of land revenue. Under the circumstances, the Council must be very careful that the demand must not be so severe as to be intolerable and beyond the taxable capacity of the people. These must be guiding factors for any administrator or for any legislator in giving his assent to a legislation. It must be said to the credit of the Punjab Government that under the rules framed by them—though they have followed in this respect the rules framed by the United Provinces Government—the settlement officers who have been deputed in the past for the settlement of the province have all been friends of the people. They did not go up to the limit which has been fixed by the law. I would like you, Sir, to forgive me the repetition, the limit never exceeded 20 or 25 per cent. All the different districts which have been settled never went beyond that limit. I would like here to quote from the statement which has been supplied by my honourable friend Sardar Ujjal Singh in his minute of dissent—"In Sialkot the existing percentage is 21, in Lahore 22, in Amritsar 25, in Ambala 25, in Ferozepore 20, in Gujranwala 25, in Montgomery 30 and in Shahpur 24." In Montgomery they have assessed only two tahsils at a higher pitch and as after a period of four or five years all the inundation canals would be converted into non-perennial canals the limit of 30 per cent. was justified to bring it in consonance with the other irrigated areas. When we made the protest it was expressly stated that the lands were to be irrigated by non-perennial canals and that was why the assessment was fixed at 30 per cent. I hope my honourable friend Mr. Penny will correct me if I am wrong when

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I say that in Lyallpur the pitch of assessment was not more than 22 per cent. of the nett assets.

Mr. J. D. Penny : The assessment when imposed by Mr. Dobson was 75 per cent. of the half nett assets.

Sayad Muhammad Husain : Surely when we are codifying the existing system of land revenue in the province, we should not go beyond the limit of 25 per cent., which is perhaps the maximum that has been realised uptill now, leaving aside exceptional circumstances and exceptional conditions of certain districts. I lay great stress on the fact that when we are codifying the law once and for all, as has been suggested by my honourable friend the mover of the amendment, the statutory limits should not be fixed as high as one-third, but that it should be fixed at only 25 per cent. and not more than that as has been recommended by the Taxation Enquiry Committee. Fortunately one of the members who served on that committee is in this Council as a Minister. It has been demanded by the legislative councils of other provinces that the pitch of assessment should never exceed 25 per cent. of the nett assets. The Council should pass this amendment even if the Government does not accept it. If the House passes this amendment, it does not matter even if the Government does not proceed with the Bill any further. Let the Bill be dropped, we do not mind it. We have come to the vital point so far as the Bill is concerned. On this crucial question, our decision should be in line with that of the other provinces in India. Even though we lose this bill by passing this amendment, let us not be deterred in our endeavours to give relief to the zamindars. Even if we do not have this Bill, our fate will be the same as that of other provinces. If the time comes—surely I feel that it will come when we will have responsible self-government—we shall join hands with the other provinces and redress the wrong that is being done to the people of India in the matter of the fixing of the pitch of assessment. In the past we have been heavily taxed. Compare the land tax with the income-tax. There is no fair comparison at all so far as the two percentages are concerned. The incidence of income-tax is only 8 per cent. and even super-tax does not exceed 30 per cent. All the big landholders are being terrified into the belief that if the burden on the poor small landholders is relieved, it will fall more heavily on the big landholders. I have already submitted this and I will say once again no worse fate can befall us. We are already paying something equivalent to super-tax from top to bottom. The richest of the rich is paying the super-tax and the poorest of poor is also paying the super-tax. May I ask the Government if they can give me one example where the zamindar is not in debt? Even the big zamindars, unless they add to their agricultural income other sources of income, are not able to get anything from the land. Ninety per per cent. of the big zamindars are all in debt. I have got here a statement supplied to me by one of the biggest and ablest zamindars of the province, Major Vanrenan, a great friend of the zamindars. He has worked his figures on a commercial basis and let any auditor of the Government go and check them and find out if they are wrong. There is no other land better

managed than the land of Major Venrenan and his figures show that his net income did not exceed Rs. 200 for the two preceding years. I ask the Honourable Minister for Agriculture whether the agricultural demonstration farms which are run by the Government and on scientific and commercial lines show any profit? There may be one or two exceptions but generally you will find that all the demonstration farms worked by the Government are run at a loss or at least on no profit. If these agricultural farms, with all the resources at the disposal of the Government, with all facilities of water and husbandry, with highly trained and skilled experts who look after them are running at a loss, what about the private lands? How can you expect the poor zamindar, who is illiterate, who is resourceless, to make a profit on his land and is it right, is it proper on the part of the Government to raise the tax in the case of these poor inarticulate and loyal people who helped Government with men and money in time of necessity? Of course I do not want to ask any reward from the Government. But I only wish to draw their attention to these facts. Is it right for any Government to put the taxation at such a high limit of 83 per cent. of the net assets? Surely this is the heaviest taxation in the world. (Hear, hear).

Now I will come to another instance. The Tariff Board when it was enquiring about the iron and steel industry suggested that the minimum income on any industry should be 8 per cent. on the outlay. (*Interruption*). I understand that it has now recommended that it should be 12 per cent. Now there is no zamindar in this province whose income whether from irrigated or unirrigated land is more than 2 or at the most 4 per cent. on the capital outlay. I challenge if the Government can show me any example where the income is more than 4 per cent. Let the Government answer that. Now the ordinary price of land in irrigated area is Rs. 10,000 per square. Add to it the ordinary expenses of cultivation. I would like with your permission to read from the statement which is before me prepared by Major Venrenan.

Mr. President: Order, order. I request the honourable member not to read the statement he proposes to read. I further request him not to repeat his arguments.

Sayad Muhammad Husain: But they were read with your permission, Sir (*Laughter*). As I have already stated, a square of good land costs about Rs. 10,000. (*A voice:* Rs. 15,000) I will take it at the modest figure of Rs. 10,000.

Putting the house on the land will cost another 1,000 and other expenses come to Rs. 1,000 more. This will make it Rs. 12,000 and the income which an ordinary zamindar can derive in ordinary circumstances is Rs. 500 per year from a square. Deduct from it the *abiana* which is to be paid to the Government and the income which will be left to the zamindar will be about Rs. 400 and it will not work up to more than 4 per cent. on the capital outlay. Now, is it fair on the part of the Government on one side to lay down the rule that in the case of an industry the income should not be less than 8 or, as somebody suggested, 12 per cent. on the capital outlay, and on the other side to demand from the zamindar such a heavy tax when his income from his capital outlay is not more than 4 per cent.?

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Another point is that whereas in the case of income tax you do not charge those people who are getting an income of less than Rs. 2,000, per annum, you do not exempt any landholder even though his income is even Rs. 1 or 2. Under these circumstances, Sir, I strongly support the amendment put forward by my honourable friend. If it is carried the Government will put things right; or even if they do not and they come to the breaking point as they say, that will be more welcome in my opinion.

Mr. W. R. Wilson (Revenue Secretary): Sir, the provision in the Bill now before the House is that the amount of land revenue be limited to one-third of the estimated money value of the net assets as calculated. I think I ought to inform the House that till only a short time ago—I think it was 1914—there was the direction of the Government of India that any assessment which fell below 50 per cent. of the net assets should be especially justified, so that in the course of the last 12 or 13 years the proposition laid down in the Bill that the maximum of the net assets to be taken should be one-third is really a very substantial advance if we consider that the Government of India's direction held good up to 1914.

The honourable member from Montgomery has made a comparison between what he calls the disastrous effects of the modern steam roller of assessment as compared with the gentle "malish" or the smooth application of the land revenue system in Mughal times. Land Revenue has meant in theory the customary share taken by the State in virtue of its position as a kind of overlord. That share has been in fact a customary legal charge on the rent received by the landlord, i.e., on the surplus produce. Before the British rule it was generally the case that the land revenue and that share of the produce were in practice one and the same thing. Now under the British régime the maximum percentage of net assets taken as land revenue has been going slowly down, and even though up to 1914 the direction from the Government of India was that any assessment below 50 per cent. of the net assets should be justified, in practice the amount of the assessment has gone very much below that figure of 50 per cent. The reason why the figure 33½ per cent., has been put in the Bill is that this figure does incorporate the existing practice inasmuch as in many of the districts recently assessed the percentage of the net assets taken by way of land revenue has been in the neighbourhood of 33 per cent. and the object of this Bill is to incorporate and put in the statute the existing practice.

Reference has been made to Lyallpur and it has been stated that in Lyallpur the percentage of net assets taken fairly recently was very much below 33 per cent. I cannot say off-hand what the percentage was. It was probably in the neighbourhood of 22 or 23 per cent.; but the reason why that low proportion of net assets was taken was simply because consideration had to be paid to the amount of the enhancement involved.

Then again the honourable member for Montgomery enlarged on the growing burden of the debt on zamindars, and quoted figures supplied by a friend of his. I should like to quote some figures which have been worked out for Lyallpur where the conditions presumably are similar to those obtaining in other canal colonies. On 100 acres of cultivated land the gross income to the self-cultivating landlord has been calculated at Rs. 129 per acre and the net income is Rs. 71 per acre, after deducting

land revenue, *abiana*, interest on capital, replacement of capital, seeds, manure, bullocks, depreciation charges. In the case of tenants cultivating under the same landowner over 240 acres the average gross income of a tenant is Rs. 71 per acre and the average net income is Rs. 49 per acre, of which Rs. 30 was the landlords' share and Rs. 19 the tenants share, thereby incidentally proving that the contention that has been advanced in this house that the landlords' net profits from tenancy are greater than from self-cultivation is not at all justified.

I would oppose this amendment, Sir, simply by pointing out that the current practice in the matter of the percentage of the net assets absorbed is now being fixed as a maximum in the Bill, and those net assets are calculated on the net rental from a tenant which is less than the net income of a proprietor who as we may properly say, is his own landlord and at the same time his own tenant.

Mr. H. M. Cowan (Home Secretary): Sir, although I have never been a settlement officer yet I have been in that Department for some time and for that reason I am able thoroughly to appreciate the amount of work that is done by the settlement officer, and therefore, I consider it my duty to say how exceedingly inappropriate I consider the simile of the honourable member from Montgomery when he compares the work done by the settlement officer to a steam roller rolling over the villages.

Sayad Muhammad Husain: In collection, I said.

Mr. H. M. Cowan: Very well, in collection. Precisely. Once twenty years ago or approximate to that the Government of the Punjab did,—I do not think I am giving away any official secret, any way it happened more than twenty years ago—propose in one district to make an automatic steam roller assessment. Prices had risen let us say by 80 per cent. and it was proposed to take 25 per cent. automatic increase without any differentiation between villages. The Government of India turned down that proposal in stronger official language than the Government of India ever use nowadays. The steam roller.....

Sayad Muhammad Husain: Perhaps I was misunderstood by the honourable member. I did not mean to say anything about assessment but about collection. When once the thing has been assessed the collection was like a steam roller. There was no elasticity in the collection. I never wanted to say anything to challenge the *bona fides* of the Punjab Government, but what I said was that whatever assessment they fixed, the collection of that was like a steam roller.

Mr. H. M. Cowan: We can take it in regard to collection. It has been frequently discussed in this House what a very liberal system exists for suspensions and remissions. This Government has a system which I venture to think is quite as liberal and possibly more liberal than the system of the large land-owners of the province for collecting their revenue.

There are one or two fallacies in the speech of the honourable member from Montgomery which I think it is necessary to correct, and the first is this that whether this land revenue is of the nature of a tax or a rent, I do not think that it is an exceedingly heavy tax on the poor land-owner. Any increase that has taken place during the last many years is not taken from the fruits of enterprise but from the unearned increment. In England there may not be land revenue in the same sense as in India, but it

[Mr. H. M. Cowan.]

is to be remembered that the State in England comes in with death duties and that is a very important thing, for in this country, in this province there are practically no death duties, and therefore, the land-owner is not here taxed so heavily as compared with other countries as the honourable member from Montgomery supposes.

Then in regard to his comparison of the rural landlord with the town-merchant. The honourable member says that the rural landlord is taxed very much more heavily than the town merchant. To a certain extent it is true but it is well known to this House that is due to the historical aspect of the question. The British Government came to this country and it found a system in existence and it continued it. Economic forces have adjusted themselves and as I have said any increase that has taken place now is on the unearned increment and not on enterprise. Now compare the town merchant. If he has made an investment and his income is rupees two or three thousand, income-tax is taken at a certain rate. Next year his income from investment is perhaps doubled. Promptly and immediately double the income-tax will be taken from him. Now take the enterprise part of it. If on account of enterprise the merchant has made twice as much as he has made in the previous year, again the State will step in and again will it take exactly double the tax. Therefore, while we find the landlords of the province enjoying the unearned increment and the result of the assessment for a period which under this Land Revenue Bill will be over forty years before a single increase is taken, and then it is strictly limited, on the other hand you find your town merchant is assessed cent. per cent. on his previous assessments on any enterprise or income due to unearned increment or due to enterprise. In these circumstances, instead of seeing the townsman laughing at the heavily burdened country landlord I shall see the honourable member for Montgomery during the next forty years possibly growing a little stouter, while the honourable member from Simla will be pulling his belt hole by hole. (Laughter).

There is just one other point I want to make, and that is that I doubt if the honourable members of this House fully realise the excellence of the principle of the levy of land revenue on unearned increment in the abstract, that is on the abstract principles of political economy. Many other countries have tried and tried very unsuccessfully with a considerable amount of hardship to those on whom they tried the experiment to get at this unearned increment. They tried it in England very many years ago. If a man bought a house and sold it at double the price, Government would get so much and so on; but to a great extent they failed. In this country you have a beautiful engine, meticulous in its care and exactitude and worked by sympathetic officers for obtaining what is a suitable share of the unearned increment. If a man dies and his sons succeed to land, there is no reason why when the value of that land increases, an additional sum should not be taken from the owners of that land. In theory, cent. per cent. might be taken on the whole unearned increment, but for the purpose of encouraging enterprise and also because it is of the greatest advantage to the country to have strong landlords, only a portion of this is taken, and I submit that as compared with the income-tax assessment a larger

percentage might be taken. The landlord is really in a fortunate position and it would be most unfortunate if the amount levied should be reduced from 33 per cent. to 25 per cent.

Mr. Owen Roberts (Non-official, nominated): I have often thought that it must be singularly annoying to members of this House to see the non-official nominated members of this House as myself rising up day after day to support Government without taking any apparent interest in the debates and I think this is an exceptionally good opportunity to explain what one's position is in these matters. It will be conceded that this Bill must have a certain interest for all of us apart from the fact whether we have this tax or not. On this Bill depends the collection of the main revenue of the province and however hard it may be hitting the zamindar, for this House to ask for a reduction from 33½ per cent. to 25 per cent. without any accompanying proposals to make good the loss in revenue is a very serious matter indeed. I do not think that it would be possible for anybody to support this resolution on its merits. I have been very much interested in what the honourable member from Montgomery said, but it is quite outside the merits of this question whether it is a tax or whether it is a rent. I should imagine that it is a rent because Government, I believe, expects its own servants to pay as much as 10 per cent. of their salary by way of rent for free house alone and I do not think that there is any possible comparison between the service one gets from renting a house and the service one can get from the ownership of land, and if the rent of one is 10 per cent. I certainly think the rent on land should be very much higher. The honourable member also said that when this province gets self-government it will certainly put the matter right. If I were here at that time I would probably vote with him, because when putting it right the council will do it with a serious sense of responsibility and measures will be taken to replace the loss of revenue. These are some of the reasons why non-officials like myself support Government on a matter such as this.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural], (Urdu): Sir, the only question underlying this debate is that if under the present circumstances it can be proved that the zamindars are well off, there would be no justification for us to say that the limit of assessment proposed by Government is not reasonable. But so far as I have gathered from the speeches of the Government members, none of them has cared to prove that the zamindars are really well-off and that the Government can with every show of reason increase the burden of his tax at the time of every new settlement. If this had been proved that the income of zamindars from land is on the increase, nobody in his senses would have dared oppose the government, but when the actual fact is that the income from land is on the wane, the government should decrease rather than increase the burden of land revenue.

So far as my information goes, India is the most heavily taxed country in the world. There is no other country in the world which pays so much to Government in the form of land revenue. I do not wish to enter here into the details of Hindu or Muslim administration of the land revenue department. Those administrations are now dead and gone, and it would be well to let the dead past bury its dead. But so far as our information

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in regard to the land administration of other civilized countries goes, one is constrained to say that the government is taking undue advantage of its position and is draining the very life blood of the poor ryots.

It has been remarked, Sir, that land revenue is the mainstay of government finances and if we touch this source of revenue, it will adversely affect the best interests of the country. But my submission is that it would be unwise to estimate the importance of a tax from this point of view. If you tax a poor labourer who is earning Re. 1 per diem, he is sure to raise a hue and cry, but the government feels no compunction in increasing the burden of taxes on poor zamindars because they are tongue-tied, and are not well versed in the art of agitation.

Under the existing arrangement if an officer of government, actuated by motives of *ghurba parwari* cares to fix the share of the state at 25 per cent. of the nett assets he can do so, but now that the revenue policy of government is being codified, and the discretionary power of settlement officers is being curtailed they will have no option but to conform to the statutory rules. They will have to assess the land revenue at one-third of the nett assets. It gives me great pain to say that Government servants have not yet reached a stage when they would consider themselves servants of the public. It will take them years before they realise their duty in this respect, and as long as they do not realise their duty, it is inevitable that they will care more for the good graces of the Government; and in order to please it they will fix the enhancement at the maximum.

The sad plight of the zamindars may best be gathered from an examination of the condition of Government experimental farms. These farms, as you are aware, Sir, are equipped with the most up-to-date agricultural implements and are under the supervision of experts in agricultural science and yet they are hardly able to balance their income and expenditure as has been pointed out by my friend, the representative of Montgomery district. My own information is that there is not a single Government farm, which is not running at a loss. If that is the condition of Government farms, how can it be supposed that the zamindars have got a surplus, and that if one-third of that surplus is taken by the State as its share, they will not feel the pinch?

As I have already pointed out many a time before that if a zamindar could work in the fields for the whole year, he is sure to have a surplus, and the State can take one-third of this surplus as its share. But as matters stand at present the zamindar works in the field for six months in the year, and for the remaining six months he has to sit idle. There are no industries in the country to which he could turn his hand during the period of his inactivity. The industrial development of the country has not reached a stage at which it is possible to supply some sort of work to the unemployed and the rate at which we are proceeding in this direction, makes me doubt whether even a hundred years hence we shall be able to give work to the unemployed.

My next submission is that even if it could be proved that there is some hope of improvement in agriculture resulting in an increase in the produce of the land, to my mind it does not seem possible that it will prove of any use to the zamindars. The reason for this is not far to seek,

We cannot afford to keep back our raw materials. They have got to be exported inasmuch as there are no industries in our country, which could make use of the raw products. Russia in this respect is in the same position as our country. There is no dearth of raw products in Russia, but as its industrial development is unable to keep pace with the production of raw materials, it has got to export its raw products and import finished goods from other European countries.

A perusal of the proceedings of the Punjab Development Board would go a long way towards proving the correctness of my views. India is producing raw materials in very large quantities, but they cannot be used for purposes of manufacturing finished goods in this country, because there are no industries worth the name in this country.

The earning power of the zamindar is becoming less and less every day. It is, therefore, essential that Government should turn its attention towards the development of industries. If, however, the Government confines itself to the development of the staple industry of the province, *viz.*, agriculture, it will not do much good to the zamindars. The expenses of the zamindars are increasing daily. If anything is left after paying the share of the State, it is spent upon the purchase of clothes, etc., and thus no surplus is left from which he could pay the increasing demands of the Government. If the surplus produce of my district were utilised in my own district, or in my own province or even in my own country, it may do some good to the people. But, as was pointed out by Lala Mohan Lal, Bhatnagar, in the year 1921, the Imperial policy of the Government demands that more attention should be paid to keeping the other great powers in good humour than keeping the zamindars in affluence. As long as the Government does not realise its responsibility in this matter and adopts means for the development of other industries side by side with agriculture, the zamindars will never be able to make both ends meet. They are not likely to have a surplus of income from which to pay the State's share of 83 per cent.

I again submit, Sir, that the zamindars are not in a position to meet fully the demand of the State. The Government can plunder them, because they are not strong enough to offer opposition. When they become strong, they can retaliate. I am prepared to concede that the Honourable the Revenue Member does not want to be harsh, but as a member of the cabinet he has got to follow the policy approved by his colleagues. It is just possible that had I been in his position I too would have become as stone-hearted as he has become, unless the opposition were strong enough to make me follow the policy dictated by them.

I should like to draw the attention of Government to the incidents happening in Bardoli. If the Government fails to do justice by the zamindars, the time is not far off when there would be created another Bardoli in the Punjab. If the Government does not make the necessary alterations in the Bill as desired by the representatives of zamindars in this Council, it would be our unpleasant duty to agitate against the Government amongst the rural masses. The zamindars are poor. They are voiceless. They do not know how to make their voice heard. They only know how to submit petitions for the consideration of Govern-

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ment. They do not yet know how to put up a fight, and I would ask the Government not to teach them the latter.

Then, Sir, I wish to submit that I am fully convinced of the fact that the amendment, of which I had given notice, was perfectly justifiable, and that it was at the instance of some of my friends that I forbore from moving it. It was pointed out to me that it would be advisable to withdraw it, lest the Government should take up an uncompromising attitude. I consented to do that against the dictates of my conscience, hoping that by so doing Government would become more amenable to reason, and I have every reason to believe that my hopes will not be falsified, and that Government by accepting this amendment would give the zamindars a chance of thanking it.

Mr. H. W. Emerson (Chief Secretary): Sir, I do not propose to make any observations on the many theoretical arguments that have been advanced in favour of and against the motion. I propose merely to speak on the practical side of it. At the outset I am puzzled to know what practical object the honourable mover of the amendment and those who are supporting it hope to achieve. The motion purports to reduce the share to be taken by the State from the present existing theoretical standard of 50 per cent. of the net assets to 25 per cent. of it and to substitute in the Bill one-fourth for the concession of one-third that the Government is prepared to give. I do not understand from the speeches of the members that they either wish or intend that the result of this amendment, if carried, should be any reduction in the land revenue demand as it now stands. The object is rather to prevent any undue increase at future re-assessments than to effect a reduction of the present assessment. I may be under a misapprehension, but from the speeches of members that seems to be the object. Now, in considering what practical effect this amendment would have, it is necessary to remember that the effect would depend entirely on the standards of calculation adopted in order to ascertain the net assets. The present practice is to take very low estimates of yields and prices, but to take a theoretically high percentage of the result that is reached. The present proposal would substitute for a comparatively high percentage of the total a comparatively low one; but unless the amendment can also secure the same standards of prices and yields as at present it is not worth the paper on which it is written. I will illustrate this by a specific example from the Multan district which I know best. I looked up the figures of one circle of the Mailsi tahsil, namely, the Utar circle. I found that there the demand sanctioned by Government represents 38 per cent. of the net assets almost exactly what honourable members are now recommending. Honourable members may, therefore, assume that if the percentage of 25 had been in force at the last settlement the demand would have been much less than what was actually imposed. But that is a fallacy, and I will explain why it is a fallacy. I looked up one crop, the wheat crop, and I found that the price sanctioned by Government was Rs. 2-6-0 per maund. That was the price I was told to assume for the purpose of assessment. I then looked up the prices that had ruled at Multan since the settlement was sanctioned, that is, since 1920. I chose the second week of July in each year, namely, the time when wheat is cheapest, I found that the price of wheat

has varied from Rs. 4 to Rs. 7-8-0 during the years since the last settlement, and considering that the price has ranged from Rs. 4 to Rs. 7, it certainly would not be unreasonable to take the price for the purpose of assessment at Rs. 4-6-0. Even that would be very low, unduly low. Supposing the price had been taken at Rs. 4-6-0, that would have been Rs. 2 per maund higher than what I was told to assume, and by merely taking that additional Rs. 2 per maund for the price of wheat in one circle, a sum of seven lakhs would have been added to the assets of the circle and a sum of two lakhs to the net assets.

The actual assessment sanctioned by Government was Rs. 1,22,000.

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If the price of wheat had been taken at Rs. 4-6-0 instead of at Rs. 2-6-0, it would have been possible to take 25 per cent. only of the net assets and still to have justified a larger Government demand than was actually taken with a standard of 50 per cent. That result would have been obtained by merely putting up the price of one crop; but the assumed prices of other crops are equally divorced from the prices which are actually obtained, and by taking a more reasonable price for other crops as well as wheat, 25 per cent. of the net assets would give a demand still more in excess of what Government actually took. Now, honourable members will naturally ask, 'if you yourself admit that it does not matter to Government whether you put 83½ per cent. in the Bill or 25 per cent., why do you oppose the amendment?' I have no doubt there are many other reasons, but there are two which seem to me to be very cogent. The first one is that although in the Punjab our standards of assessment, the prices we assume, the yields we take, have all been favourable to the zamindar and we could therefore adopt a low standard of net assets without unduly risking a big loss to the Government, in some provinces that is not true, and therefore the Government of India and other provinces would object, and rightly object, to our laying down a standard of assessment which in other provinces would have serious effects. That is the general reason. There is another reason which the honourable member from Rohtak has indicated in his note of dissent. The honourable member made the following observations—

"Now that a statutory limit of one-third of the nett assets has been fixed for the share of the State, the tendency of settlement officers will be to work up to the maximum prescribed. In the past, assessment has been made by officers who had been actuated by the instincts of benevolent despotism—sentiments of *ghurba parwari*, etc.—and benevolent despotism is capable of being extraordinarily generous. Future settlements will be made by officers of a different type and under different conditions. Their instincts of generosity are likely to be dulled by a subconscious psychological process which must result from a curtailment of their discretion and the obligation to conform to statutory rules."

The honourable member for Montgomery also paid a tribute to the manner in which the settlement officers in the past had studied the conditions of the district they had to serve and had tried, to the best of their ability, to understand the difficulties and the trials of the zamindars. And when we remember the eminent settlement experts who have served in this

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province—Sir James Wilson, Sir Alexander Diaek, Sir James Donie, Sir Edward MacLagan, Sir Patrick Fagan—to give just a few names—I think members of this House will realise that the personal equation has been a great factor in the settlement policy. In so far as this Bill by setting statutory limits on the discretion of the settlement officer adversely affects that personal equation I do not think it is in the interests of the zamindars. The great merit of the present system is the discretion allowed to him, and the more you make him a calculating machine the worse it will be for the zamindar. It does not matter to the settlement officer if he has got to produce a lakh and a half out of a particular assessment circle, whether he takes 25 per cent., at high prices or whether he takes 33½ per cent. at comparatively low prices. Neither does it matter to Government, but it matters to the zamindar because it prevents that bond of sympathy, that consideration for the zamindars, that desire to give him the benefit of the doubt, which has characterised settlement policy in the past. For these reasons it seems to me that if honourable members insist on this amendment, and if they are successful in passing it, they will throw away the more substantial benefits which are included in other sections of the Bill. (Applause).

Rai Sahib Chaudhri Chhotu Ram [South-East Rohtak (Non-Muhammadan) Rural] : Sir, I had thought that the theory of State ownership of land was dead; but as that theory has been put forward to-day during the course of this discussion and it has been urged that the State has a right to claim a larger share for itself than in the case of other taxes on account of their ownership of land, I feel called upon to say a few words with regard to that theory. As far as I am able to recollect this theory is based on a certain text appearing in one of the old Hindu Shastras. But I beg to submit that the interpretation that has been placed on that text is misleading. If that text were to be correctly interpreted, we should come to the conclusion that far from advocating State ownership of land, that text shows clearly and plainly that land belongs to the occupier or the tiller of that land and not to the State. (Hear, hear). That text says that just as a wild deer belongs to the man to whose arrow it falls, so does the land belong to him who first occupies it or tills it, but the State is entitled to get a certain share out of its produce. That is the text, but it has been twisted and sought to be interpreted as if the State were the owner of the land. As the meaning of that text is quite clear, I must say that this theory should be definitely abandoned, and I am glad to find that it has practically been abandoned by the Taxation Enquiry Committee. So far with regard to the text appearing in the Hindu Shastras as regards this theory. As regards the period of the Muslim Kings I think I may quote Dr. Sir Muhammad Iqbal who said during the budget, debate that there was no warrant anywhere for the theory that Muslim Kings ever advanced their claim to the ownership of land. With these few words I desire to impress upon the House the need of not being misled by the suggestion that agricultural land eventually belongs to the State.

Now I come to the actual amendment before the House. The amendment is that instead of one-third the State should confine its share to one-fourth of the nett assets. Without repeating the arguments which have already been put forward in favour of this amendment I would just enumerate the reasons which justify the acceptance of this amendment. The first

reason that I would advance is that the definition of ordinary expenses of cultivation actually adopted in the explanation added to clause 2 is unfair. According to that definition, ordinary expenses of cultivation have been enumerated in a manner which is by no means favourable to the zamindars. The fact is that that definition is none too favourable to the zamindars and it is very favourable to the State. That is the first reason why I desire that this amendment should be accepted.

The second reason which I would advance is that the land revenue system is very rigid, very inelastic. In the first instance, every one, whatever be the extent of the land he holds, is bound to pay something to the State. The present system takes no account of the capacity of the landholder to pay. That is the first element of inelasticity or rigidity in the present system. A system which is so rigid that it would not exempt anybody from the payment of land revenue should be lenient in other respects. The second element of rigidity is that there are hardly any remissions at any time. Whatever the circumstances, remission is practically unknown.

Remission can be made only if the produce of land was four annas in the rupee and the ultra-loyal servants of the Crown take care to see that this estimate is never allowed to come so low as four annas a rupee. Therefore remission is practically unknown.

The third element of rigidity is that arrears of revenue can be collected by the Collector by taking very stringent action under the Land Revenue Act. So in view of the unusual rigidity of the present system I think it would be only fair and reasonable that the State should confine its share to one-fourth instead of to one-third.

The third reason which would justify the Government in accepting the present amendment is this. As has been remarked more than once by members representing Government benches of this House the present Bill claims to codify the existing practice, and if I am able to show that under the present practice Government does not take more than one-fourth, there is no reason why Government should refuse to accept the amendment which has been put forward by my friend Rana Firoz-ud-din. It has been brought out in the note of dissent appended by Sardar Ujjal Singh to the Select Committee's report that in many districts the share of Government has been as low as 17 or 18 per cent., and it is only in one or two districts that the State has claimed 25 per cent. or more than 25 per cent. I draw the attention of the House to a portion of this note of dissent which runs as follows—

“The rate of 25 per cent. of the net assets suggested is, however, not lower than the existing percentage of the net assets in most of the districts of the province, for example, in Sialkot the existing percentage is 21, Lahore 22, Amritsar 25, Ambala 25, Gujranwala 30, Montgomery 30 and in Shahpur 24.”

It is clear from this extract that only in the case of Montgomery the proportion of one-fourth has been exceeded. In other cases either the proportion is 25 per cent. or lower than that. So if the present practice has been to claim only 25 per cent. or less as the share of Government there is no reason why in this Bill that share should be placed higher than 25 per cent.

The fourth reason which should be taken into account is that the Taxation Enquiry Committee itself suggested that the State should not claim

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more than 25 per cent. for its share. Happily one of the members of that Committee is in this House—the Honourable Minister for Agriculture was a member of that Taxation Committee—and I would request him to make a speech and explain why that Committee suggested the proportion of 25 per cent. in its report.

The fifth ground on which I support the amendment is that in the famous resolution of Lord Curzon, which was an answer to the criticism by Romesh Chandra Dutt, the proportion of the share of the State was laid down 25 per cent. If Lord Curzon was able to confine the share of the State to 25 per cent., is there any reason why after the lapse of nearly a quarter of a century this Government should claim more than that share?

Then there is a sixth ground on which I should support the present amendment, and that is that there is no other tax the incidence of which is so heavy as the incidence of the land revenue. Take the case of income-tax. Up to a certain amount of annual income nobody is called upon to contribute anything to the State. If a man earns anything below Rs. 2,000 he is exempt from the payment of any tax whatsoever. Unfortunately the zamindar is not so lucky as that. But certainly the incidence of taxation in the case of income-tax should guide the Government in fixing its claim when it comes to tax land. If an income of Rs. 2,000 is exempted from taxation and no income whatsoever is exempted under the Land Revenue Bill, then the share of the State should be pitched lower than that in the case of income-tax. In the case of income-tax the highest share that the State claims for itself is, I believe, $2\frac{1}{2}$ annas in the rupee, but it is on incomes of lakhs a year—on smaller incomes the incidence is much lower. Is there any reason why Government should claim a much higher share out of the produce of agricultural land than the share it has out of ordinary incomes: particularly when under the land revenue system Government is not prepared to exempt any portion of land owned by landlord? As the incidence of tax in other lines is very light, that should be another reason why Government should not pitch its share so high as one-third out of the net assets.

Lastly, I draw the attention of Government once again to another basic principle. After all Government does not exist only for the collection of taxes. Government exists primarily for ensuring a just and ordered administration into which the contentment and goodwill of the people should enter very largely. Will the Government take account of the fact that it has not been treating the zamindars justly? Is the Government aware that ignorant as the zamindar is he is becoming conscious of his wrongs? He is becoming conscious of the fact that he is not being treated half so justly as the other portions of the population are. If this consciousness grows deeper, what will be the result? I think the Government should think very carefully of the results which will follow from the growing consciousness among zamindars that they are not being treated as fairly as other sections of the population are. I think it should be the concern of Government to see that its rule is based not on force but on the goodwill and contentment and affection of the people, and good will and contentment and affection cannot be secured if there is a sense of injustice rankling in the heart of people, and the time will come when the treatment which is being meted

out to the zamindar will begin to rankle the heart of people. I do not think it will take very long before the zamindar becomes fully alive to these things and I think it will be wise and far-sighted on the part of Government so to frame this legislation as to convince the zamindar that the Government is doing its level best for him.

There is just one more point to which the Chief Secretary drew the attention of the House to which I wish to make a reply. He was asking the House or the proposer of the amendment and his supporters: "Tell me, what is the object which you want to secure by moving this amendment? What do you wish to gain and can that object be gained by the acceptance of this amendment?" He thought it would not be gained by this amendment and his argument was that after all the incidence of the land revenue depended not on this proportion but on the manner in which nett profits were to be calculated and the calculation of the nett assets depended upon the settlement officer or his associates or subordinates. He gave an illustration of Multan, by which he desired to show that if he were so minded he could have taken a much larger amount out of the people than he actually did. We admit that he could have done so, but can he really assure this House that if this share of the State were fixed at one-third there would be no desire on the part of the settlement officer to calculate nett profits to the best advantage of the State? If by lowering the share from one-third to one-fourth the settlement officers would be tempted or would be induced so to work the nett assets as to give very little to the zamindar and get a good deal for the State, I think the same argument can apply even if the share is maintained at only one-third. After all we are limiting the discretion of the settlement officer by this Bill. Whether that discretion is limited by fixing the share of the State at one-third of the nett assets or at one-fourth, his discretion is limited all the same, and if a limitation of the discretion of the settlement officer has the effect of upsetting and annoying him and making him displeased to the disadvantage of the zamindar, I think the result will be the same whether the State's share is placed at one-third or one-fourth. Therefore, I support the present amendment whole-heartedly and I hope that every section of the House will lend its support to the amendment.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, yesterday we spent a lot of time in discussing an amendment which proposed that the peasant proprietors having small holdings should be exempted from payment of land revenue. The rough estimate of that remission made by Government is between the figures of 50 to 70 lakhs, which would have to be remitted if that amendment were accepted. To-day Government is being pressed to reduce the nett assets from 83 per cent. to 25 per cent. Putting the two proposals together they come to this. Give as much as possible and take as little as possible. I am afraid this state of mind indicates a lack of sense of responsibility. If the gentlemen who are here on the opposite benches were to take upon themselves to run the revenue administration, they would find themselves nonplussed by the two proposals with which they have been dealing.

The honourable member who moved the amendment remarked that the State demand was never so high as fifty per cent. He quoted some

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references from history. I am not quite convinced of the accuracy of his figures, for I find in this compilation which has been circulated to all the members and the author of which was Mr. Leigh, that when the permanent settlement of Bengal was introduced the State demand was calculated at 91 per cent. of the nett assets. That "proportion was gradually reduced to five-sixths in 1822, to 'not more than two-thirds' in 1844, to 'about one-half' in 1855." Now, what was considered to be an exorbitant demand at the time when Lord Cornwallis introduced the permanent settlement in Bengal is now felt to be very light and economists think that the province of Bengal contributes very little towards the finances of the State. The conclusion I draw is this : that economic changes are taking place very rapidly. We cannot estimate accurately the effect of any reduction that seems to be very small at the present time but which may be very substantial twenty years hence. Each settlement is to run for 40 years and 40 years is a long period. The 33 per cent. which may appear exorbitant now may become very light thirty years after when the value of money depreciates as compared with the value of the produce. Therefore, I think this insistence about reducing the standard of nett assessment from 33 per cent. to 25 per cent. is in complete ignorance of the fact that the economic changes take place very rapidly.

Fears are entertained by some members that the reduction from 50 to 33 per cent. will produce no practical change, that ordinarily in most of the settlements in force in certain districts less than 50 per cent. has been taken and, therefore, any reduction from the standard of one-half to one-third will not make any practical difference in the future settlements that will take place. To me this objection, or rather this fear, seems groundless. I may quote the instance of the Sheikhpura district which has recently been settled. In the Sheikhpura district, the assessment I presume—(I am not in possession of Government papers and I am not allowed access to Government secrets in the matter)—I presume that the assessment was in the beginning made under the standard of half the nett assets. Subsequently there was a reduction, a general reduction, and the conclusion which I draw is that probably Government compelled the assessing officer to reduce the standard of half nett assets to one-third. So it is not right to imagine that a reduction in the standard of assessment will make no reduction in the actual assessment.

It has been remarked that at no time in Indian history was the State considered to be the owner of land. I do not think this controversy comes with any good grace from the representatives of the land-owners themselves ; because, if the ownership of land by the State is based on a fiction, so is the ownership of individuals whose ownership covers a larger area than 12½ acres which can be cultivated by one plough and which requires the manual labour of a tenant with his family. I can understand the objection if the ownership of land of an individual were limited to 12½ acres. But if the ownership of land of larger areas by individuals can be said to be based on fiction, surely the ownership of land by State is equally a fiction. But I do not see any point is gained by starting this controversy. Let me point out to my friends that the bill before us gives some substantial advantage to the land-owners. It reduces, in

the first instance, the standard of half nett assets from 50 to 88 per cent. Secondly, it increases the period of assessment from 30 to 40 years. Thirdly, it puts a limit to the enhancement of revenue as compared with the expiring assessments in the case of an assessment circle and I hope that the amendment advocating the same principle in the case of individual estates also will be accepted. These are substantial advantages and let us not run the risk of losing these advantages by wrecking the Bill, by insisting on this present amendment of lowering the standard of assessment from 88 to 25 per cent.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I rise to explain a few matters to which the honourable member referred, matters which came before me in connection with my membership of the Taxation Enquiry Committee. The Taxation Enquiry Committee was appointed by the Government of India with a view to find out how far the system of taxation in India conformed to the modern canons of taxation. Like everything else 'taxation concept,' if I may so call it, is in a process of evolution and even this morning before this House we have had two sides of taxation aspects put before us. The honourable the Home Secretary in a very lucid speech pointed out various ways in which people were taxed in the West. On the other hand the Chief Secretary put forth the leading principles which governed land revenue in India. The Government of India naturally wished to find out how far our taxation system was in conformity with the modern idea of taxation and if it was not, whether it was possible to bring it under the modern canons of taxation.

The Taxation Committee spent long hours in examining the taxation system in various provinces. They went so far as to consult some of the great economists in England and obtain their opinion, as it was not possible to get their evidence in this country and then they reached certain conclusions. If I may say so, the whole problem of taxation is to raise sufficient revenue for the expenditure of the State without taxing the productive power of the tax-payer. The search for an equitable system has led to the formulation of three definite canons of taxation—ability, equality and convenience. Ability means that every individual should be taxed according to his ability; convenience, that the tax should be collected at a time which is convenient to the tax-payer; equality, that the burden of taxation should fall on all, whatever the source of income, in an equal manner.

These were the tests that the Taxation Committee applied to the various taxes in force in India. In the matter of land tax the first problem that came before the Taxation Committee was whether the ownership of State was an established fact, because on this depended further conclusions as to its incidence. A good deal of material was collected, which is to be found in the second volume of the Taxation Committee's Report, which amply proved that so far as the ownership of land was concerned, the individual owner in India enjoyed absolute proprietary rights subject to the payment of land revenue. (*Hear, hear.*) The matter had been before one or two High Courts and the verdict was that the ownership of land was vested in the owner. We then traced the history of land tax from time immemorial and it appeared that almost in all countries, land

[Hon. Sardar Jogendra Singh.]

tax in early days formed the chief source of revenue of a State. A tax is a contribution, whether voluntary or involuntary, towards the maintenance of State and there is no civilised State which could exist without taxation. Land tax in the early stages of society was the single tax which every one paid and this tax has continued in India without any essential change up to this time. The modern tendency of taxation has been to distribute the burden of taxation equitably, and in some countries indirect taxes have been developed in preference to direct taxes. England is the only country which favours direct taxation. In all other European countries most of the revenue is raised by indirect taxation, but in England it must be said to its credit that the Englishmen accept the payment of a direct tax to an indirect tax.

Now, I suppose you know that in hundred ways the people of a country pay indirect taxes and those who wanted the introduction of a single tax came to the conclusion that every tax was paid by the people and that instead of many taxes it would be an advantage to have a single tax to be paid by all. The idea did not find any general support and the modern tendency to distribute the burden of taxation on as many points as possible remains. In some countries indirect taxes yield the bulk of the revenue.

The matter was very carefully considered by the Taxation Committee and the Committee in their report pointed out the lines of future advance; and the lines of future advance were to bring our taxation system as far as possible in line with the modern ideas of taxation. India is no more isolated, we are in touch with the West, and it was recognised that a demand will grow, that in India the modern canons of taxation should be applied and that the burden of taxation should be equally distributed and that the poor man should pay less and the rich man should pay more.

Then, coming to the question of fixing the limit, that is, the proper standard on which land tax should be levied, the Taxation Committee obtained information from all the provinces, giving the maximum up to which land tax was levied in the provinces. It is not possible for me to recollect the correct figures, but so far as I remember the information before the Taxation Committee was that the land tax did not exceed 25 per cent. of the nett assets in any province in India.

It was on this ground that the Taxation Enquiry Committee recommended that land revenue should never be levied above 25 per cent. of the nett assets.

The honourable member asked me what was my position now, after signing the report of the Taxation Enquiry Committee, in connection with the amendment that he had moved. On this point I certainly owe him a word of explanation. Taxation, as I said before, is in a state of evolution and I take the present Bill as a first step in the evolution of a new land revenue policy. So far as we know there has been no statute governing the imposition of land tax. We may all differ as to the clauses of the Bill now before us. But we must accept that this Bill gives certain definite powers and makes certain definite concessions which would now form part-

of the Land Revenue Act, and that land revenue ceases to be an act of executive Government. That is why I support the Bill.

Mir Maqbool Mahmood [Amritsar, (Muhammadan), Rural]: Sir, the amendment before the House so far as I see is a point on which the Government benches and those who have opposed the Government at the moment are in essence driving at the same point of view. The land revenue or its enhancement in the province is not to go to any privy purse of the Government fortunately. In different forms it has to be utilised for the subjects of the State. The main issue now so far as I see it is whether it is more useful in future, more expedient in future to get this reserve for various schemes of administration which the Government may have in view or whether it is more desirable and expedient to give this safeguard and this possible relief to the future taxation on the zamindars of this province. That is the main issue. In deciding on this issue the primary question, as has been very ably put by the Chief Secretary, is whether it is going to be a practical relief. After that is answered in the affirmative, the second question I would like to ask is, if it is going to be a practical relief, is it necessary that this relief should be given to the zamindars? Is there a necessity for it? Thirdly, is it possible for the Government to give this possible relief to the zamindars and fourthly, is there any other section of the population of the Punjab or any scheme for future development which requires this possibility of enhancement more essentially than the possible relief to the zamindars? These are the main issues which I put myself before me in deciding this question. Having very carefully considered them, I am inclined to strongly support the amendment before the House. The first point raised by the Chief Secretary was that it should not be given practical relief if, at the time of assessment, the present attitude is not continued. I have a limited experience of land revenue assessment and I have had something to do with the assessment of land revenue and I feel that a great deal rests with the individual assessment officers. As a student of the land revenue policy of the British Government I feel it my duty to pay the Government a public compliment for the general fairness with which they have assessed land revenue in the province. I also feel that we can safely say that on the whole the revenues in the hands of Government have been utilised for the best interests of the province. With these issues before me, I beg to reply to the Chief Secretary to his arguments. Those who support the amendment assume that the Government officers will continue to be of the same *bona fide* good intentions as they are at present. We assume that even if under this system of benevolent despotism they prove to be so reasonable in assessment, they will be more so and I hope that we will have a Revenue Member in future who would even be responsible to the legislature. If our successors in this House find that our expectations in the matter had not been fulfilled, I hope it will be open to our successors to move amendments to this Bill, where even the system of the assessment should be definitely fixed. I am sure that even the Chief Secretary will join with me in the hope that future assessment officers which the province will have the privilege of engaging and employing will be equally sympathetic and that the future Revenue Members or Ministers will be even more sympathetic officers.

Diwan Bahadur Raja Narendra Nath: This cuts both ways.

Mir Maqbool Mahmood : I am sorry I do not make myself more clear to the honourable representative of the landholders. If we find that this argument cuts both ways, it shall be open to our successors to definitely lay down the limits of assessment, definite line of assessment so that the discretion vested in the hands of Government may not be used both ways. If the subtlety of my honourable friend sees double edge, I can only sympathise with him, but I cannot go any further. The second point is if the people can possibly get relief, can the Government give this relief? I submit that it is an open proposition that we have gone long past the stages of deficits. Thanks to the lines of financial policy laid down by Sir John Maynard and after him by the Honourable the Finance Member, we are happily situate in a state when we do not look forward to deficits. More than that we are looking forward to expansion of our revenue from land revenue to other sources in the future. We are happily at the time when we are having substantial remission of provincial contribution. We can safely say that even if we utilise the present finances available to us, the Punjab has nothing to fear for many years to come.

The Honourable Mian Sir Fazl-i-Husain : Not for this year.

Mir Maqbool Mahmood : The Honourable the Revenue Member fears something this year. I hope that with his ingenuity and resourcefulness he will be able to avoid any fears that entangle him at the present time.

The Honourable Mian Sir Fazl-i-Husain : Not in full.

Mir Maqbool Mahmood : I hope he is resourceful enough to help, though not individual persons, at least a class of people by giving a prospect of remission.

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

Mir Maqbool Mahmood : That being so, I had so far been trying to make clear that it can be a practical relief and that it is possible for the Government to give this relief.

The third thing that has to be considered is whether there is any other section of the population of the Punjab who are better entitled to this relief at the moment. I am one of those who will be perfectly prepared to go as far as I possibly can to support any schemes for reasonable remission of urban taxation whenever it is desired. I am also one of those who will be perfectly prepared to support any scheme for the increase in some form of the taxation for big landlords. I feel quite reasonably and fairly that the big landlords can be taxed in more than one way. But the majority of the province consists of small landholders and as I was privileged to plead before this House more than once in my budget speeches and in the speeches I was privileged to deliver with respect to the Money-lenders' Bill, I have been able to make clear that the problem of indebtedness in this province is a great one staring the zamindars in the face and it requires most careful consideration and the most anxious attention not only of the Government but also of our constructive urban friends as well as our rural friends. As I have said more than once, we have in this province 78 per cent. of the population in rural areas.

More than that we have many more who, directly or indirectly, depend upon agriculture. I was also privileged to show from official statistics that the average income of a Punjab agriculturist happens to be between Rs. 40 and Rs. 60 per head per annum, whereas the expenses on feeding and clothing of a prisoner comes to Rs. 92 per annum. At the same time, I know that the fixing of the assessment of land revenue does not mean to the agriculturist a big leap in the income. I beg to submit with all earnestness that I can command that this problem deserves most anxious and most sympathetic consideration of the Government to relieve the present economic condition of the zamindars as best as they can. What does this amendment ask? It only says that in future enhancement, in future re-assessment, a limit has to be fixed beyond which the Government should not go. I have gone through the figures for the last 70 years. This was all that I was able to get. I could not go beyond that. I found that it was only exceeded in 70 per cent. of those cases.

The Honourable Mian Sir Fazl-i-Husain : Your figures must be entirely different from my figures which my office prepared.

Mir Maqbool Mahmood : I have been able to collect something from official statistics that I had been able to collect and it is found that only in 70 per cent. of the cases

The Honourable Mian Sir Fazl-i-Husain : It must be in 90 per cent. of the cases. Taking the last 70 years, the proportion must be nearer 90 per cent. than 70 per cent.

Mir Maqbool Mahmood : Each individual assessment?

The Honourable Mian Sir Fazl-i-Husain : Yes. The honourable member's difficulty seems to be this. He seems to have got the figures prepared from a note of dissent of Sardar Ujjal Singh, which takes into account only the latest settlement and not the previous ones. In every case three and in some cases four settlements have taken place. Therefore, on an average, one might be quite safe in saying that more than 100 settlements have taken place in the Punjab since the British connection and he will not find more than a dozen or may be a score in which the average is as low as that.

Mir Maqbool Mahmood : I stand corrected. But the figures I gave were taken from certain assessment reports which I was privileged to go through. Anyhow, I stand corrected and I accept the Honourable the Revenue Member's statement. Even accepting the argument, my position is that the stage has not been reached at which we can fix the assessment at such a high pitch as is proposed in the bill. I submit that the problem of indebtedness and poverty of the agriculturist is such a big problem that it deserves the best brains of the province and the best brains of the Government to apply themselves to it with the greatest sympathy and attention. The Government and the people should be prepared to sacrifice to such an extent. Not only have you got a poverty-stricken and a debt-ridden peasantry, but you have a peasantry which contribute mostly towards your provincial revenues. The land revenue indirectly increases the income under excise, law and order and so on. The income under income-tax is very low this year, but mainly and primarily a greater

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part of the revenue comes from these zamindars. I submit that taking all these matters into consideration, I am sure that even my urban friends will have the fairness and the constructive vision to support me in the proposition that the small holding zamindars need relief most at the moment and need most imminently. *(A voice: Have you made any distinction between big and small landlords.)* My honourable friend asks me if I have made any distinction between the big and the small landholders. I have already said that I am prepared to support any reasonable proposition for putting any super-tax or any higher system of taxation over the

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bigger landholders. I will be prepared to state constructive suggestions where the line of demarcation should be drawn if the Government is prepared to listen to them. And I am sure that however much it might affect some of my colleagues, they will be prepared, in fairness to the constituencies and to the province, if not to support it, at least to lend a neutral support to it and I am confident that there will be many here who are prepared to actively support it among the zamindar party.

The next point is that Government might very well ask, 'we look forward to the expenditure on our administration to improve, especially on the educational and other beneficent departments. We want to keep some margin for these expanding departments.' To that I say 'no doubt they are beneficent departments; but they are at best means to an end and that end is the development and improvement of the human element and if your human element is dwindling away on account of the present economic stress, what is the use of these beneficent departments?' It is like saying that the operation was successful but the patient died. Has not a stage come when you should attend more to the patient? The land revenue department gives a margin of 25 per cent. Apart from that if you feel that your future demands require a greater increase, you have other indirect ways of taxation for which there is no limit. There is irrigation, for instance. If you find that the value of crops has very much increased and if you feel that you are entitled to get more from the zamindars, I am sure that if you can make out a case we will be prepared to support you for an increase on irrigation. But this direct taxation at the present time, I submit most earnestly and most respectfully, demands the most anxious consideration of the Government.

One more argument and I have done. I feel I owe it to my province as also to my constituency, to make clear that we are, as far as I can see it, facing a critical and economic crisis. Forces, national and international, are at work which are trying to stir up the present lethargic atmosphere of the peasant and I submit that the present condition of the peasant is such that he is entitled to some practical gesture of sympathy from the Government. I concede that the Land Revenue Bill as it has been given is some improvement on the present condition but the problem requires much more than that and I appeal to the Government to strengthen the hands of those who stand for constructive reforms, so that we might keep our constituents on orderly progress in the province and that the forces of chaos may not make it impossible for us to work and to carry our constituents with us in any

future programme of development. With these few words, I beg to support the amendment.

Mr. J. D. Penny (Finance Secretary): Sir, one would, have thought from some of the speeches that have been made on the opposite side of the House that our present system of land revenue administration is something absolutely and entirely new and that it has been introduced by the British Government during the last 50 or 60 years. In reality, as some of the members have recognised in their speeches, it is based upon the custom which existed for many centuries and which was inherited and only adopted by the British Government. I do not pretend to enter into the controversy of whether land revenue is a tax or rent. It does not seem to matter very much by which name you call it. The essential fact is that the State has always maintained its claim to a share of the produce of the soil, and that I think is based on a perfectly sound reason, that the area of land is limited and that you cannot therefore treat the income that is derived from land in exactly the same way as you will treat the taxation on any other form of property. It is not necessary, I think, to go back beyond the practice that was in vogue in this province, let us say, 100 years ago, and if you look at that you will find that what was happening was that the representative of the State in almost all districts collected the land revenue in kind on the spot. He or his agent went round to the zamindar's fields and whoever was the cultivator of the soil was not allowed to take away any part of the produce until the representative of the State had taken his share. Even the land-owner himself was not allowed to take his share from the tenant until the State's claim had first been satisfied. I think we still find a record of this in the revenue records, and I will just quote one instance which comes to my memory though I do so with hesitation in the presence of the ex-settlement officer of Dera Ghazi Khan. I think it is stated in the records of that district that the share of the State, the *masul* as it is called, is one-fifth of the total produce, a share a great deal greater than what the landlord himself was entitled to take, for the landlord himself received only 1/16th or 1/17th of the produce as his share, the *lichh*. There were certain other claims to satisfy but the greater part of the residue went to the tenant. Now when the British Government took over the land revenue administration of the province, it did two things. The first was that it brought the theoretical method of assessment into line with what was already done in other provinces and assessed not on the gross produce but upon the share which went to the landlord. This was a big change and I have no doubt that it was largely caused by economic speculation which was then going on in Europe and the development of economic theory of rent. It made a very great difference to the ordinary zamindar because it made a much greater allowance for variations in the quality of the soil. It is obviously unfair to take the same share of the produce on the good land as you take on a bad land, and by adopting the theory of rent as a basis on which land revenue was to be assessed, you could make allowance for the fact that a certain amount of land was on the margin of cultivation and yielded very little surplus over and above that was necessary for the tenant to live upon. Such land would be very lightly assessed because the revenue was only assessed upon that surplus. That, Sir, was the first great change. The other one and the more obvious one was the conversion of the State's demand

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from kind into cash. Now this has been done under the previous governments in certain cases; for instance, it was done during the time of Emperor Akbar; but it has not been done in the same universal way or based on the same principle as it was when the British Government came to the Punjab. Now it has been urged as a criticism of that change that it resulted in a very great rigidity not merely in the assessment but also in the collection of the land revenue. This, Sir, at the time was the whole beauty of the scheme. The zamindar instead of giving a large share of the produce from year to year now gives a certain definite amount and is not called upon to give more than that. In a good year, therefore, he saves a large quantity, and in a bad year he has enough wherewith to pay land revenue. At that time there is no doubt that the zamindar was glad to have the demand fixed. If it is argued that it is too rigid we have to remember that in every country any land tax is rigid in the sense that it is assessed upon a form of property and takes no account of the individual's capacity to pay. I think I am right in saying that in all the countries that is the case. Therefore, it is not very fair to bring it as an argument against the present system of land revenue and say that it does not take into account the individual man's circumstances. In practice, however, the zamindar does not save in a good year in order to pay the land revenue more easily in a bad year and therefore it has been found necessary to introduce the system of suspensions and remissions of land revenue which the honourable member who criticised the rigidity of the present system seemed entirely to have overlooked. It is a regular feature of the administration of the land revenue, and an allowance is made for it every year in the budget to the extent of 6 or 8 lakhs. I think the present budget provides 8 lakhs for the purpose. Very often actual suspensions and remissions amount to more than that, and if you go back for a period of 6 or 7 years you will find that during the *rabi* of 1921 the harvest was so bad that suspensions and remissions of land revenue alone amounted in that year to more than 40 lakhs. If we do not go as far as that, we have only to remember the cotton failure of 1926 when remissions of *abiana* amounted to over 20 lakhs and remissions of land revenue and *abiana* together amounted to about 85 lakhs. So, it is not fair to say that the present system is entirely rigid. Now, Sir, most of the criticisms have been directed against the pitch of the assessment and it is argued that the assessment which allows the State to take one-third of the nett assets is unduly high. Here again we have in reality got the pitch of assessment very low. No doubt those who have to pay the revenue are very much afraid that in practice they may in future have to pay more. But if you look back and see what has been the pitch in the past, I think it is certain that the pitch is now very low. At the time when the permanent settlement was made in Bengal it was fixed on the assumption that 90 per cent. of the nett assets was due to the State, and in the following years that standard was gradually reduced until for a long time the standard remained at one-half. The recent practice has been to take still less, and I do not think the present is the time for reducing the standard below one-third. The period of past 20 years has been characterised in this province by an immense agricultural development. We have seen an extension of our system of irrigation which, I think, has no parallel in any part of India and probably the whole world, and with that there has been a rise in prices

which again has meant a very great increase of prosperity to the zamindar. This is one of the things which has to be carefully looked into in the assessment of land revenue, and I think it is perfectly certain the settlement officers have in fact continued to exercise the extreme caution which characterised their predecessors. In Lyallpur I was extremely fortunate because I knew beforehand that I could go higher than certain pitch in my assessment. My orders were to raise the revenue in ten circles I was assessing to the pitch already prevailing in the Rakh Branch circle, and so I know that the prices I assumed would make no difference to the assessment I would take. But even so I notice that the prices I assumed are still very low as compared with actuals, and yet those prices are higher than have ever been assumed by subsequent settlement officers. Now, Sir, in these circumstances I think there is no reason whatever for lowering the standard of our land revenue assessment and if we stick to the one-third which has for all intents and purposes been the average in recent years, we shall not be very far wrong. It is not correct to say that the one-third has in practice ever been exceeded. In the Lyallpur assessment of 1910 or thereabouts—I quote from memory—the assessment was calculated to absorb 80 per cent. of the half net assets estimate or 40 per cent. of nett assets. Mr. Dobson's assessment amounted, as I have said just now, to about 75 per cent. of the half net assets or 37½ per cent. of nett assets. That is appreciably above the one-third which is now fixed as the maximum. One honourable member asked me whether it was not a fact that in my assessment in Lyallpur the land revenue was only 20 or 22 per cent. of the nett assets. That is quite true. But the reason for it is that I was only bringing up the assessment of certain circles to the same pitch as the other circles, and I was not therefore able to take as high an assessment as in theory would be justified.

Chaudhri Ram Singh [Kangra (Non-Mudhammadan), Rural] (Urdu) : Sir, in India and particularly in the Punjab Land revenue is the biggest tax. The rate of other taxes is not so exorbitant as that of land revenue, and if along with it this fact is taken into consideration that the lands are growing less productive every day, the rate of land revenue tax would appear to be all the more exorbitant. One is really surprised to learn that when the lands were more productive, the rate of land revenue used to be much less than it is to-day when the land has become less productive as I have said before. I admit that according to the present practice Government is entitled to charge 50 per cent. of the nett assets as land revenue, but this fact should never be lost sight of that with the exception of two or three districts, the limit of assessment has never exceeded one-fourth of the nett assets. In some districts of the Punjab not more than 20 or 21 per cent. of the nett assets has been charged as land revenue. Now in this Bill the limit of assessment is going to be fixed at 33 per cent. of the nett assets. Evidently it would appear that a substantial reduction is being made in the rate of assessment. But that is not the case because, as I have explained before, there are very few cases in which 33 per cent. of the nett assets has been charged as land revenue. Of course if we are assured that in actual practice only 16½ per cent. will be charged instead of 33 per cent. as now in actual practice 25 per cent. of the nett assets is charged as land revenue although Government is entitled to take 50 per cent., we might see our way to give way. But if the rate of assessment must be one-third of the nett

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assets as provided in Bill, the Bill, instead of being any use to the zamindars, will prove harmful to them.

From the private talk that I had with some members of the Council outside, I understand that Government threatens to withdraw the Bill if the members insisted on introducing some change in the Bill which the Government does not approve. If that is true, it shows clearly that Government has no sympathy with the poor zamindars. If it is afraid of any loss in the revenue that might accrue on account of fixing the limit of assessment to one-fourth of the nett assets, I can say that this fear is unfounded. This loss will be made up by the income that Government will receive from vast areas of land lying waste which are now being brought under cultivation. It will not be necessary to impose new taxes to make up that loss. I sometimes wonder why Government should hesitate to give relief to the poor zamindars when every officer, who is appointed to investigate and report on the conditions in villages of the Punjab, has drawn a gloomy picture of the zamindars in general in his report. None of them has ever reported that they are better off now. Government should know that most of the zamindars pay land revenue not from the produce of lands, but from the income of other sources of their income. I need hardly say that they are very much indebted and they want relief immediately. The amendment before the House is most essential and I strongly support it.

Chaudhri Duli Chand : Sir, I move—

“That the question be now put.”

The Honourable Sir Geoffrey deMontmorency (Finance Member): Sir, I think it is necessary to keep before our minds what is the exact purpose of the legislation on which we are engaged. We are trying to carry out the recommendations of the Parliamentary Joint Committee and we are trying to embody in statute the main principles according to which land revenue assessments are carried out at present. Those principles, embodied in various methods and procedure are now contained solely in executive instructions issued by Government and are not limited or fixed clearly by statute. The object of the present clause to which this amendment has been moved is to fix the maximum portion of the assets which Government is limited to take, that is Government may take less, but once this has become law it cannot take more. Well, this, Sir, is a matter of fact. Many honourable members have taken us through the history of land revenue assessments since British rule began. I think on all sides and especially by the honourable mover of this amendment it was admitted that the policy under British rule has been one of progressive liberality. That is, at one time at the beginning of British rule, officers were assessing up to or near 50 per cent. standard, that as years went on, the tendency was to recede from that standard and to keep further and further away from the 50 per cent. standard, first down to 40 and then to the figures between 30 and 40, and, as honourable members have instanced, in some cases to figures much lower than that. I admit that

figures lower than that have been reached, nevertheless it is still a fact—a fact on which the Honourable Member for Revenue will no doubt give further details—that some assessments have been quite recently made where the figure is 83 per cent. or over and it was in view of that fact; that quite recently the executive instructions were changed and the maximum limit in executive instructions was brought down from 50 to 83 per cent. These are the existing executive instructions and what we are trying to do is to introduce into the body of the statute the principles which guide our present conduct of assessment. Our executive rule is the maximum of 83 per cent. and that is the reason why we have adopted it in the substantive clause in the Bill.

Now, as I have said before, that is the maximum; we are only seeking to fix the maximum, not the average as has been said by some speakers. In practice I have little doubt that the tendency of the assessing officers, in spite of the fears of some honourable members on the other side, will be in the direction of liberality and will be towards figures much lower than the maximum figure. Rana Firoz-ud-Din Khan in his speech in moving the amendment has very clearly expressed his own conviction that the tendency of all settlement officers has been increasingly towards liberality. The honourable member from Shergarh while not denying this tendency has talked of the excessive rigidity of collection. Mr. Penny in his speech has given some notable instances which prove how unfair this statement is. As regards the remission on account of the failure of cotton crop in *kharif* of 1926, may I for a moment enlarge on exactly what the Government did? When zamindars at a late stage tumbled to the fact that their cotton crop was bad, for the first pickings were not bad; when they tumbled to the fact that cotton crop as a whole was bad after the girdawari and the inspection of the canal officers and their subordinates in canal areas were over, when the picking had actually disappeared from the field, when we could have said that the crop was average at the time of inspection, what did we do? After making enquiries we gave the advantage of the doubt in favour of the peasant and we let off 85 lakhs of land revenue and water rates. I believe that action had the full approval of this House. I only quoted this instance to show that I think that the charge of rigidity had no real basis. Only in the last budget speech I announced that that Government was going to try a new policy of not letting suspension hang for too long a period, but that after a short time of three harvests then the question will be taken up to see whether the suspended revenue could reasonably be recovered or whether it should not be remitted. So much as regards rigidity.

I would ask honourable members also to remember that it is by the past very careful building up and administration of this main source of revenue that this province has been very largely brought to its present pitch of prosperity. I believe that in assessing land revenue every settlement officer has tried to be scrupulously fair to the peasants of the Punjab. I have been a settlement officer myself and I know what efforts I myself took that no recommendation which I made to Government in their behalf should be unjust or unfair. I think that the Council can trust that the land revenue policy will be administered in the same spirit in the future. But the discretion which is vested in the settlement officers and

[Hon. Sir Geoffrey deMontmorency.]

which it is proposed now to be controlled to some extent by statutory provision should not be limited by adopting the maximum figure which is really not the maximum figure, in fact by adopting 25 per cent., which is not in fact the maximum figure which has been imposed in the present practice in recent times. I have already said that you can trust that this maximum figure of 33 per cent. will practically never be worked up to, but it has this advantage that it is the maximum used in the present settlement operations and this is what we are trying to embody in a statute. Really a maximum of one-third of the net assets is only a controlling figure. I speak with full authority and knowledge as an old settlement officer. It is only a controlling figure. The important figure is the figure of enhancement. Now, Sir, Government and my Honourable colleague have tried very hard to carry this Bill. They have tried hard because they believe that this Bill does embody in statute some very important advantages for the Punjab peasant, one of which is the matter of the amount of enhancement which is not now fixed by statute. It seems a pity to resist the views that Government have formed in regard to the share of the assets and thereby to imperil the advantages which the peasants may get and which Government wishes them to get by the other provisions of the Bill. I trust therefore, that honourable members will give the considerations I have put forward very careful thought.

The honourable member from Amritsar has talked about the financial prosperity of the Punjab. The prosperity of the Punjab as regards finances appears very attractive, but I may mention the cotton disaster a short time ago. There is also at the present moment the question of wheat disaster in the province. We do not know, because we have not fully investigated, all reports have not come in what losses this may entail. There is also another very important enquiry going on in this province at present and that is as regards the power of the district boards with their existing resources to bear their share in various forms of development, education, veterinary and so on which form part of the general development programme of the province. With special financial assistants we have been working at the accounts of the district boards. When I last saw the figures (it was about a week ago,) the figures of only 12 districts were available, but they showed that there is no doubt whatever that unless there is some change in the system and the district boards get resources which are not now at their disposal or unless Government shoulder to a far greater extent the burdens which now lie on the district boards, they cannot carry on the programme of development as they have up to now. They cannot pay the increments to teachers. Either they must be given fresh revenues or Government must bear more and more of the cost. The total bill so far as I can judge from the figures of 12 districts only is going to be a very large one. (Cheers).

Chaudhri Afzal Haq: Sir, I beg to move—

“That the question be now put”.

Mr. President: The question is—

“That the question be now put”.

The Honourable Mian Sir Fazl-i-Husain : I should like to say a few words on the amendment.....

Mr. President : The Honourable Member had ample opportunity to speak, but he did not choose to avail of it. I think I should have put this question to the House earlier. I may just read the relevant portion of the Standing Order on the subject :—

“At any time after a motion has been made any member may move ‘that the question be now put’ and unless it appears to the President that the motion is an abuse of the rules or standing orders or an infringement of the right of reasonable debate, the President shall then put the motion ‘That the question be now put’.”

Is it contended that the member who moved ‘that the question be now put’ wanted to abuse the rules of debate ?

The Honourable Mian Sir Fazl-i-Husain : It is not my contention that anybody wanted to abuse the rights of debate. My point is that in case the debate is to close, most of the members of the House would like to hear what the Revenue Member has got to say in regard to the amendment.

Mr. President : How long will the Honourable Member take to deliver his speech? In fifteen minutes the Council will adjourn. If he can finish his speech by that time I am prepared to allow him to speak.

The Honourable Mian Sir Fazl-i-Husain : I do not think I will be able to finish in quarter of an hour what I have to say to the House. The reason why I wanted to wait till the last hour is that the measure is an extremely important one and I wanted to meet all the points that might be raised in the debate. If you think that letting the debate stand over till the next day is a breach of discipline of the Council, I bow to your ruling.

Mr. President : Out of fifteen gentlemen, who have already taken part in the debate, eight have spoken against the amendment and seven in its favour. Again, out of the eight, who have spoken against it, seven are Government members. I am unable therefore to see my way to allow the debate to continue to another day. But if the Honourable Revenue Member will finish his speech in twenty or twenty-five minutes, I will allow him to speak.

The Honourable Mian Sir Fazl-i-Husain : I should like to do, Sir, as you instruct me to do ; but it will be wrong on my part to say that I have finished my speech after fifteen or twenty minutes. But in obedience to your.....

Mr. President : You may sum up your arguments.

The Honourable Mian Sir Fazl-i-Husain : I won't like to say that I can discharge my duty to Government and this Council within the time of fifteen or twenty minutes that you are pleased to assign. I again beg to urge that this matter is of very great importance in the opinion of Government and that the speech of the member in charge on this subject should not be restricted to fifteen or twenty minutes.

Mr. President : The chair will care more for the will of the majority of the House than for Government or any other party in the House. (*Hear, hear.*)

The Honourable Mian Sir Fazl-i-Husain : I do not question your ruling, Sir. As a matter of fact, I have no reason why we should not ascertain the wishes of the House. If the House does not wish to hear me, the matter ends there.

Mr. President : The question is—

“That the question be now put.”

The Council divided : Ayes 38, Noes 30.

Ayes.

Mir Maqbool Mahmood.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Chaudhri Baldev Singh.
Dr. Gopi Chand, Bhargava.
Rao Bahadur Captain Rao Balbir Singh.
Mian Ahmad Yar Khan, Daultana.
Lala Gopal Das.
Sardar Buta Singh.
Khan Sahib Khan Muhammad Saifullah Khan.
Rai Sahib Chaudhri Chhotu Ram.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi Khan.
Dr. Sir Muhammad Iqbal.
Shaikh Faiz Muhammad.
Chaudhri Duli Chand.
Pir Akbar Ali.
Rai Shahadat Khan.
Chaudhri Ali Ahmad.

Sayad Muhammad Husain.
Khan Bahadur Malik Muhammad Amin Khan.
Risaldar Bahadur Nur Khan.
Malik Khan Muhammad Khan, Wagha.
Khan Bahadur Chaudhri Fazl Ali.
Mian Saadullah Khan.
Khan Bahadur Mian Muhammad Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad Raza Shah, Gilani.
Rana Firoz-ud-Din Khan.
Raizada Hans Raj.
Chaudhri Muhammad Abdul Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hira Singh.
Sardar Hari Singh.
Sardar Patap Singh.
Sardar Habib Ullah.
Sardar Bishan Singh.

NOES.

Col. C. A. Gill.
Mr. H. D. Craik.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan, Noon.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. C. M. G. Ogilvie.
Mr. J. B. G. Smith.
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. H. M. Cowan.

NOES—CONCLUDED.

Mr. H. W. Emerson.
 Dr. C. A. Owen.
 Khan Bahadur Shaikh Sir Abdul Qadir.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra Nath.
 Dr. Gokul Chand, Narang.

Rai Bahadur Lala Sewak Ram.
 Lala Mohan Lal.
 Mr. Owen Roberts.
 Rai Bahadur Lala Rattan Chand.
 Rai Bahadur Lala Dhanpat Rai.
 Sardar Bahadur Capt. Dalpat Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.
 Mr. E. Maya Das.

The motion was carried.

Mr. President : Clause under consideration, amendment moved—

“That in clause 4, section 48-B, the words ‘one-third’ shall be substituted by the words ‘one-fourth’.”

The question is that that amendment be made.

The Council divided : Ayes 41 : Noes 30.

AYES.

Mir Maqbool Mahmood.
 Khan Bahadur Captain Sirdar Sikandar Hayat Khan.
 Chaudhri Ram Singh.
 Chaudhri Kesar Singh.
 Chaudhri Baldev Singh.
 Dr. Gopi Chand, Bhargava.
 Rao Bahadur Captain Rao Balbir Singh.
 Mian Ahmad Yar Khan, Daultana.
 Lala Gopal Das.
 Lala Joti Prasad.
 Sardar Buta Singh.
 Khan Sahib Khan Muhammad Saifullah Khan.
 Rai Sahib Chaudhri Chhotu Ram.
 Maulvi Sir Rahim Bakhsh.
 Malik Nawab Major Talib Mehdi Khan.
 Dr. Sir Muhammad Iqbal.
 Shaikh Faiz Muhammad.
 Chaudhri Duli Chand.
 Pir Akbar Ali.
 Rai Shahadat Khan.
 Chaudhri Ali Ahmad.

Sayad Muhammad Husain.
 Khan Bahadur Malik Muhammad Amin Khan.
 Risaldar Bahadur Nur Khan.
 Malik Khan Muhammad Khan, Wagha.
 Khan Bahadur Chaudhri Fazl Ali.
 Mian Saadullah Khan.
 Khan Bahadur Mian Muhammad Hayat, Qureshi.
 Chaudhri Umar Hayat.
 Makhdumzada Sayad Muhammad Raza Shah, Gilani.
 Rana Firoz-ud-Din Khan.
 Raizada Hans Raj.
 Chaudhri Muhammad Abdul Rahman Khan.
 Chaudhri Afzal Haq.
 Shaikh Muhammad Sadiq.
 Sardar Hira Singh.
 Sardar Hari Singh.
 Sardar Partap Singh.
 Sardar Habib Ullah.
 Lt. Sardar Raghbir Singh.
 Sardar Bishan Singh.

NOES.

Col. C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz
 Khan Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. C. M. G. Ogilvie.
 Mr. J. B. G. Smith.
 The Honourable Mr. Manohar
 Lal.
 The Honourable Sardar Jogendra
 Singh.
 The Honourable Sir Geoffréy
 deMontmorency.
 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.
 Khan Bahadur Nawab Muzaffar
 Khan.
 Mr. M. M. L. Currie.
 Diwan Bahadur Raja Narendra
 Nath.
 Dr. Gokul Chand, Narang.
 Rai Bahadur Lala Sewak Ram.
 Lala Mohan Lal.
 Mr. Owen Roberts.
 Rai Bahadur Lala Rattan Chand.
 Rai Bahadur Lala Dhanpat Rai.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.
 Mr. E. Maya Das.

The motion was carried.

The Council then adjourned till 9 A.M. on Wednesday, the 9th May 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 9th May 1928.

THE Council met at the Council Chamber at nine of the clock.
Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

Ashton, Mr. H. F. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

TAHSILDARS AND NAIB-TAHSILDARS.

***1382. Chaudhri Afzal Haq :** (a) Will the Honourable the Finance Member please state whether it is a fact that almost all the tahsildars and naib-tahsildars who were being trained for and posted as jailors and assistant jailors have applied to return to their substantive posts ?

(b) If so, will the Honourable Member be pleased to state—

(i) what are the reasons for their return to their original posts ;

(ii) whether the Government has now abandoned the original scheme of overhauling the jail department ?

The Honourable Sir Geoffrey deMontmorency : (a) Yes, a considerable proportion. It must, however, be remembered that very few naib-tahsildars applied to enter the department, and that the pay of tahsildars has been raised since they began training in the jail department.

(b) (i) Either because they desired to return to the revenue line in which they found better prospects or were unable to pass the examination forming part of their probationary training.

(ii) No.

THE PUNJAB POLICE ENQUIRY COMMITTEE REPORT.

***1383. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that the Punjab Police Enquiry Committee made adverse criticisms as to the integrity of European Superintendents of Police ;

(b) whether the remarks of the Committee were brought to the notice of the Government of India and the Secretary of State for India ;

[Ch. Afzal Haq.]

- (c) if so, whether the Secretary of State for India ordered any enquiry to be made into the conduct of European District Superintendents referred to in the report?

The Honourable Sir Geoffrey deMontmorency : (a) No.

- (b) and (c) Do not arise.

EUROPEAN SUPERINTENDENT OF POLICE.

***1384. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether any European Superintendent of Police was ever found indulging in corrupt practices ;
(b) whether he was ever reprimanded for corrupt practices ; if not, why ?

The Honourable Sir Geoffrey deMontmorency : (a) Government is aware of no such case.

- (b) Does not arise.

PROVINCIAL CIVIL SERVICE.

***1385. Chaudhri Afzal Haq :** Will the Chief Secretary be pleased to state—

- (a) the names of those Provincial Civil Service men who have been dismissed from service for corrupt practices in 1926 and 1927 ;
(b) whether it is a fact that no step against corrupt Provincial Civil Service men is contemplated this year ;
(c) whether Government is keeping a vigilant eye on corrupt officers but do not get proof of corruption ?

Mr. H. W. Emerson : (a) Three such officers were dismissed ; it is not the practice of Government to give names.

- (b) No.

(c) In regard to the policy of Government in respect of the prevention of corruption the honourable member is referred to the answer given to Council Question No. 378¹ by the Honourable Sir Geoffrey deMontmorency in the November 1927 session of the Punjab Legislative Council.

DEPUTY SUPERINTENDENTS OF POLICE.

***1386. Chaudhri Afzal Haq :** Will the Honourable the Finance Member please state—

- (a) the names of those Deputy Superintendents of Police who have been dismissed from service for corrupt practices in 1926 and 1927 ;
(b) the names of tahsildars who have been dismissed for corruption in 1926-27 ;
(c) whether the Government is considering to bring to book more corrupt officers this year ?

The Honourable Sir Geoffrey deMontmorency : (a) None.

(b) No tahsildar was dismissed for corruption during 1926-27, but criminal proceedings were started against two, one of them died during the course of the proceedings, and the other has been found guilty by the trial court.

(c) Government has been and will always be ready to bring to book corrupt officers provided sufficient proof is forthcoming against them.

CORRUPTION.

***1387. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state whether it is a fact that in the year 1926 the Government had drawn up a list of 54 corrupt gazetted officers of different departments to be dealt with departmentally and in judicial courts?

If so, why no action has so far been taken?

The Honourable Sir Geoffrey deMontmorency : The answer to the first part of the question is 'no' and the second part of the question does not arise.

APPOINTMENT OF COMMISSIONS.

***1388. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) whether his attention has been drawn to the appointment of Commissions by Ministry of Education consisting of retired Government officers to enquire into the complaints against certain Headmasters and Deputy Inspectors of divisions;

(b) if so, whether the Government is considering in future to at once appoint such Commissions where written complaints against any officer of the reserved departments are received?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) The policy of Government in the matter of corruption is fully explained in the reply given by me to Council question No. 978¹ in the November 1927 session of the Punjab Legislative Council. The policy applies equally to the Reserved and Transferred Departments of Government.

POLICE ENQUIRY COMMITTEE'S REPORT.

***1389. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

(a) whether the Indian Member of the Punjab Police Enquiry Committee suggested a permanent Board of retired officers to enquire into the conduct of corrupt officers;

(b) if so, whether the Government has now approved of this suggestion?

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) No. But in this connection the honourable member's attention is drawn to Police Rule 17.33 in Volume I of the Police Rules and to the answer given to Council question 378¹, from which it will be seen that Government has taken all possible measures to ensure that genuine and serious complaints of corruption are adequately investigated.

THE PUNJAB POLICE ENQUIRY COMMITTEE.

***1390. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) whether the Punjab Police Enquiry Committee made adverse remarks against zaildars and described them as tools of corrupt police officers ;
- (b) if so, whether the Government has done anything to remedy the state of affairs ?

The Honourable Sir Geoffrey deMontmorency : (a) The Punjab Police Enquiry Committee's report did not contain general accusations against zaildars, but did indicate that corrupt police officers may use zaildars as their tools. This does not imply that there are not very large numbers of zaildars who render honourable and semi-honorary service to Government and whose services are very much appreciated by Government.

(b) In regard to corrupt police officers the honourable member is requested to refer to the answer given to starred Council question No. 1389 (*supra*). In regard to zaildars Government is equally ready to investigate genuine and serious complaints in respect of any individual, and a proper procedure is laid down for such investigations.

APPLICATIONS FOR PASSPORT.

***1391. Chaudhri Afzal Haq :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of passport applications that have been refused in the year 1928 ;
- (b) whether any reason for refusal has been assigned ;
- (c) whether those reasons for refusal have been communicated to the applicants ?

The Honourable Sir Geoffrey deMontmorency : (a) 13.

(b) Yes.

(c) No.

REFORMS OF RURAL PEOPLE.

***1392. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state the names of the districts where reform of the rural people has been taken up on the lines suggested by Mr. Brayne, the Deputy Commissioner of Gurgaon ?

The Honourable Malik Firoz Khan, Noon : Reports have been called for, and the information required by the honourable member will be communicated to him in due course.

CROWN LAND.

***1393. Chaudhri Duli Chand :** Will the Honourable the Revenue Member kindly state—

- (a) the area of Crown land given on lease to Sir Ganga Ram and Sons in the Kaithal tahsil of the Karnal district ;
- (b) the conditions of lease ?

The Honourable Mian Sir Fazl-i-Husain : (a) 1,120 acres.

(b) The lease in question was granted in the ordinary lease form A, given in Appendix III to the Land Administration Manual, and its main conditions are :—

- (i) Payment of Rs. 4,500 before possession is given, for the timber standing on the land ;
- (ii) Payment of a consolidated land revenue and malikana of Rs. 2 per acre on the gross area ; the whole sum to be remitted in the first year and only half to be charged in the second year.
- (iii) The lease to be for five years without a renewal clause.
- (iv) The lessee to have the option of purchase after five years at a price of Rs. 100 per acre, the land to be subject to full land revenue at the *chahi* circle rates now current for the term of the present settlement and to such revenue rates as may be imposed hereafter at re-settlement.
- (v) This option will be allowed only if 400 acres of land in any one of the five years is irrigated by the aid of tube-wells, of which area 800 acres must be matured.

PUNITIVE POLICE.

***1394. Chaudhri Duli Chand :** Will the Honourable the Finance Member kindly state—

- (a) why the punitive police has been posted at Urlana and Sink in the Karnal district ;
- (b) the expenditure incurred on the above mentioned punitive police post per annum ;
- (c) the source from which the money is obtained ;
- (d) the amount of land revenue per annum of each of these villages ?

The Honourable Sir Geoffrey deMontmorency : (a) Owing to the criminality of the villages.

(b) Rs. 11,019-11-8 during the first year.

Rs. 10,151-7-8, during the second year, and Rs. 9,658-14-0 during the third year.

(c) The levy is realized from the inhabitants of the villages.

(d) Urlana Kalan, Rs. 5,440 ; Urlana Khurd, Rs. 1,350 and Sink Rs. 4,771.

CULTIVATORS IN THE JULLUNDUR DISTRICT.

***1395. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member please state—

- (a) the total population of cultivators in the Jullundur district ;
- (b) the average area of the holdings in the district ;
- (c) whether these holdings yield enough to enable the cultivators to keep body and soul together ? If not, does the Government propose to grant them sufficient land so as to enable them to eke out an existence ? Does the Government propose to help them in any other way ? If so, how ?

The Honourable Mian Sir Fazl-i-Husain : The question has necessitated enquiries which are not yet complete. A reply will be communicated to the honourable member when ready.

IRRIGATION WELLS IN THE JULLUNDUR DISTRICT.

***1396. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether the Government has investigated into the causes of the scarcity of water in the wells in the Jullundur district whereby the wells have been rendered useless for irrigation purposes ? If so, what are the causes ?
- (b) whether the Government propose to take any steps to remove this scarcity of water ;
- (c) whether this scarcity of water is due in whole or in part to the construction of canals ; if so, whether the Government has moved the canal department to compensate the zamindars whose wells have been affected by the construction of the canals ; if not, why not ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. The expert opinion indicated that excessive irrigation from wells is the principal cause of the fall in the water-table. Deforestation of the Siwaliks was stated to be a contributory cause.

(b) The matter is engaging the attention of Government.

(c) No. Any observable effect of withdrawals of water into the Sirhind canal system is limited to a very narrow tract near the river where the change of well levels observed is not such as to handicap well irrigation.

PURCHASE OF LAND BY NON-AGRICULTURISTS FROM AGRICULTURISTS.

***1397. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member please state—

- (a) if Government is cognizant of the fact that lands have been purchased by non-agriculturists in the Jullundur district from agriculturists, and to defeat the operation of the Alienation of Land Act the purchases have been *benami* in the name of other agriculturists ;

- (b) if the Government has instituted any enquiry into the matter, or it proposes to institute any ;
- (c) the steps the Government proposes to take to stop this evasion of law ?

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.

SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES.

***1398. Chaudhri Muhammad Abdul Rahman Khan :** (a) Will the Honourable Revenue Member please state the number of Muslim and non-Muslim Superintendents of the offices of Deputy Commissioners in the Jullundur division ?

(b) If all or most of them are non-Muslims, has the Government ever taken any steps to remove the deficiency in the number of Muslims or does it propose to do so now ? If not, why not ?

The Honourable Mian Sir Fazl-i-Husain :

- | | |
|-------------|---------|
| (a) Muslims | .. Nil. |
| Non-Muslims | .. 5 |

(b) Appointments to the post of Superintendent are made with regard to seniority and suitability, and Government does not consider it desirable in the interest of efficiency to fetter the discretion of the officers responsible for filling up these posts by issuing any special instructions in the matter.

ENTICING AWAY OF MARRIED WOMEN.

***1399. Chaudhri Muhammad Abdul Rahman Khan :** (i) Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that the number of cases of taking or enticing away of married women in the Punjab is daily on the increase ;
- (b) the number of cases which failed during the last five years on account of the women not having been traceable ;
- (c) whether Government proposes to take any steps to remedy this evil ; if not, why not ;
- (d) whether the Government has ever considered the advisability of taking steps to have the offence made cognisable ; if not, whether it proposes to do so ; if not, why not ?

The Honourable Sir Geoffrey deMontmorency : (a) Figures for 1926 show a considerable increase over the years 1923—25, the increase being noticeable both under the cognizable sections 364, 366 and 367 and under the non-cognizable sections 493—498, Indian Penal Code.

- (b) It is regretted that the information required is not available.
- (c) Government does not consider that the figures of increase of offences and results of trials under these sections are such as to show that the existing provisions of law are inadequate for dealing with the offences.

[The Hon'ble Sir Geoffrey deMontmorency.]

(d) Offences under sections 364, 366 and 367, Indian Penal Code, are cognizable, but those under section 498 are not. Government has not so far felt the necessity of making offences under section 498 cognizable.

SHAH CHIRAGH MOSQUE, LAHORE.

***1400. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that Shah Chiragh Mosque, Lahore, is still under Government control ;
- (b) whether the Government has decided to restore the mosque to the Muslim community; if not, why not ?

The Honourable Sir Geoffrey deMontmorency : The honourable member is referred to the answer to Council Question No. 2514¹ given in the March Session of 1926. Some delay has occurred in moving the district Civil Courts and the Legal Remembrancer's office owing to the exercise of an option by the Government of India to purchase a nazul site on which it was proposed to re-erect these buildings. Fresh proposals for sites are now under investigation, and it is hoped that the matter may soon be settled. The demolition of the buildings, which surround the mosque will be possible as soon as this problem is solved, and thereby access to the mosque can be afforded and the mosque itself made available for religious use.

TRANSFER OF GOVERNMENT OFFICERS.

***1401. Chaudhri Afzal Haq :** Will the Chief Secretary please state—

- (a) whether it is a fact that Government have laid down that revenue, judicial and executive officers should be transferred from one district to another after three years ;
- (b) whether it is a fact that subordinate staff of these officers are not transferred even after 20 years ?

Mr. H. W. Emerson : (a) No such rule has been made, but efforts are made, as far as this is possible, to keep the officers named in the same district for three years.

(b) Yes, since the subordinate staff is ordinarily recruited locally.

PANDIT JAGGAT RAM.

***1402. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state—

- (a) the weight of Pandit Jaggat Ram of Hariana, district Hoshiarpur, who was given life sentence in the year 1925 by special tribunal when first admitted into the jail and his weight in March 1928 ;
- (b) whether peace remission has been given to him ;
- (c) whether he is being transferred back to the Punjab ;
- (d) what is the date of his release ?

The Honourable Sir Geoffrey deMontmorency : Information is being collected, and it will be communicated to the honourable member in due course.

PUBLIC SERVANTS.

***1403. Chaudhri Afzal Haq :** (a) Will the Honourable Finance Member please state whether the Government in 1927 intimated their desire to the public servants not to mix with those relatives of theirs who are or will be convicted for offences against State?

(b) If so, will the Honourable Member be pleased to lay those instructions on the table?

The Honourable Sir Geoffrey deMontmorency : (a) No such desire has been intimated by Government to Government servants.

(b) Does not arise.

LICENCE FOR KEEPING FIRE-ARMS.

***1404. Chaudhri Afzal Haq :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that application for licence to keep a fire-arm of Maulana Muhammad Ismail Ghaznavi has been refused by the Deputy Commissioner, Amritsar;

(b) what reason has been given for the refusal?

The Honourable Mian Sir Fazl-i-Husain : The information asked for is being collected and will be communicated to the honourable member as soon as it is available.

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

***1405. Chaudhri Afzal Haq :** Will the Honourable Finance Member please state—

(a) the names of those papers which are admitted into the list of those that get Government advertisements;

(b) whether the Government is considering the desirability of giving Government advertisements to all the papers having more than one thousand circulation and are appearing for more than one year?

The Honourable Sir Geoffrey deMontmorency : (a) Attention of the honourable member is again drawn to his question No. 1255 and the answer thereto reported at page 34 of the Debates of this Council, Volume VIII, his question No. 10 and the reply thereto at page 34 of Volume X and his question No. 926 and the reply thereto at page 132 of Volume XI.

(b) No.

CRIMINAL TRIBES.

***1406. Chaudhri Afzal Haq :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that several members of the registered criminal tribes live near Garhshankar, district Hoshiarpur ;
- (b) whether it is a fact that zamindars of adjoining villages sent a representation to the Deputy Commissioner, complaining against the conduct of these men ;
- (c) whether it is a fact that these criminal tribesmen have from time to time been challaned by police for theft ;
- (d) whether the Government is considering the advisability of sending these members of the criminal tribes to reformatory settlement ?

The Honourable Mian Sir Fazl-i-Husain : (a) So far as information is available there are only 11 Sansis, two of whom are in jail.

(b) Yes.

(c) Yes, during 1927, 15 Sansis were prosecuted for various offences, of whom 4 only were convicted.

(d) Yes.

NOMINATIONS TO LEGISLATIVE COUNCIL.

***1407. Chaudhri Afzal Haq :** Will the Honourable Revenue Member please state—

- (a) whether the Government of India invited the attention of local Government to the desirability of nominating a member of the depressed classes as a member of the Legislative Council in 1926 ;
- (b) whether the attention of the Government was also invited to the desirability of nominating a lady as a member of the Council in 1926 ;
- (c) if so, what action the Government has taken to adopt the suggestion ?

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

(b) No.

(c) No action in the Punjab was considered to be called for in respect of (a).

SARDAR HAROHAND SINGH, *Ex-M. L. C.*

***1408. Sardar Buta Singh :** (i) Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that Sardar Harohand Singh, Rais, Lyallpur, *ex-M. L. C.*, has been refused a passport for going to Tanganyika, British East Africa, where he wanted to proceed with the object of acquiring some land there ;

- (b) whether the attention of the Government has been drawn to his statement published in 'The Tribune,' Lahore, dated 6th March 1928 and the other vernacular papers of the province;
- (c) whether the Government is aware of the fact that the said Sardar has never been convicted by any court in any case of any kind;
- (d) whether the Government is aware of the fact that he is a hereditary jagirdar, lambardar and a big landlord, a license holder of gun and revolver, and that he made substantial contributions towards war loan, aeroplane; and war relief funds during the Great War;
- (e) whether the Government is aware of the fact that Bhai Pyara Singh of Langeri, district Hoshiarpur, convicted in a conspiracy case, and Bhai Gurdit Singh of Sursingh, district Lahore, convicted in a bomb and conspiracy case, were granted passports to go to America and China, respectively;
- (f) whether the Government is aware of the fact that Lala Lajpat Rai, convicted for political offences, was granted passport to go to Europe?
- (ii) If the answers to the above questions be in the affirmative, will the Government be pleased to explain the reasons of refusing the passport in question?

The Honourable Sir Geoffrey deMontmorency : (i) (a), (b), (c) and (d) Yes.

(e) As to Bhai Pyara Singh of Langeri—Yes. As to Bhai Gurdit Singh of Sursingh—No papers regarding the grant of a passport to this individual have been traced.

(f) Yes.

(ii) The passport was refused in the exercise of the discretion vested in the local Government. The decision of the local Government was based on certain information in the possession of the local Government. Sardar Harchand Singh has been informed of the nature of this information; and has made representations to the Finance Member which, in the opinion of the former, prove the information to be incorrect. These representations are now being examined by the latter.

GOVERNMENT HIGH SCHOOLS IN THE AMBALA DIVISION.

***1409. Chaudhri Yasin Khan :** (i) Will the Honourable the Minister for Education please state—

- (a) the number of students in the tenth class of the various Government High Schools in the Ambala Division on the 1st December 1927;
- (b) the number of students sent up for the Matriculation and School-leaving Certificate examination from those schools in March 1928;

[Chaudhri Yasin Khan.]

- (c) if the difference between the two figures in reply to (a) and (b) above is greater than the last year, will the Honourable Minister please state the reasons for it;
- (d) the pass percentage of M. & S. L. C. candidates from the various Government High Schools in the Ambala Division during the last two years;
- (e) if it is a fact that in the Ambala Division, M. & S. L. C. results of the Government High Schools during the last two years have been bad;
- (iv) If the reply to (e) is in the affirmative, will the Honourable Minister please state its causes?

The Honourable Mr. Manohar Lal : The necessary information is being collected and will be supplied to the honourable member when available.

TEACHERS AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN
AMBALA DIVISION.

***1410. Chaudhri Yasin Khan :** Will the Honourable the Minister for Education please state—

- (a) if there are some teachers in Government schools and some Assistant District Inspectors of Schools in Ambala Division who have been on probation for more than two years;
- (b) what is their exact number in both cases;
- (c) the causes of their not being confirmed after the usual probationary period of one year?

The Honourable Mr. Manohar Lal : (a) and (b) There are twelve teachers in Government schools, and one Assistant District Inspector of Schools, in the Ambala Division, who have been on probation for more than two years.

(c) Government does not consider that it would be fair to the officers concerned to publish the reasons why they have not yet been confirmed.

INSPECTOR OF SCHOOLS, AMBALA DIVISION.

***1411. Chaudhri Yasin Khan :** (i) Will the Honourable the Minister for Education please state—

- (a) if it is a fact that the Inspector of Schools, Ambala Division, collects contributions from schools and local bodies for tournament fund;
- (b) that the divisional tournaments have long ago been discontinued?
- (ii) If replies to (a) and (b) be in the affirmative, will the Government please state how these contributions are spent and under whose authority they are collected?

The Honourable Mr. Manohar Lal : Inquiries are being made and the answer will be supplied to the honourable member when ready.

UNSTARRED QUESTIONS AND ANSWERS.

CIVIL VETERINARY INSPECTORS.

723. Chaudhri Duli Chand : Will the Honourable the Minister for Agriculture kindly state—

- (a) the number of the sanctioned posts of Civil Veterinary Inspectors ;
- (b) the number of posts vacant now ;
- (c) whether there is any proposal for the abolition of the posts of Civil Veterinary Inspectors ;
- (d) what prospects of promotion will the Veterinary Assistants have on the abolition of these posts ?

The Honourable Sardar Jogendra Singh : (a) 22.

(b) Nil.

(c) Yes.

(d) The Veterinary Assistants in the Civil Veterinary Department, Punjab, have memorialised the Government regarding their prospects and the memorials are under consideration of Government.

CIVIL VETERINARY ASSISTANTS.

724. Chaudhri Duli Chand : Will the Honourable the Minister for Agriculture be pleased to state—

- (a) whether Civil Veterinary Assistants submitted a memorial to Government regarding their grievances in connection with their salaries and promotions ;
- (b) if so, what action has hitherto been taken ?

The Honourable Sardar Jogendra Singh : (a) Yes.

(b) It is under consideration.

DAMAGE DUE TO CHANGE OF *Moghas*.

725. Chaudhri Ali Ahmad : Will the Honourable the Revenue Member be pleased to inform whether Government has ever paid any compensation for damage done to the villages by the action of the Canal Department in changing the course of the river to suit the heads of canals ? If it has never been given them, why so ?

The Honourable Mian Sir Fazl-i-Husain : In such cases compensation is paid.

EDUCATION DEPARTMENT, JULLUNDUR DIVISION.

726. Pir Akbar Ali : (a) Will the Honourable the Minister for Education please state—

- (a) if it is a fact that there is not a single Muslim District Inspector of Schools in the Jullundur Division ;
- (b) if it is a fact that in the whole Jullundur Division there is only one Muslim Headmaster of high schools ;

[Pir Akbar Ali.]

(c) if it is a fact that in the Jullundur Division Muslim population is about 50 per cent. ?

(ii) If the answers to (a), (b) and (c) be in the affirmative, will the Honourable the Minister state the reasons for the exclusion of Muslim District Inspectors and Headmasters from the Jullundur Division ?

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

ANSWERS TO UNANSWERED QUESTIONS.

The Secretary laid¹ on the table the answers to certain Council questions which had been received from Government since the publication of the last Council Debates.

RESOLUTIONS.

RESOLUTION *re* MILITARY TRAINING FOR COLLEGE STUDENTS.

Mr. President : The Council will resume discussion of resolution No. 8^a on the agenda of the 4th of May.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban] : Sir, the resolution under discussion is most important. We must admit that the defence of India is more the concern of Indians than that of Englishmen. For Government to say that they have got a big army and a most efficient army and that therefore there is no need to train the Indians to defend their country is absolute nonsense. What happened at the outbreak of the War ? Lord Hardinge himself admitted that in the early stages of the War India was defenceless. Sir, I ask if there is another big war and the British decide to leave us, what will be the position of this country ?

Will this country be handed over to the next European militarist country as hostage ? I ask, is that a position which any people of any country can see with equanimity, namely that a part of the British Empire should be left defenceless because the English people do not want to fight ? It is the concern of India to arrange for her defence and it is not for England to fight for India. We want a citizen army to replace if necessity arises. During a big European War every available Englishman will be wanted to fight for his own country. What will be the position of this country in that case ? Let every Englishman consider what the position of England will be if she were to be defended by the Indian army and no Englishman is allowed to take part in the defence of his own country. I do not think even a single Englishman will be willing to acquiesce in that idea.

¹Vide Appendix.

^{2a} This Council recommends to the Government that steps be taken to introduce the training of military drill and the use of fire-arms along with the physical drill in all the Government recognised colleges."

It has been said that we have no military traditions. How can you have a tradition unless it is created? It is only by having such physical drills and training for boys in schools and colleges that we can establish traditions. Now that there are no naval traditions in India does the honourable member seriously contend that in future we should have no navy at all in India? Does he contend that there should be no air service in India because there is no such tradition? Surely these are lame arguments. Traditions can be easily created. Twenty or thirty or forty years ago there was no Council in this country and yet without any traditions we see people going about and seeking for votes. We must form traditions and in order to form traditions it is necessary to train our young men in military drill.

It is urged that civil people do not know any thing about military. When the War started it was said that London would do nothing in the War. It was considered that the people of London could not participate in War as courageously as the military units. But this proved wrong, because the London people who were supposed to have had no military traditions fought as courageously as the people who were supposed to have had traditions.

Mr. R. Sanderson : May I ask the honourable member one question and that is whether he was present at the display of physical training and military drill which I organised after the autumn sessions for the members of this Council and to which I invited him?

Shaikh Muhammad Sadiq : I am afraid I was not present. Personally, I am not going to join the military class. But the fact that any drill took place in the province does not mean that I should be present at the drill. I am speaking here as a member and not as Muhammad Sadiq who is going to start a war or going to fight in the war. I am speaking about the young men in this country who should be given physical training in order that they may be able to defend the country, in order, as some members of this Council said, that they may have discipline and many other various benefits. We want to have this training not merely to be in a position of readiness to take part in war should one arise, but we want this training as a sort of training in discipline. I would, therefore, strongly urge that this resolution be passed.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhamadan), Rural] : Sir, I do not think that a discussion on a harmless resolution as this should last very long. We have already spent some time on this resolution the other day, I hope Government will accept this resolution and will not allow a debate on this important question to go on for a long time. This resolution is not beneficial to us alone, but it is really beneficial to Government; because in time of need these young men will prove very useful to Government as they did during the last war. Government very well knows that the University corps was most helpful during the last war. In England also when the call of the country came during the war, many lecture halls were emptied and all the students went to fight for their country. We Indians also made common cause with England. You all know what we did during the last war. This country left no stone unturned in shedding its blood in the biggest hour of trial of

[R. B. Lala Sewak Ram.]

England. In the battle fields of France if our Indian army had not gone there to fight, the British Government would not have been seen to-day in their same old glory. So, bearing in mind how very useful our University corps had been, bearing in mind how useful these young men would be, I am sure Government will accept the resolution at once and if they wish to modify a word this way or that it may be done; but it needs no discussion. From our point of view we feel that in every way, by the burden of educational system, by hard work and cramming, the physique and health of students is going down. You see young men of to-day at schools, and colleges, 90 per cent. of them wear spectacles and almost all of them look unhealthy. If you give them this training and drill you will find them growing strong and healthy as you see your own young men at Oxford and Cambridge. I do not see why something should not be done for the young men of this country as is being done for the young men in the Universities in England. I may bring to the notice of Government that by emasculating the people, by taking away the arms from them and not letting them keep arms, the people are not rendered weak, the spirit among us is just the same. We are not at present considering the question of the Arms Act. But whatever may be the question, these young men should be given military drill and also given lessons in the use of firearms. I hope the use of fire arms may not frighten the Government in any way. If they are not prepared to give these lessons quickly, they may do so slowly, but the military drill is so urgent that it should be introduced as soon as possible. There is no stronger argument in support of this resolution than that in time of need and trouble these young men will be very useful. With these words I support the resolution.

Sardar Narain Singh [Rawalpindi Division and Gujranwala Sikh], Rural], (Urdu): Sir, for some time past I have purposely kept quiet in this Council and the reason of it was, and even exists now, that our voice carries no weight. It is very weak because it is not unanimous. Every one of us is trying to achieve his own end and refuses to listen to the voice of others. During all these years we cannot be said to have done anything substantial for the good of the public in general. Our opponents laugh in their sleeves to see us fighting with one another and they do whatever pleases their fancy. I wish we had given a united front and then you would have seen how our voice, like the roar of a lion, had rent asunder the hearts of our opponents. I would not have broken the ice even to-day but for the speeches made by the honourable member for Hoshiarpur the other day. It gave me much pain to listen to his remarks. He levelled a serious charge against the students of the schools and colleges inasmuch as he said that they were foremost in the recent agitation against the Government. He was, therefore, of opinion that they were not trustworthy and did not deserve to be given military training or to be taught the use of arms. I may let him know that in giving expression to this view he has exceeded his powers of voicing the feelings of the Sikh constituents in particular and others in general.

The Honourable Mr. Manohar Lal: May I know which honourable member is referred to?

Sardar Narain Singh (continued in Urdu): The Honourable Sikh member for Hoshiarpur, Sardar Harbakhsh Singh). These youngmen, Sir, are the centre of all our hopes. On them depends the future of our country. They are to be a nation one day and it is, therefore, our sacred duty to pay due regard to their feelings. I am prepared to say that it is sacrilegious to crush their feelings. Of course they must be guided by true leaders so that they may not be misguided. I will not mind it so much if we go on fighting with one another, but our duty to ourselves and to our country demands that we must sink our differences and unite when the question of the well-being of our youngmen and future generations comes before us. I take this opportunity to enter a strong protest against the charge brought by the honourable member for Hoshiarpur against the students of the schools and colleges (*hear, hear*).

Pandit Nanak Chand: Will the honourable member make it clear to whom he is referring as the honourable member for Hoshiarpur?

Sardar Narain Singh (continued in Urdu): Sir, I am referring to Sardar Harbakhsh Singh. He was further pleased to remark that if he ever recommended any class of students for being given military training, it was the zamindar class and none else because, he said, it were zamindars alone who could be trusted for their loyalty, manliness and their willingness to help the Government. There is no gainsaying the fact, Sir, that 80 per cent. of the population consists of agriculturists.....

Dr. Gokul Chand, Narang: That is wrong. They constitute not more than 50 per cent. of the population.

Sardar Narain Singh (continued in Urdu): I think I can say without fear of contradiction that 80 per cent. of the population of this province depends for its livelihood on the produce of lands and to be more correct I may say that agriculture is the chief industry of the province. I realise that unless we take steps to educate this population and relieve it of its indebtedness, it is not only difficult, but quite impossible to make any progress worth the name. I recognise too that unless the masses in the villages are able to march side by side with the advanced section of the population, we cannot hope to come in sight of our goal. But to raise the question of zamindars and non-zamindars in season and out of season is, in my opinion, most unreasonable. I am here reminded of an interesting story, once a marriage party of the *chamars* was being entertained by *tamashanavalas*. One of them assumed himself to be the *Pir* of the *chamars*. Now his companions came to him and respectfully asked him whether he had ever been invited by *Hakutala* (God) to paradise. He replied that he had once been so invited and that on his arrival, the gates of paradise were instantly thrown open upon which his supposed *murids* further questioned the *Pir* as to what people he saw there. To this he replied, "None, but *Kalichamin* (Black Skin)." Further questioned as to whether he saw any Sayad, Brahmin or Khatri also, he replied what business had they to be there. The paradise is not a *ghackal* (hotch potch). If I may say so some zamindar members also cannot think of any other class of people like that *Pir* and in their opinion zamindars alone are fit to live in the Punjab. That shows their narrowmindedness. I may tell them that they will never meet with success by adopting this attitude. The honourable member for

[Sardar Narain Singh.]

Hoshiarpur, being a Sikh, should have remembered that the five Piaras, who are very dear to the Sikhs and are worshipped by them, came from various classes. If I remember aright one of them was *Jhiwar* and another a *Dhobi* (washerman) by caste. Out of the rest one was a Jat, another *Nai* (barber) and the third was a Khatri by caste. All the ten Gurus, were Khatri. Sardar Hari Singh Nalwa, at the mention of whose name the fearless Pathans of the Frontier begin to shiver even now, was also a Khatri.....

Mr. President : The honourable member is not speaking to the point.

Sardar Narain Singh (continued in Urdu): The honourable member for Hoshiarpur was allowed to make this point that it is the zamindars alone who have martial spirit in them and who can prove of help to the Government in time of need and it is this point that I was trying to meet. But as you desire, Sir, I will leave this point here. Turning to the point under consideration I am very glad to notice that the Education Department has also realised, after about 75 years experience, that the multiplication of subjects for the students to read in schools and colleges does not only tax their brains, but proves very injurious to their health. They are reduced to skeletons before they are able to complete their studies.

” دھوبی کا کتا نہ کہو کا نہ گھات کا ”

The saying '*dhobi ka Kutta na ghar ka na ghat ka*', fully applies to their case. We used to hear of pocket editions of books, but the present system of education has created pocket editions of human beings as well. The young men of to-day have grown womanish and begin to tremble at the mere mention of the word 'swords.' Further as the education in schools and colleges does not make them fit to earn their livelihood other than by means of service, most of them grow unscrupulous and consequently lose their character. As regards their manliness I need not say anything but, repeat the words uttered by a young man before his father while boasting of his bravery:—

ٹاٹا توڑ وں بانا توڑ وں—توڑ وں کچا سوت

لات مار کر پایز توڑ وں—تو بھٹے کا بیوت

بابا دوزیو رے چوہیا کاٹنے کو آئی

Sir, so far as I have been able to follow the speech of the honourable mover of the resolution I can say that he never meant by asking for the introduction of military training in schools and colleges that we should learn the use of arms so that we might be able to declare war inside or outside India. Such an idea, I think, is farthest from his mind. His object in bringing forward this resolution is that our young men may be able to regain their lost physical strength and thus be able to rely upon themselves for their own defence and for the defence of their country. The glory of a young man is his strength. Self-defence is not only the right of every man but it is also his duty and unless you are physically strong you cannot depend upon yourself. Given this strength our young men

will not require the help of the police to keep peace and order. Further this military drill will make our young men lead simple and pure life, make them hard working and men of character. Then an era of peace and prosperity will dawn and the number of crimes will go down very low. We will not, then, require so many police officers, so many magistrates, so many jails and so many lunatic asylums. The huge amount of expenditure that the Government incurs every year will dwindle down to a small figure. I think that it will be no exaggeration to say that military drill is one of the best ways by which our present sufferings will come to an end. I, therefore, request all the members, through you, Sir, whether they be officials or non-officials, Hindus or Muhammadans, Jats or non-jats, zamindars or non-zamindars, to seek their good in the good of the country as this is the only means of success.

Mr. R. Sanderson (Director of Public Instruction): Sir, I have been following the debate that took place the other day and also to-day's debate and I think there are two main issues that arise. One is a constitutional point with which as head of a department I should not deal; the other point, I think I am correct in saying, is the question of the physical fitness of school boys and college students, and as a consequence of their physical fitness, their preparedness for warfare. In dealing with their physical fitness I should like to point out that we have a scientific system of physical training which has been very carefully worked out in the last few years by an expert, Captain Hogg; and it may interest this House to know that he is an expert in this matter who has served as Physical Training Instructor in the British Navy and the British Army. Therefore, it is not entirely without consideration of military requirements that this scientific system is being worked out. Physical training is compulsory in our schools for every one. We have now begun to provide for the whole province what are called Supervisors of Physical Training. These are men who have undergone nine months of strenuous training in camp at the Central Training College. They will work in normal schools and train our normal school teachers. For three months in the year they will go round to see that the village school masters are drilling their boys properly. In reorganization of our physical training system we have not overlooked discipline. When a new system was introduced ten years ago, it did away to a great extent with discipline and military movements. We have abolished that system now and in our new scheme of training we include marching and various simple military manoeuvres. Those honourable members who attended our physical training display in autumn last will realise that our school boys' marching is such as they never knew in the past. Our exercises include a number of quickening movements which again are based on military training. We also go in for the quickening of mental powers through physical training exercises, another military practice. Among other measures to improve health, we have done one thing for which I am chiefly to blame: we have abolished divisional tournaments. Once a school headmaster came to me and said: 'you have ruined the physical fitness of this province.' I said: 'How'. He said: 'You abolished games tournaments.' I said: 'Pardon me, I played Rugby regularly at Oxford for four years; but I never played in any tournament. I never played for prize or cup.' He said: 'Then Rugby football, at

[Mr. R. Sanderson.]

Oxford must have been very bad in your time.' I can disprove that. In abolishing tournaments, we have turned attention from the eleven gladiators or the eight or whatever they were, to a whole host of boys in the school who now play games. We know that in the past the sports fund was spent in "fattening the tuggers" or other tournament competitors. In place of the tournaments, we now have 'the play for all movement'. I claim that at the moment in this province more school boys are playing games for fun than ever before. In fact they never played for fun before. This is indeed a very great advance not only in developing physical fitness but, in developing good citizens and perhaps later on good statesmen. So much for the physical aspect of the case.

Now on the question of preparing for soldiering, I am speaking with certain amount of authority here myself: When you start training a nation quickly for war, you begin with physical training and with games. We have begun with that. You go on then to simple military movements and marching. We have done that. You also go in for physical training games which quicken their minds and their bodies. We have done that. I, therefore, claim that the educational authorities have gone a great deal further than what some members of the council desire in achieving this very purpose that the Honourable mover asks for (*hear, hear*).

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan) Urban], (Urdu): Sir, I am sorry that I was not present here to listen to the earlier part of the debate. The few words that I have been able to catch were, I think, beyond the scope of the subject under discussion. It was no use discussing the zamindars in this connection. However, I may be permitted to say that we already knew that it did not please some of the members in this Council to hear anything about the zamindars. These members grow angry whenever any one of us happens to talk about them. Even this much sounds unpleasant to their ears that we constitute 80 per cent. of the population and the first opportunity is taken to say: No, zamindars are not more than 50 per cent. of the population? According to the Persian verse:—

ہر کس ناصح برائے دیگران—ناصر خود کمتر یافتہ اندر جهان

some of the members can advise and criticise others, but they are not prepared to see even a beam in their eyes. A few words were also wasted in distinguishing the characteristics of one class of people from those of the other class and it was also claimed that this class or that class alone was able to handle the sword or knew the use of arms. I have purposely used the word 'wasted' because I see no connection between this subject and the subject under consideration. Times change and with the change of times one class, that was stronger before, becomes weaker and the weaker class gets the upper hand. I wonder why we should quarrel on such petty things.

Then it appeared to me that my friend Sardar Narain Singh was very much annoyed to hear the charge levelled against the students of taking part in the agitation. I do not think there was any occasion for my friend to get displeased. There is no doubt about it that if the students do take

part in any agitation, it is most reprehensible on their part. Their energy should be directed to one and one end alone and that towards their studies. I realise that it is human nature to get displeased with those who make bold to say anything derogatory at the face of the person concerned. We as elders should not take up that attitude. If our students have any shortcomings we should try to remove them.

I have often heard some of the members complaining that Government has done nothing for the good of the people. To-day that complaint was again repeated. I fear some day some of us might not say that God has done nothing for us, because he has not cared to send down some of his angels to make us perfect human beings. I wonder how it is possible for the Government to do everything that we all desire it to do. I know that it is responsible for the uplift of its subjects, but if you desire to achieve everything that every one of us would like to see done, it is simply impossible for it to accomplish. Rome was not built in a day. Now this demand has been put forward that our students should be taught the use of arms and given military drill. May I put one question to those who make that demand? Is it that everything else desirable in the case of students is accomplished that they want military training to be introduced at once? I think that there reply can not be in the affirmative, and if my surmise is correct I would advise them to leave this question alone for the time being. Let other things be done first. Training of military drill and the use of arms can and should come last. In my opinion it is not safe to entrust the students with arms so soon. Let them first learn to make proper use of them. I should remind my honourable friends that there is the Syndicate and the Senate. Both these bodies are supposed to consist of ablest educationists. If you have faith in them and if you do not doubt their ability, leave this matter to their best judgment because they are the best judges of the requirements of the students. Before I close I would again urge the members not to make it their point to criticise the Government in season and out of season. Government has done much for us if not everything that we want it to do. It has introduced scouting in schools and in course of time more will be done. But may I ask whether we have ever tried to do our own duty? I really feel ashamed of myself to say that most of us have never cared to do our duty as representatives of the people. All the same we are never tired of shifting the blame on to the shoulders of Government, which is in my opinion unfair and unjust.

Dr. Gokul Chand, Narang : May I put one question to my honourable friend? He seems to be under the impression that if military training is given to the students in colleges, they will be allowed to remain in possession of arms. He seems to be under that misapprehension and it is under this misapprehension that he seems to oppose the resolution.

Mr. E. Maya Das : I also wish to have a point cleared and it is this. The resolution reads, "This Council recommends to the Government that steps be taken to introduce the training of military drill and the use of fire-arms along with the physical drill in all the Government recognised colleges." But I heard the Honourable Director of Public Instruction saying that military drill has already been introduced in the colleges. I would like to know if it has been introduced in all the colleges or only in some of the colleges.

The Honourable Sir Geoffrey deMontmorency : I think I will be able to explain that when I make a statement.

Pandit Nanak Chand : [Hoshiarpur (Non-Muhammadan), Rural] : Sir, in the first place I wish to congratulate my honourable friend Mr. Sanderson on his maiden speech which he has delivered in this Council to-day. He has dealt with the question of military training in the schools and I myself saw one of the exhibitions given by the various instructors in the Training College. The work that the education department is doing in the matter of military drill in the schools is really praiseworthy. There is not the least doubt that everywhere in the schools we find that there is a new discipline and the boys are taking great interest in military drill. I do not think that the Director of Public Instruction opposed this resolution. What I understood from his speech was that he gave an indication that so far as the education department is concerned, it is preparing the way for the introduction of the scheme which this resolution seeks to enforce in the colleges. Now, Sir, it is difficult to understand the opposition to this resolution from one or two quarters. This resolution is an all-important one, and it is absolutely a harmless resolution. It is essentially for the safety and for the guidance of the students in the Colleges. Now what does this resolution want? It wants that in the Colleges military training and military drill should be introduced and it should be made compulsory. That is the spirit of the resolution. Some of the members have opposed this resolution on the ground that many of the non-military classes or castes may take advantage of the military drill and I have one suggestion to make with regard to that. So far as the agricultural classes or those classes which claim to be military classes are concerned, let them be given the benefit of this resolution in the first instance. Nobody could be more happy than we to see the military classes or the agricultural classes get the benefit of this resolution in the first instance. Then let it be extended to other classes. Let other people be given the benefit of the military training and drill. It is unfortunate that class spirit is being developed in accepting or supporting a resolution which is absolutely harmless. May I say in this connection that this distinction of military castes and military classes or agricultural classes is a distinction which ought not to exist? I have not been able to understand what is the basis of this distinction. Now in the Sikh times my family was considered to be an agricultural and military family and all my people took to warfare and they were soldiers. But under some distinctions made by Government we are now declared to be non-military people. We have now no right to enter the army. As has been pointed out by various members and especially by the member who has just preceded me, the honourable member for Gujrat, all people possessed military instincts at some time or other. Military spirit or intelligence and such other qualifications are not the monopoly of any particular class or creed. These distinctions unfortunately exist and they are stereotyped and intensified on account of various suggestions that prevail in this unfortunate province.

The introduction of military training or drill will go a long way in removing the caste distinctions and distinctions between the military and non-military races. It has been the unfortunate feature of our country that when the military profession was confined to a particular caste or class of people, it was not able

to defend itself from foreign invasion. Those who were regarded as the non-military class or who did not take any interest in wars succumbed to the rule of the foreigners, and therefore we find that time after time Indians were invaded by the foreigners and gave way to them, and afterwards there have been many conquests and the result of the Indian history is not a very encouraging one. Therefore every lover of his country will support this resolution which will try to remove the distinction between the so-called martial and non-martial races. You find that in countries like England, France and other advanced countries there is no such distinction as military and non-military races. You find that military training has been introduced in all the schools and colleges without any exception being made in favour of any particular class or caste, and the result of that has been that those countries have never succumbed to foreign invasions. They have always fought their battles and the result has been that they have maintained their liberty. Therefore I submit that by accepting this resolution we will be really preparing the country for the defence of this province and India as a whole whenever there is any danger of its being threatened by a foreign foe. Therefore those who look upon this resolution with disfavour should be prepared to accept it.

One of the honourable members said that students should remain aloof from politics and so on, and he made a long speech in this connection. I want to put this question to him. When the pulsation of new life is felt in villages, how can you expect students not to be influenced by politics and by the advancement which we see all around, how can you expect that students should not be allowed to take their proper share in the matters which are now agitating the minds of the political leaders and the politically minded population? On these grounds, therefore, we must give the students a training for their intellect and for their physical activities. The result of this will be that they will come under better discipline. Once they are better disciplined, it will be very easy to control their activities which at present is not the case. Even from this point of view, purely from the point of view of maintaining discipline and order amongst the students this resolution must be accepted by the Education Department, and I hope that the Education Department will see that this resolution which goes to the very root of our national well-being and national welfare is introduced in the colleges. There should be no mistake. The resolution merely asks that this military training should be given to the college students. It does not ask for the use of firearms amongst school students. On these grounds I hope the Council will unanimously support the resolution.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, as has been pointed out by more than one speaker on the last day when we had non-official business, the question of military training, in which military drill and the use of firearms is included, is a question concerning the whole of India and is national rather than provincial in its scope. As military training is a central subject, it is controlled by the Central Government, it is financed by the Central Government, and the technical personnel for military training is found by the Central Government. The question of military training in colleges and universities enters into the scope of the whole organisation of the Territorial and Auxiliary Forces and the University

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Training Corps are a branch of the former Forces. The composition, organisation and conditions of service in the Territorial Forces has always been the subject of very close interest to all Indian politicians. As a result of the adoption by the Legislative Assembly of a resolution on this subject by Mr. Venkata pati Raju in February 1924, the Government of India appointed a Committee which was presided over by Sir John Shea and had nine members, seven of whom were non-officials, to go into the whole question of the composition, conditions of service and organisation of the Territorial and Auxiliary Forces, including in the former the University Training Corps. This Committee, which included several Punjabis, made a very exhaustive enquiry into the subject of reference to them. They submitted a report to the Government of India in 1925. The Government of India gave a very careful consideration to this report; and in 1927 after obtaining the concurrence of the Secretary of State they published a resolution announcing their conclusions on the recommendations of the Committee. Their resolution announced that they had accepted the main recommendations of the Committee as summarised in pages 37 to 40 of their report, and the resolution went on to show the manner in which they proposed to implement those recommendations and the expenditure which would be incurred on the first instalment of them. These papers were republished for general information in the *Punjab Gazette* in October last, together with a summary of the recommendations of the Committee, to which the Government of India referred. These papers are of very great interest; and they do not seem, as far as I can judge from the observations made in the debate, to have attracted the attention which they deserved. I think, for example if the honourable mover of this resolution had studied these papers or if they had been known to him, he would probably not have moved his resolution because he would have recognised that the main principles underlying his resolution had been accepted in their entirety. These papers are of great importance, and it is important to remember that the Government of India and the Secretary of State accepted all the main recommendations of the Committee. The main recommendations of the Committee of course concern a number of points, relating to the Territorial and Auxiliary Forces; but with the permission of the President, I will read those recommendations which refer only to University Training Corps from the papers as published in the *Gazette*.

The first recommendation was: The University Training Corps and Indian Territorial Force should be regarded as existing primarily for the purpose of spreading military training and the inspiration to military service among the manhood of India, in order to lay the foundation upon which a national army can be built up. Such a national army can only be created by gradual stages and by a steady process of education extending over many years.

Next, the University Training Corps should be given no liability for actual military service.

Further, the conditions of services in the University Training Corps and Indian Territorial Force should be improved.

Again : The University Training Corps should not be subject to army arbitrary limitations, but should be allowed to expand up to their natural limits.

In addition : the impulse for the creation of new units should proceed from the natural leaders of the people and the Advisory Committees, and before raising any new unit the concurrence of the Local Government should invariably be obtained.

Finally : all members of a University or College, who are British subjects, should be eligible to join the local contingent of the University Training Corps, without distinction of race.

These are the main recommendations regarding the University Training Corps which as I have observed were accepted in entirety.

As regards the steps which the Government of India took to implement the acceptance of this policy, in the same resolution they announced that they had sent proposals to the Secretary of State for an expenditure of ten lakhs on the Indian Auxiliary and Territorial Forces to be the first instalment for carrying out the recommendations. These proposals included Rs. 3,82,000 relating to the University Training Corps. The details of this Rs. 3,82,000 were, for raising a unit at Nagpur, for raising a unit at Dacca, for raising a unit at Karachi, for raising a section of Sappers and Miners in the Burma University and for expanding the Delhi University Training Corps from a company to a battalion. It will be observed that in four of these cases out of five, money was to be spent in raising units in places where units did not previously exist. You may ask why no expenditure was included on the Punjab University Training Corps. I think the answer is that quite recently before the publication of this resolution the strength of the unit had been expanded from a company into a battalion ; and no question of further expansion of the Punjab University Training Corps could arise, unless it had first been established that the expanded facilities recently given had been utilised to the full.

The sanctioned strength of our Punjab University Training Corps unit is 687. I have gone into its present condition with the officer commanding the corps. Enrolments at the beginning of the training season are usually very satisfactory; but there is a tendency as the training season goes on for the numbers to dwindle down by about 400 more or less. For example at the beginning of the present training year which has just passed, the officer commanding informs me that he recruited 280 men. These were sufficient to fill all the existing vacancies, but by March he had been obliged to strike off 60 students from the rolls owing to their not attending the parades and drills. More had to be dropped out later. The results therefore fall somewhat short of what we desire. At this present moment although ten colleges, that is eight colleges of Lahore and two colleges in the mufassil, contribute numbers to the unit, the actual numbers of the unit are 469 as against the sanctioned strength of 687.

The committee whose recommendations I have referred to, themselves recognised as you will have seen from their resolutions, that progress must be gradual. Those who are interested in their report and care to read the details, will, I think, after reading it agree with the soundness of their conclusions. In the first place they were entirely opposed to any form of State

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compulsion. They thought that if there was State compulsion the growth of that sort of spirit which they wanted to foster would be artificial and impeded. In the second place they recognised that there would be, for some years at any rate difficulties in finding officers for the corps. They recommended that officers for the University Training Corps should be drawn primarily from the teaching staff of universities and colleges. Their reasons were that the teaching staff by their age and position are best fitted to be officers and in a university or college they alone remain long enough attached to the institution to be worth being given commissions. They also laid great importance to the training of officers. They postulated that in order to train the officer properly, he must first go through a full recruits course in a University Training Corps or in a Territorial Unit under the instructional staff of that Unit; and that then he should be attached for a period of six months to a regular British or Indian Unit. If the exigencies of his work required it, they recommended that the period of six months should be split up into two continuous periods of three months, each. Naturally unless there is great keenness among the teaching staff there may not be large number who for some years to come will qualify themselves to hold these commissions. A lot, nevertheless, have qualified; but even after qualification they sometimes find it difficult to spare time to attend the drills of the training corps. I found on looking up the University Training Corps registers that there were one or two cases like this of officers holding commissions who had not been able to give much time in the last training season to attending parades and drills. There was a case in which an officer during the whole of the training season had only attended one parade. (*A voice*: Was he an officer?) Yes. It is difficult to progress unless all the officers do help.

Dr. Gokul Chand, Narang : Does not the rule of discipline of the University Training Corps apply to these officers? Is there no compulsion for attendance?

The Honourable Sir Geoffrey deMontmorency : No doubt if officers were consistently unsatisfactory they would lose their commission. But as regards the actual student who joins in a vacancy, if during the training season he does not complete his drill he is removed and another student who wants to join the corps is put in his place. That is the present system.

Dr. Gokul Chand, Narang : It is not sufficient punishment. There should be some penalty for non-attendance.

The Honourable Sir Geoffrey deMontmorency : Obviously there is room, as has been observed, for improvement. Returning to the committee, they recommended that every University Training Corps should be allowed to expand to its natural limits subject only to financial considerations. They pointed out that to reach these natural limits there were certain conditions which must be fulfilled and that they must take some time to fulfil. The first is that every college that wants to join a unit must be able to guarantee a fixed minimum number of members and should also be able to make provision for suitable officers. Finally there were difficulties to which some members have alluded to during the debate,

not insuperable, but difficult in practice, about keeping of arms and ammunition. The committee very rightly in their report attach great importance to the safe custody of arms and ammunition belonging to the non-regular forces. They said that it was a matter of importance that a uniform system should be devised for keeping arms either in armouries with a standing guard or in arsenals.

So, the general position is that the principle contained in the honourable mover's resolution has been fully accepted. Military drill and physical training, as the Director of Public Instruction has pointed out, has been taken up in the schools and military drill in Government colleges is universal. The University Training Corps system has been introduced and is working; and from ten colleges, members are forthcoming to take part in it, and are receiving military training in the fullest sense. But the facilities given by the present sanctioned strength of the unit cannot be said at the moment to be fully utilised. Defence is a reality and not an idea; and we should put our shoulders to the wheel and realise that we want to instil more keenness in those for whom these facilities exist if there is to be real advantage from military training and if it is to lead to that sense of discipline, that sense of obligation to defend the country which so many people wish to create. As soon as we find people keen to accomplish that in the present unit, there is little doubt that more colleges would apply to join the scheme, that they would be able to guarantee the minimum number required to make it worth while going on with their application and to give us assurances, that certain persons would be trained as officers. When that stage has been reached, we shall be justified in seeking the advice of the advisory committee; and I have no doubt that the advisory committee, if satisfied would recommend that the concurrence of the local Government should be obtained and the proposals should go forward. Then we could ask for a further expansion of the unit and for further financial backing for the purpose of equipment and training. I should like to draw your attention to the fact that, while the Director of Public Instruction has remarked that physical training in schools is on a more satisfactory footing in this province than anywhere else, the University also of this province has done its best, in fact, it has done more than any other university has done, in order to stimulate interest in the University Training Corps by making military training, which includes parades and a certain number of drills in the corps, an additional elective subject for the Intermediate and Bachelor's examination. No other university has taken this step. I feel sure that this will stimulate keenness of the right kind. In order to take this subject for examination a student must have completed 66 per cent. of possible drills and parades. On going through the record of the past training season, I find that at the moment about five per cent. of the students in the corps could tender the subject. The remainder have not reached 66 per cent. of possible parades. Here we must also try to get more keenness and more effort to grasp the advantage of the facilities which have been offered. I think it is clear that at present the cause of slow advance exists not in any limitations of the accepted principles but in some shortcomings of our own provincial achievements.

I do not think we should be disappointed. All movements of this kind want in their early stages a little help and a little encouragement and

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a little public attention. His Excellency the Governor, the Honourable Minister for Education and I visited the corps when they were in camp training at Shahdara. We noticed some marked keenness in the training ; but I feel sure that if more general encouragement was given, the thoughts of the students would turn to the corps more as a reality and as something worth pursuing. I trust that in view of the explanation which I have given as regards the acceptance of the principles underlying the resolution, the honourable member will withdraw his resolution, recognising that the principle has been accepted and that some inevitable delay must occur in the facilities being extended to all the Government recognised colleges at present.

Mr. President : Rai Sahib Lala Ganga Ram.

Dr. Gokul Chand, Narang : We should like to hear the Honourable the Minister for Education also on the subject.

The Honourable Mr. Manohar Lal (Minister for Education) : Sir, I have nothing particular to add to what the Honourable the Finance Member has explained as regards this matter. But if there is any particular enquiry which Dr. Narang or any other honourable member wants to make, I shall be very happy to answer that.

Dr. Gokul Chand, Narang : There is unfortunately great difference in the principle as accepted by the Government and the principle contained in the resolution.

Rai Sahib Lala Ganga Ram : I do not withdraw my resolution.

Mr. President : The resolution proposed runs—

“ This Council recommends to the Government that steps be taken to introduce the training of military drill and the use of fire-arms along with the physical drill in all the Government recognised colleges.”

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION RE OPENING OF CANAL TELEGRAPH OFFICES FOR PUBLIC USE.

Sardar Hira Singh (Lahore, Sikh Rural) (Urdu) : Sir, I beg to move—

“ This Council recommends to the Government that the canal telegraph offices be opened for use of the public like the railway telegraph offices.”

Mr. President : The resolution proposed runs—

“ This Council recommends to the Government that the canal telegraph offices be opened for use of the public like the railway telegraph offices.”

The question is that that resolution be adopted.

Sardar Hira Singh (Urdu) : Owing to a mistake, I did not make any speech in support of the resolution.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu) : Sir, I think the resolution moved by the honourable member from Lahore would find favour both with the Government and zamindar members of this House, because while on the one hand, it seeks to redress

a genuine and an old-standing grievance of zamindars, on the other, it aims at replenishing the coffers of the Government. I therefore, have no doubt Sir, that it will be unanimously carried.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, it is not so very easy to give effect to the resolution proposed by Sardar Hira Singh and supported by my learned friend Raja Sahib as they think. Only last year Sardar Hira Singh drew the attention of the Government to the advisability of opening canal telegraph offices for the use of the public and, acting, on his suggestion, though the Chief Engineers were averse to it, they agreed to try the experiment for a short period on a part of a canal. Lower Bari Doab Canal was chosen for this purpose and 12 canal telegraph offices were for 50 days opened to the use of the public. Some 100 rupees were spent in advertising this fact to the public and 4 to 5 thousand rupees were spent in making further inquiries with regard to this proposal. And what was the result of all this elaborate preparation? During this period of 50 days, 6,254 telegrams were sent from the 12 canal telegraph offices under experiment, and out of these 120 were only sent by the public. Out of 120 telegrams sent by public 34, 18 and 12 were despatched from Amritsar, Dhariwal and Gurdaspur, respectively, although each of these places has railway and Government telegraph offices. From these facts and figures, I submit, Sir, that one can easily draw conclusion as to how far the canal telegraph offices were utilized. But, Sir, at this stage, I am not concerned with commenting upon the advantages or disadvantages that would accrue in case the resolution is carried. All I want to do is simply to draw attention of the House to the difficulties that are likely to be experienced if the resolution is given effect to.

Sir, the first difficulty would arise in regard to the keeping of the money received for the use of canal telegraph offices. Where, and with whom, shall we keep the money so received?

Rai Bahadur Lala Sewak Ram : Sir, with Sub-Divisional Officers.

The Honourable Mian Sir Fazl-i-Husain : Sir, Sub-Divisional Officers as a rule reside at considerable distances from canal telegraph offices and it would not be easy to carry every day the money so received. Sir, another difficulty is stated to be that if canal telegraph offices are opened to the use of public, the present staff would not be able to manage it efficiently and we shall have perforce to engage telegraph officers and staff for them and the result would be a considerable increase in the expenditure.

Mr. President, Order, Order. I should like the honourable members to understand that newspaper reading is not permissible in the Council.

The Honourable Mian Sir Fazl-i-Husain : These in short, Sir, are some of the difficulties that we would experience in case the resolution is carried. If, however, the House is very keen on it, and so sanguine of its success, I would give the proposal a very fair trial. All canal telegraph offices on the Upper Bari Doab will be opened for the use of the public for 9 months, from 1st June 1928 to 29th February 1929. And the future action would depend upon the results of this experiment. Under these circumstances, I hope, Sir, that the honourable mover would not consider it necessary to press the resolution.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] (Urdu) : Sir, whenever any scheme for the improvement of the Canal Department is proposed in the Council, I find that grave apprehensions are usually entertained with respect to it, and moreover it is never given a fair trial. For example, the amalgamation scheme of my learned friend Sayad Muhammad Husain was tried at the Western Jumna Canal, where there was least prospect of its success; and following the old precedent, the Honourable the Revenue Member now proposes to try the scheme under discussion in the Upper Bari Doab Canal where it has hardly, if any, prospects of success. I would therefore submit, Sir, that if the Honourable Member for Revenue is really keen on experimenting the proposal, let him try it in the Lower Chenab Canal or in the Lower Bari Doab or the Jhelum Canal.

The Honourable Mian Sir Fazl-i-Husain : Sir, which canal do you prefer most ?

Rai Bahadur Lala Sewak Ram : Sir, I would like the proposal to be tried in the Lower Chenab Canal; and I am certain it would be successful and result in redressing an old-standing grievance of the zamindars and at the same time in replenishing the coffers of the Government. The Honourable the Revenue Member's statement that it had not fared well in the past, is due to the fact that it was tried only for a short span of time and moreover very few people knew that the canal telegraph offices had been opened for use of the public like the railway telegraph offices.

The Honourable Mian Sir Fazl-i-Husain : Sir, I never said that very few people knew that canal telegraph offices, like the railway telegraph offices, have been opened for the use of public.

Rai Bahadur Lala Sewak Ram (continued) : Sir, another argument advanced by the Honourable Revenue Member against the resolution is, that if it is carried, where shall the money received as a fee for the use of canal telegraph offices be kept? In reply to this, I beg to submit, Sir, that Sub-Divisional Officers frequently visit bungalows while on tour after every eight or ten days and that these telegraph offices are rarely more than 10 to 15 miles away from the bungalows and it would not therefore be very difficult to transfer this money to Sub-Divisional Officers who have safes and chaukidars to keep watch over valuables. In the meantime, however, the money can remain with the telegraph babu, whom you can provide with a safe for keeping money under lock and key.

The third and the last argument given by the Honourable the Revenue Member was, that if the canal telegraph offices were opened to public use, the present staff would not be able to manage to it efficiently and that they would have perforce to be transferred to the Government Telegraph Department, which would engage new staff to manage it and thus new expenditure would be incurred. Sir, this difficulty can be very easily solved and we need not worry much about it. These canal telegraph offices are already under the Government Telegraph Department. Sir, if this resolution is carried, all that it would have to do would be to supervise them more frequently.

For these reasons, I submit, Sir, that the proposal be given a fair trial at least for one year on all canals in the Punjab. With these remarks, I heartily support the resolution.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, anybody who has come into a slight contact with the revenue department of the province, will readily endorse my views that this department considers itself a commercial department, which is little concerned and quite independent of the public. But, Sir, this is a misconception; the department concerned is created for the public good and well being and crores of rupees from the public money is annually spent on its maintenance and upkeep. When the department like education is transferred to the control and supervision of Ministers, there is every probability that this department would also be transferred to the same authorities and, therefore, I submit, Sir, that the sooner the department divests itself of so-called independence the better for it, for in that case the loss of liberty would torment it but little. Sir, when my learned friend Sardar Hira Singh rose to move the resolution, I felt certain that the Government would readily support it and there would be no discussion on it. I had reasons and very cogent reasons to hold this optimistic view because, while on the one hand it tended to reduce a genuine grievance of zamindars, at the same time it aimed at replenishing the coffers of the Government. But, Sir, my astonishment knew no bounds when I found the Honourable Revenue Member opposing it, but if my outspokenness be pardoned, I cannot refrain from saying that his arguments did not convince me in the least and they were mere 'lame excuses'. The telegraph offices are already built; trained signallers are already there, then why refuse permission to the public to use it? The railway telegraph offices have a very important work to do. A slightest mistake on the part of the telegraph babu would bring about a collision and result in a heavy loss of life and property. Sir, when railway telegraph offices are opened to the use of the public, I see no earthly reason why canal telegraph offices be not opened to public use, which has less difficult and less important duties to perform.

Sir, the Honourable Revenue Member has remarked that before opening all canal telegraph offices to the use of public, he would like to ascertain the utility of the proposal contained in the resolution, by giving a trial to it on one canal only. He is welcome to perform the experiment if he likes, but I submit, Sir, that I have little faith in these experiments. In the past they have always been unsuccessful and are made to divert the public attention from the proposal which is being experimented upon. But, Sir, as the present Revenue Member is a very strong man, I hope his experiment will be a success and a remarkable success.

Sir, when the Simon Commission again comes to India, we shall have to show it how we are spending the provincial revenues and what benefits we are deriving therefrom; and when it sees the present state of things, the first reform that I think the Commission will suggest will be the transfer of the Revenue Department to the public control and supervision.

With these remarks I extend my heartiest support to the resolution, which has the unanimous approval of the public at its back.

The Honourable Sir Geoffrey deMontmorency (Finance Member): There is just one financial consideration I should like to draw attention to. It has been assumed that if these offices were open to the public

[Hon. Sir Geoffrey deMontmorency.]

the money we take from the public would be ours ; but it would not be ; it would go to the Government of India. Any money that we take from the public becomes part of the Post and Telegraph Department receipts and that money would go to the Government of India. Yet, I presume we shall have to keep some form of supervising agency to see that the public are getting the proper vouchers and receipts and that messages are being rightly charged and sent : and there has to be check of telegrams and so on. So it seems rather hard, that we should do all the work and that the payment for that should go to other's pockets.

Mr. President : The resolution proposed runs:

"This Council recommends to the Government that the canal telegraph offices be opened for use of the public like the railway telegraph offices.

The question is that that resolution be adopted.

The motion was carried.

RESOLUTION re IMPROVEMENT OF RURAL SANITATION.

The following resolution standing in the name of Chaudhri Yasin Khan 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 MR. ANDERSON'S REPORT REGARDING MUZAFFARGARH.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]
Sir, I beg to move—

"This Council recommends to the Government to give effect to the recommendations embodied in Mr. Anderson's report regarding relief for the residents of the Muzaffargarh district.

(Urdu): Sir, the district of Muzaffargarh lies in the remote eastern corner of the province, where such facilities as are available in other districts of the province are not at hand, and where the frequent over-flooding of the river Sindh is the cause of innumerable hardships to the already poor people of this district. The river Sindh is taking a heavy toll of life, property, crops and cattle every two or three years. Owing to the poverty of the people, various diseases periodically visit this unfortunate district, and they also add to the misery prevailing there. Only a couple of years ago relapsing fever appeared in this district and was the cause of death of many thousands of people. The means of irrigation in the district are practically non-existent, and if there are any they are in such a bad way that crops cannot be sown with their help in time ; and when sown they do not mature, so that the poor cultivators not only lose the capital invested, but also their seed, crop and labour. The indebtedness of the people of this district has become proverbial. They are so poor and so much in debt that they cannot even pay the interest on their debt. Owing to their poverty, their health and power of resistance are breaking down, and this is having its inevitable effect upon their morals, which are deteriorating. Their poverty, their ignorance, their indebtedness are a source of disgrace to the

whole province and it would be criminal on the part of Government not to take serious steps for the amelioration of their condition.

Ever since the inauguration of the reforms, questions have been put in the Council, resolutions have been moved, but to no purpose. As far back as the year 1924 a resolution was passed by the Council recommending to Government to adopt measures for reducing the debt of Muzaffargarh district, but no action was taken upon it. In the year 1926 another resolution for ameliorating the condition of this district was passed and, at the instance of the Honourable Revenue Member, Mr. Anderson was appointed to investigate and report upon the condition of the district. Mr. Anderson took up this work and by enquiring personally into the grievances of the people concerned he submitted a report, which is now in our hands. Mr. Anderson says in his report that there are four obvious ways by which an attempt can be made to improve the district. The first is that the people of this district may be persuaded to emigrate to other parts of the province with a view to reduce the pressure on the land. This is possible only if the Government grants lands to the people of this district in canal colonies. Government has still got at its disposal large areas of land in the Nili Bar, and it would be well if effect is given to Mr. Anderson's recommendation in this respect.

His second recommendation is to make the people more adaptive and self-reliant, by giving them education. Had the Honourable Minister for Education been here, I would have asked him to turn his attention to this subject.

The Honourable Mian Sir Fazl-i-Husain : The Director of Public Instruction is here.

Sayad Muhammad Husain : I would respectfully ask the Director of Public Instruction to give his best consideration to this part of Mr. Anderson's report. He would be doing a lot of good to the people if he takes steps for the introduction of free and compulsory primary education in this district, and to earmark a larger sum of money for this purpose than is at present done. His third recommendation is that greater attention should be paid to the development of co-operative credit societies in this district so as to provide a less onerous method of financing the land. The Government can help the people of this district by placing at the disposal of the co-operative department large sums of money on which no interest should be charged, and this money can be advanced to the agriculturists of the district at a very low rate of interest.

His fourth recommendation is that the water supply of the district should be improved so as to give more certain produce, and higher standard of living. I think, that this recommendation needs no support. It is obvious that if water is supplied to the lands of the district at regular intervals it is bound to increase the produce of the land, and this, in its turn, will add to the prosperity of the people.

I would again ask the Honourable Revenue Member to grant lands to the locals of the Muzaffargarh district in the Nili Bar. They were not given any lands in any other colony, and it is time the Government did its duty by them.

Mr. President : Is it one of the recommendations in Mr. Anderson's report that the residents of Muzaffargarh be given lands in the Nili Bar ?

Sayad Muhammad Husain : Yes, Sir, may I read it out to you for your guidance.

Mr. President : No.

Sayad Muhammad Husain : Then I would request the Education Department, Sir, to provide more money for the advancement of education in this district, so as to make the people more self-respecting and capable of taking care of themselves. More money should also be provided for financing the co-operative credit societies and mortgage banks.

We should not feel shy of spending money for the uplift of people who are poor in the good things of this world. When the Government has spent huge sums of money for the reclamation of the criminal tribes of the province, there is no reason why it should not spend money for the uplift of people who are absolutely resourceless, and thereby earn the gratitude of millions of poverty-stricken people.

The recommendations made by Mr. Anderson can be given effect to only if a special officer were appointed for the purpose, who should be in a position to co-ordinate the activities of the different departments concerned.

11 A. M.

Then, Sir, there are a very large number of scattered holdings in Muzaffargarh. The work of consolidating them can also be entrusted to the above-mentioned officer.

Sir, the district of Muzaffargarh is the one district in the province, where Diwan Sawan Mal of blessed memory spent his best energies and succeeded in making it another garden of Eden. But now, Sir, as ill-luck would have it, it has fallen on bad days. It has now become the home of the most poverty-stricken people in the province. Diwan Sawan Mal was the vizeer of Maharaja Ranjit Singh, and Sir Fazl-i-Husain is the minister of the Punjab Government, which has succeeded the great Maharaja. Will not, Sir Fazl-i-Husain follow the example of his illustrious predecessor and make Muzaffargarh regain its former prosperity and happiness ?

Mr. President : The resolution moved runs—

“This Council recommends to the Government to give effect to the recommendations embodied in Anderson's report regarding relief for the residents of the Muzaffargarh district.”

The question is that that resolution be adopted.

Sardar Ujjal Singh (Sikh, Urban) : Sir, Mr. Anderson's report deals with two principal questions regarding the Muzaffargarh district. The first is the question of finance and the second is the question of irrigation. With regard to irrigation, I am quite at one with the honourable mover of this resolution that the district is outside the range of monsoon. There is practically no rainfall in the district, and the existing canal irrigation is also not satisfactory. The existing arrangement is that there are six inundation canals from the Indus and two from the Chenab. Quoting from the report during the years 1918 to 1923 there was an average area of 77,000 acres under *kharif* and 118,000 acres under *rabi*, as compared with an

average of 73,000 acres, and 92,400 acres in 1904-09. That is an increase of 25,000 acres, within fifteen years.

The other point is about wells. There, too, in 1925-26 there were 23,000 wells in the Muzaffargarh district which helped to irrigate 213,500 acres. I quite agree that improvements in irrigation are quite necessary and that the canal authorities should do as much as possible to improve the water supply of the Muzaffargarh district. But I am afraid that here too the report of Mr. Anderson is incomplete. The scheme of irrigation ought to be examined by the expert canal authorities and after their enquiry a scheme of irrigation ought to be introduced which would be to the best advantage of the district.

I come to the question of finance. Mr. Anderson says that any steps taken to improve the material condition of the district will be useless unless measures are taken to put an end to the existing burden of debt. The whole question is this, that Mr. Anderson wants to put an end to all the loans at present borne by the cultivators and peasants of the district. The question of compounding the liability is full of great risks. If we are to compare the debt of the Muzaffargarh district with other districts of the province, we will find that Muzaffargarh is not the only district which has very heavy burden in this respect, as a matter of fact the burden of debt is lighter there compared with certain other districts of the province. I can quote Mr. Darling on this point. The burden of debt is Rs. 35 in the Muzaffargarh district per head of the rural population and it is Rs. 26 per cultivated acre and 22 times the land revenue. Compare this debt with the debt in the Sialkot district which is 27 times the land revenue. In the Hoshiarpur district the debt is 23 times the land revenue. In Mianwali it is 28 times the land revenue. So the question of debt is not peculiar to the Muzaffargarh district alone. It is in common with many other districts of the province. We should therefore not adopt any means which will revolutionise the system of credit in this province. I do not mean to say that nothing should be done to help the cultivator or to lighten the burden under which he is groaning. What I mean to suggest is this, that there are many causes of poverty of cultivators in this country, and the Government should attempt to remove those causes. The chief cause is litigation. As is well known in this province, a great part of time and money in the countryside is wasted in unnecessary litigation. It might be due to ignorance of the people in the countryside, it might be due to lack of education, but the fact is there, that a greater part of the debt is incurred on account of litigation, which can conveniently be avoided by suitable propaganda and education. The second cause is the existence of small holdings which are uneconomic, and here too a scheme of consolidation can help a lot rather than the scrapping which might not remove the real cause of poverty of the countryside. Another root cause of the poverty is the great prevalence of various diseases in cattle, resulting in heavy mortality. Here, also the work of the co-operative societies, the agricultural department and the veterinary department can help much more to remove the causes of poverty than any direct measure to help the peasants by way of removing their loans. The fourth cause is that there are certain districts where the cultivators are very active, very energetic, but there are others where the cultivators are lazy, very slack and indolent and who waste their time

[Sardar Ujjal Singh.]

in many ways and do nothing. The debt in the Rawalpindi district is very low as compared with other districts, because the people there are very energetic and alive to their duties. So, if instead of helping the cultivators by means of removing the real causes of poverty, causes that have contributed to the poverty of the country, instead of doing that, if we adopt means by which we might in a way be putting a premium on indolence and unwillingness to work, I fear we will be doing rather harm to the people than helping them. I, therefore, do not quite agree with Mr. Anderson that something should be done to remove the burden of debt directly, though that burden can be lightened by the ways and means which I have just suggested. The burden of debt might also be lightened by means of mortgage banks. I quite agree that mortgage banks might be extended in those districts where the burden of debt is very heavy. But, there too I am afraid if nothing is done to improve the condition of the people, the mortgage banks will not help them. Mortgage banks would result in the sale of lands of those people because money available by means of debt is not a source of help to the people unless something is done to improve the conditions, something is done to put them on the right and proper work. On these two suggestions, Mr. Anderson's report is incomplete. I am quite in sympathy with the resolution, namely, that something to improve the conditions of the people in the Muzaffargarh district should be done. But my only point is this that Mr. Anderson's report is not complete by itself. If any scheme of irrigation is to be devised, it should be devised by the canal authorities who are best judges and if they recommend any scheme of canal construction for the help of the people of Muzaffargarh, it should be adopted. In the matter of finance, instead of liquidating the debt I should rather suggest the introduction of education, co-operative societies, mortgage banks, veterinary hospitals and a sort of propaganda which would raise the people from the state of lethargy and would bring them on a par with active people in other parts of the province and would contribute to the welfare of the province.

Pandit Nanak Chand [Hoshiarpur (Non-Muehmmadan), Rural]: Sir, I have very carefully gone through this report of Mr. Anderson and also the chapter which Mr. Darling has written with regard to the Muzaffargarh district. So far as the report goes, I submit that it is absolutely one-sided. I happened to go through the chapter on the Muzaffargarh district written by Mr. Darling and there three causes are given for the poverty of the people living there. One is landlordism, the second is *pirism* and the third is these money-lenders who, according to my friend Pir Muhammad Husain, suck the blood of the peasants of the Muzaffargarh district. With regard to the first cause, the greatest importance is attached to it by Mr. Darling. He says that in such districts the big landlords are eating up the smaller peasants. The peasant proprietors are swallowed by the rich proprietors who try to take advantage of the poverty and distress of the small peasant proprietors and try at every possible opportunity to increase their own holdings. This he regards as the greatest factor in the Muzaffargarh district. I mean the operation of the Land Alienation Act. He says that the various people cannot find proper market for their lands and

they are compelled to sell their lands at a cheap price to the landlord. Therefore, this problem of big landlordism exists in this district, which is unknown in other districts in the Punjab.

Those unfortunate small peasant proprietors or tenants who escape these landlords are non-plussed by the *pirs* who act in this province. The *pir*, he says, is the greatest possible menace to the safety and prosperity of the poor peasants in this district. These people are ignorant and illiterate, as has been pointed out by Mr. Anderson in his report. The *pir* comes in and on account of the religious holding which he has got over the conscience of the people he levies the greatest possible exactions from even the poorest peasant proprietor or tenant who lives in this district. Therefore, when we are trying to improve the condition of the Muzaffargarh district I would appeal to my friend Pir Muhammad Husain to carry on a propaganda amongst his community. I do not mean to say that the Pir Sahib himself does anything of that kind, but there are men of his brotherhood who carry on this nefarious propaganda and even in the 20th century they try to take heavy exactions from the poor people so that ultimately they may enjoy paradise. Now if these *pirs* were to leave these unfortunate victims alone they would be doing a great service to them and leave them something which may be utilised for their own prosperity and welfare and well-being. That is the second cause according to Mr. Darling of the poverty of the Muzaffargarh district. No reference to these two causes has been made in this report by Mr. Anderson. I do not know how that happened, but this is an important point and it ought to have been thrashed out on all sides by the writer of this report.

Secondly, he says that undoubtedly the money-lender is responsible for the poverty of the people. But one thing Mr. Darling says is while the other two classes do not give anything in return the money-lender gives something in return for what he takes from these people and so in this way, while he gives something in return he becomes the least obnoxious of these three classes. In this report at page 9, I find these money-lenders are called by the names of *Kirar*. I do not know why this name should have been used here.

Sayad Muhammad Husain : That is a common term.

Pandit Nanak Chand : It is a very contemptuous phrase. I would resent to be called a *Kirar* just as I would resent being called a native by a European. It is a contemptuous term and it should not have been employed in this report of Mr. Anderson. I wish to draw the attention of the Government to these few words which occur at page 5, with regard to these *Kirars* or money-lenders :

“The Hindus who live in small market towns built at a distance of about 10 miles from one another on sites so secure from floods that grain can be stored in them. Most of the land round these towns is, and long has been, owned by the Hindus, who are by far the best farmers in the district and grow all the most valuable crops.”

Sayad Muhammad Husain : Please read further on.

Pandit Nanak Chand : I will do so later on. Now, it is admitted by Mr. Anderson that these Hindus are the best farmers in the district. We hear these are non-agriculturists, these are Aroras and they are not declared as agriculturists anywhere, but yet they are regarded to be the best farmers in the district and they grow the most valuable crops. Had this Land Alienation Act not come in, I submit there would have been larger numbers of people of this kind who would have given the benefit of their brain and knowledge to the progress of agriculture. Mr. Anderson says further in the same page,—my honourable friend from Montgomery is very anxious that I should read further on—later on he says:—

“They never cultivate with their own hands, but are assiduous in directing their Muhammadan labourers. Their livelihood is, however, derived from their shops and still more from their banking, which will be described later. They are a literate community (27·7 per cent. among males) and in comparison with the Muhammadans are progressive, but socially are a despised minority, though feared for the power which their wealth gives them.”

Just as big landlords like the honourable mover of the resolution take advantage of their tenants and get their lands cultivated by them, these Hindu farmers take advantage of their tenants and get their lands cultivated by them. There is nothing wrong about that. But the point is these people give something in return. They are so far as agriculture is concerned, in advance of the other people who own large areas of land and are not proper cultivators or landlords even. Therefore, my submission is that in order to understand the disease of any particular area or tract, we ought to go to the root of the disease, and unless you are prepared to do away with the causes that operate to make the people poverty-stricken, you cannot possibly even with any amount of help do away with their poverty. The possible measures given in page 10 of the report are four in number and they are intended to reduce the poverty of these people. These four items are, firstly, emigration to reduce the pressure on the land. There are many districts in the Punjab which have got pressure on the lands and which so far as this condition is concerned are in a worse condition than Muzaffargarh. The first thing to do in this connection is to do away with the big landlordism that is eating into the vitals of the small peasant proprietors. If, there were very small peasant proprietors, then there would not be the same amount of pressure as we find at the present day.

The second method by which to give relief as mentioned by Mr. Anderson in his report, is by education to make the people more adaptive and self-reliant. I am not prepared to oppose the plea that the people should have the benefit of education and education alone and that will make the people self-reliant. Therefore, I join with my honourable friend Sayad Muhammad Husain that our efforts should be directed to make the people of this district as well as the people of other districts more educated, so that they may become more self-reliant.

The third item mentioned in the report is by co-operation to provide a less onerous method of financing the land and fourthly and lastly, by improving the water supply, to give more certain produce and higher standard

of living. These are problems which are not peculiar to this district alone ; other districts also stand in the same position. If anything is done by the Government to meet the situation and to find means for the improvement of these people, I am not opposed to it, what I am submitting is that this report is one-sided. It does not really touch the problem, it has not gone into the root of the real cause of distress which prevails in this district. In this case the report is defective. If we have a commission of two or three people to enquire into the distress that prevails, not only in this district but in other districts of the Punjab, then we would be in a position to come to the right conclusion. The conclusions arrived at in this report are entirely wrong and one-sided and unfortunately the author of the report has not tapped the information that ought to have been made available to him.

Mr. R. Sanderson (Director of Public Instruction) : Sir, I am very grateful to the honourable mover of the resolution for giving me an opportunity to vindicate the activities of the education department. In vindicating those activities, I must turn for a moment to the recent history of the department. In a little book that I shall place in the hands of the honourable members before very long, the year 1919 is taken as the turning point in the policy of our education department. From that time onwards, instead of looking to the large towns for our expansion of education, we have looked towards the countryside and towards villagers. Statistics showing how education has expanded in the countryside are familiar to you all. Another matter with which perhaps honourable members are not so familiar, judging by their questions and resolutions, is the type of rural education that has been adopted. We have given a very strong rural bias to our vernacular education. When Mr. Anderson wrote his report, he was not aware of this fact and therefore one of his criticisms which I will read later on does not hold good. Two years ago when I was with him in England I was telling him how we had changed our type of education and he said that was what Muzaffargarh wanted. With this change in our gaze and in our attitude towards the village vernacular school, we became aware of the backwardness of various areas in the province. There are many such but some backward areas are more fortunate than others in attracting attention ; and Muzaffargarh has a silver tongued advocate who will never let us forget it. The department has to deal with many backward areas and therefore it cannot concentrate its attention, energy and money upon one. Otherwise what could we say to the Una tahsil of Hoshiarpur, to Hamirpur in Kangra or to Firozpur-Jirka and other places ? We have considered the problem carefully and spread the money over as many areas as possible.

With regard to the actual suggestions of the report, what Mr. Anderson on page 11 of the report suggests is that the money now spent on primary schools would, in his opinion, be better used in agricultural research within the district. Well, I think he would not hold by that statement now. He knows how things have changed and how strong a rural bias is given to our vernacular education.

The problem that he raises on page 7 seems almost incapable of solution. You have these scattered families living on groups of two or three wells in a very large area. It is extremely difficult for the education department

[Mr. R. Sanderson.]

to give attention to each family. It is possible that a travelling school might be established and this proposal is worthy of consideration. Accepting the fact that education is necessary, I shall just give a few plain facts about the development of Muzaffargarh during the last five years. The education department has treated Muzaffargarh as a backward district and therefore generously. During the past five years, the number of schools of all kinds in the district has risen from 209 to 405, almost one hundred per cent. increase. A more interesting point is coming up now. At the end of the quinquennium there were 11,000 children in these schools and in March 1927, there were nearly 80,000 children; that is an increase of 150 per cent. The department claims credit for the disparity between the increase in the number of schools and the increase in the roll; that means that our expansion has been economic and efficient; we have given our attention to filling existing schools and wherever possible this has been the policy pursued in other districts as well. In the matter of grading we have graded Muzaffargarh at 70 per cent. of approved increased expenditure on education, a large percentage. It is interesting to know that the district of Muzaffargarh maintains about the average development for the whole province in the matter of compulsion. There are three urban and forty-eight rural areas under compulsion; these are last year's figures—there are probably more now. We have also been generous to Muzaffargarh in the matter of provincialisation. Five years ago there was one Government high school in the district, now we have four. There are also two aided schools; but in poverty-stricken tracts one cannot hope for very much expansion in aided schools. Vernacular middle schools have risen in number from 7 to 15 during the same period, and lower middle schools from 15 to 43. Throughout the district we give concession of half fees to agriculturists. In recent years in order to develop a satisfactory system of education in the countryside we have taken steps to train teachers specially for them. Experience not only here but throughout India and in other parts of the world has gone to show that when you have no man of the backward area itself to teach the people therein educational progress is difficult to achieve. In the first case the teacher does not understand the people and secondly, he constantly seeks for transfer to what he considers a more civilised area. To meet this situation we have established three training units for vernacular teachers in this district and we are now turning out something like 120 men every year—a very considerable number for this district. Another feature about this alleged backward district of Muzaffargarh is the peculiar activity in girls' education. There are now 55 girls' schools in the district and the district sends 12 women teachers annually to be trained for work in girls' schools. In the matter of adult education it is difficult to speak with certainty, that is to say as to the results of adult education. But it is worthy of note that there were no adult schools in Muzaffargarh five or six years ago, while we now have 100 with a roll of 2,206.

In addition to these developments we have established three school farms; some people doubt the value of these; but I have expert authority for saying that the Kot Adu school farm is probably the best in the province. When that farm was opened the local farmers came in and said "Ha

Masterji come to teach us farming' ? They also pointed out that the farm was established on a very bad piece of land. By skilful farming and manuring we grew some very good crops on the school farm and the men who came to scoff are indeed surprised at Masterji's success in growing vegetables entirely new to them. Another feature which is making for the development of Muzaffargarh and breaking down the isolation which is the curse of agricultural peoples throughout the world is the rural community board or rather its local representative branch, the district community council. I think it is an open secret that these community councils originated with the education department and in most cases the Secretary of the council is the local District Inspector. I hear very good reports of the work done by the Muzaffargarh district community council. We sent down there this winter the cinema lorry which belongs to our central community board and it travelled round and drew great attention. So we are doing something to break down this isolation. The author of the book that I mentioned at the beginning of my speech says that the duty of an education department is to seek out those that sit in darkness and bring them light ; Sir, I claim that with regard to Muzaffargarh, as well as with regard to many other dark places in the province, we have sought out those that sit in darkness and we have brought them light.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, the economic condition of Muzaffargarh district is to me a matter of deep concern. We, sons of the soil, whether we sit here on the Council benches or follow the plough, are conscious of common problems. We know how our brother in the fields toils and are anxious to improve his general economic condition. Not only are we concerned with the villagers but also with the people of the towns. The people of the villages have always maintained friendly relations with the people of the towns, realising that the interests of the village and those of the town are identical. We in the villages produce what our friends in the towns market for us. Difficulties arise when the profits of one who distributes and the profits of the other who produces bear little relation to the services rendered. I wish to emphasize that not only in Muzaffargarh but everywhere the interests of the village money-lender are not so inimical to those of the peasant as some people imagine. The village money-lender finances agriculture and we must acknowledge our debt to him. At the same time the problem of some places like Muzaffargarh deserve special attention. The indebtedness in Muzaffargarh is increasing and with the increasing indebtedness it is not only the agriculturist that feels that he is not getting his legitimate profits but even the money-lender is not able to collect his debts. A stage has been reached when it is necessary for some kind of arrangement to be arrived at, between the money-lender and his client so that both may be set on the road of prosperity. Muzaffargarh is not so well situated as some other places ; and yet a recent enquiry conducted by the Economic Board reveals that even in a centrally situated village like Jagat Bhan in the Amritsar district there is not enough food produced in the village to maintain its population. You can imagine how the Minister for Agriculture feels when it is brought home to him, that in some of the villages enough food is not produced. I need hardly repeat that the matter of indebtedness of the Muzaffargarh district is a matter of deep concern to me and my department.

[Hon'ble Sardar Jogendra Singh.]

Now let us take the Muzaffargarh district. It is a rainless tract. It is a watershed of two rivers. The agriculturists are under a heavy debt. We may pay off the debt, but the needs of the villager will remain. He will have to borrow money to finance his agriculture. He will have to face the same difficulties which have landed him into his present difficulties. Now what are the remedies? This is the main question. Mr. Anderson has suggested some. Mr. Strickland has not agreed with him. I may say that I am not in agreement with Mr. Strickland. The co-operative department has not only to organise credit societies, but it must also organise arbitration societies which are recommended by Mr. Anderson and these arbitration societies can take up the problem of liquidating long standing debts. I certainly feel that before any progress can be made in Muzaffargarh it would be necessary to go into the question of the indebtedness of the people and to find some way of liquidating the long standing debts on an equitable basis which would be acceptable both to the lender and the debtor. I see no other way but that the co-operative department should go into the question and organise arbitration societies so that a settlement of debts by mutual agreement could be effected. I can assure the honourable mover of this resolution that I will direct the attention of the co-operative department to this aspect of the problem.

Then there is the question of improving agriculture and on that I need hardly lay too great an emphasis. Here again, I am not in agreement with Mr. Anderson when he recommends that we might start agricultural farms rather than go on expanding education. We in the agricultural department depend entirely on education to equip men so that they may be able to use new knowledge in improving agriculture. If people are educated they know how to co-operate, and make the most of their resources. If people are educated they can take up easily new methods of agriculture. Without education we can do nothing. I, therefore, regard education as a powerful method of producing better agriculturists, better zamindars and better co-operators.

The main problem of Muzaffargarh is increased production. You may try to free the peasant from his debt, but unless you teach him how to produce more, there is no guarantee that he will not slide back into debt again. We must begin, in the first place, with the education of the agriculturist and then teach him new methods of agriculture, the art of co-operation and the art of production. I need hardly assure you, Sir, that all the beneficent departments are doing all that they can towards this end. The work may be slow; the fruit may be distant; but there can be no doubt that Muzaffargarh will slowly improve under the impulse of new forces. The one great advantage of democratic institutions to my mind is that where one man considered these problems before, hundred members of this Council now consider them. It is not only that members of this Council that consider them, but people outside the Council are drawn into the circle.

We know that a doctor cannot cure a patient unless he secures the co-operation of the patient himself. Muzaffargarh has been called sick and certainly Muzaffargarh is sick. We can only bring Muzaffargarh to health by taking the patient through the curative processes. The Director of

Public Instruction spoke of the small school farm which is serving as a centre of disseminating better ideas of agriculture. Government is examining some areas in the district with a view to start a demonstration farm and when that farm is established I hope it will help in diffusing scientific methods of agriculture. Mr. Anderson speaks of some *rakhs* which are available in the Muzaffargarh district. If private enterprise could be enlisted in developing these *rakhs*, the development of the district will be greatly accelerated. We have already increased our co-operative staff according to the programme which Mr. Strickland laid in the report. We have appointed an assistant circle registrar, 3 inspectors and sufficient number of sub-inspectors. The co-operative movement in the district is beginning to move and we hope that a mortgage bank will be started as soon as things are ripe for its establishment. Then again the Public Works Department and the Communications Board are opening up new roads and bringing the district into line with other districts in the Punjab. The survey of the district has been sanctioned and if the survey reveals possibilities of irrigation, either from rivers or from wells, the Government will be pleased to take up the problem of providing irrigation facilities. I am quite sure the Council sympathises with backward districts and will do all it can to assist the departments in helping these backward districts to prosperity.

12 noon.

Emerson once visiting England said: "people who could carve out such comfortable life under such difficult conditions deserved to be the rulers of the Empire." I think we Punjabees might also aspire in making districts like Muzaffargarh prosperous and not rest contented till we have done so.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammdan), Rural]: Sir, as Muzaffargarh is a part of my constituency, I have great sympathy with that district and I support the resolution of my learned friend from Montgomery. But I cannot help also supporting my friend the member from Hoshiarpur when he says that the Anderson report is one-sided. There is no doubt that the report which has been submitted by Mr. Anderson is not a representative report of all the communities who reside in that district. In producing this report and in doing all the work that he has done he never consulted any representative of Hindus in that district, nor did he co-opt any Hindu on this committee. If he could take the help of Musalman members of the Council, he could easily have asked me or my friend from Multan (Urban) to co-operate with him and we would have taken the greatest possible pleasure in bringing to his notice all the troubles and difficulties of the Hindu community. Having admitted in his report that Hindus are a despised minority, he has not taken into consideration anything that would be beneficial for the Hindu community. If at the time of relief one community is going to be absolutely neglected, then I certainly put in my complaint against such a report. I believe that Muzaffargarh district is now engaging the attention of Government in every possible way. Two members of Government, the Minister for Agriculture and the Director of Public Instruction, have already spoken sympathetically, and I can say from my personal inspection that when I went to Muzaffargarh last time I found that the irrigation department were also trying to improve the lot of those people. A remodelling officer has been appointed and he is going to remodel all the outlets and is also making new

[E. B. Lala Sewak Ram.]

chakbundis. I may submit in this connection that in making *chakbundis* the canal officers do not consult the people on the spot about their requirements. If they were to consult them, I am sure that they make such useful *chakbundis* that there will be never any cause of complaint against that department.

Now, another point which I wish to make is that supposing the report is adopted and relief is given, who is going to distribute that relief? If the present district staff is going to distribute the relief, then I have absolutely no hope whatever of any relief reaching any member of my community. I certainly feel that my community does require relief and for that purpose I submit that a special officer may be appointed from here. My friend the mover has said that he wants a special Deputy Commissioner to give that relief. If Government accept that and if he is a fair-minded officer and is not influenced by the views that Mr. Anderson holds about my community, I daresay he might listen to the complaints of my community and do something for them.

Time and again the money-lender is abused in this Council by zamindar members and especially by the member who is looking at me (referring to Chaudhri Duli Chand). I need not name him, but I may tell you that the money-lender is really the backbone of the agriculturists. If in Muzaffargarh the money-lenders had not taken up the cause of the agriculturists they would have been wiped out altogether. I have made enquiries and I have come to the conclusion that the money-lender always comes to the rescue of the agriculturists and he has saved them from ruin time and again. During the last floods of the Indus I went there to make enquiries and I found that the money-lenders had given more relief to zamindars than anybody else had given. There were no subscriptions or donations sent to them from outside, it is the local money-lender who did everything for them—and this when he has not much hope of even his principal coming back, not to speak of the interest on it. So it is a wrong notion that the money-lender is sucking the blood of the zamindar. No doubt he does make the *bahi khata*, but practically the money-lender never receives any money back at all. The poor money-lender has to lend him money, when the zamindar goes to him with folded hands and asks for it.

I do not wish to take more time of the Council, but I very strongly put in my strong protest against the report. So my submission is that a further enquiry be held on which a leading Hindu of the district is represented. Unless that is done before relief is given to the district, I am afraid I cannot lend my support to the motion. I consider Mr. Anderson's report to be one-sided, and I want that a further enquiry be held by a committee with one Hindu at least in it who knows the district well and I want that the relief when given should be given neither by a Hindu Deputy Commissioner nor by a Muhammadan Deputy Commissioner. The work should be entrusted to a fair-minded English officer, otherwise there is no hope of justice. [A voice: Who is Mr. Anderson? Is he a Muhammadan?]

Mr. H. D. Craik (Financial Commissioner): Sir, I wish to make a few remarks on the subject of emigration, but before doing so I would like to deal briefly with the attacks that have been made on the report which is the

subject of discussion to-day. I deprecate very much the fact that certain honourable members should have thought fit to condemn this report as one-sided, partial and unfair. I do not think that any unprejudiced person who has read Mr. Anderson's report carefully will agree with that verdict. I do not think that anybody who has read that report carefully can deny that Mr. Anderson brought to the study of his subject not only exceptional knowledge and insight but a peculiarly large degree of sympathy with the people of that district. I cannot find any ground for the condemnation which the honourable member for Hoshiarpur thought fit to pour on the report except that Mr. Anderson used of the money-lenders of the district the term "Kirar," which is commonly used all over the western Punjab.

Pandit Nanak Chand : Then you agree that Mr. Darling is wrong? Either Mr. Anderson is wrong or Mr. Darling.

Mr. H. D. Craik : Perhaps the honourable member will allow me to continue my speech. I did not interrupt him when he was making his speech and I think he might have the courtesy to allow me to say what I have to say.

The honourable member complained that Mr. Anderson made no mention of—what he chose to call—the two evils of the district—the landlord and the *pir*. I find that Mr. Anderson has mentioned the large landlords most distinctly on page 6 of his report. He has also made a passing reference to the *pirs* and their influence in the district, but did not apparently consider it to be of any considerable economic value. At any rate, I can say this that when I visited Muzaffargarh the other day I met a very large number of the local people, none of whom suggested in any way that Mr. Anderson's report was either unfair or gave an untrue picture of the district or was prejudiced and partial. (*Hear, hear.*) The report is certainly accepted in the district by those whom I have met, both Muhammadans and Hindus, as containing a very true account of the difficulties with which the district is faced.

I would like to say one word as to what the honourable mover said in his speech moving the amendment on the subject of emigration from the district. As I understood the honourable mover, he stated that Mr. Anderson had recommended that migration on a large scale to the canal colonies should be encouraged. I am afraid, Sir, that is not the case. If he will read carefully what Mr. Anderson has written on this subject at page 10 of his report, he will see that Mr. Anderson discusses the possibilities of emigration as a solution of economic difficulties. But he certainly did not make any definite recommendation in favour of emigration on a large scale. He said that there had been considerable emigration to the colonies of Jhang and Khanewal, mostly by landless men. Of course, when the Sutlej Valley colony is opened there will undoubtedly be emigration on a much larger scale than in the past. That no doubt will take place. That is not a process which Government can control or can stop even if it wishes to do so. But Mr. Anderson goes on to say: "It has often been suggested to me that a scheme should be made to take a proportion of the smaller landowners of the district and settle them in some colony, where they would be given land on the condition that they abandoned their old holdings in Muzaffargarh to the other co-sharers." Mr. Anderson doubts if such a scheme would in practice be workable. In the first place, it would be necessary to

[Mr. H. D. Craik.]

relieve Muzaffargarh of no less than 150,000 people or 30,000 families, and they would have to be selected not for their fitness as agriculturists but merely for their willingness to emigrate. Now, Sir, even to select 30,000 families from Muzaffargarh and give them one square of land each, it would mean three-quarters of a million acres, which is more than double the area available for the peasant grantees in the whole Nili Bar Colony.

I think he will also admit that it would be unfair to the new colony to select colonists merely because of their willingness to go to the new colony. Of course anybody is willing to go to a new colony if a chance is offered. But we must make the success of the new colony the first consideration in selecting peasant colonists. I do not think Government can possibly agree to any scheme whereby a man is to be selected simply because he is willing to emigrate to a new colony and to give up his holding in his own district to one of his co-sharers. That would be a most unwise and uneconomic system of colonisation. At the same time I have no doubt that there is in the Muzaffargarh district a genuine feeling that the district has been neglected in the past when these big colonisation schemes have been in the process of maturing. I found that that feeling is strongly held and perhaps there is some justification for it.

However, in deference to that feeling, Government has decided to make an experiment and to select certain number of colonists from the Muzaffargarh district for the Nili Bar Colony. (*Hear, hear.*) The experiment I believe the honourable member will agree ought to be made on a modest scale to begin with. Every endeavour will be made to select men who have the resolution and industry likely to make good colonists and so settle them in a part of the new colony as close as possible to their own homes. Further than that I do not think it will be right or prudent for the present to go. At any rate I hope the honourable member will agree that that decision of Government does in this respect meet his wishes and it will be for the peasants selected to show by their industry and success that more good colonists can be obtained from that district and that the settlers from Muzaffargarh can play a larger part in the colonisation schemes of the future. (*Hear, hear.*)

Mr. H. F. Ashton (Secretary, Public Works Department, Irrigation Branch): Sir, Mr. Anderson has in his report stated that one of the main requirements of the Muzaffargarh district is a better canal water supply, that is, a controlled supply. This is a concession with which, I am sure, every member of this House will agree and this in spite of what we some times hear in this House about the deplorable economic conditions of our controlled perennial canals. I should like to briefly examine this question of controlled supply.

Of the canals off-taking from the Indus there are six in the Muzaffargarh district and it is out of the question to construct a weir across a river like the Indus for the comparatively small areas to be irrigated in the Dera Ghazi Khan and Muzaffargarh districts, also we would receive objections from Bombay. Of the canals off-taking from the Chenab there are three in this district, namely, the Karam, the Ganesh and the Taliri. The Karam irrigates a small tract between the Thal sand-hills and the river and this tract has been, as stated in Mr. Anderson's report, cut away partly by the

river ; the area irrigated by this canal was from the first provided for in the Haveli Project. It has been decided recently to also include in this project the areas at present irrigated by the Ganesh and Taliri, if this is possible; surveys are in hand and the claims of the lands irrigated by these canals will be fully and sympathetically considered when the Haveli Project eventuates. At the same time it must be remembered that the feeding channel of these canals will run for some miles parallel to the river and will be exposed to river action.

Mr. Anderson's further proposal was that if nothing would be done for the Indus canals on the Indus river, the lower Indus canals should be put on to a feeder channel from the Haveli Project. Surveys made show that this is almost impossible and the supply channel alone would be 50 to 60 miles long and run through tracts of moving sand-hills. The present authorized full supply discharge of these four canals is no less than 7,000 cusecs and we allow a capacity of 50 per cent. in excess of this for flood discharge, so the flood discharge these canals are capable of carrying is 10,500 cusecs, almost as big a discharge as that of the Lower Chenab Canal. If we put these on to a feeder channel from a controlled regulator we would certainly not have such a large discharge but the channel would have to carry 3,000 cusecs at least ; the question is whether this discharge will be available from the supplies of the Chenab river for the Haveli Project. This question of supply also affects both the Panjnad Canal and Bombay. The only conclusion we can come to is that for the present the canals must continue as inundation canals dependent on the vagaries of the river. What this means I will show by two examples. Mr. Anderson writes that the Maggi Canal was in a very bad way ; this was in 1926 and in 1927 this canal started early, ran throughout winter excellent supplies and remained in flow till late October ; in fact 1927 was one of the best seasons this canal had—on the other hand Mr. Anderson reports that in 1926 the Ghuttu Canal was doing well ; in 1927 its feeding creeks failed and it had one of the worst seasons on record.

Our main hope therefore lies in internal improvements. As regards the Chenab series, you will see from Mr. Anderson's report that the river is cutting into them and that conditions there are very much the same as in Dera Ghazi Khan, that is, you have to go back and back and back to protect yourself from the inroads of the river. The only trouble is that, whereas in Dera Ghazi Khan you have no sand-hills behind you, in Muzaffargarh you have and though the methods employed in Dera Ghazi Khan are also employed as far as possible here, you cannot retreat to the same extent because you are stopped by the sand hills. Everything possible is being done for the Chenab series, but there is really very little hope of an earlier opening or later closing. As regards the Indus series we are very much more favourably situated ; long creeks are very favourable to early supply and a forward policy is not only possible but will be followed. These creeks have hitherto been left open in the hope that the river may again swing across to the Muzaffargarh bank ; we can build forward regulators and embankments and bring some of the lands under irrigation but we have to be careful not to confine the river too much otherwise we may get a very heavy flood and conditions similar to those reported last year on the

[Mr. H. F. Ashton.]

Mississippi in America where flood embankments were destroyed with considerable loss of life and property.

Mr. Anderson has further proposed that instead of having six canals from the Indus we should have only one canal with two or three heads. In 1880, when the first settlement was done, there were 42 canals off-taking from the Indus and 11 from the Chenab; there are now 6 from the Indus and only 3 from the Chenab. The policy of combining canals and making them with fewer heads has therefore been followed but it is not only doubtful whether a single canal with two or three heads will do but also whether it would be wise. We are dealing with the Indus, a very large river. If we have only one canal with two or three heads we are putting all our eggs into one basket and we are not sure that the basket will serve. The river may attack all these heads and the canal fail, in which case the whole district suffers, whereas if there are six canals, some are attacked and some are not, some suffer and others do not, and the district as a whole keeps up the average irrigated area. I have already given the figures of discharge for the four Lower Indus Canals, if we accept the one canal scheme we will have to make it as large as the Lower Chenab Canal and each head must be of the same capacity and size. Now consider that one or two of these heads are attacked during the flood season, during the ensuing winter it would be absolutely essential for the canal officers to make new heads. These head reaches may be anything from two to ten miles in length and their excavation *must* be done during the few months of winter. If small channels have to be excavated in various parts of the district local labour can be obtained for the work but in the case of an enormous canal special arrangements would have to be made and special labour obtained and then it is doubtful whether the work could be done in the very short time available. It is therefore both easier and cheaper in the limited time available to make small canal heads and one is more sure of the supply.

As regards internal improvements a great deal can be done. The channels are tortuous and too numerous; near Jatoi, there are no less than 10 maintained channels running side by side for a length of 4 miles. You will not find any of these conditions on any of our perennial canals, but you find them in Muzaffargarh because there you have what the local people consider vested interests in their water-courses, which are really minor distributaries. Masonry outlets have not yet been built everywhere. The formation of a remodelling sub-division has been mentioned; this sub-division is meant not only for remodelling outlets but for carrying out surveys and remodelling the channels and canals. The Magasson Canal has already been taken up and it is found possible to abandon about 38 per cent. of the existing channels. The same thing can be done on the other canals but the first requirements for this remodelling is to have proper survey plans. For surveys in this district the Council has already passed a provision of four lakhs of rupees in the current year's budget and the work will be put in hand this year.

Some people consider that the Irrigation Department will not spend any money unless it sees a return for that money; this is not the case here and these canals have not been considered by the department as "productive"

canals. The average income from water rates in this district has been Re. 0-18-6 per acre irrigated, the actual expenses range from Re. 1-4-0 per acre to Rs. 2-8-0 per acre between 1924-25 and 1926-27 and the annual loss has been Rs. 11,000 in 1924-25, Rs. 84,000 in 1925-26, and Rs. 27,000 in 1926-27. The average expenditure under maintenance and repairs and extension and improvements has been Rs. 3½ lakhs per annum and the Superintending Engineer estimates that he will require Rs. 5 lakhs per annum for 5 years; this is exclusive of expenditure on buildings. With such expenditure, after we have proper survey plans, we will get better aligned canals on modern lines, better and more equitable distribution and possibly better, that is earlier or later supplies, but this latter is again dependent on the river. The present supplies are ample but are available for short periods only and one has to be careful about giving larger supplies, as in the greater part of the district sub-soil water is very close to ground surface.

I mentioned that if we gave a supply channel from the Haveli Project it would require about 8,000 cusecs and I doubted whether we have the water for it. In this connection there is a suggestion I would like to make, which I am sure will be heartily supported and welcomed by the honourable mover of the resolution and other honourable members who represent this constituency and constituencies on the northern canals of the province, as to how the Muzaffargarh district can be benefited from these canals. It is a suggestion which I have not discussed with my colleagues who are in charge of the northern canals and of the canals in Muzaffargarh. It is a suggestion entirely my own and it is that honourable member should persuade the cultivators and landlords on the northern canals to content themselves, *in the interests of Muzaffargarh* with irrigating only up to the limits of the area intended to be irrigated and also to use "*kharis*" to the fullest extent; this would give all the supply we require for Muzaffargarh. I will explain this in detail; take for example the Lower Chenab Canal on which the area intended to be irrigated is 17 lakhs of acres, while actually the area irrigated amounts to 25 lakhs of acres, obviously we can irrigate the area intended to be irrigated by two-thirds of the present supply. Again, if "*kharis*" are properly utilised, we could cut down the supply by another ten per cent. Working on these lines for the other canals I estimate roughly that we could reduce the supply of the northern canals by about 20 to 25 per cent. and still irrigate the total area intended to be irrigated. The total discharge of these canals is in the neighbourhood of 28,000 cusecs and we would get anything from 5,000 to 7,000 cusecs from them. We would then have ample for the feeder channel for the Muzaffargarh district from the Haveli Project.

Diwan Bahadur Raja Narendra Nath [Punjab (Landholders), General]: Sir, I have read the views contained in the report of Mr. Anderson and I have full sympathy with the district of Muzaffargarh. My knowledge of the district goes back to a very old date, when I was there more than 84 years ago. It seems to me that even with the lapse of such a long time the economic condition of the people has not improved. I can classify the remedies suggested by Mr. Anderson under four heads—(1) Introduction of education and spread of education on a large scale, (2) improvement of water supply, (3) relief of indebtedness, and (4) emigration. I

[D. B. Raja Narendra Nath.]

should like to offer a few remarks under each head. There is not the slightest doubt that the spread of education will be beneficial. Education is one of those things about the advantage of which there can be no question. Removal of illiteracy and of ignorance is always beneficial and education and knowledge are one of those few things in the world to which the adage does not apply, that we should not go to the extremes and that we should work out some *via media*. You can have as much knowledge as you like and yet it would be beneficial and therefore we can spread education on as wide a scale as possible and it will be beneficial. In fact that is the right remedy. With regard to the improvement of water supply, Mr. Anderson is of opinion that it would be of no use or at least not of any particular use if the indebtedness is not relieved. If people are so fond of indebtedness, I do not know whether the relief of indebtedness would permanently save them from falling into the traps of money-lenders again. If they are so fond of running into debt, they will discharge one debt and incur another debt. I differ from Mr. Anderson that the improvement of water supply will be of little use. Improvement in water supply no doubt will make them wealthy and will enable them to meet their financial demands in a better way. With regard to the relief of indebtedness, various suggestions have been made and amongst them I find one important suggestion made by Mr. Strickland. Mr. Strickland has been an enthusiast in the discharge of his duties as Registrar of Co-operative Societies and I am afraid that in his proposals he is much too optimistic and gives every indication of being an enthusiast. The Honourable Minister for Agriculture has referred to arbitration boards. I do not believe and I do not think that arbitration boards can be constituted in such a manner as to give satisfaction to all parties. The safest plan that can be adopted for the relief of indebtedness is to start more co-operative societies and to start co-operative banks which would lend money on easier terms than it is procurable from the money-lenders and thus enable the debtors to pay off their debts. Any attempt to bring about an understanding between the creditors and the debtor, I am afraid will lead to some trouble. I find some very objectionable proposals in this report of Mr. Strickland appended to Mr. Anderson's proposals. Mr. Anderson does not support them and sees difficulty in working them. I am afraid that the creation of arbitration societies will lead to the same results. The fourth element suggested in the report is emigration and my honourable friend the member for Montgomery has asked the Revenue Member to be generous in his award of land in the Nili Bar Colony to these people. I have every sympathy with them and I would support the demand but with one condition and it is this that there are others whose claims may be stronger, that there are persons who have lost lands by diluvion or river action and by water-logging. These two misfortunes are not due to any fault or ignorance or indolence of the owners themselves. They have been brought about by circumstances over which they had no control. Therefore, the claims of those who have lost lands by river action, the claims of those who have lost lands owing to water-logging should not be overlooked and bearing that consideration in mind, the Government may be as generous as it likes with the

people of Muzaffargarh. Of course there are other congested districts where pressure on land is very heavy, where the area owned by the proprietors is very small, where their holdings are very small and my submission is that their claims also should be considered. In Muzaffargarh district there are small owners as well as big owners and I have not attempted to discriminate the case of owners of small holdings from those of bigger owners, but I certainly discriminate the case of owners who have lost their lands by river action or by water-logging from the case of the owners of the Muzaffargarh district. With these few remarks, I extend my sympathy to the honourable mover of the resolution.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, I have every sympathy with the principle underlying this resolution. It is not only with the Muzaffargarh district that my sympathies are, but I am generally in sympathy with all measures for the uplift of the condition of the zamindars and non-zamindars. With regard to the Muzaffargarh district, I have studied the report of Mr. Anderson and my honourable friend from Hoshiarpur made a remark that the report was one-sided, to which the honourable Financial Commissioner took objection. I beg to submit that from a perusal of the report one finds that a good deal of labour and care has been bestowed on it and that the report deserves our best consideration. But from the appendices that are attached to it one would think that perhaps it would have been better if a Hindu member had been associated in framing this report. I find on page 12 of this report. Mr. Anderson says, "I have not had time to see as many people as I could wish, and have no Hindu associated with me in this inquiry, but I notice that most of the money-lenders who have professed their readiness to compound with their debtors, finance land in the Leiah riverain, on the Maggi Canal or on the Chenab Canals; these are those areas in which the flood supply has certainly changed for the worse within the last twenty years." So it is admitted that no Hindu was associated in the consideration of the report. My honourable friend from Hoshiarpur was not wrong when he made the remark that the report could be said—this was the expression he used—that it was to a certain extent one-sided. My honourable friend from Muzaffargarh brought a resolution before this House that a committee be appointed with members of this House to go into the question of indebtedness with the help of an Insolvency Judge and that resolution was carried by this Council. The Government did not find it to be a practical resolution and did not give effect to it; but that resolution is being supported in this report by Mr. Strickland. Mr. Strickland also supports it in Appendix I. If we see Appendix II we find that a Muhammadan gentleman was of the opinion that a system of panchayats should be set up and that in these panchayats the majority of the members who decide the cases were to be Muhammadans and the president is to be an executive officer instead of a judge. In Appendix III we find it stated, "This report has been prepared in collaboration with us, and we are in general agreement with the arguments and conclusions contained in it." From what I see the object of the enquiry was to go into the indebtedness of the agriculturists in the Muzaffargarh district. It was alleged that the majority of the debtors were Muhammadans and the *shaukars* were the Hindus. It was with that view that this inquiry was set up and I submit that the report, from what I have seen of it, was very

[Lala Mohan Lal.]

carefully framed. Still it is not as it should have been or it is not free from the slight prejudice on account of there not being any Hindu representative on it.

Sir, the other point referred to is the question of the indebtedness of the agriculturist which we hear from time to time in this Council. I have got every sympathy with this movement; but what I want to submit is that my friends have not been able to bring forward any practical scheme before this House by which this problem could be solved. All that has been put forward is that Government should take steps to relieve the indebtedness of the agriculturist. Now how is this to be done. It is admitted by all of us that the present co-operative societies and the banks started by the Government are not sufficient and they cannot favourably compete with the *sahukars* who live in the villages and who finance the zamindar. There is no doubt that the heavy indebtedness of the zamindar is admitted. But my submission is that we must be able to suggest something which is practicable. There is no use of coming here and simply raising the feelings between one class and another without any practical suggestions. I think there is not much use of mere talk. The indebtedness is one for which we have to suggest some practical solution.

The second point as put by the Raja Sahib and others is that people have got into the habit of incurring debts. You may wipe off their debts once; but they will again get into the habit of incurring debt. Unless they are taught economy they will again go into debt. You may wipe off their debt once but you cannot guarantee that in future they will not again get into the condition from which they have been relieved with the help of this Council or by any other means. May I know if my honourable friends who have been talking about indebtedness have done anything to improve the lot of their co-religionists or other classes of people who are indebted? What is the condition at present in the Punjab about expenditure incurred by the people? The general position is everybody wants to spend as much money as possible on marriages and on other ceremonial occasions. Even if he has not got the money he will borrow and spend on such occasions and will thus fall into debt which he will be never able to repay. In my humble opinion, the first thing that these people who have been talking about indebtedness should do is to go to these villagers and preach to the people not to incur debts for such purposes, and inculcate the habit of thrift and economy. But so far as I know no steps have been taken in that direction, to have this propaganda work among the masses. Unless such work is undertaken there is no use of merely coming here and talking. I request my friends to come here with some practical solution of the problem, so that the Government and ourselves can do something. I say that Government also should take such steps as it can, having regard to the interests not of one particular community but all the communities, whether they be agriculturists, non-agriculturists, Hindus or Muhammadans. We have just heard from the Director of Public Instruction that the Government have done all that they could in the matter of education. The honourable Chief Engineer representing the Irrigation Department has just told us how the Government is incurring losses in the matter of maintaining the works and the irrigation projects. Is it not itself a great relief which the Government

is giving, having regard to the interests of all the communities generally? Has not the Honourable Minister for Agriculture told us that the Government has done what they could in the departments under his charge? So my submission is that there is no use of coming here and making speeches. So far no practical scheme has been put forward by any honourable member as to how to relieve the indebtedness and give some economic relief to the people who really deserve it and I think that is the most important thing.

Mr. President : The resolution proposed runs :

"This Council recommends to the Government to give effect to the recommendations embodied in Anderson's report regarding relief for the residents of the Muzaffargarh district."

The question is that that motion be adopted.

The motion was carried.

The Council then adjourned till 9 A.M. on Thursday, the 10th May 1923.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 10th May, 1928.

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

OATH OF OFFICE.

The following member was sworn in :—

Ogilvie, Mr. C.M.G. (Official nominated).

STARRED QUESTIONS AND ANSWERS.

HIGH SCHOOL IN FIROZPUR-JHIRKA TAHSIL.

***1412. Chaudhri Yasin Khan :** Will the Honourable the Minister for Education please state if it is a fact that there is no Government or Board High School in Firozpur-Jhirka tahsil of Gujrat district, which covers an area of about 350 square miles ; if so, whether the Government propose to take steps to remove these defects ?

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

VERNACULAR MIDDLE SCHOOLS.

***1413. Chaudhri Yasin Khan :** Will the Honourable the Minister for Education please supply the answer to Council question No. 1197,¹ put by me in the last budget session ?

The Honourable Mr. Manohar Lal : A copy of the answer to Council question No. 1197 is laid on the table.

Answer to Question No. 1197.

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer given to Council questions Nos. 1961—1975.²

HASIYAT TAX.

***1414. Lala Mohan Lal :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) the total amount of *hasiyat* tax imposed by the district board of Ludhiana on non-agriculturists ;

¹Pages 705-706 ante.

²Vol. VIII-B, pages 1167—81 and page cxli, Appendix VIII.

[Lala Mohan Lal.]

- (b) the total amount of the local rate levied from agriculturists ;
- (c) the number of members of the non-agriculturists on the district board of Ludhiana ?

The Honourable Malik Firoz Khan, Noon : If the honourable member will state the period in respect of which he requires the information and will state precisely whom he includes under the terms "non-agriculturists" and "agriculturists", respectively, enquiries will be made as to whether the information can be obtained without a disproportionate expenditure of time and labour.

APPLICATION FOR COPIES IN COURTS.

***1415. Lala Mohan Lal :** Will the Honourable the Finance Member be pleased to state—

- (a) how many applications for urgent copies were received by the copying department at the Ludhiana headquarters and courts in the district in civil cases from 1st April 1927 to 31st March 1928 ?
- (b) how many copies under urgent applications were given to the clients within 24 hours as required by the rules and how many within one week ?

The Honourable Sir Geoffrey deMontmorency : (a) 315.

(b) 110 within 24 hours and 157 within one week.

GOVERNMENT TREASURER OF MIANWALI.

***1416. Mr. Labh Singh :** Will the Honourable the Finance Member please state if it is a fact that the Government Treasurer of Mianwali has since 1921 sold away a large portion of his property worth about a lakh and 77 thousand to meet the losses incurred on account of speculation in cotton, sugar, etc., and that the property held in security by the Government has depreciated very much in value ? If the answer be in the affirmative, do the Government propose to retain him as a Government Treasurer any longer ?

The Honourable Sir Geoffrey deMontmorency : No. The Government Treasurer of Mianwali has sold no property during the past three years and all property hypothecated to Government as security still remains unsold and unencumbered.

LOWER CHENAB AND LOWER JHELUM CANALS.

***1417. Sayad Mubarik Ali Shah :** (i) Will the Honourable Revenue Member be pleased to state—

- (a) whether the Government is aware of the fact that on account of frequent closures of the Lower Chenab and Lower Jhelum Canals, there was very great reduction in the sowing of the rabi crop, particularly that of wheat, in the areas irrigated by these canals ;

(b) whether it is a fact that the area actually cultivated suffered very badly on account of the unsteady supply of canal water ;

(c) whether it is a fact that the wheat crop has further suffered very serious loss and deterioration in its produce from the effects of *kungi* ?

(ii) If the answers to questions (a) to (c) be in the affirmative, will the Honourable Revenue Member please state whether Government is going to give relief to the zamindars of this area ?

The Honourable Mian Sir Fazl-i-Husain : (a) Owing to the shortage of river supplies there is a slight fall in the areas irrigated on these canals this *rabi*.

(b) No.

(c) Loss from this cause has been reported from various districts, but the extent of the damage has not yet been ascertained.

(ii) Does not arise.

CASE OF TAJ MAHMOOD AND OTHERS.

*1418. **Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) if he is aware of the fact that the Honourable the Chief Justice of the High Court of Judicature, Lahore, while accepting the appeal of Taj Mahmood and others who were sentenced to seven years' rigorous imprisonment by an I. C. S. Deputy Commissioner, Shahpur, passed remarks against the said I. C. S. officer for committing some illegalities ;

(b) if so, what are those illegalities committed by the I. C. S. officer ;

(c) whether it is a fact that the said Deputy Commissioner passed the orders at one o'clock in the night, and that he enlisted the help of the Commissioner when asked for an explanation by the High Court ;

(d) whether the Government has taken any action against the said Deputy Commissioner for the said objectionable conduct of his ?

The Honourable Sir Geoffrey deMontmorency : (a) In accepting the appeal referred to, the Honourable the Chief Justice passed certain strictures on the conduct of the case by the District Magistrate, who is an Indian Civil Service officer.

(b) The honourable member is requested to refer to the Honourable the Chief Justice's judgment.

(c) First part, yes.

Second part, no.

(d) Government made certain enquiries and have submitted a report on the case to the Government of India.

MURDERS IN SHAHPUR DISTRICT.

***1419. Lala Bodh Raj :** (a) Will the Honourable Finance Member please state if the number of murders committed in Shahpur district has increased during the last few years ?

(b) Will he please state with reference to each year the number of murders committed during the past five years in the said district ?

The Honourable Sir Geoffrey deMontmorency : The information asked for by the honourable member is being collected and will be communicated to him later.

MIANI MUNICIPALITY.

***1420. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if he is aware of the fact that the teachers of the Municipal Board School, Miani, Shahpur district, and other municipal employees have not been paid their salaries regularly for the past three years, and that they are in arrears for the last six months ?

The Honourable Malik Firoz Khan, Noon : Exact information is not as yet available but it is true that salaries are in arrears for six months.

MUNICIPAL BOARD SCHOOL AND DISPENSARY, MIANI.

***1421. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state if there has been any proposal to transfer the Municipal Board School and Dispensary, Miani, Shahpur district, to the charge of district board, Sargodha ?

(b) If so, what action does the Honourable Minister propose to take in the matter ?

The Honourable Malik Firoz Khan Noon : A report has been called for and the information required by the honourable member will be supplied to him in due course.

ROAD FROM PAKHOWAL RAILWAY STATION TO MIANI.

***1422. Lala Bodh Raj :** (a) Will the Honourable Finance Member please state if he is aware of the fact that the traffic on the road from Pakhowal railway station, in Sargodha-Malakwal section, to Miani (Shahpur) is unsafe during night hours ?

(b) If so, will the Honourable Member please state if the police patrol is going to be posted on the said road ? If not, why ?

The Honourable Sir Geoffrey deMontmorency : (a) and (b) A large portion of this road is reported to be under water and therefore not to be used at night. There is no night traffic on the road to justify a police patrol.

SARDAR HARCHAND SINGH.

***1423. Lala Bodh Raj :** Will the Honourable the Finance Member please state if it is a fact that Sardar Harchand Singh, Rais, Lyallpur, and an ex-member of the Legislative Council applied to the Deputy Commissioner, Lyallpur, for a passport in October last, and that it was not granted to him? What are the reasons for such a refusal?

The Honourable Sir Geoffrey deMontmorency : Attention of the honourable member is invited to the answer given to question No. 670.¹

MUNICIPAL COMMITTEE, ABOHAR.

***1424. Lala Bodh Raj :** Will the Honourable the Minister for Local Self-Government please state—

- (a) if it is a fact that Lala Udhai Ram was elected as a member of municipal committee, Abohar, during the last general elections;
- (b) if it is a fact that he is illiterate and cannot read and write as required by the rules of election? If so, will the Government allow him to remain on the committee or remove him?

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

(b) The gentleman in question is not illiterate.

COMPLAINT AGAINST CHAUDHRI FATEH MUHAMMAD KHAN.

***1425. Lala Bodh Raj :** (2) Will the Honourable the Revenue Member please state—

- (a) if it is a fact that the canal authorities, Muzaffargarh, complained against Chaudhri Fateh Muhammad Khan, zamindar, Dogar Kulas Rai in tahsil Kot Adu, that he was interfering with the flow of canal water to the detriment of other poor zamindars, to Deputy Commissioner, Muzaffargarh;
- (b) if it is a fact that the said complaint was sent by the Deputy Commissioner to the Revenue Assistant for an enquiry into the matter as well as to the police?
- (ii) Will the Honourable Member please lay on the table the report of the Revenue Assistant and the police in the matter?
- (iii) What action has been taken against Chaudhri Fateh Muhammad?

The Honourable Mian Sir Fazl-i-Husain : Government has not yet received such a complaint or any information relating it.

PROVINCIAL EDUCATIONAL SERVICE.

***1426. Chaudhri Yasin Khan :** Will the Honourable the Minister for Education please supply the answer to Council question No. 1198,² put by me in the last budget session?

The Honourable Mr. Manohar Lal : The answer to Council question No. 1198² is laid on the table.

¹Page 837 ante.

²Page 706 ante.

(Answer to Question No. *1198.)

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer given to Council questions Nos. 1961—1975.¹

PUNJAB EDUCATION CODE.

***1427. Chaudhri Yasin Khan :** Will the Honourable the Minister for Education please supply the answer to Council question No. 1207,² put by me in the last budget session ?

The Honourable Mr. Manohar Lal : The information is laid on the table.

(Answer to question No. 1207.)

The Honourable Mr. Manohar Lal : The instances in which use has been made of Article 8, Chapter III, Punjab Education Code, are given below :—

M. B. High School, Gohana (Rohtak)	..	Awarded a compensatory grant of Rs. 1,500.
D. B. A.-V. Middle School, Nagrota Bhagwan.		Brought on the grant-in-aid list.
D. B. A.-V. Middle School, Khaira (Kangra) .. ..	..	Ditto.
D. B. A.-V., Middle School, Nadaun (Kangra) .. ..	..	Ditto.
D. B. A.-V. Middle School, Dera Gopipur (Kangra) .. ..	..	Ditto.
D. B. A.-V. Middle School, Janauri (Hoshiarpur) .. ..	..	Ditto.
A.-S. High School, Dera Gopipur (Kangra) ..	..	Ditto.
Sud A.-V. Middle School, Garli (Kangra) ..	..	Ditto.
Khalsa High School, Anandpur (Hoshiarpur) .. ..	..	Ditto.
Khalsa High School, Baddon (Hoshiarpur) (High Department) ..	..	Ditto.
Khalsa High School, Jaspalon (Ludhiana) (High Department) ..	..	Ditto.
Rajput High School, Dholbaha (Hoshiarpur) .. ..	..	Awarded a special grant of Rs. 996.
S. D. A.-V. Middle School, Amb (Hoshiarpur) .. ..	..	Awarded a special grant of Rs. 804.
D. A.-V. High School, Kathgarh (Hoshiarpur) .. ..	..	Awarded a special grant of Rs. 900.

¹Volumes VIII-B., pages 1167—31 and page cxli, Appendix VIII.

²Page 709 ante.

D. B. High School, Pindi Bhatian (Gujranwala)	.. ..	Awarded a special grant of Rs. 5,000.
Khalsa High School, Ramdas (Amritsar)..		Awarded a special grant of Rs. 702.
M. B. High School, Pathankot (Gurdaspur)	.. ..	Awarded a special grant of Rs. 5,000.
Islamia A.-V. Middle School, Eminabad (Gujranwala)	.. ..	Awarded a special grant of Rs. 1,000.
Bijapur A.-V. Lower Middle School, Kacha Khu (Multan)	.. ..	Awarded a special grant of Rs. 504.

Yes, the claims of backward communities and areas have been duly taken into consideration.

THIEF IN THE "TRIBUNE" OFFICE.

***1428. Dr. Gopi Chand Bhargava :** Will the Honourable the Finance Member be pleased to state—

(a) whether his attention has been invited to the daily "Tribune" of the 20th March 1928, page 10, 1st column, top, where it is mentioned that a thief said to be in Criminal Investigation Department service was captured by the Assistant and the Joint Editors of "Tribune" and handed over to the police ;

(b) if so, how far has the police proceeded into the case ?

The Hon'ble Sir Geoffrey deMontmorency : (a) The attention of the Finance Member was drawn to the report in question. It contains no reference to a thief.

(b) No offence was found to have been committed and therefore no action has been taken.

ABO HAR MUNICIPALITY.

***1429. Dr. Gopi Chand Bhargava :** Will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether he has received any memorandum from the voters of the Abohar municipality requesting for the examination of literacy of the municipal commissioner of the Abohar municipality, Ward No. 2, Hindus and others not included in any other class ;

(b) if so, what action has the Government taken in this connection so far ?

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

(b) The petition was forwarded to the Commissioner, for disposal.

MOTION FOR ADJOURNMENT.

Mr. President : I have received notice of the following motion for adjournment from Chaudhri Afzal Haq—

"I beg leave to move the adjournment of the business of the Council to discuss a matter of urgent public importance, namely, the release from jail of one Mr. Bannerji, a C. I. D. employee, who, posing as a revolutionary, had come to the Panjab on an official mission of hatching criminal conspiracy in the province."

Has the honourable member the leave of the House to move the adjournment? (Cries of 'yes'). As no one has objected to leave being granted, the motion will be taken up at 5 this afternoon.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President : The Council has finished the discussion of amendments to clause 4. So I now propose to put the clause to the Council. The question is—

"That clause 4 as amended stand part of the Bill."

The motion was carried.

Mr. President : Clause 5.

Rana Firoz-ud-Din Khan [South East Towns (Muhammadan), Urban]: Sir, I beg to move—

"That in clause 5, section 49, at the end of sub-section (2), the following words be added:—

"the approval of the Punjab Legislative Council and", shall be inserted between the words 'previous' and 'sanction'."

So that with my amendment the sub-section would read as follows—

"A general reassessment of the land revenue of any area shall not be undertaken without the previous approval of the Punjab Legislative Council and sanction of the local Government and notification of that sanction."

(Urdu): The practice now prevailing is that when the term of a settlement expires and it is proposed to start a new settlement, the local officers like the Deputy Commissioner writes to the local Government through the Financial Commissioners for sanction of a new settlement. My amendment proposes that the approval of the Punjab Legislative Council should be necessary for any new settlement operations to be started. Before I proceed to say anything else, I would like to explain to the honourable members the present prevailing practice. When the term of the old settlement nears completion, the Deputy Commissioner of the district forwards through the Financial Commissioner a forecast of the proposed assessment to the local Government for approval and sanction for the start of the settlement operations. It has been an accepted principle of all organised and democratic governments that no new tax shall be levied without the approval of the legislature. Even any increase or decrease in the existing taxation is not brought about without the approval of the legislature. But this is not so in our country. Even a tax like the land revenue is levied, increased or varied without the sanction or even knowledge of the legislature. It may be said that there was no law regulating the imposition of this land revenue before and the executive was at liberty to do whatever

they liked. But now that we are framing a law to govern the assessment of land revenue, it is necessary to have satisfactory principle enunciated in this respect so that no new enhancement of land revenue may be possible without the approval of the local legislature. Land revenue is a tax of special importance. As I have already submitted on some other occasions, it contributes more than 80 per cent. of the provincial revenues and is contributed by more than 80 per cent. of the population of the province. It is highly arbitrary to decide anything about such a tax without the approval or knowledge of the representatives of those who pay. It is more so when it is openly trumpeted that the government of the country is being carried with the aid and consent of the representatives of the people in the legislatures and that all revenues are received and spent with the knowledge and approval of the people. Under the circumstances, there is no reason that such a big tax should be imposed without the consent of the legislature. It has been noticed generally and my personal experience also bears it out that ever since the British Government took over possession of the province of the five rivers, and as a result of all the four or five settlements that have taken place during the time, all of them have resulted in the enhancement of the land revenue. There are, as far as I know, only one or two exceptions in which such operations have resulted in a decrease in the demand of the State upon the purse of the poor zamindars. Probably the district of Hissar was the only or one of the two lucky districts in which the settlement operations afforded any relief to the people. Ordinarily the object of a new settlement is only the enhancement of the State demand. No forecast is sent by the Deputy Commissioner unless he or any other officer in charge does not see any material for the enhancement of land revenue. Land revenue has a very far reaching effect. Only yesterday we have decided to help a particular district. That district is not very much different in its pitiable plight from the other districts, though it is slightly worse than the others, and it is our duty to see the executive is not given a free hand to decide the fate of such districts. Where it is improper to give such a long rope to the Government in the matter of land revenue, it is also against all accepted notions of democracy and good government. If it is really intended to give any powers to the local legislature, it should be our foremost duty to see that we have control over the powers of the executive to enhance or decrease the land revenue assessment. Take the case of court-fees and motor tax. No enhancement is possible in them without the consent of the legislature. Now that we are framing a law about the assessment of land revenue, it is most necessary to provide that no alterations will be made in the pitch of assessment without the approval of the Council. I know that even under the existing law we can enforce our will on the executive to a certain extent but that is no reason why we should not have a statutory power to do so. I, therefore, most respectfully though very strongly urge upon the House the necessity of making the above-mentioned provision in the Act. With these words, I move my amendment.

Mr. President : Clause under consideration, amendment moved—

"That in clause 5, section 49, at the end of sub-section (2), the following words be added:—

"the approval of the Punjab Legislative Council and," shall be inserted between the words 'previous' and 'sanction'."

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, the amendment moved by my learned friend is based on the principle that every proposal tending to enhance the land revenue should be subject to the vote of the Council. He has cited the examples of the Court-fees Act, etc., and he argues that when no enhancement is possible in those taxes without the consent of the legislature, why is it that land revenue is not treated in the same way. My learned friend is a capable lawyer and I wonder that, with all his knowledge of law, he insists that all proposals for re-assessments should come before the Council before they are carried into effect. He says that no enhancement in land revenue should be possible without the consent of the Council. Does he want that a firm which is assessed for income-tax in 1927 at a certain figure should not be re-assessed for 1928 at a higher figure without the matter coming before the Assembly or the Council ? I really regret that I cannot accept this argument. Then there is the question how far a legislature can expect the executive not to do anything without the consent of the legislature even after the latter has passed a law governing the matter. No legislature should be allowed, in the interest of good government to tie the hands of the executive. In district boards and municipalities such demands are said to have been made, but in cases where the executive has to carry out the government of a province, such a wish cannot further the cause of the country. There is a provision under the Act by which you can raise or lower an assessment once made. There is no rate of land revenue fixed. Only a maximum limit is determined. But court-fees or stamps are different. In their case rates are already fixed and the two cases are not at all analogous. Then there is another thing. If it is the intention of the honourable mover to make the subject of land revenue a transferred one against the present constitution, I can only submit that no member of the Council should hope that the Government which has decided to keep this question of transferring certain subjects to popular control as a separate matter, would ever consent to the Council thus trying to make a reserved subject a transferred one, in this indirect way. Even if the Council does so, the assent of the Secretary of State and of the Governor-General will be needed to give effect to it. If the Parliament is willing to transfer the subject of land revenue to popular control this step is unnecessary, and if they are not so minded, then this is an unnecessary waste of effort on the part of the Council. I, therefore, cannot agree to the amendment.

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West (Muhammadan), Rural] (Urdu) : Sir, I cannot support the amendment moved by my honourable friend. My reasons for not lending it my vote are that, as the Honourable Revenue Member has told us, there is no need for such a provision to be made. We need only one thing and that should be provided for in the rules to be made under this Act. When a forecast report is made, that report is ordinarily a one-sided report. The Deputy Commissioner of the district on the information supplied to him by tahsildars or other subordinate officers sends up his proposals to the local Government through the Financial Commissioners and the approval is given as a matter of course. No objections are invited and nobody is allowed any opportunity to say anything against the proposals made. Though an effort has been made during the discussion on this Bill that this is done,

as a matter of fact the practice is quite the reverse of it. I, therefore, wish that the Honourable Member will give us an assurance that it will be provided in the rules that before a forecast is sent to local Government people will be given an opportunity to raise objections and put forward their proposals. This will help in removing all fears entertained by the supporters of this amendment. There are other reasons also why this amendment is not very necessary. We know that before settlement operations are started the matter comes before the Council in the form of grant for the settlement operations. At that time if we find that the assessment is unnecessary or unjust we can throw out the grant and thus stop the settlement. With these words, I oppose the amendment.

Mr. President : Before I call upon any other honourable member to speak, I wish to request the honourable mover of the amendment to show how his is consistent with the previous provisions to which this Council has already agreed. It has been agreed that all land is to be assessed and the limit of assessment is fixed. So the question of assessment is settled. What I wish to know is, whether the motion that assessment is to be made in future with the sanction of the local Government or that of the Legislative Council and so on is consistent with the two provisions which have already been passed by this House ?

Rana Firoz-ud-Din Khan : I submit that this question is quite independent of the two questions which have already been discussed, that is, the extent of assessment and the rate of assessment. They have nothing to do with the present question. All land is to be assessed ; it has been settled. This section 49 (2) and the amendment moved by me have nothing to do with the question of assessment. This amendment refers to re-assessment. The question now is whether the assessment already in force is to be revised and if it is to be revised, in what way and to what extent and I submit that the fact that we have already decided these two questions, that land is to be assessed and that the rate of incidence is to be 25 per cent., does not operate as a bar to the moving of my present amendment.

Mr. President : Am I to understand that the word ' assessment ' in the two previous clauses does not include re-assessment ?

Rana Firoz-ud-Din Khan : I do admit that the word ' assessment ' does include re-assessment. It is not limited to the first assessment at all. But this section and the amendment deal with the matter as to how that re-assessment is to be made.

Mr. President : It appears clear that this House has already accepted the principle that all land, with certain exceptions, is to be assessed and that the word ' assessment ' includes " re-assessment ". It is further clear that the House has accepted the principle of assessment without any limitation or restriction. Now the proposed amendment means to place a restriction on that assessment. The question, therefore, is whether the amendment is consistent with the principle the House has already accepted without any limitation, restriction or reservation.

Rana Firoz-ud-Din Khan : Section 49 provides that re-assessment of any tract of land cannot be undertaken without the previous sanction of the local Government. So if the view as put forward by the Chair is to be correct, then even this section is against it. It provides as to how the

[Rana Firoz-ud-Din Khan.]

re-assessment can be undertaken. It says that no area can be re-settled and no new assessment can be made and no settlement operations can be undertaken without the previous sanction of the local Government and I simply want to make a further addition to the provisions contained therein. That is, I want that that previous sanction should be limited not only to the local Government but that it might be extended to the Legislative Council also. So I am only moving an amendment to the provision which is already there by which the Government can re-assess any land. If section 49 were not there in the Act and if I were to move an amendment to introduce such a provision, then the objection pointed out by the Chair would have been relevant and valid. But when the Government itself are having section 49, which provides how and in what circumstances re-assessment can be undertaken, I submit I will be quite in order in moving this amendment, by means of which I only wish to add a further safeguard in the matter of re-assessment.

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, I think that the honourable mover of this amendment has overlooked the words which are printed on the many papers which are placed before us, namely, 'Punjab Legislative Council'. I draw particular attention of the honourable member to the fact that this is the Legislative Council of the Punjab : it is not the Executive Council. The function of all Legislative Councils is to pass laws, and in those laws to incorporate general principles to which the executive must conform : those principles in this matter of land revenue are before the House in the present bill. I submit that the passing of this amendment by the House would be most unwise. It would imply a misconception of the respective duties of the legislature and the executive, and involve undue interference by the legislature in the work of the executive.

I will make one or two remarks with reference to the honourable mover's remark that settlement operations now practically never result in a reduction in land revenue. Last year I had occasion to deal with the re-assessment of part of the Phalia tahsil of the Gujrat district : I find that as the result of re-assessment the existing assessment was reduced in no fewer than four of the five assessment circles of that tahsil : it was raised in only one circle. Had re-assessment operations not been undertaken, those four circles would have to continue to pay an assessment which the detailed enquiries made during the settlement have shown it was unreasonable to expect them to pay. It is wrong, Sir, for members of this House to think that Government always looks in settlements for enhancement of land revenue. It does not, though I admit that, speaking generally, in re-assessments we do get an increase of land revenue. But one of the most important objects which Government have in view in undertaking re-assessment operations is to make that detailed enquiry into the fiscal conditions of the villages in the district concerned, which can only be made at settlement : A settlement is the time and the only time, which can bring to light defects in the existing revenue arrangements in each village. Not only this, but although you may get an increase in assessment in the assessment circle as a whole, it practically always happens that in individual villages of that circle you will get reductions in assessment. Turning again to the

general question, I repeat that this Council should devote itself to its own important work of legislation and let the executive do its own important work of administration. I trust that the members of this House will, as responsible men, show their wisdom and reject this most unwise amendment.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, I see no need for adopting the present amendment. As the Honourable Revenue Member has stated when we are already providing the same thing in the present Bill, it is simply wasting the time of the Council to bring it over and over again before the House. This Act will also be passed by this Council, why then provide that the matter be brought before this very House over again. This law even provides that the Council can reduce the demand of the Government from land revenue. The Council already possesses the power of reducing the rate of land revenue. When the demand for grants for settlements comes before the Council, it has full power to throw out the whole grant or any part of it, if it is so minded. I fully remember that on not more than two occasions during all these years that I have been a member of this Council, I have been the cause of throwing out of grants for settlement operations. There was the case of a settlement of the Gujranwala district and also the case of the settlement of Pakpattan in the Montgomery district. It is very possible that the subject of land revenue may be transferred. Then the power of the Council over this matter will be supreme. Why should we show ourselves so irresponsible over this little matter. We must do things which may appeal to everybody. For these reasons, I oppose the amendment.

Chaudhri Afzal Haq [Ludhiana-cum-Hoshiarpur (Muhammadan), Rural] (Urdu): Sir, the gentleman who spoke last on this amendment has admitted that we already possess the right of reducing or enhancing the land revenue assessed during new settlement operations, or even not allowing a settlement to proceed with by throwing out the grant for the operations. There is no doubt that theoretically and as a matter of principle the Council does possess even now the right to do so. This fact, therefore, takes away all the force from the argument of the Honourable Revenue Member that by the passing of this amendment we will be transferring a department which is supposed to be a reserved one. If by the simple act of not approving the action of the executive in carrying out certain settlement operations we can transfer a department or say, if by simply possessing the power to disallow the Government from proceeding with a settlement operation, we can transfer a department then I submit that we already possess that right. In that respect the department of land revenue is already a transferred department and not a reserved one. The Council already possesses the power to withhold the whole of the grant for a particular settlement. I, therefore, submit that the members who want to oppose the amendment for that reason need not be scared away by this imaginary fear. Instead of asking for more powers from the Government they should not lend their weight to any device of curtailing their own power. If you oppose this amendment for the reason that by accepting this there is a likelihood of a subject being transferred, you will be demonstrating that you are not willing at all to exercise that power. The Honourable Revenue Member

[Ch. Afzal Haq.]

later on, when you try to use the power of withholding a grant for a settlement operation, will use these very arguments against you and will say that when you did not ask for this power at the time of framing of this law how can you ask for it now. Then, Sir, the Honourable Revenue Member said that by doing so we will place the executive entirely under the thumb of the legislature. In reality the Honourable Revenue Member was looking only a few years ahead of him when he framed this Bill. He did not imagine a time when the department will be transferred to popular control. We must, therefore, make our laws elastic enough to be serviceable at such a time. The time is near when the executive and the legislature will not be apart from each other in their viewpoint. You must think of the time when the executive will be responsible and amenable to the wish of the legislature. If, therefore, it is your wish to curtail your present powers and to forego all future powers, then you are welcome to oppose the amendment, otherwise everything goes in favour of the proposal made by my honourable friend.

Pir Akbar Ali [Ferozepore (Muhammadan), Rural] (Urdu): Sir, the amendment before the House is sure to create so many difficulties and, as has already been suggested, there are already powers in the possession of the Council whereby the House can assert its will in the matter of new settlements. I, therefore, request the honourable mover to withdraw the amendment.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Four non-official members have expressed their opinions. My honourable friend Pir Akbar Ali requested me to withdraw the amendment, Chaudhri Afzal Haq supported me and Sayad Muhammad Husain and Khan Bahadur Mian Muhammad Hayat Qureshi also in a way supported me though they, after their speeches, added that they opposed the amendment. The speeches of the latter two speakers were in reality in support of my amendment. Sayad Muhammad Husain said that we can during the budget exert our influence on the Government and can by rejecting the grant disallow any settlement not approved by the House. In support of his argument he cited the cases of Gujranwala and Montgomery. No doubt he did oppose those grants for settlements in those districts and even threw out the grants; no doubt he brought into play his whole eloquence to convince the Government of the pitiable plight of the people, but what was the effect of this all on the Government? Though the grant was rejected by the House, the reserve powers of certification were made use of and the settlements were carried through in spite of the wishes of the House and inability of the people to bear any extra burden. By giving these arguments, the gentleman has in reality supported my amendment that we must have statutory power to enforce our will on the Government. If the Government had been under the authority of the legislature, certainly it would not have dared to go against the expressed wishes of the House, and in that case this amendment may have been superfluous, but as long as the executive has powers under the constitution to flout the opinion of the legislature, I submit that it is highly necessary that the House should arm itself with these powers whereby it can say to the Government that its will must be supreme. Government possesses unlimited

powers in this respect and we must see that these powers are brought within certain bounds. I do not know whether this department will be transferred or not and if transferred how far the will or the wish of the House will be law for the executive, this is yet on the lap of gods. All I can say is that under the present conditions for which we are going to provide, it is necessary that any revision of land revenue assessment should be subject to the approval of the legislature. Even if it is transferred it would be necessary to retain such power.

The Honourable Mian Sir Fazl-i-Husain : Why ?

Rana Firoz-ud-Din Khan : I submit, Sir, it would be necessary to be armed with such powers even if the executive is amenable to the wish of the legislature and I say so for certain reasons. No doubt the legislature should trust and have full confidence in its executive and under ordinary circumstances these powers, would not be used but who knows when the House may be forced to the necessity of using them and if and when forced to such action, if unarmed with such powers ; it would not know what to do. Why I proposed this amendment is because of the present system of assessment. The Deputy Commissioner of a district sends up a forecast embodying his proposal for the pitch of assessment to be fixed. Before sending it to the higher authorities the people or their representatives are never consulted, their objections to the rate to be charged are never invited, the economic condition of the people is never studied through the actual experience of the people themselves and the report is sent up to the Government for sanction to start the settlement operations. The Government in its turn again only relies on the information supplied to it by its own local officers and never takes steps to know the real state of affairs. The forecast is approved and the settlement starts. Then there is a conflict of opinion and the people grumble. Then again, there is another defect. When once a forecast is approved by the Government the poor settlement officer is really in a great fix. Even if he is convinced that the economic condition of the people is such that they deserve more lenient treatment than has been meted out to them in the forecast his hands are tied down and the poor officer finds that very little has been left to his discretion. He will, even against his own will, have to endorse the proposals made in the forecast. The method of preparation of the forecast is really very objectionable.

The Honourable Mian Sir Fazl-i-Husain : Then do you mean to say that the forecast should never be submitted to the Government ?

Rana Firoz-ud-Din Khan : No, I only object to the method in which the forecast is prepared. Qureshi Sahib also has suggested the same thing in his speech namely that the people themselves should be consulted and their objections should be invited and a reference should be made to them in the forecast along with the nature of their objections. For these reasons it is necessary that there should be a limit imposed on the powers of the Government. The Honourable Revenue Member has raised two objections against my amendment. One is that this will unnecessarily interfere in the exercise of lawful authority of the executive. I admit that the executive should have full opportunities to exercise its powers, but I submit that it must not be allowed an uncontrolled power. The powers of the executive in this matter are unlimited. Even if the House

[Rana Firoz-ud-Din Khan.]

holds a different opinion in this matter, the executive is not bound to obey its wish. The two examples quoted in this House, that of Gujranwala and Montgomery, are ample testimony to the fact that the executive cares very little for the views of the House. Then, Sir, it has been suggested that the acceptance of this amendment would have the effect of transferring a department which is, under the existing constitution, supposed to be reserved. Although I wish that all the departments are transferred to public control, yet, I submit that the effect of passing this amendment will not be to transfer the department. There is very little force in this objection. It was then urged by the Financial Commissioner that though ordinarily settlement operations result in the enhancement of land revenue, yet that is not the only object of these operations. We also seek to know the fiscal condition of the villages in the settlement circle. I admit that you can also find out the fiscal condition of the people. But I ask if this is not a very expensive way of finding out the economic conditions of the people. The main objection that the Council already possesses powers to enforce its will in the direction suggested by the amendment has already been answered by my honourable friend Chaudhri Afzal-Haq. These powers, which the House already possesses, have proved ineffective. They were exercised, but it was found that they were not heeded to by the executive. What I want is that when a period of settlement expires the forecast should not be *ipso facto* submitted to the Government and orders passed for the carrying out of settlement operations. But before final orders are passed the consent of the Council should be necessary. If there is a reduction suggested in the forecast no member would object to the carrying out of the settlement, but if there is an increase that is proposed, then certainly it is not thought that the members of the Council are so irresponsible that even if there is a real need and occasion for enhancement, they will throw out the proposal for a new settlement only because they so desire. They will, however, certainly see that though the period of settlement has expired, whether there is really a need for a new settlement. They will certainly not be driven to a new settlement only because the Deputy Commissioner has submitted the forecast. If my amendment is not accepted, the result of it would be that proposed expenditure for settlement operations will come before the House, the grants will be thrown out, which the Government in its turn will certify and this vicious state of things will continue, resulting in a lot of misunderstanding between the Government and the people. This power is already in an indirect manner within the possession of the House; why then try not to give the right directly even in this legislation? Sooner or later the department is bound to be transferred to popular control. It will then be amenable to the wishes of the House. Why not then do so even now? With these words, I commend my amendment to the consideration of the House.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I cannot understand why some of the honourable members take delight in repeating the same thing over and over again. I think, that the honourable member opposite repeated his arguments about ten times although you, Sir, appear to have not noticed that irregularity. The honourable member for Hoshiarpur said something in his speech, but

I was not able to understand what he wanted me to do. The honourable mover appears to have understood all the points raised by me and he has tried to meet them all. But none of them has raised any new point to which I need give any reply.

A good deal of stress has been laid on the question of forecast prepared by the settlement officers. Whatever other objections may have been raised, it is admitted by all that the preparation of this forecast is not only desirable, but is also necessary before any settlement operation is undertaken. Now this forecast must be prepared by some person and that person must be a Government officer. Of course I am prepared to concede that such officers should have instructions to consult not only the files on the subject, but the zamindars of the district concerned before submitting their report in the form of forecast to the Government. They should also say at the end of that report that they had actually made enquiries from the zamindars. But there is one difficulty in this connection which the honourable members appear to have not realised and that is that there exists no organisation of the zamindars in any tahsil or any district which could be easily consulted. The settlement officers, therefore, can consult only a few of the zamindars and not all of them individually. I wish there had been such organisations of zamindars in every tahsil and district and had given their opinion in writing about the area concerned to the Deputy Commissioner and the Commissioner and if necessary to the Financial Commissioner. In that case the zamindars would have been satisfied because their opinion in writing could not have been ignored and the task of our officers also would have been facilitated. But in the absence of such organisations it is not reasonable to ask again and again that zamindars should be consulted beforehand. That is a vague demand, because if 50 of the zamindars are consulted, that can not give satisfaction to all. However, if it can satisfy the members I am prepared to undertake that, while making rules under this clause, provision will be made that the settlement officers shall consult the zamindars of the area concerned besides consulting the files and that they shall write at the end of their report that they have actually done so. This is all that I can say on the question before the House.

Mr. President : Clause under consideration, amendment moved :

"That in clause 5, section 49, at the end of sub-section (2), the following words be added:—

" 'the approval of the Punjab Legislative Council and' shall be inserted between the words 'previous' and 'sanction'."

The question is that that amendment be made.

The motion was lost.

Mr. President : The question is:—

"That clause 5 stand part of the Bill."

The motion was carried.

Mr. President : The question is:—

"That clause 6 stand part of the Bill."

The motion was carried.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] :
Sir, I beg to move—

“That in clause 7 (i) (1) add:—

“Subject to the right of appeal given by section 58, the order under this sub-section will also be appealable to High Court on a point of law.”

I want to make it clear that I am not moving this amendment with a view to make provision that every appeal should go before the High Court under the existing law. A man has the right to appeal from the order of a settlement officer to the Commissioner and a further appeal lies from the Commissioner to the Financial Commissioner. I really want this to be brought in line with the Income-tax Act and if I remember aright, it was also pointed out by the Raja Sahib. In the Income-tax Act, it is not stated there that an appeal lies but that a reference lies. If the Government and the House were to accept that principle, then a reference may lie on a point of law to the High Court under this Bill also. I am not very particular that the word ‘appeal’ should be in the amendment. I shall be only too glad if the word ‘reference’ is put in. I want to lay great stress on the fact that there should be a reference to the High Court.

The Honourable Mian Sir Fazl-i-Husain : Is it because this amendment refers to an earlier part of the clause that you are pleased to allow it to be taken up first?

Mr. President : As the amendment refers to part (i) (1) I have allowed it to be moved first.

The Honourable Mian Sir Fazl-i-Husain : You will notice, Sir, that this proposed amendment involves an interference with the powers of the High Court, even if it be in the way of extending its jurisdiction, which power does not vest in the local legislature and for which a separate Bill can be introduced only in the Legislative Assembly. Questions of this nature relating to High Court are regulated by the Devolution Rules, Schedule I, Part II, entry 17 and they are not within the powers of the provincial Legislature except with the previous sanction under section 80-A (f) of the Government of India Act.

Mr. President : What has the honourable mover of the amendment to say on the point?

Sayad Muhammad Husain : I leave it entirely to the Chair to judge between me, a layman, and an experienced and eminent lawyer like the Revenue Member. It is a matter of great vital importance and I wish you allow some discussion by the lawyer members of the Council before you come to any decision.

Pandit Nanak Chand : Sir, I submit that the objection which has been taken is not valid at all. The objection is that the proposed amendment involves interference with the powers of the High Court even though it may be merely a case of extending the jurisdiction or imposing fresh responsibility upon it. Now, Sir, supposing this amendment is passed, what the High Court has to do is to interpret the law. That is all. Nothing further. The High Court has to interpret every law passed by the Legislative Council without any reference to the Government of India Act or without any reference to any other Act. The laws that are in force must be given effect

to by the courts and I do not understand how the powers of the High Court are interfered with by this amendment. Supposing this amendment is passed and some question arises which requires elucidation and explanation on a point of law. You cannot have a better tribunal than the High Court to explain the law as it stands. Therefore, I submit that there would be no interference with the powers of the High Court. The High Court will be doing only that which it is doing at the present moment.

Diwan Bahadur Raja Narendra Nath [Punjab (Landholders), General]: Sir, this amendment was put in by my honourable friend after consultation with me. I find that there was a general fear in the minds of the zamindars that the revenue officers, however, high placed are more or less committed to the assessment announced and they do not look upon or hear appeals with that perfectly detached mind as a judicial officer ought to do. So when the matter came up before me I suggested that we may propose a provision on the analogy of reference or appeals allowed by the Income-tax Act. In the Income-tax Act points of law may be referred to the High Court. I think there was no reason why points of law should not be referred to the High Court in revenue matters. The objection which was raised by the Honourable the Revenue Member with regard to the powers of the Council is one on which I have nothing to say. It is only lawyers like my honourable friend from Hoshiarpur that can afford to come forward with a dogmatic assertion that the objection has no force. I am not prepared to go to the length. I have considered the point fully and I think it is for you, Sir, to decide whether the point of order raised is valid and whether the amendment proposed by the honourable member for Montgomery can be incorporated in the Bill.

Mr. President: May I ask whether the Bill under consideration was moved with the previous sanction of the Governor-General?

The Honourable Mian Sir Fazl-i-Husain: Yes.

Mr. President: It might as well have been argued that in limiting the share of assessment to one-fourth of the nett assets of a land-owner, the legislature was interfering with the revenues of the province, and that, therefore, it was beyond the province of this Council to decide the question. I think the Revenue Bill was introduced with the previous sanction of the Governor-General. Was it not?

The Honourable Mian Sir Fazl-i-Husain: Permit me, Sir, to correct myself. The Bill was sent to the Government of India to find out whether the Government of India had any objection to the Bill being introduced and the reply we received was that after consideration the Government of India had nothing to say as to the Bill being introduced. The previous assent in its real sense was not needed and therefore was not asked for. No previous sanction was needed.

Mr. President: The Honourable Member for Revenue relies upon item 17, which is one of the provincial subjects.

The Honourable Mian Sir Fazl-i-Husain: It is with regard to the jurisdiction of the High Court that the objection is taken.

Mr. President: How is the jurisdiction of the High Court affected?

The Honourable Mian Sir Fazl-i-Husain : I think I have already stated that the proposed amendment involves interference with the powers of the High Court even though it may be merely a case of extending jurisdiction. It is perfectly plain, Sir, that there is no provision of law under which the High Court can take up an appeal from a decision arrived at either in the district board meeting or in the municipal committee meeting, so also in a decision arrived at by the settlement officer, unless it be under the Punjab Courts Act or a special charter of the High Court. The High Court has no jurisdiction other than that with which it is invested by legislature. How can we confer jurisdiction on the High Court? If you think this legislature has that right, the amendment is in order. If you think that this legislature is not a supreme legislature, but only a very subordinate legislature, then it is open to you to rule that this amendment is not in order.

Mr. President : The item relied upon does not touch the revenue matters. It refers only to the civil and the criminal administration, and it may, therefore, be argued by the other side that if this Council takes into consideration the amendment in question it will not go beyond its jurisdiction.

The Honourable Mian Sir Fazl-i-Husain : You seem to think that administration of justice would not include revenue matters?

Mr. President : That is a view which may be plausibly put forward.

The Honourable Mian Sir Fazl-i-Husain : I think the idea of bringing an appeal to High Court is to obtain justice.

Mr. H. D. Craik : May I remind the Chair that when this House last time attempted to confer jurisdiction on the High Court it was found necessary to obtain a validating Act by the Indian Legislature? It was with regard to the Sikh Gurdwara Bill. Here the amendment propose to confer jurisdiction on the High Court, a jurisdiction which is not now possessed by it, but any Act to that effect must be an Act of the Indian Legislature.

Mr. President : May I know why this objection was not intimated to the Chair beforehand?

The Honourable Mian Sir Fazl-i-Husain : As a matter of fact this amendment was not in the first list of amendments and it was yesterday when that slip was sent round that I knew about it. I thought I could consult the Legal Remembrancer and then intimate to the Chair.

Mr. President : The Legal Remembrancer is a member of this House and as such he should have informed me that the objection was going to be raised. I think such an important question cannot be decided off-hand.

Sardar Habib Ullah : I beg to move that the discussion of clause 7 be postponed.

Mr. President : That course, if followed, might lead to certain difficulties. The precedent quoted by the honourable Financial Commissioner appears to be in point. What has the honourable member to say against it? I distinctly remember that when the Gurdwara Bill was passed by this Council, some of its provisions had to be passed by the Legislative Assembly and the Council of State for the purpose of conferring jurisdiction on the High Court.

If the honourable member is unable to meet the argument advanced by the honourable Financial Commissioner, I am afraid, I shall have to rule the amendment out of order. What has the honourable Dr. Gokul Chand, Narang, to say on the point ?

Dr. Gokul Chand, Narang : It is unfortunate that I have not heard the full debate on the point, as I could not come here earlier. But from what I have been able to gather from the remarks just made, I think this Council has no jurisdiction to rule that any appeal should be heard by the High Court. It is not submitting to the jurisdiction of the High Court, but looking from the converse point of view, the Council is trying to exercise a power to compel the High Court to entertain a certain appeal, and that power is not vested in this Council or in the Punjab Government so far as I am able to judge. Take the analogy of the Sikh Gurdwara Act. I think you are perfectly right when you said that so far as the clause relating to the jurisdiction of the High Court is concerned, it was necessary to pass a validating Act, and that Validating Act was passed by the Indian Legislature and unless that Act had been passed the provisions relating to the entertainment of appeals in Gurdwara cases under section 34 of that Act would have been absolutely *ultra vires* of this Council and of this Government and would have been nugatory. On that analogy, I am afraid, this amendment would be entirely out of order.

Diwan Bahadur Raja Narendra Nath : I suggest that the course adopted with regard to Gurdwara Bill may be adopted about this amendment also if the House now passes it.

The Honourable Mian Sir Fazl-i-Husain : At that time the Government of India permitted us to do so.

Pandit Nanak Chand : Sir, I have got one word to say. The point is really very difficult, but I am not in agreement with my learned friend Dr. Gokul Chand, Narang. Section 9 of the Civil Procedure Code distinguishes between civil matters and criminal matters ; all matters are to be regarded as civil unless they are specially excluded by any Act. There are various rulings under section 9 of the Civil Procedure Code on this point. This is a civil matter because it is not a criminal matter, and you will find under commentary to section 9 that there are certain matters with regard to religious matters, those are regarded as civil matters. Therefore, in the case of the Gurdwara Act because it was a religious matter, the sanction of the Governor-General had to be obtained. I would again say that section 9 of the Civil Procedure Code is very important and should be read before any ruling is given.

The Honourable Mian Sir Fazl-i-Husain : So is section 159 of the Land Revenue Act.

Pandit Nanak Chand : I know, but it is within the jurisdiction of the Punjab Council to alter it or repeal it.

Mr. President : What is the Honourable Mr. Manohar Lal's opinion on the matter ?

The Honourable Mr. Manohar Lal : Sir, I have nothing fresh to contribute, but since you have asked my opinion I feel no hesitation in saying that we cannot here, under this Act, proceed to give the High

[Hon. Mr. Manohar Lal.]

Court the jurisdiction which it does not possess at the present moment. The reference to section 9 of the Civil Procedure Code is not apposite. Raja Narendra Nath said that we might do something which we did on a prior occasion. But knowing as we do that it will be *ultra vires* of the High Court, we should not adopt such a course. It is no use our saying : let us proceed and actually adopt an amendment which might be *ultra vires* as some other body will later on intervene and put matters right. We should not adopt such a course. The analogy that Mr. Craik has placed before us is absolutely pertinent. In view of this broad principle, I have no doubt that this amendment is inadmissible.

Mr. President : Has the High Court any jurisdiction in revenue matters ?

Mr. H. D. Craik : I know the High Court has jurisdiction in certain revenue matters.

Pandit Nanak Chand : Only when he is deciding as a District Judge. The judgment of a revenue officer can be appealed to when he is sitting as District Judge.

Mr. President : Are not revenue matters distinct from judicial matters ?

Mr. H. D. Craik : Section 158 of the Land Revenue Act excludes the jurisdiction of all civil courts in revenue matters.

Mr. President : Does not the administration of justice include revenue matters ?

The Honourable Mian Sir Fazl-i-Husain : What I said was that what is brought in appeal before the High Court is brought in its judicial aspect. The High Court is not invested with jurisdiction in any respect other than judicial, and therefore justice would cover that judicial aspect.

Pandit Nanak Chand : May I submit, Sir, that section 158 of the Land Revenue Act excludes certain matters from the jurisdiction of the High Court. The Land Revenue Act excludes certain matters from the jurisdiction of the High Court. Had this Act not been in existence all matters under section 9 of the Civil Procedure Code would have been decided by the civil court. Now, Sir, so far as this Act is concerned, this Council has got full power to alter, modify and repeal any of its provisions. It is not beyond the jurisdiction of this Council to alter or modify or repeal any of the provisions of this Act. In this very Act you will find that there are certain matters over which the High Court has been given certain jurisdiction. Certain matters have been defined by this Act to be revenue matters and which are within the jurisdiction of the revenue court. Other matters, for instance, a dispute for title to a particular plot of land, are matters for the civil court to decide. As a matter of fact there is no sharp distinction between revenue matters and civil matters. It is very difficult to say where a matter is a civil matter and where it is a revenue matter. Sir, you would be knowing that in so many cases this conflict of jurisdiction between the civil courts and the revenue courts has arisen. What I am submitting is this that it is absolutely within the jurisdiction of this

Council to repeal, to modify, to add an explanatory note to any of the provisions of the Land Revenue Act, and therefore the Council is perfectly within its right to modify this Act as my friend Pir Muhammad Husain wishes to do.

Mr. President : Has the High Court jurisdiction in all matters relating to the administration of justice without such jurisdiction being conferred upon it by any statute ?

Mr. H. D. Craik : No, Sir.

Mr. President : In this connection I may quote section 106 (1) of the Government of India Act. It says :

"The several high courts are courts of record and have such jurisdiction, original and appellate, including admiralty jurisdiction in respect of offences committed on the high seas."

and these are the words to which I wish to draw the special attention of the honourable members.

"And all such powers and authority over or in relation to the administration of justice, including power to appoint clerks and other ministerial officers of the court, and power to make rules for regulating the practice of the court, and are vested in them by letters patent, and, subject to the provisions of any such letters patent, all such jurisdiction, powers and authority as are vested in those courts respectively at the commencement of this Act."

Pandit Nanak Chand : Therefore the power of jurisdiction is conferred by section 9 of the Civil Procedure Code.

Mr. H. D. Craik : The point raised by the honourable member is ingenious, but it has no force. It is a perfectly well accepted position that no provincial legislature can confer jurisdiction on a High Court. The whole question was discussed, when the Gurudwaras Act was passed, in consultation with the Government of India.

Dr. Gokul Chand, Narang : If I may submit, in the first place I think it would be much better if the matter is left over, because I do not think anybody is come prepared really to discuss this point.

11 A.M.

Mr. President : I have no objection to the consideration of clause 7 being postponed.

Dr. Gokul Chand, Narang : So far as Pandit Nanak Chand's remarks are concerned they are based on the fallacy of expression in section 158 of the Land Revenue Act. The Act refers to civil courts and not to High Court. Civil court and High Court are not interchangeable words. If the amendment were that on all points of law a reference might be made to civil courts, then there would be no difficulty, because the jurisdiction of the High Court will come in as a matter of course, through proper channel. Supposing the amendment were that all law points ought to be referred to the principal civil court of original jurisdiction, then of course its orders would be subject to appeal or revision by the High Court, but the High Court cannot be substituted for the civil court in section 158. This Council has got jurisdiction over civil courts and not over the High Court, which is constituted by royal charter under letters patent and whose powers are defined in the letters patent.

Mr. President : I think we may proceed with clause 8. It has been moved—

“ That the consideration of clause 7 be postponed.”

The question is that that motion be adopted.

The motion was carried.

Mr. President : Clause 8.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] :
Sir, I beg to move—

“ That in clause 8, section 53, sub-section (3), at the end the words ‘ if he so desires ’ be omitted, and the following new words be inserted :—

‘ The Financial Commissioner, after considering the objections, shall write a review thereon and submit it to the Revenue Member, who will lay the same with the assessment report and the objections before the Council in sessions. It will be within the cognizance of the Council to criticise and modify the proposed assessment for the orders of the Governor in Council.’ ”

The ordinary procedure which is now followed in the settlement of any tract of land is that the settlement officer prepares the assessment report for the whole tahsil or four or five homogenous assessment circles and he puts down the salient facts and the lines on which he proposes to assess that tract of land in a vernacular pamphlet and he distributes the pamphlet to the general public who are affected by that assessment and gives them one month's time within which they should put down any objections which they think fit, either to the settlement officer or to the Commissioner, to whomsoever they like. If the objections are submitted to the Commissioner, he sends them back to the settlement officer who considers all the objections. The first part of my amendment is a very small one. The present practice after hearing the objections is for the settlement officer to submit his report to the Commissioner, who in turn submits it to the Financial Commissioner with his review. The Financial Commissioner after writing his review, sends it up through the Revenue Secretary to the Honourable Revenue Member, who usually sends it up for the final assent of the Governor. We have just decided that we do not want to give control to the Council in this matter, but everybody would like that if control is not to be given to the Council, at least the right of criticism must be given to this House which represents the people. Before suggesting this amendment I consulted my honourable friend representing the general landholders' constituency, and this amendment is the outcome of our joint deliberation. I may say that we consulted even the Honourable Sir Muhammad Habib Ullah, who is in charge of the Revenue Department of the Government of India. He gave us very kindly a very long interview and we discussed this matter in full with him.

Mr. President : It would appear that the amendment is clearly inconsistent with the clause the Council has already passed. The Council has accepted the principle that no assessment shall exceed one-fourth of the nett assets of the land-owner. Now if the proposed amendment were accepted it would be within the cognizance of the Council to criticise and modify the proposed assessment for the orders of the Governor in Council.

Sayad Muhammad Husain : I am not going to interfere with the one-fourth which has been decided. What I mean is this. Supposing at the time of criticism the House comes to the conclusion that the proposed assessment is not based upon the one-fourth of the nett assets, or that there has been wrong calculation in arriving at the assessment, it will then be within the cognisance of the Council to set right the wrong by recommending to the Governor in Council...

Mr. President : Does not the honourable member mean to urge that the Council should have power to modify the assessment ?

Sayad Muhammad Husain : I just want the House to have the power to criticise. If necessary, the word 'modify' may be deleted from the amendment. Then the amendment will be in consonance with the clause already passed.

Mr. President : I am not aware of any rule or practice by which the mover of a motion can move an amendment to it.

Sayad Muhammad Husain : Then the modified amendment may be regarded as a new amendment.

The Honourable Mian Sir Fazl-i-Husain : If the honourable member will read section 53, sub-section 2, of the Act of 1887, he will find that "at no time before the assessment is so confirmed the Commissioner or the Financial Commissioner may modify the assessment of any estate." Sub-section 3, that is now being substituted, deals with the assessment of an estate. An estate, as the honourable members are well aware, means a village. Therefore, when you want the assessment report to be considered in Council, is it your wish that the assessment report of each village should be considered ?

Sayad Muhammad Husain : No.

The Honourable Mian Sir Fazl-i-Husain : I know the honourable member does not mean that. What he wants is the final assessment report. His amendment, therefore, does not fit in here.

Sayad Muhammad Husain : We were not supplied with copies of the Act and so we were forced to put in amendments which we thought would fit in with the sections of the Act.

Mr. President : The amendment should be consistent with the clauses which have been passed already.

The Honourable Mian Sir Fazl-i-Husain : It is obviously out of order, if I may say so.

Sayad Muhammad Husain : I leave that point to be decided by the Chair. I would suggest that the consideration of this clause may also be postponed so that the right place where the amendment should come in may be examined.

Mr. President : I am aware that the honourable member is very keen to have the whole measure postponed. But I am not going to postpone consideration of the clause, unless there are very cogent reasons for its postponement.

Sayad Muhammad Husain : May I then proceed ?

Mr. President : To move the amendment which is inconsistent with a clause already agreed to?

Diwan Bahadur Raja Narendra Nath : When my honourable friend consulted me about this amendment I told him that it was impossible to pass an amendment which gave power to the Council to modify the proposals of the assessment officer. My honourable friend says that he would now delete the word 'modify' and only confine the powers of the Council to the criticism of the assessment report. I may remind him about what took place in the first Council with regard to the assessment of the Multan district. Even if the amendment were not incorporated in the Bill the Council has the power to discuss any assessment that has already taken place. In fact the first Council appointed a committee to go into the whole question of assessment of Multan and that committee submitted its report to the Governor. So, if the object of the honourable member is only to criticise the assessment report, then I think the amendment is unnecessary as that power is already possessed by the Council. I may remind him of what happened within his memory only in the first Council. It would, therefore, be best if he does not insist on his amendment.

Sayad Muhammad Husain : Am I in order in moving the amendment or not ?

Mr. President : The amendment is inconsistent with the existing provisions of the Land Revenue Bill. No attempt was made either by the honourable member or by any other member to move the amendment in the select committee. Therefore, I do not think it is open to any member to propose a repeal of the Revenue Act as it stands.

Sayad Muhammad Husain : Then, am I not in order in moving the amendment ?

Mr. President : The honourable member is not in order.

Sayad Muhammad Husain : Then I would withdraw the amendment.

Mr. President : There is no question of withdrawal as the amendment has not been proposed yet from the Chair. The question is :

"That clause 8 stand part of the Bill."

The motion was carried.

Diwan Bahadur Raja Narendra Nath : Is it understood, Sir, that the whole of clause 7 is postponed? Because I have certain amendments in my name.

Mr. President : Yes.

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

"That in clause 9, section 53-A, sub-section (I), the following words be added at the end :—

Provided that such assessment shall have permanent effect in respect of the areas of lands which are not at present irrigated by any canal unless and until any such area is thrown open to irrigation by canal or by the application of electric power."

Sir, on another occasion I submitted that the districts of the Punjab could be roughly divided into three classes. In the first category fall districts like Hoshiarpur, Ludhiana, Sialkot and Amritsar. These districts are characterised by the density of population and the smallness of holdings and there is very little room left for further improvements in them. In the latest census report it is written that in the aforesaid districts 72 to 78 per cent. of land is already under cultivation and population averages

about 900 men per square of land, and they are so densely populated that many parts of England can hardly supply a parallel to them. Under these circumstances, Sir, unless means of irrigation are not improved and other facilities are not afforded, it would not be very advisable to make another settlement because new settlements as a rule, tend to enhance land revenue and as the aforesaid districts are not likely to produce more than in the past, the new settlement would adversely affect the vital interests of the zamindars.

Sir, there is the second class of districts comprising Shahpur, parts of Multan, Mianwali and Muzaffargarh. The people of these districts possess big holdings and the population is also not very dense; but here rainfall is very scanty and water level is so low that to dig wells is a very difficult problem. For the reasons detailed above, I do not think, Sir, that new settlements would conduce to the welfare of the people of these districts.

Last, but not the least, comes districts like Attock, Rawalpindi, Simla and Kangra. These districts are the most unfortunate ones, inasmuch as they neither possess canals and other means of irrigation; nor their lands can be cultivated. The inhabitants are naturally very poor and can hardly eke out a precarious living. If, Sir, under these circumstances if new settlement is made with its resultant increase in the land revenue then their condition would be made still more worse.

In view of all these considerations, I submit, Sir, that unless those areas of land which are not at present irrigated by any canal are not thrown open to irrigation by canal or by the application of electric power, anything short of permanent settlement would not better their condition and I, therefore, trust, Sir, that the Government which is so keen on promoting the interests of zamindars, would find its way to support my amendment and give practical shape to it. With these remarks, I commend my amendment for the favourable consideration of the House.

Mr. President: Clause under consideration, amendment moved—

“That in clause 9, section 53-A, sub-section (1), the following words be added at the end:—

‘Provided that such assessment shall have permanent effect in respect of the areas of land which are not at present irrigated by any canal unless and until any such area is thrown open to irrigation by canal or by the application of electric power.’”

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain: May I ask Sir, if amendments 10¹ and 11² will be taken independently or along with it, so that members who are moving them may be under no misapprehension on the point.

Mr. President: The two amendments overlap each other in part. The principle underlying both of them appears the same and I think that principle should be discussed only once, though votes may be taken separately on each amendment.

¹Vide page 1130 *infra*.

²By Chaud. ri Ram Singh: That in clause 9, section 53-A, the following sub-section (3) be added:—

“(3) The Local Government may, and if so recommended by the Punjab Legislative Council, shall fix a longer period for, or declare to be permanent, the assessment in force in any area which has undergone three settlements.”

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I do not propose to inflict a lengthy speech on the House, but would rather content myself with making a few observations on the amendment. Sir, it is a well known fact and I trust every honourable member of this House is conversant with it, that now-a-days settlements are generally made after the lapse of 20, 25 or 30 years. Some honourable members of this House desire that this period should be extended and accordingly in the bill the limit is fixed at 40 years. While on the other hand there are some honourable members who advocate permanent settlements. The reasons for and against the permanent settlement are not new ones and I, therefore, do not like to discuss them. What I want to state is simply this that the Government is not at all prepared to agree to this amendment.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan), Urban] (Urdu): Sir, the amendment proposed by my learned friend from Hoshiarpur-cum-Ludhiana seems to be based on the view that a new settlement invariably tends to enhance land revenue and, therefore, in the case of fully-developed districts which have no further prospects of improvement unless new canals are dug or electricity is applied, the present assessment should have the effect of permanent assessment so that there may be no increase in the land revenue. But, Sir, I am not in agreement with the view taken by the honourable mover. A new settlement is a double-edged weapon. When the produce is greater and income from land increases, the new settlement increases land revenue, while on the other hand, if land has become weak, produce is diminished and therefore income from land is decreased, now settlement comes to the rescue of zamindars and reduces land revenue. As a concrete example of the benefits accruing from new and periodical assessment, I may mention that if ten years earlier there were permanent settlement in force in Gujrat, the zamindars would have been irretrievably ruined and it is due to periodical assessment which enhances and reduces land revenue as conditions permit that we find, Sir, the inhabitants of my constituency in much the same condition and not reduced to destitution. Sir, another consideration which supports me in my opposition of the permanent settlement is the fact that now most of the lands in the province have been well-nigh fully developed and cultivated and considerable benefits have been derived from them and prospects of future further improvement or increase is rather meagre, and there is rather a tendency to decrease. Under these circumstances, permanent settlement would not do much good to the people but may in the long run prove detrimental to their vital interests. Sir, my learned friend, the honourable mover has again laid much stress on the permanence of settlement in case of hilly tracts like Simla, Kangra and Attock and the reason given by him is that there is the absence of canals and other facilities of irrigation in the tracts; and as the produce is already meagre, and periodical settlement, in his opinion, would tend to enhance land revenue, he, therefore, advocates permanent settlement for them. But I think, Sir, that the honourable member has forgotten one point in this connection, i.e., the havoc done yearly by *chas* in these hilly tracts, for example only recently in the northern parts of Gujrat, thousands of *bighas* of lands have been and are being destroyed by *chas* and if the settlement be made permanent the zamindars will have to pay the revenue though the land will in reality be

destroyed and thus the people will suffer irretrievable loss. According to the present system they will take opportunity for remittance of the revenue. Similar things happen in the case of other hilly tracts.

In view of these considerations detailed above and in view of the fluctuating nature of land and its produce, I beg to submit, Sir, that it would be most unjust, unwise and detrimental to the best interests of people, to support the amendment.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural] (Urdu): Sir, my learned friend from Gujrat East has remarked that enhancement of land revenue is not always the object of new settlement but when conditions of the areas under new settlement merit it tends to reduce it also. Sir, if this principal really underlies new settlement then there is nothing bad or unjust in it, but I regret to tell the House, Sir, that past experience belies this assertion. From the time, the present Government has come into being, the land revenue has been enhanced time after time, and the conditions of the people inhabiting those areas of which three settlements have so far been made is very pitiable and resemble the milk out of which butter has been extracted three times.

In view of past experience and in the absence of any guarantee for the future, I think the proposal moved by Chaudhri Afzal Haq is most just and equitable and I extend my heartiest support to it, and trust that the Government would not find it difficult to accept it. What the honourable mover demands is simply this, that in the case of fully developed districts where there are no prospects for further development and improvement, no new settlement be made unless and until canals are dug or electric power is applied or cultivation on western methods is introduced. Sir, it is just possible that the above conditions will be fulfilled in 4, 5 or 10 years in any district and then in that case the Government can justifiably make new settlement as early as that with its resultant enhancement in land revenue, but unless this state of affairs is reached no new settlement should be made even after forty or fifty years and the present assessment should have the effect of permanent assessment. I think, Sir, that if the amendment is carried, it would not prove detrimental to the cause of zamindars or the Government and I do hope that the latter, which is so keen on promoting the interests of zamindars and have never been tired of expressing lip-sympathy with them, would accept this amendment and give practical shape to it. With these remarks I extend my heartiest support to the amendment which seems so equitable and just.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, I wish to say something with reference to the remarks made by the last speaker. I think it is unfortunate that he did not apparently listen to me when I spoke recently on a somewhat similar point. He emphasised with some force that re-settlement always involves an increase of revenue. As I have already pointed out that is not the case. In at least four settlement circles in a district which has been recently resettled, the new revenue was less than that imposed in the expiring settlement.

Now I wish to say a few words on the general motion. As the honourable member from Gujrat rightly pointed out, if this amendment, as it is worded, is passed, it would be extremely difficult, if not impossible, for

[Mr. C. A. H. Townsend.]

Government to look into the affairs of those districts where re-assessment was due, if assessments were permanently fixed instead of, as at present, for a period of years. In this connection I wish to point out another matter. The revenue payers are not entitled to have it both ways. If you have a permanent settlement, and if the villages improve they can have the benefit of the improvement: but if they deteriorate, they cannot possibly ask for any remission of revenue. They cannot have it both ways. Either you have a permanent settlement or you do not.

On the general question. There are many gentlemen in this House who do not probably know the extreme variations in prices that have taken place in the last 30 or 40 years. Last night I studied some assessment reports. I find that 50 years ago Mr. Purser, the Settlement Officer of Jullundur, estimated the price of berley at Re. 1 per maund, of wheat at Re. 1-2-0 per maund and of gram at 12 annas per maund. We all know the extent to which prices have changed during and after the war: you cannot possibly say in the present economic condition of the world what will be the variations in prices during the next fifty years.

One other point. This House is always asking for extra money for many objects, as increased education, increased sanitation, better communications and the like. You cannot get money, Government cannot provide money, unless this House provides the means of obtaining it. The attitude of the House in this matter reminds me of a legislator in a southern province of India who, six years ago, when bitterly opposing the Government said 'I wish Government to realise that in future the revenue payers are going to pay less and Government is going to pay more.' The House must realise that the only money Government can spend is what the revenue payers provide. Imagine a time when the price of wheat becomes Rs. 10 per maund as it did a few years ago: such a rise is, I am glad to say, improbable, but it is certainly possible. We have in this province very many Government servants: not only are there the many employes of the Punjab Government, but thousands of men are employed by the Railway. Now if wheat went to Rs. 10 per maund, and the prices of other food grains rose in proportion, these many Government servants would naturally ask the Government to increase their pay. Government would have to reply "we are sorry, we have not got the money. We cannot obtain any more money from the cultivators of the province who are making very large profits out of the high prices. Owing to the unfortunate restriction imposed on our activities by the Legislative Council we cannot alter the assessments. Therefore we are sorry we cannot increase your pay at all." I think that if the House takes into consideration all these circumstances, it will realise that a permanent settlement is unwise.

One other point. The honourable mover of this amendment made a reference to the Thal areas. In some of them a most remarkable extension of gram cultivation has taken place in recent years: it is over 100 per cent. in many parts and is still continuing: I saw the figures only a few days ago. Most of these areas are under fixed, not fluctuating, assessment, and have permanent settlement; those persons who have extended their cultivation after settlement will pay nothing on their extensions to the Government. Is that fair to the existing revenue payers?

Mr. President : If the honourable member wishes to be reported correctly, he will kindly speak slowly. It is impossible for any reporter, however fast his speed, to report a speech delivered at such a high speed.

Mr. C. A. H. Townsend : I beg your pardon, Sir.

I refer to one other small matter before I sit down. There are various parts of India which are under permanent settlement : the greater part of the Bengal Presidency is under such a settlement. I do not wish to draw the House now into a discussion of the comparative prosperity of Bengal and this province ; I have, however, studied to some extent the voluminous literature, showing the results of the permanent assessment in that Presidency, and the firm conviction which a perusal of it has left on my mind, and, I think, on that of most of the people who have studied the question, is that the permanent settlement has not been to the advantage of the cultivators of Bengal. It has in the main only served to put a good deal of money—unearned increment—into the pockets of many absentee landlords. I, therefore, ask the House to reject this amendment.

Sayad Muhammad Husain : Sir, when the matter of framing the Bill was referred to a sub-committee appointed by this House in accordance with the wishes of the select committee, this question of permanent settlement was also fully thrashed out by that committee. I believe my friend Chaudhri Afzal Haq in moving this amendment has really adopted the happy medium of forty years instead of ninety-nine years.

Dr. Gokul Chand, Narang : He has not moved that amendment.

Sayad Muhammad Husain : Then I sit down.

Rana Firoz-ud-Din Khan : Sir, can I move the amendment standing in my name—amendment No. 10—as amendment to this amendment ? Or will I have the right to move it independently at a later stage ?

Mr. President : Is it an amendment to the amendment, or an independent amendment ?

Rana Firoz-ud-Din Khan : Amendments Nos. 10¹ and 11² are to a certain extent the same. As regards the principle, they are generally the same.

Mr. President : Will the honourable member discuss the amendment now before the House ? If there is a slight difference between his amendment and Chaudhri Afzal Haq's amendment, he might discuss that difference.

Rana Firoz-ud-Din Khan : But after discussion if you will allow me to discuss the principles involved in both the amendments because they are just the same, during the discussion of the amendment moved by Chaudhri Afzal Haq, will I be allowed to move my amendment ?

Mr. President : Yes. I shall put the honourable member's amendment to the House without any independent discussion, as there is to be only one discussion in the case of identical amendments. If the movers wish, I shall put the amendments separately to the vote of the House.

¹Vide page 1130 *infra*.

²Vide foot note 2 at page 1125 *ante*.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban)] (Urdu): Sir, I beg to move—

“ That in clause 9, section 53-A., the following sub-section (3) shall be added :—

“(3) The local Government may, and if so recommended by the Punjab Legislative Council, shall fix a longer period for, or declare to be permanent, the assessment in force in any area which has undergone three settlements, and which is not under canal irrigation.”

Sir, I do not propose to inflict a lengthy speech on the House, but would rather content myself with making a few observation on the amendment. Sir, what my amendment asks for is simply this that in case of those areas of land which have undergone three settlements and are not under canal irrigation and are fully developed with no prospects of further improvement, the local Government in the absence of recommendation of the Punjab Legislative Council may be empowered and when the said Council recommends, shall fix a longer period for, or declare to be permanent the assessment in force. It is thus apparent, Sir, that I am not very keen about permanent settlement as my learned friend Chaudhri Afzal Haq is, but would recommend it only in case of those areas which fulfil the conditions laid down in the amendment and where longer period would not be suitable for them.

Sir, my learned friend from Gujrat has remarked in his scholarly speech that if the system of permanent settlement is introduced in the province or in some parts of the province, the result would be that in case of fully-developed districts in which no room for further improvement is left, the prospects of reduction in land revenue would be nil and when conditions would demand such reduction, it would not be possible to do so. Sir, this may happen if the amendment of Chaudhri Afzal Haq is carried, but if this amendment is carried that danger would also be obviated; because as the Honourable Revenue Member has stated, enhancement of land revenue is not always the object of new settlement; it may even when conditions so demand it, tend to reduce it; and my amendment does ask for ‘longer period’ or ‘permanent settlement’ only under certain well defined conditions. In their absence the Government would be perfectly justified in making periodical assessment and thus the danger of the rigidity of permanence of settlement is very little.

Sir, another reason advanced by the same member against the amendment of Chaudhri Afzal Haq, is, that the permanent settlement would very severely affect the water-logged areas. Since there could be no change possible in the amount of land revenue payable by the inhabitants of water-logged areas in case of water-logging, their plight would be indeed pitiable. In reply to this contention, Sir, I would just like to invite the attention of the honourable member to section 59, sub-section (e), of the Land Revenue Act, which provides for such eventualities.

“(e) when assessments of land-revenue require revision in consequence of the action of water or sand or of calamity of season or from any other cause.”

In view of these considerations, and in view of the fact, that the Government would not lose anything, I ask the Government and the House to accept my amendment.

Mr. President : Clause under consideration, amendment moved—

“ That in clause 9, section 53-A, the following sub-section (3) shall be added :—

“(3) The Local Government may, and if so recommended by the Punjab Legislative Council, shall fix a longer period for, or declare to be permanent, the assessment in force in any area which has undergone three settlements, and which is not under canal irrigation.”

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I wish to say only one word on this subject. As has already been pointed out by the honourable mover himself, the only object of the preparation of a forecast report is to find out whether it would be desirable to commence settlement operations in a particular area or not. The object, which the honourable mover of this amendment has in view can best be served by the law as it exists. I am, therefore, obliged to say that the amendment proposed by him is unnecessary, and is opposed to the best interests of the province.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir, I am afraid I do not see eye to eye with the Honourable Member for Revenue in this respect. My point is that when the Government has fixed a period of time during which the assessment shall remain in force, where is the harm if a longer period is fixed for an area which has undergone three settlements? Unless a provision of the kind suggested by me is incorporated in the Bill, the people affected will not be satisfied. The amendment proposed by me serves the best interests of the Government as well as of the governed and I would ask my honourable friends to support my amendment.

Mr. President : Clause under consideration, amendment moved—

“ That in clause 9, section 53-A, the following sub-section (3) shall be added :—

“(3) The Local Government may, and if so recommended by the Punjab Legislative Council, shall fix a longer period for, or declare to be permanent, the assessment in force in any area which has undergone three settlements, and which is not under canal irrigation.”

The question is that that amendment be made.

The motion was lost.

Mr. President : Clause under consideration, amendment moved,—

12 NOON.

“ That in clause 9, section 53-A, sub-section (1), the following words be added at the end :—

“ Provided that such assessment shall have permanent effect in respect of the areas of land which are not at present irrigated by any canal unless and until any such area is thrown open to irrigation by canal or by the application of electric power.”

The question is that that amendment be made.

The motion was lost.

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

“ That in clause 9, section 53-A, sub-section (2), for the word “ forty ” wherever occurring, the words ninety-nine be substituted.”

The principle on which this amendment is based, Sir, is the same on which my former amendment was based, viz., that as far as possible no enhancement should be made earlier than 99 years in districts, where

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agricultural development has reached its maximum, and where there is no further room for improvement.

Mr. President : Does the honourable member wish to reopen the discussion and make a speech ? I think he has moved the amendment. I will put it from the Chair and take votes.

Chudhri Afzal Haq : I just wish to make section 59 of the Land Revenue Act clear. Section 59 (1) (e) of the Act says that " Special Assessments may be made by revenue officers when assessments of land revenue require revision in consequence of the action of water or sand or of calamity of season or from any other cause ". I want the zamindar members of this Council to realise the fact that it would do them good and would be of distinct advantage to them if the duration of assessment in such areas which have become uncultivable on account of some unforeseen calamity such as waterlogging, alluvion or diluvion is increased to 99 years. If, as I have already pointed out, the land of an area has reached a stage of development, where the investment of more capital or labour would not result in any increase in output, Government should not be allowed to make use of this Act for the purpose of enhancement of land revenue in such a tract. I hope that my zamindar friends now understand fully the significance of this amendment and would extend their support to it.

Mr. President : Clause under consideration, amendment moved—

" That in clause 9, section 53-A., sub-section (2), for the word ' forty ' wherever occurring the words ' ninety-nine ' be substituted."

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Hussain (Revenue Member) (Urdu) : Sir, the amendment which has been moved by my honourable friend from Hoshiarpur is in direct contradiction to the principles on which this Bill is based. This Bill, as you are aware, Sir, was drafted as a result of the deliberations of Government on the report of the committee of the Council appointed in 1921 and also on the opinion of the Joint Select Committee on the Government of India Bill that various processes of land revenue assessment should be codified. By this Bill an attempt has been made to codify the existing law on the subject. The duration of assessment proposed by the honourable member is too long to be acceptable to Government.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, in August 1921, the Punjab Legislative Council recommended to Government the appointment of a committee to examine its present assessment and land revenue policy and to report what changes should be made in it. In accordance with this recommendation, the Government did appoint a committee, of which I had the honour to be a member. In this committee it was proposed that assessment of land-revenue may be made permanent in districts, which have been fully developed, i.e., the districts in which 3/4th of the land has been brought under cultivation, and where three settlements have taken place. But the conditions have since changed. Many lands have been rendered unfit for cultivation on account of water-logging and river action. Had not the conditions changed I would have been the first to give notice of this amendment.

However, even now, there are good reasons for believing that this amendment would prove of great advantage to zamindars and, therefore, I extend my heartiest support to it. If this amendment is accepted, it will have the effect of dividing the province into two distinct entities, viz., canal irrigated areas and areas irrigated by wells and rain-water. As regards the latter, the system of fluctuating assessments is already in force, but there are no means by which to give relief to districts, whose lands become water-logged or become unculturable owing to river action. This amendment has been moved with a view to meet the case of such areas.

In the Jhelum district no less than four settlements have taken place, and there is at present no prospect of supplying canal water to this district, and if another settlement is started there, I do not see any possibility that assessment will not be increased. The Government spends, lots of money on settlement operations, and it would be too much to expect the Government to undertake settlements without a corresponding benefit to itself. The Government will never reduce the land revenue.

Mr. President : Is the honourable member moving an amendment ?

Sayad Muhammad Husain : No Sir, I am supporting the amendment. I am inviting the attention of the Honourable Member for Revenue, so that he may accept the amendment with his usual fair-mindedness. I am making an appeal to him.

As I was submitting, Sir, Government is not likely to reduce the land revenue. Had the Government been of this mind, it would have reduced the burden of land revenue in the Gujranwala district, when large areas of land have become water-logged. It would have reduced the land revenue in Muzaffargarh, whose people are suffering untold miseries and hardships for want of means of irrigation and other facilities, which are at the beck and call of other districts of the province.

The amendment moved is really very important and Government should have no hesitation in accepting it.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur-West (Muhammadan), Rural] (Urdu) : Sir, if this Bill had been introduced some twenty or twenty-five years ago, I should certainly have supported the amendment under consideration. The pitch of assessment at the present time has reached the maximum, and there is every hope that the rate of assessment will be reduced rather than increased. This being the case, this amendment is not likely to do any good. There is a provision in the Land Revenue Act that if the lands of a certain district become uncultivable through water-logging or river action the assessment of the district can be reduced. Although it is very rare that action is taken in accordance with this provision of the Act, yet the provision is there. It is a fact that in some districts the maximum of assessment is charged, yet in districts where lands have become unculturable on account of water-logging or *kallar*, the concession spoken of above has been given.

We should not give the Bill under consideration a shape, which would make it impossible of application. We ought to introduce into the Bill such of the amendments as would make it more useful for the people concerned, but we should not make the Bill impracticable. Under these circumstances, I oppose the motion now before the House.

Raizada Hans Raj [Jullundur-cum-Ludhiana, Non-Muhammadan), Rural], (Urdu): Sir, I have the honour to belong to a district in which three settlements have taken place and where 78 per cent. of the land has been brought under cultivation. In this district, i.e., Jullundur district, there is hardly left any pasture land for the cattle, and which in the matter of density of population occupies the same position in the Punjab as England does in Europe. Only a short while ago I was talking to a high official of the Canal Department: and I was given to understand by him that there are no prospects of the opening of a canal in my district. The Jullundur district may be called a fully developed district. There are no further prospects of any improvement there, until recently the people used to irrigate their lands by means of wells, but now restrictions have been placed even on the digging of new wells, because an expert has given it as his opinion that the chief cause of the going down of water level in this district is due to the sinking of too many wells. Now the question is, when a district like Jullundur has reached the highest pitch of development, would it be advisable to fix a period of 40 years only as the period of time for which the assessment shall remain in force? My submission is that it would not be advisable, and I would pray the Council to accept the amendment moved by my honourable friend Chaudhri Afzal Haq.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural], (Urdu): Sir, as I have already pointed out many times before, that if it is admitted that the fixing of the duration of assessment at ninety-nine years is likely to do harm to the interests of the agriculturists, then, Sir, on this very ground it may be argued that if the duration of assessment is fixed at 40 or 50 years, it will do no good to the zamindars concerned. If the fixing of period of assessment at ninety-nine years is likely to do harm to the agriculturists, why should not the fixing of period of assessment at forty years do harm to the agriculturists? If both these are on the same footing, my submission is that settlement should be taken in hand as early as possible, say at an interval of one or two years.

The members of the zamindar party have been fighting tooth and nail in this Council against the undertaking of settlement operations in Lyallpur and Shahpur after the lapse of only ten years. An honourable member of this party, the member for Attock, went so far as to say that it was not the *band-o-bast* of the land that was taking place in these districts, but it was in reality the *band-o-bast* of the people.

The Honourable Mian Sir Fazl-i-Husain: Is that quite relevant to the period of ninety-nine years? How does it arise in reply as to what the member's attitude in the past had been.

Chaudhri Afzal Haq: I have a right to take to task a party, which has ceased to act upon the principles laid down by it.

Mr. President: That is not a reply. The honourable member's foisting fresh arguments into the reply.

Chaudhri Afzal Haq: Sir, my submission is that the zamindar party of this Council is going back upon its principles. If they raise a hue and cry against the starting of settlement operations in any particular district after a period of ten years, why do they not join hands with me in protesting against the fixing of 40 years as the normal period of assessment?

The Honourable Mian Sir Fazl-i-Husain (Revenue Member), (Urdu): Sir, it has been said over and over again that if settlement operations are carried out in a particular tract, it is inevitable that they should be accompanied by an increase in the burden of assessment. I think that this statement is incorrect, and I will now proceed to substantiate my allegation, and I hope that the representatives of the districts, which I am going to mention, will bear me out. Only a few years ago settlement operations were started in the Sheikhpura district, and, as the result of these operations, the burden of land revenue was actually reduced in the tahsils of Shahdara and Raya. If inspite of this concrete example, some of the members of this House still insist upon saying that settlement and reduction of land revenue are impossible of achievement, I am afraid nothing in this world can convince them of the error of their ways.

The next point to which I wish to draw the attention of the House is that even if supposing that settlements are always accompanied by an addition to the burden of land revenue, it is done with a view to lighten the burden of the poorer classes, and to increase the burden on the more well-to-do classes, and this, I submit, Sir, has been the slogan of so many members of this Council. Even when the Government increases land revenue in a certain tract, it does so with the fullest consciousness of the fact that it is carrying out the wishes of the members of the Council.

The third point to which I wish to draw the attention of this Council is that it has been repeatedly argued that there is a provision in the Land Revenue Act under which the Government can reduce the assessment of a tract, which has suffered on account of river action, or sand or some such other unforeseen calamity. It is no doubt true that there is a section and there is a provision to this effect in the Land Revenue Act, but this does not mean that lands suffering from water-logging or river action be allowed to take advantage of this section and areas where these conditions do not exist be allowed to take advantage of the proposed amendment. I am afraid the members are asking for too much, and I should like to remind them of the proverb *طمع را - د حرف است - د مر - د نوبی* i.e., all covet all lose.

Mr. E. Maya Das : May I ask, Sir, if it is correct as stated by one honourable member that in the water-logged area in certain districts, no action has been taken to reduce the land revenue or to give relief to the land revenue payers of that area?

The Honourable Mian Sir Fazl-i-Husain : The honourable member has heard what I did not hear. If he would kindly mention the name of the speaker or the area to which he referred, I will be glad to answer him.

Mr. E. Maya Das : I forget which speaker it was. I think the area was in the district of Gujranwala or Sialkot.

Mr. President : Clause under consideration, amendment moved :

"That in clause 9, section 53-A., sub-section (2) for the word 'forty' wherever occurring the words 'ninety-nine' be substituted."

The question is that that amendment be made.

The motion was lost.

Rana Firoz-ud-Din Khan [South-East Towns Muhammadan, Urban]: Sir, I beg to move:—

“That in clause 9, section 53-A, sub-section (2), the word ‘forty’ shall be substituted by the word ‘fifty.’”

Sir, the amendment moved by me is comparatively harmless. There is in section 53-A a proviso to the effect that in canal irrigated areas the first settlement.....

Mr. President: The principle of the amendment has been discussed already in connection with amendment No. 21. Therefore, I propose to take votes.

Rana Firoz-ud-Din Khan: I stood up when that amendment was under discussion with a view to say something on that amendment. I wanted to move my amendment as an amendment to the amendment moved by my honourable friend, but the Chair ordered me to sit down and to move my amendment later on after the one under discussion was disposed of.

Mr. President: Did not the honourable member take part in the debate on the previous amendment.

Rana Firoz-ud-Din Khan: I tried to speak, but I was not allowed to do so.

Mr. President: The honourable member may move his amendment now and make a speech after he has finished. I will put it to vote without allowing any further discussion.

Rana Firoz-ud-Din Khan: As I was submitting, Sir, under the provisions of section 53-A all land has been divided into two parts. In the canal-irrigated areas the first settlement shall take place after ten years and the second settlement shall take place after twenty years. The period of time during which an assessment shall remain in force is in both cases 40 years. I want this period to be extended to 50 years in either case.

In the statement of objects and reasons the Government says:—Having regard to the fact that the agricultural progress of the province is slowing down, the reasons which led to the selection of a comparatively short period of twenty or thirty years as the period of assessment do not now operate as strongly as they did. Government is, therefore, of opinion that the time has come when forty years can be fixed as the normal period of assessment.

This statement is also supported by a history of the different settlements. The settlement reports show that up to now the normal period of assessment was 30 years. Now the Government wants to fix 40 years as the normal period of assessment because the agricultural progress of the province is slowing down. On this very ground I submit, that an increase of the years in the normal period of assessment is a little too small, and that the increase should be twenty years and not ten years.

In the fully developed districts of the province the period of forty years would not be quite sufficient, and, therefore, a period of fifty years should be fixed on the same ground as a period of forty years has been fixed by Government.

Mr. President : The honourable member is repeating his arguments.

Rana Firoz-ud-Din Khan : I have finished, Sir.

Mr. President : Clause under consideration, amendment moved—

"That in clause 9, section 53-A, sub-section (2) the word 'forty' shall be substituted by the word 'fifty.'"

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain [Revenue Member] (Urdu): Sir, I wish to bring this fact to the notice of the Council that Government has given its fullest consideration to the matter under discussion, and it has arrived at the conclusion not to increase the normal period of assessment beyond forty years.

Mr. President : Clause under consideration amendment moved—

"That in clause 9, section 53-A, sub-section (2) the word 'forty' shall be substituted by the word 'fifty.'"

The question is that that amendment be made.

The Council divided : Ayes 10 ; Noes 31.

AYES.

Sardar Buta Singh.
Sayad Muhammad Husain.
Rana Firoz-ud-Din Khan.
Sardar Narain Singh.
Raizada Hans Raj.

Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.

NOES.

Col. C. A. Gill.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. C. M. G. Ogilvie.
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. H. M. Cowan.
Mr. H. W. Emerson.
Dr. C. A. Owen.

Khan Bahadur Nawab Muzaffar
Khan.
Mr. M. M. L. Currie.
Diwan Bahadur Raja Narendra
Nath.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Mr. Owen Roberts.
Rai Bahadur Pandit Daulat Ram,
Kalia.
Rai Sahib Lala Ganga Ram.
Rai Bahadur Lala Rattan Chand.
Khan Bahadur Chaudhri Fazl Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Rai Bahadur Lala Dhanpat Rai.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.
Mr. E. Maya Das.

The motion was lost.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban]: (Urdū): Sir, I beg to move:

"That in clause 9, section 53-A., proviso (iii) shall be omitted."

Sir, in clause 9, section 53-A., (2) the period of time for which the assessment shall remain in force has been prescribed as forty years, but this period of assessment does not apply to an area which has been declared to be an urban assessment circle under the provisions of sub-section (4) of section 51. The formation of urban assessment circles is an innovation introduced by means of this section. These circles shall consist of areas situated within the limits of municipalities, small towns and notified areas. Under section 51 (3) the limit of enhancement has been fixed at one-third of the previous demand in an assessment circle, but the proviso under consideration proposes to exclude such areas from the operation of section 51 (3). Also the normal period of assessment fixed in section 53-A (2) shall not apply to such areas. In other words, the Government can start settlement operations in urban assessment circles after one year or two years, and can also enhance its demand to whatever extent it desires. This, I submit, Sir, is against all canons of justice. There must be some reasonable limit fixed in the matter of normal period of assessment as well as a limit of enhancement in urban assessment circles, and this can be achieved by the deletion of proviso (iii) to section 53-A. I see no reason why urban areas be deprived of the protection given to rural areas. In these areas intensive cultivation is largely carried on owing to (a) the proximity of markets for the sale of the produce and (b) the facility in procuring manure, specially night-soil. But side by side with these facilities there are certain drawbacks too, which should not be lost sight of, viz., that the expenses of living are very high in these circles. They should be afforded the same protection as has been provided for rural areas in this Bill.

Now I turn my attention to the first part of the proviso which says: nothing in this sub-section shall affect the assessment in force at the time of the commencement of the Act. This means that if an area of land has been settled two years before the commencement of this Act, say, for thirty years, this area shall not be allowed the benefit of section 53-A. (2). I do not see any reason, why the normal period of assessment in such an area should not be forty years.

With these words I propose that the proviso (iii) to section 53-A, be omitted.

Mr. President: Clause under consideration, amendment moved—

"That in clause 9, section 53-A., proviso (iii) shall be omitted."

The question is that that amendment be made.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders, (General)]: Sir, I am partly in agreement with the speech delivered by my honourable friend, Rana Firoz-ud-Din Khan. His speech covers the amendment of which I have given notice. Sir, the only reason for excluding any assessment in force at the time of the commencement of this Act is that all previous assessments have been made with the State's share fixed at 50 per cent. of the nett assets. But all subsequent assessments will be made with the State's share fixed at 89 per cent. or 25 per cent. of the nett assets, whichever percentage of the nett assets you may be pleased

to fix. If this amendment is accepted, it will have a retrospective effect upon all assessments in force at the time of the commencement of this Act, and this, I submit, Sir, will create a good deal of confusion and will lead to re-settlement. The honourable mover surely does not want this, and I am, therefore, obliged to oppose the first part of his amendment and to support the clause as it stands, viz., that nothing in this sub-section shall affect any assessment in force at the time of the commencement of the Act.

The Honourable Mian Sir Fazl-i-Husain [Revenue Member], (Urdu): Sir, the amendment moved by the honourable mover consists of two parts. The first part is that nothing in this sub-section shall affect any assessment in force at the time of the commencement of the Act. The aim which the Government had in view in introducing this part of the proviso was that this Act when passed shall not have retrospective effect upon assessments already in force. This Act shall not apply to assessments made previous to 1921 or between the year 1921 and such time till this Bill is given the force of law. Government cannot afford to accept this amendment, because if it is accepted, it will create a good deal of confusion, and will amount to the re-settlement of tracts, which have already been settled.

The second part of the proviso, viz., or apply to an area, which has been declared to be an urban assessment circle under the provisions of sub-section (4) of section 51, is quite a different thing from the first part of the proviso, and it need not be discussed at this stage because clause 7 is not under the consideration of the House. I hope, Sir, that the chair would be pleased to put these two parts separately to the House.

Mr. President: Certainly; that is what I propose to do, but the honourable member has not moved his amendment. I called upon him but he did not move it.

Diwan Bahadur Raja Narendra Nath: My amendment was not under consideration.

Mr. President: When an amendment is moved, an amendment to that amendment must be immediately moved. That is why I called upon the honourable member to move his amendment.

Diwan Bahadur Raja Narendra Nath: May I move it now?

Mr. President: He has lost his right. I am afraid I cannot allow him at this stage to move it.

Mr. Labh Singh: Sir, may I move it as a new amendment?

Mr. President: The honourable member may communicate it to me in writing.

The Council then adjourned till 5 P.M.

The Council re-assembled at five of the Clock. Mr. President in the Chair.

MOTION FOR ADJOURNMENT.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural], (Urdu): Sir, I move the adjournment of the business of the Council

[Chaudhri Afzal Haq.]

to discuss a matter of urgent public importance, namely, the release from jail of one Mr. Bannerji, a C.I.D. employee, who posing as a revolutionary had come to the Punjab on an official mission of hatching criminal conspiracy in the province. In the *Tribune* of the 6th May a letter appears over the signature of one K. C. Bannerji, a pretended revolutionary but, in reality a C. I. D. informer of the United Provinces Police. From a perusal of the facts printed in the paper it appears that the man, K. C. Bannerji, had been sent to Lahore on the scent of some alleged anarchists, and his programme was to hatch a first class conspiracy, get recruits for the revolutionary party, assist in the commission of dacoities, distribute arms if necessary, and eventually when the stage was set, to hand over the whole gang of conspirators to the C. I. D., himself disappearing from the scene or playing the role of a penitent approver. Whatever has appeared in the *Tribune*, the paper is in a position to substantiate it by means of documentary evidence.

I should like to ask the Government if it is a fact that during the past ten years there has been no armed conspiracy against the Government, as by law established. If there has been no conspiracy against the Government, is it a fact that K. C. Bannerji came to the Punjab at the instance of the Government of a neighbouring province to hatch such a conspiracy in the Punjab? It was the good luck of the young men of the Punjab that the pseudo-conspirator was arrested at the Lahore Railway Station with a revolver in his possession. He was tried and sentenced to five years' rigorous imprisonment, and when he threatened to disclose his identity before the High Court and to lay bare the commission with which he was interested, he was quietly let off by the Punjab Government. If I am not wrong, the police really wanted to make a martyr of him, with a view to make use of him for entangling other innocent persons. I am not prepared to say that the members of the Punjab Cabinet were in the know of the whole proceedings, but there is no denying the fact that the officers of the Punjab Police encouraged this informer. I wonder if the Government had any hand in it. If this man had succeeded in his nefarious designs, it would have meant the death of at least thirty young men on the block. None of my Punjabi friends had arms in their possession, but this C. I. D. informer promised to provide them with arms. If this young man had not been arrested and allowed to carry on his nefarious propaganda, even the best criminal lawyers of the province would have been at their wits' end to discover that the case was a made up one, and that the hidden hand behind the conspiracy was a C. I. D. informer. For example, he had resolved to commit a dacoity in Ferozepore, with the help of some of the Punjabi recruits. Had he succeeded in that, would the Government have acknowledged that the man who had hatched this conspiracy was a C. I. D. man. I have served in the Police Department myself, and I know what kind of underhand means are adopted for involving innocent persons.

I am prepared to admit that the Punjab Government is innocent in this matter. But the question is, has it protested to the Government of the United Provinces against the despatch of such persons to the Punjab? If it has not done that, may I ask if it has written to the Government of India to ask for an explanation from the United Provinces Government? It seems,

however, that the Punjab Government has done nothing of the sort. It has, on the other hand, by releasing the offender, been guilty of overlooking his offence. It has acted according to the old proverb *در دره دشت در برده داد*. Had it been possible to obtain even-handed justice in the Punjab, I would have brought an action against the Government for hatching or causing to be hatched criminal conspiracies against itself in the province. Had not the Police arrested Bannerji, a number of young men would have been hanged by this time, and then it would have been said Sir, that the Bolsheviks agents are busy in the Punjab and armed conspiracies against the Government are the order of the day. Sir Michael O'Dwyer would have written a letter to the *Times* protesting against the extension of reforms and proposing harsher measures for keeping in check the revolutionary Punjabis.

Sir, the question is not one of the lives of innocent persons, the real question is that Government or its officials themselves hatch conspiracies in order to bring into disrepute my countrymen. During the past ten years at least there has been no armed conspiracy against the Government, and now this Government or other Governments are hatching conspiracies. I challenge the Government to throw light on this matter.

The Honourable Sir Geoffrey deMontmorency (Finance Member) : Sir, in October 1926, a dreadful event occurred at Lahore. A bomb exploded among the crowds returning from the festival which caused the death of twelve persons and injuries to 59 others. In spite of continuous efforts the Punjab Police have not yet been successful in finding evidence sufficient to enable judicial proceedings to be taken against the perpetrators of this crime. In the course of their enquiry, however, certain clues have been pursued which pointed to some connection between this crime and certain persons in other provinces. It was, therefore, the clear duty of the Punjab Police to keep a particularly careful watch of suspicious persons coming to Lahore from other provinces. A few months later in April 1927 the Punjab Police received information that a suspicious character who had been concerned in dacoities in the United Provinces had come to Lahore at the invitation of a bad character in this province with the intention of committing a dacoity in this province for the purpose of raising funds for anarchical purposes. Later this information was independently confirmed by the United Provinces Police. Our Police were also later informed that a person, who had given information regarding this suspicious character to the Police of the United Provinces, had also arrived in Lahore and had established touch with this suspicious character. This person, however, never made any communication to the Punjab Police and did not get into touch with them. The Punjab Police located the suspect and another member of the gang and continuously watched him for some days. The information was very definite and was to the effect that a dacoity was to be committed in a certain place and in a certain house and that one member of the gang had actually gone to the house and reconnoitred the ground. The Police kept a careful watch in order to arrange for their arrest before they actually committed the crime. A few days later it was ascertained that the intention of committing the dacoity in the particular place had for certain reasons been abandoned and that the suspect in question was about to leave Lahore and that he was armed.

[Hon. Sir Geoffrey de Montmorency.]

In consequence when the suspicious character in question accompanied by another person came to the railway station at Lahore and entered a railway carriage, he and his companion were arrested and both were searched. No weapon was found on the suspicious character and after some investigation he was let go. On the other person there was found to be a revolver hanging in his shirt and some ammunition in his pocket. He was challaned, was found guilty and he was convicted by a Magistrate of Lahore on the 23rd July 1927. Incidentally I may observe that during the course of the trial he and his surety failed to turn up on one of the hearings and a warrant was issued for his arrest in order to procure his appearance. At the time of his arrest and at the time of his trial he alleged that he was a person who had given useful help to the district police in the United Provinces and that he was still engaged on this work. This statement required close verification. It was not in itself sufficient to absolve him from the charge of carrying arms without licence. Enquiries were made from the United Provinces and it was found that he was in fact a man who had in the past given useful information to the Meerut Police and had assisted in the prevention and detection of crime. Thereupon it was considered that his offence would be sufficiently punished by a short term imprisonment and the remainder of his term of imprisonment was remitted under section 401, Criminal Procedure Code, and he was set free having undergone approximately two months' imprisonment. (*A voice*: Did he appeal to this effect?) I do not know if he appealed. (*A voice*: There was an appeal to the High Court). I can give the assurance that the appeal did not affect the thing one way or the other. Government are not aware that he appealed. (*Sardar Narain Singh*: Has the surety been forfeited?) That is in the discretion of the Magistrate. (*Laughter*). (*A voice*: Did that happen?).

Mr. President: Order, order. The honourable member should not be interrupted. He has only fifteen minutes to put his whole case.

The Honourable Sir Geoffrey de Montmorency: Since the publication of the article in the *Tribune* on the 6th of this month certain further enquiries have been made and it has been ascertained in the first place that the letter written to Rai Sahib Chuni Lal and reproduced in the *Tribune* was never received by that officer. (*Hear, hear.*) It is true that the prisoner did write regarding the payment of money due to him from the United Provinces district police and regarding his grievances at his incarceration. One of these communications was on a postcard which bears the stamp of the Central Jail and was obviously written by permission in the regular way through the jail authorities as prisoners have a right to do. It has also been ascertained that no revolver was supplied to Bannerji either by the United Provinces police or by any police official. The revolver also is not a Government revolver as has been alleged. Our police was bound to act on the information they had received and arrest this gang and prevent crime. The information which they had received about the gang was definite enough. I think their vigilance probably did prevent crime in that once the suspicious character was searched and returned to his home, it was very unlikely that he would again attempt to commit a crime of this kind in this province. There is no proof whatever that Mr. Bannerji

was an *agent provocateur*. He acted on his own account in coming with the suspect to Lahore. Certainly he was not provided with Government revolver or with any revolver by any police. The United Provinces police were quite in their rights to use the information provided by an informer in order to keep in touch with the movement of one of their criminal suspects. It is true that we arrested the United Provinces informer. It is true that he was convicted and imprisoned for being in possession of arms without a license. It is true that he was subsequently released. But I think our action was quite justifiable. There are informers and informers. Ninety-nine per cent. of the informers are criminals who inform the police only to save their skin. There are on the other hand informers who give really useful information on payment or in hopes of other rewards. The information they give often leads to detection and prevention of crime and the honourable mover of the motion who has himself been in the police is probably aware that in order to detect or prevent crime it is absolutely necessary at times in the interests of public safety to use the services of informers. But we have to be careful as regards the exact character of the informers, that is, as regards their motives. Some informers may not be deserving of our consideration while others who give really useful information which leads to detection or prevention of crime and the protection of the public do deserve consideration. We were eventually satisfied that this informer belonged to the latter class and that he had given valuable information in the past and we took, therefore, a more lenient view of his offence, but we did not take this view until we were thoroughly satisfied on the point. These events are not recent occurrences. I notice, on looking through the press notices, that the arrest of Mr. Bannerji and his companion formed the subject of an article in the *Tribune* more than a year ago. I may observe that the suspicious character with whom no arms were found on search was released immediately, that is sometime about the end of April 1927. Mr. Bannerji was convicted in July 1927. He was released from jail in September 1927. Now, if either of these gentlemen had a real grievance they could have laid them before the authorities, the public and the press, one of them more than a year ago and the other six or seven months ago. (Cheers).

Raizada Hans Raj [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural] (Urdu): Sir, by the publication of these very important letters of the C. I. D. informer Mr. Bannerji who was arrested and surreptitiously released, the *Tribune* has done a great service not only to this Province but to the country as a whole. But for the publication of these letters we would not have been able to elicit from the Government members even the half truths that have come out to-day. There can be no doubt about the genuineness of these letters which mention the names of high placed C. I. D. officials of both the provinces. If anybody has the courage to call them pieces of forgery, let him prosecute the *Tribune* and have a judicial finding about the matter. I have, however, absolutely no doubt that the Government would not dare take such a step which would only further expose it. It is quite true that as stated by the Honourable Members on the Treasury Benches, these letters never reached their destinations and somehow or other fell into the hands of persons for whom they were never intended, but if they are genuine, that

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does not affect the present issue. There is no doubt that the country wants Swaraj and for the achievement of this object has been preaching non-violence, but if our demands or warnings are not heeded to, time will come when the people will be driven to violence. I am afraid the Government wishes to see such a day and quickly too, and that is why Mr. Thomas of the United Provinces Government sent special men to carry out this nefarious task.

One thing that I quite fail to comprehend is that why the Government should be forced to import informers from United Provinces. We in the Punjab know that informers are to be found in every association. There are C. I. D. men in the Congress, in Hindu Sabha, in Muslim League, in short we can think of no organisation, whether political or non-political, where these gentlemen of the C. I. D. are not to be found. Why was then Mr. Bannerji imported from such a long distance. Now, Sir, this gentleman comes to the Punjab and tries to create revolutionaries. He meets innocent patriots and urges them on to a career of crime. But as luck would have it, here again he was faced with a brother of his own department, who, as we now know had joined the Congress under official instructions, who does not recognise in him a fellow worker but thinks that he has located a real revolutionary. He reports him to his own chiefs. He himself is released without trial because his identity was well-known to the C. I. D. officials. It is a pity that even now this House has not been taken into confidence as to the name of this worthy patriot. It is nothing new for the Government to manufacture cases simply for ulterior purposes. The case of Lachhe Shah is an instance in point. This was all a pre-arranged affair and was done to show to the Simon Commission and the world at large that the people of Lahore in fact wanted to receive and welcome the Commission, but it was only the Congress and its workers that did not want the people to do so. But when later on it was found that through his own mouth during the cross-examination statements had been extorted that were strong enough to throw light on the whole affair the whole case was withdrawn. This is how the work of the police is done and this is how Governments starts certain movements itself in order to show to the world that there is a great conspiracy. Who has ever heard of Rash Behari? We have never heard of him now but men like Bhai Parmanand and Bal Raj, the son of Mahatama Hans Raj, were sentenced to long terms of imprisonment mainly on the charge of being his associates on the strength of evidence of approvers of the type of Mr. Bannerji. That is how people who later on are dubbed as conspirators are egged on to commit crimes while the police informers later on turn approvers. In this particular case the people did not at all know of his true character. Not even Mr. Duni Chand that true-hearted, unostentatious worker who appealed on behalf of Bannerji knew of his connection with the C. I. D. till the man had been released (*laughter*). Ordinarily when people are arrested for such offences, they are kept under strong guard. But this man was given shelter in the police barracks and was given Re. 1-4-0 a day to keep him going and enjoy the life in Lahore. Yes, certainly they ought to have done that for him, for he was their brother. Rai Sahib Chuni Lal's action is really commendable. Like a true policeman he kept this

informer also giving false promises. He first extorted a confession from him and when he had taken everything out of him he got him sentenced for five years. He probably thought what does it matter, I have got the credit for challaning and getting the conviction of a man on a charge of keeping arms without license. In fact the trouble is that the real state of affairs did not reach the ear of the convicting Magistrate, or he would not have so heavily sentenced the accused. He could have given him just a few months, after the expiry of which he could have been presented by the C. I. D. as a full fledged leader and a martyr and could have been put to better use.

It has been said that Mr. Bannerji and his comrade were both going to some other place for the purpose of committing a dacoity. But, Sir, in reality there was no idea of committing anything of the sort. It was only a pretence. The real object was to mislead people to entice innocent peace-loving people in the name of patriotism to a life of crime and violence so that the C. I. D. may take the credit of having crushed a violent movement. Like Bengal we would have seen many arrests, many deportations and detentions. Luckily the matter came to the knowledge of the *Tribune* which realizing its duty to the country and the people threw light on the whole affair or many an innocent person would have been sacrificed. I believe that the paper and the trustees, one of whom is occupying the Government Benches deserve our heartfelt thanks for this public service. With these words I resume my seat.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muham-
madan), Urban : Sir, I was very anxious to hear the Honourable the Finance Member before I got up to speak on this motion. The charge, as it were, had been framed by the learned mover of the motion for adjournment and I did not like to support it or attack it until I had heard the most responsible authority on the other side. I regret, however, that in spite of the most able defence put in by the Honourable the Finance Member, I am not convinced that the incident was as innocent as the Honourable the Finance Member is trying to make it out. If that may not be considered too much presumption on my part, I would congratulate the Honourable the Finance Member on the able way and the forensic manner in which he has defended the case of the Government, but I am sure that it has left many of the legally-minded people in this House cold. Definite statements have been made against the Government and they have been embodied in the form of seventeen questions which have been published in the *Tribune* which was published to-day bearing the date 11th of May. Some of these questions have been answered, but others have not been touched and I would respectfully submit that some of the questions which have not been touched are as important as those which have been discussed. To my mind the charges which can really be brought against the Government and which require explanation are the recovery of the pistol or a revolver from Bannerji, his being sheltered by the police, his being kept in police barracks and his being paid Re. 1-4-0 every day as pocket expenses, the non-forfeiture of the security for appearance in court which he had given, the payment, or the allegation that money was sent for his convenience while he was actually in jail by the police and the fact that his release came almost immediately after his threatening letter had been written. The letter in which

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he threatened to expose Government if they did not take immediate steps to release him from the jail is printed in one of the issues of the *Tribune*. The letter was probably addressed to the Superintendent of Police. Unfortunately it does not bear the name of the addressee. One letter is, if I am not mistaken addressed to Rai Sahib Lala Chuni Lal. Another is addressed to Mr. Thomas, the Superintendent of Police, Meerut. I am not in the know how these letters flew about, but certainly these letters were written and no body has said that any of these letters was a forgery. If the Government really challenges the genuineness of the letter, the best thing, I think would be to call upon the Editor of the *Tribune* to produce these letters. If these letters are not found to be genuine, then it is the duty of the Government to proceed against the *Tribune* according to law. But if these letters are found to be genuine then the Government would be in a most awkward position. As we are all aware, in such a case, it is almost impossible to arrive at the exact truth, at the accurate facts, but it is only by putting two and two together that we can arrive at a result which would appeal to all people possessed of common sense and a sense of fairness and justice. After all what is proof? We need not go to the Evidence Act for its definition. It is evidence which would convince a man of ordinary intelligence and which would make the existence or non-existence of a thing probable. My submission is that what has been brought out by the *Tribune* makes it highly probable that these letters are genuine and that they were actually written by Bannerji, and that it was as a result of the threat of exposure that Bannerji was released from jail.

Now, to revert to what I have already said, I would submit that it has been denied on behalf of the Government that the pistol belonged to the Government. If it is so, it was possible for the Government to trace to whom the pistol belonged. Every revolver and pistol unless it is of the Trans-frontier manufacture bears a mark and the name of the manufacturer.

The Honourable Sir Geoffrey deMontmorency : American manufacture.

Dr. Gokul Chand, Narang : Even if it is so, it would not be impossible to discover the source of this pistol.

It has not been stated by the Honourable Finance Member that any effort was made to trace the origin of the pistol. If the Government had really made an effort, I have not the slightest doubt that the Honourable Finance Member would have made a reference to it. His reticence on this most material point shows that as a matter of fact no effort was made and if no effort as a matter of fact was made then the inference is very reasonable that the pistol really belonged to some agent of the Government, that some member of the Police of the United Provinces placed it in the hands of K. C. Bannerji and probably that pistol is still with the Government.

Mr. H. D. Craik : On a point of order, Sir, the Honourable Finance Member has categorically denied that the pistol belonged to the Police; but the honourable member says that it probably belongs to the Police.

Mr. President : The Honourable Finance Member did not speak from his personal knowledge. He made a statement on the basis of information supplied to him officially and, I think, it is perfectly open to any honourable member to criticise, contradict, or question that statement. It is not his personal knowledge that he has imparted to the House.

Dr. Gokul Chand, Narang : Then, ordinarily speaking, his security bond would have been forfeited; but we find it definitely stated that his security bond was not forfeited. On that point, I regret to say, the Honourable Finance Member has not thrown any light. He has not contradicted the statement made in the press nor has he given any explanation why if the statement in the press is correct the security was not forfeited. That fact also points to the connection of this culprit with the police. Then, again, there is another point which is most serious. We know that we find a great difficulty in not receiving even small things from our friends outside when we are in jail. We are afraid even to take a *banana* in the jail lest we may be accused of *badmashi*—which is the term used in jails—even for having eaten a *banana* in the jail. When the jail regulations were so stringent even in the case of Lala Harkishan Lal and others, I do not see any justification for money being remitted to this person by the police when he was in the jail. That statement also has not been contradicted by the Honourable Finance Member. The construction that the learned and Honourable Finance Member has sought to put on this question is this. He says “No doubt this man was a C.I.D. agent; he was in the employ of the C.I.D. of the United Provinces, but Governments are constrained to employ such people sometimes, people who are 99 per cent. criminals.” I entirely agree with the Honourable Finance Member on that point. Set a thief to catch a thief is a well-known saying and Governments who are responsible for the maintenance of law and order have to resort, though unwillingly, to such measures; but then the colour which the learned Finance Member has sought to put on this is this: “He was no doubt in our employ but turned out to be a criminal and he was punished for his crime; but when he was punished, knowing that he had rendered some good service to the State, he was released after a few months.” This is in fact the whole Ramayana put in one sentence as the proverb goes. But my submission is that the matter is not so simple as the Honourable Member for Finance would make it out. We find that people who have rendered much more meritorious services to the State when for some reason or other they receive a sentence of five years, are not released after a few months from the jail. They are sent no money for sweetmeats and for other comforts when they are in jail. The warders or the jailors will not attend to their comforts. They are never given comfortable bedding and no good dishes to eat and they are never paid Re. 1-4-0 per day as pocket money for expenses in the jails. But all these things were done in the case of this man, K. C. Bannerji. I think the defence that has been put forward is really a lame one. It would have been much better, I venture to submit, if the Government had confessed its mistake and had taken a lesson from this unhappy incident. It is in such respects that we consider our Governments to be different from the Governments as prevailed in Russia during the times of the Czars. We were familiar with the treatment of *Agents provocateur* when Czars were ruling in Russia, but we never heard, happily for us and happily for the Government, that such people actually existed in this country.

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The honourable member who preceded me has referred to many other things. He is probably more familiar with those cases and with the under-hand machinery which is employed to catch people who are prone to indulge in disloyal movements. But happily I never heard of such agents before and I have not the least doubt that this man was certainly an agent of that type and it was not only to prevent the dacoity which was likely to take place in Ferozepore that this thing was done. In fact I fail to see in the whole of the argument of the Honourable Finance Member any connection between the Ferozepore dacoity and this incident, although perhaps he did not mention the name of the place.

Mr. President : The honourable member is requested to resume his seat as he has already spoken for 15 minutes.

Mr. H. W. Emerson (Chief Secretary) : Sir, I had not intended to speak so early in the debate, but the last speaker has raised certain questions to which it may be desirable for me to give answers. To my mind and I cannot help thinking to the mind of most members of this House—the gravity of the charge as made in the *Tribune* is this : That the United Provinces Government, through its agents the Police, deliberately employed an agent to hatch a conspiracy in which some hot-headed youths might be entangled.

Dr. Gokal Chand, Narang : On a point of order, Sir, I do not think any speaker has stated that it was the United Provinces Government or the Punjab Government that did it ; the charge was against the police.

Mr. H. W. Emerson : The words of the motion are that Mr. Bannerji came on an official mission to hatch a conspiracy. I do not think members of this House are under any misapprehension as to the nature of the charge contained in this motion. The charge is unquestionable, that one or other or both these Governments deliberately employed an agent to hatch a conspiracy. That charge has been categorically denied by the Honourable Finance Member. So far as the Punjab Government is concerned, there can be no question about it. So far as the United Provinces Government is concerned the position is equally clear. When this article appeared in the *Tribune* we took certain action in order that we might be in a position to clear up any doubts that might remain and to answer any questions that might be raised. A gazetted officer of the Police Department went at once to the headquarters of the United Provinces Government and ascertained certain facts. The denial of the United Provinces Government is equally categorical. Bannerji, the agent, left the Meerut district without the knowledge of the Meerut Police and the first the Meerut police heard of him was a communication from him from Lahore. If then it be a fact that neither the United Provinces Government nor the Punjab Government nor any Government official had anything to do with the hatching of this supposed conspiracy to entangle certain youths, what charge is left ? The charge left is this : that first of all the United Provinces Government, and secondly the Punjab Government used

information which had come to their knowledge for the detection and prevention of crime and I put this question to the honourable mover of this motion whose privilege it was at one time to belong to the Punjab Police. If when he was a member of the Police, and an informer had come to him and said, 'I am a member of a gang of dacoits, I have fallen out with my friends and I wish to give information concerning them. I tell you that in a few days hence a dacoity is going to be committed in such and such a village,' what reply would my honourable friend have given to the informer? Would he have said "This information is tainted; I cannot use it. It is against

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my principle to accept help from such a source. If the wretched persons are murdered so much the worse for them, but I must refuse to save them by using information of a man who by his own admission is a criminal"? If that had been his reply he would have been guilty of gross neglect of duty. Every one in this House knows that nine times out of ten the only way in which the police are successful in breaking up gangs of dacoits is by information received from the members of those gangs. The residents of the Lahore district will remember two notorious dacoits who have been rounded up during the last six months. One is Malang and the other is Kartar. Both of these were brought to their end, I believe, through informers. Do the members of this House contend that it is not the duty of the police when they are opposed by criminals of that type to use in the interests of public safety, in the interests of law-abiding citizens, any information of that kind? (A voice: Where is the relevancy in that?) The relevancy is that is the sole charge that now remains. An honourable member asked "Why was this informer treated differently from the ordinary criminals? Why was he released two or three months after his imprisonment?" The answer is easily supplied. The man had given help before. He had given valuable assistance by supplying information for several years to the Meerut police and he had been used as a police agent. Surely it would have been unreasonable and ungenerous if Government had allowed this man to serve five years in imprisonment. Certainly there was as much reason to exercise clemency on behalf of this man as there is reason to give a grant of land to a member of a gang of dacoits through whose help that gang has been brought to an end. Government would have laid itself open to a serious charge of ungenerous treatment if after using this man and after satisfying itself that he had rendered good service to the police it had not stepped in and allowed him the benefit of clemency.

There are one or two other points. One honourable member has said that the release of this man was due to a threatening letter that appeared in the *Tribune*. The Punjab Government received no letter of that sort. As far as the letter to Rai Sahib Chuni Lal is concerned it has been ascertained that that officer did not receive any such letter. As far as the letter to Mr. Thomas is concerned, it is uncertain that he received too any such letter. We have not been able to assure ourselves definitely on that point because Mr. Thomas is now on leave. Certainly at the time of order of release Government had no knowledge of either of those letters, and the suggestion therefore that this order of release was due to some fear that the action

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of Government might be exposed in the High Court is a fabric of the imagination. What was there to expose? The only thing that there was to expose was that the police had done their duty in using the informer, in acting on his information and in making all the arrangements necessary for the prevention of a dacoity which had it been committed, might easily have led to murder. I cannot see why any apology is required on the part of Government.

Another question has been asked, "why, when this man, Bannerji, failed to appear in court, was his security not forfeited?" I am afraid I cannot answer that. All I can say is that it was not because of any action either on the part of Government or of the C. I. D. that his bail was not forfeited. The matter was entirely within the discretion of the magistrate and nothing was done by Government to move the magistrate not to forfeit it. (A voice: who gave the bail?) That I am afraid I cannot answer.

Now, Sir, the real issue before the House is this: Are the police to be deterred from fighting a battle on behalf of the public against those persons—I do not care whether they are political criminals or ordinary criminals—who endanger the public safety? I want the honourable members to remember that this incident occurred within three or four months of the tragedy of the Dussrah—a tragedy due to criminals who devoid of every sense of humanity and of all feeling of pity threw dozens of homes into mourning whose members had gone to celebrate a day of rejoicing. That is the issue: Are members of this House by their vote going to tell the police that it is no part of their duty to use the weapons of criminals in fighting those criminals? Every member of this House will be agreed that if the police or any other Government servant uses an agent to fabricate crime or to induce the commission of crime which otherwise would not be committed, then that Government servant is deserving of the most severe condemnation. That is, a different question. The real issue is whether the police are going to be allowed to do their duty as they have been doing it in the past and wish to do it in the future. (A voice: Is he still in the C. I. D.?) The Punjab Government is not concerned with him. He was never in the C. I. D. He was an ordinary district informer of the Meerut district. I think the commonsense of the members of this House will say that in this instance the police did no more and certainly no less than their duty (Cheers).

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural]: Sir, the Chief Secretary has asked the members of this House to supply answers to certain questions which he has been pleased to put to them. I wish straightaway to proceed to answer those questions, in order to clear the ground as to what actually is the unsatisfactory part of this most unsavoury transaction. He said: "Do honourable members urge that the police should not use the services of an informer in order to detect crime of a revolutionary character? Is the police not justified in using methods of the criminal to fight criminals?" I say, they are so justified and they are entitled to use those methods and nobody cavils at the fact that such methods are used. But with all respect to the Chief Secretary and to his brilliant intellect I cannot help feeling that with the help of his brilliant intellect he has sought to confuse the issue before the House. The question is not, "why did you

arrest this man, if you in good faith suspected that he and his colleagues were going to commit a crime of a serious nature?" That is not the charge against the Government and it is no use explaining to us that it is necessary in order to detect or prevent the commission of crimes to take such measures. In one respect the vigilance of the Punjab police on the basis of facts stated from the Government benches is worth congratulation. We do not condemn it. We are willing to render as much praise to the Police as the Government desires. But the first charge that I do bring against the Government in connection with this matter is, that in this matter as in other similar matters that have been debated in this House, Government does not take the members of this House into its complete confidence and does not lay all the facts before the House. There is not the slightest doubt that what is actually stated is always perfectly correct. But sometimes a feeling is left in our minds that there is something more. Once that feeling is engendered Government has to thank itself if that feeling logically leads to the further feeling that what is kept back, if it had been disclosed would have brought no credit to the Government. That is my first charge. With regard to the matter now under discussion several questions have been put both in the papers and by members in this House to which an answer has not been vouchsafed by the Government. Certain things have been asserted or denied. Those assertions and denials so far as they go are perfectly correct. But certain other things have not been touched upon and therefore as reasonable men we are entitled to assume that either the charges made in respect of them are correct or that the denial of those charges would have led Government into greater complications. We have been told that the Punjab police acted on certain information received by them. I agree with the Chief Secretary that if the police had stopped to enquire and to ascertain whether the information was reliable the mischief would have been done by the time they had verified the information. They acted promptly and receiving information that a certain offence was about to be committed they arrested certain persons in connection with it. The whole history of that transaction has been described, but no attempt has been made on behalf of Government to explain what was the share of Mr. Bannerji in that transaction.

He came to the Punjab, but in what connection did he come here? He failed to establish connection with the Punjab police, but it has not been disclosed what exactly was his mission here. This is the first *lacuna* in the case of Government. We are not told how and why he came here. We were told there were some suspects, and that this man was about to leave and the police arrested him. Quite true. The police did not evidently know, according to the case put forward by the Government what was his mission in the Punjab. Was he an ordinary informer in the service of the police of the United Provinces entitled to detect crime? If that was so, what was the earliest date on which the Government came to know that he was an informer of the police? While the man was here, did they know that he was a police informer? Were the Government aware that he was a police informer at the time of his arrest? If the Government knew that he was a police informer, why did they enact this drama of placing him before Mr. Phailbus for the offence of being in possession of arms and why did the Government get him convicted for that offence and sentenced to imprisonment for a period of five years? Did the Government know or did they not

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know that he was a police informer? Did the man inform the police at the time of his arrest that he was a police informer? If he had told them, why was he arrested? This man makes certain charges against the Government. Here is a letter in which the several charges are detailed. It has been said that certain letters which are alleged to have been written by him were not received by the addressee. It has not been stated whether this informer, their own man, a dirty tool—no doubt dirty tools have to be employed on such occasions, but still a dirty tool—does or does not deny his having written these letters. The Government say that they were *thoroughly* satisfied with regard to him, before they released him. That man with regard to whom the Government are *thoroughly* satisfied states that on the very first occasion that he was arrested he disclosed the fact that he was a C. I. D. informer. On 27th April he was arrested at the railway station and his conviction took place on 28th July, three months later. Did the Government take steps to find out during this interval of three months between his arrest and his conviction whether he was an informer or not? If they did discover this fact why did they prolong this farce of a trial in the court of Mr. Phailbus? Why did not the Government instruct the prosecuting agency to withdraw the prosecution? That is something which we cannot understand. To whom were you trying to show that you were prosecuting this man as a criminal, knowing all the time that he was a tool of the police of a neighbouring province.

The next thing that I would have the Government answer is this. Presumably the honourable members opposite occupying the Government benches have read the disclosures contained in the *Tribune*. Here is what the letter says—

"I have received instruction from Deputy Inspector-General, C. I. D., to take keen interest about M——— and his men to find out who are they. He gave me Rs. 30 in advance of my travelling allowance, etc., and allowed me to carry the P. W. I and also he gave instruction to give the arm to any of this revolutionary party."

We have been told by the Honourable the Finance Member that no arms were supplied and no instructions were given to this man by the United Provinces Police. But the Honourable Member has not told us whether the letter which was written by the man with regard to whom he was *thoroughly* satisfied before he was released, was a forgery, whether the man himself has told the Government that he never wrote such a letter.

The Honourable Mian Sir Fazl-i-Husain: Perhaps he wrote the letter afterwards.

Chaudhri Zafrullah Khan: Next, where was the necessity for the undue haste with which this man was released even before his appeal was heard. The consequence of the Government being *thoroughly* satisfied with the man is that he turns round after his release and makes uncomfortable disclosures with regard to the Government. The next allegation the letter makes is this, though it has been stated by the Government that he left Meerut without the knowledge of the C. I. D. The letter proceeds further—

"Three days before my starting from Meerut I wrote a registered letter to the head-quarter of United Provinces C. I. D., stating that I have to take arms with me without which it is very difficult to catch the political dacoits, the members of P———'s party will never believe me unless they satisfy themselves seeing the arm."

That is the information given to the headquarters of United Provinces C. I. D. through a registered letter and yet the Government say that he left Meerut without the knowledge of the C. I. D. The letter further proceeds—

"After one day of my arrival here, I wired to R. N. Chakervatti, C. I. D. Inspector, to come here immediately."

Yet the Government members would have us believe that he left Meerut without the knowledge of the Meerut police. So far as this statement goes, the Meerut police, we are told denies its correctness. But I am not willing to believe the denial of the Meerut police. We have not been told that these letters are forgeries. Unless it is at least stated that these letters are forgeries, I am not prepared to disbelieve them.

Then, it was said that the Government did not release the man in consequence of any threats given by him. I believe that statement that the Government did not release him as a result of any threats; but that he gave such threats, or at any rate the statement that he gave such threats cannot be denied. In this very letter he says—

"My present circumstances compelled me to disclose every fact before the High Court of Judicature."

The word used here is 'compelled.' It is stated in the beginning of this article by the editor of the *Tribune* that the language of the letter has not been altered. Does this word "compelled" mean that he will be compelled to disclose these things in future or does it mean that he has already made disclosures in his appeal filed in the High Court? He had filed his appeal through Counsel. The Counsel's explanation has been printed. The Counsel says that he learnt for the first time that the man was a C. I. D. informer after the man had been released. Evidently Counsel did not know anything about these disclosures.

The Honourable Mian Sir Fazl-i-Husain : Did the Counsel meet the man after his release?

Chaudhri Zafrullah Khan : The Counsel says that up to the time of his release he did not know that he was a police informer. He probably did not meet the man after his release, but certain persons told him after the release of the man that he was a police informer.

The Honourable Mian Sir Fazl-i-Husain : Did the Counsel and client meet after the latter's release?

Chaudhri Zafrullah Khan : I do not know. Nothing is said in the appeal itself. It is, therefore, clear that what he means is that he would be compelled to disclose every fact before the High Court. I do not suggest that the Government were frightened and therefore released him. He merely makes the allegation in the letter that he would disclose everything.

Then, it was denied that the revolver was supplied to him by the Government. He says in his letter—

"I came here with a revolver which belongs to Government for the sake of Government work and suffering this trouble simply for the sake of Government work. I hope that my case will be considered and expect a real justice from the High Court."

[Chaudhri Zaffarullah Khan.]

I do not wish to cover the same ground as has already been covered by other honourable members with regard to the payments made to him and the things supplied to him. It is denied that these letters reached the addressee. We accept that explanation. But it is not suggested that these allowances were not paid to him as alleged in these letters. The truth of the allegations contained in these letters is not denied. These allegations may be false, but so far it has not been said that they are false, so far it has not been said that these letters were not actually written by him. So far the suggestion of my honourable friend Dr. Narang has not been accepted. The Government has not said that they would follow this matter up to its logical consequences and prove that these letters are forgeries. The Government have not yet said that they would take to task those responsible for the publication of those articles and these forged letters. We are left absolutely in the fog and we do not know what is proposed to be done. So that, my submission with regard to this matter is that, if the matter is so innocent as the Honourable the Finance Member has tried to make us believe, namely, that the man came here with other suspects and he foolishly failed to disclose his identity to or to get into touch with the police here, that the police here made an honest mistake and arrested him; I say, if the matter were only that, then there is not the slightest ground for urging anything against the Government. At the time of his arrest he says he made these disclosures. If he had done so, why did you proceed with the farce of trial? This action of Government cannot, as has been suggested, be compared to their granting a square of land to a police informer. In that case you do not get him convicted in order to show his *bona fides* to the public. Why did you go through this farce? Why did you use the machinery of your courts and abuse the process of your courts for such a purpose? Why did you enact this drama? At the time of his conviction, did you or did you not know that he was a C. I. D. informer of the United Provinces police? If not, then after conviction when he was sent to jail, how did the Government come to know that he was C. I. D. informer of the United Provinces police? If the Government already knew, the question still remains, why did you proceed with the case? After all, these allegations have been made by him. I am willing to believe that the Government are entirely innocent. I am willing to believe that these letters may not have been written by him, or may have been written after he had been released and therefore the Government is entirely innocent of these charges. But what is the result of your investigation with regard to Bannerji? He is very probably still in the employ of the Meerut police. What have you done to him? There may be several of his offences for which he has not yet been tried. You may bring him to book with regard to some of the other offences. You may punish him for his *malafides* in turning round against you after you had released him.

(At this stage, the honourable member's time limit being over, he was asked to discontinue his speech, and he accordingly resumed his seat).

Mr. H. D. Craik (Financial Commissioner): Sir, the honourable member who has just spoken has put the Government certain specific questions,

but in framing them he appears to me to have laboured under two disadvantages. In the first place the honourable member appears to accept as gospel truth anything written in these alleged letters of Bannerji that were published in the *Tribune*. I am not myself so ready to accept these letters as genuine or to accept any statement made in them as true. In the first place if these letters are genuine and were addressed, one to Mr. Thomas, Superintendent of Police at Meerut, and one to Rai Sahib Chuni Lal, it is certainly extraordinary that they should have come into the hands of the *Tribune*. But apart from that there are certain statements in the letters made by Bannerji which are according to our information demonstrably false and I should prefer to see honourable members who are not ready to accept the statements made by the Government members a little less ready to accept the statement made by this double-crossing informer who has given away both his employers and his friends. The second disadvantage under which the honourable member who has just spoken laboured, was that he had not apparently listened carefully to the statement of the Honourable the Finance Member. One of the first questions which he asked was "In what capacity did Bannerji come to the Punjab at all?" Well, Sir, the Honourable the Finance Member has answered that question already. Bannerji came to the Punjab in the capacity of a police informer, employed by the United Provinces police but he failed to get into touch with our police after he came here. We had independent information that an informer was in touch with one suspect of this gang but we had no information that that informer was Bannerji or any information as to his identity at all. We did not discover that Bannerji was a police informer till he was arrested and in police custody. When he said to our police that he was a police informer, we immediately took steps to verify that statement by reference to the police of the United Provinces. That was exactly what the Honourable the Finance Member said. I cannot see any ambiguity about it. Another question which the last speaker asked was why, having ascertained that Bannerji was in fact an informer, did Government go on with this farce of trying him? Well, I should have thought that the honourable member had sufficient imagination to see why. Because we know perfectly well that Bannerji had been arrested in the presence of a man who was suspected to belong to an anarchist gang and that if we let Bannerji go, his life would have been in great danger. We had to give him that protection and we did give it to him.

Chaudhri Zafrullah Khan : You prosecuted him in order to save him?

Mr. H. D. Craik : Yes. (*Hear, hear*). That seems to please the honourable mover very much. Then the honourable member asked why we did not verify the statement made by Bannerji in the letters published in the *Tribune* and find out whether they were true or not. We are not in touch with Bannerji. Does the honourable member suppose that Bannerji is still in police protection here?

Then, Sir, another question which has been raised by more than one speaker has been this : It is a suggestion which has been categorically denied

[Mr. H. D. Craik.]

and it is this, that Government released Bannerji only because he threatened that when his appeal came on for hearing in the High Court he would give the whole case away. Whether he did make any such threat or not, I do not know. There is one reference in one of his letters, an undated one (all his letters are very conveniently undated) in which he asks what he should say in the High Court. You can take that as a veiled threat if you like. But Bannerji was released, I understand, on or about September 20th. His appeal was only presented in the High Court 5 or 6 days before that. It was not due to come on for hearing till October 21st. I am convinced that when the release of Bannerji was decided upon Government was absolutely unaware that any appeal had been filed or that there was any intention of filing an appeal in the High Court. That disposes, I hope finally, of that allegation that Government released him under threats that certain facts would be disclosed in the High Court. Government did not care if the facts were disclosed. When the appeal came on it was stated that the prisoner had been released. I cannot see that there is anything in the part Government has played in this transaction for which it has to apologise or for which it deserves censure, and I cannot see that at any stage in this case Government took any action which any prudent man would not have taken in similar circumstances in regard to his own affairs. We arrested these two men, on whom we were informed that arms would be found. We found arms on the man on whom we did not expect to find them and we had to let the man on whom we did not find the arms go free and to arrest the other. We found the arms concealed—not merely possessed but concealed—and we were bound to prosecute the man. He says, 'I am a police agent paid by the United Provinces police.' We say, 'very well, we will enquire, but in the meanwhile the prosecution will go on.' The prosecution did proceed and we verified his statement and found it was true, but by that time he has been sentenced and sentenced to a very heavy term of imprisonment. Government considered that in the circumstances he was doing the work for which he has actually been hired—I do not say work of a high class, he was a spy—but still it was found that this man was engaged on the work and was being paid for it and was risking his life to a certain extent in doing it. He was doing that work when he was arrested. Now would it have been fair for the Government to keep this man—an agent of the police—in the jail and insist on his serving the term of five years? Obviously not. Very well, then, Government released him. I really cannot see that in any part of this transaction Government has deserved censure or has acted in any way wrongly. I admit that I would not have myself selected a man of Bannerji's mental capacity as a police agent myself, but one cannot always pick and choose. One has to make use of such instruments as are at hand and as far as I can see the only person who acted with any sort of culpable conduct was Bannerji himself. There is nothing for which the Punjab Government or the Punjab Government's agents need be ashamed or deserve to be censured. (*Applause*).

Chudhri Afzal Haq and a few other honourable members: The question may now be put.

Mr. President : The question is : " that the question be now put."

The Council divided : Ayes 20, Noes 34.

Ayes.

Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Pandit Nanak Chand.
Chaudhri Baldev Singh.
Dr. Gopi Chand, Bhargava.
Lala Joti Prasad.
Sardar Buta Singh.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Shaikh Faiz Muhammad.

Chaudhri Duli Chand.
Rana Firoz-ud-Din Khan.
Sardar Narain Singh.
Raizada Hans Raj.
Chaudhri Muhammad Abdul Rahman Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Hari Singh.
Sardar Partap Singh.
Rai Bahadur Lala Dhanpat Rai.

Noes.

Col. C. A. Gill.
Mr. H. D. Craik.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan, Noon.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. C. M. G. Ogilvie.
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. H. M. Cowan.
Mr. H. W. Emerson.
Khan Bahadur Nawab Muzaffar Khan.
Mr. M. M. L. Currie.
Mir Maqbool Mahmood.

Khan Bahadur Captain Sirdar Sikandar Hyat Khan.
Chaudhri Kesar Singh.
Mr. Owen Roberts.
Rai Bahadur Pandit Daulat Ram, Kalia.
Rai Bahadur Lala Rattan Chand.
Khan Sahib Khan Muhammad Saifullah Khan.
Malik Nawab Major Talib Mehdi Khan.
Khan Bahadur Malik Muhammad Amin Khan.
Malik Khan Muhammad Khan, Wagma.
Khan Bahadur Chaudhri Fazl Ali.
Mian Saadullah Khan.
Khan Bahadur Mian Muhammad Hayat, Qureshi.
Sardar Bahadur Capt. Dalpat Singh.
Sardar Bahadur Sardar Sheo Narain Singh.
Mr. E. Maya Das.

The motion was lost.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, Government started by saying that they did not know that Bannerji was an informer. The Honourable Chief Secretary went one step further and admitted that he was an informer. The Honourable Financial Commissioner went one step further and said that they had to save his life. If it is all done to save the life of poor Bannerji, then Sir, why did not the responsible member in charge tell us so straight away, that all this farce was done.

[Shaikh Muhammad Sadiq.]

in order to save that poor innocent man's life? Why all this farce of going through the different speeches? We find the Government going from one step to another, from one stage to another, till we come to the final stage when the Financial Commissioner tells us that they wanted to save the life of that man. Sir, I ask, is the life of a man saved only in jails? Is the British Government losing its authority so much that these informers could not be protected of their lives by the police except by being sent to jails. It is no credit to the system of the Government in this province. This admission coming from a very responsible officer of Government has shattered the prestige of the Government.

Now, Sir, my honourable friend from Sialkot has made some very strong point with regard to the police. He has put a question to the Government and the Government has failed to answer that question and that is, knowing that Bannerji was an informer why should they start the case against him? If he was really an informer then the best thing for them would have been not to proceed with the case. But the fact remains, as alleged by the opposition, the object was not that either the informer should be protected or that the Government did not know that he was an informer. The object was that he should be put in jail for 5 or 6 months and then let off and when he is let off he should be reckoned as a hero of the revolutionary party and then he is to be let loose among the young students in order to hatch some sort of conspiracy.

This is just the conclusion to which any impartial man will arrive. The Honourable Revenue Member smiles. If he remembers the martial law days he would not smile now. In those days even big men were terribly afraid. They had to run to big officers and they were turned out by the officers saying "You are not wanted." Even the High Court Judges were in terror in those days. There is no use of smiling. Now because the Honourable Member is occupying a high position he is smiling.

Mr. President : The honourable member should not make personal references.

Shaikh Muhammad Sadiq : I made this remark simply because the smile was on a wrong occasion. Now, coming to the point, I admit that every Government has a right to employ people to detect crime. But it is not the duty of Government to employ people to start crime. (*Hear, hear*). Who knows that this very Bannerji did not commit the bomb outrage at that *melu*? Why should it be not said that the crime was committed by men like Bannerji? Why should we not say that this is the handiwork of this sort of people? The man admits that he is an informer, he is in possession of a revolver. The Government has not up to this time discovered wherefrom he got the revolver. The Government says that the revolver did not belong to the police. It may be true, but it may belong to an officer of some other department such as the customs, etc. Each revolver bears a number and also the name of the makers. Why is it that Government has not traced wherefrom he got the revolver? The Government has kept quiet on this point. It has not told us to whom the revolver belonged. It simply stated that it did not belong to the police. It says that he had instructions to hand over the revolver to somebody. You

know the famous Campbell case in the England in which a kind of false evidence was concocted. What happened must have been well known to the members of this House. Government should not treat this matter lightly. The funniest thing in this case is this. The poor man who is said to be an informer was punished by imprisonment for five years. If it had been only six months or one year, nothing would have occurred. Because he was sentenced to such a long period, the poor man was afraid that he will have to suffer for a very long time. Naturally he began to write threatening letters to Government. The Government says that it has not seen those letters up to this date. Then, did the Government release him on receipt of a signed petition from him for mercy? or was a recommendation sent by the police to release him? As my honourable friend from Sialkot has pointed out, Government has not given us full facts. The Government ought to have told us whether they released him on receipt of a petition for mercy or on the recommendation of the police. (A voice from the Government benches: On representation from the United Provinces police.) Again an informer comes into the Punjab and meddles with the Punjab affairs without the permission of the Punjab Government or the Punjab Police. What is the matter with the Punjab C. I. D.? Have they been so worthless that they require an informer from the United Provinces to work in the Punjab?

Now, coming again to another question, Government says that Bannarji was released because of his valuable services rendered to the police. Did the Government ascertain what services he had rendered? Is it hatching several conspiracies? Surely the Punjab Government should not have let off a dangerous man who possessed a revolver, a case for which the magistrate had seen fit to punish him with five years' imprisonment.

Again Government says that they had not received the letters referred to in the *Tribune* five or six days ago. Are they, then, forged letters? I ask the Government why it did not call on the Editor of the *Tribune* to explain the whole matter. Surely it was a very easy matter for the Government to have called the Editor to explain.

Finally the question is whether such men are employed for the detection of crime or whether they are employed for the commission of crime. To me it is apparent that it is for the commission of crime. Government does not employ men for detection of crime as alleged by the Chief Secretary and the Honourable the Finance Member. At first it is said that the C.I.D. did not know that he was an informer. The C. I. D. admitted later on that he was an informer. How could a man be sent from the United Provinces to work in the Punjab without the knowledge of the Punjab police? I do not for one moment say that the Honourable the Finance Member or even the Chief Secretary was a party to hatching the conspiracy. Certainly not. I will never say for one moment that Government members themselves were concerned in that. But, the fact is this, that the Government had come to know that Bannarji had come to this province to hatch a conspiracy and knowing that, instead of letting him remain in jail which was the proper place for him they let him off.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural], (Urdu): Sir, after listening to the speeches made by the various Government

[Sardar Harbakhsh Singh.]

members I have come to the conclusion that the conduct of the Government in the matter of Bannerji was not above reproach and merits the wholesale condemnation of this Council. But what astonishes me most is the fact that the Government instead of making a clean breast of its sin, has, however, tried to white wash it, and in doing so it has been out-heroding Herod. The '*Tribune*' has revealed a black spot on the Government which has grown blacker still in their attempt to whitewash it. In this connection I am reminded of a story of the Sikh period in the Punjab from which we could compare these times to those and find out a preference. There were perhaps no prisons in those days and offenders were generally chastised and restrained by means of a *Kath*. The story goes that whenever an innocent wayfarer was ordered to be put in the stock (*kath*) and the poor victim asked why he was put to that trouble as he had done no wrong the Sardar would plainly tell him that if he did not choose to commit a crime or a sin for the whole of his life he could not keep his *kath* unoccupied which was already lying vacant since some days. This story is often quoted to describe the high handedness of the old rulers, but even if it be true, it is less condemnable than the conduct of the Government in Bannerji's case, because the former at least possessed one redeeming feature that the innocent sufferer was told the truth and no effort was ever made to conceal it. But our Government who boasts of its civilization has not even the courage to acknowledge its fault. If this, Sir, be the civilization, God forbid that we follow it.

Sir, there can be no gainsaying the fact that informers are indispensable for the detection of crimes, but in the case of Bannerji we find that he was not engaged to detect crimes but to commit crimes and justify the existence of C.I.D. by betraying his supposed comrades. Such persons are really devils let loose to wean the noble souls from the path of righteousness and virtue. The Government would say that it had no concern with the alleged informer, but Sir, can this fact be denied that the police had information of his identity and that the police, and the Government are not two different things. The master is always liable for the acts of his servant. It is on account of such diabolical acts of the Government that Mahtama Gandhi was, I think, constrained to call this Government a Satanic Government and there is no wonder if people begin to agree with him on this point after revelations like the present one. The most shameful thing is that the pen of the Government has come into motion to procure a release of the man after he had served his sentence for about three months only.

(At this stage two hours having elapsed since the commencement of the discussion on the motion the debate automatically terminated.)

The Council then adjourned till 9 A.M. on Friday, the 11th May 1928.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE THIRD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 11th May 1928.

THE Council met at the Council Chamber at nine of the Clock. Mr. President in the Chair.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Mr. President : The Council will now resume consideration of the Punjab Land Revenue (Amendment) Bill.

Clause under consideration, amendment moved :

"That in clause 9, section 53-A, proviso (iii) shall be omitted."

The question is that that amendment be made.

Rana Firoz-ud-Din Khan : It was decided on the last occasion yesterday when this amendment was under consideration, that the two portions will be voted upon separately.

The Honourable Mian Sir Fazl-i-Husain : That was if the second one were moved.

Mr. President : Amendment No. 9¹ in the agenda paper was not moved by the honourable member in whose name it stands and no one else has given notice of an identical amendment. Therefore, the only amendment now before the House is No. 8. Mr. Labh Singh has given notice of an amendment, but he is not here. So the only amendment before the House is amendment No. 8.

Rana Firoz-ud-Din Khan : The Honourable the Revenue Member suggested.....

Mr. President : The Honourable Revenue Member suggested nothing. He was prepared to accept an amendment which has not been moved.

Clause under consideration, amendment moved :

"That in clause 9, section 53-A, proviso (iii) shall be omitted."

The question is that that amendment be made.

The motion was lost.

Mr. President : The question is :

"That clause 9 stand part of the Bill."

The motion was carried.

Mr. President : The question is :

"That clauses 10, 11, 12 and 13 stand part of the Bill."

The motion was carried.

¹ "That in clause 9, section 53-A. (2), (iii), delete the concluding words beginning from 'or apply to area.'"

Mr. President : The question is :

"That clause 14 stand part of the Bill."

The motion was carried.

Mr. President : The question is :

"That clauses 15 and 16 stand part of the Bill."

The motion was carried.

Mr. President : Now the postponed clause, that is, clause 7, will be taken into consideration. The objection taken by the Honourable Revenue Member that this Council has no power to pass legislation which will give powers of appeal to the High Court is valid. Therefore, the amendment¹ tabled by Sayed Muhammad Hussain cannot be allowed to be moved.

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

"That in clause 7, in the proposed sub-section (3) of section 51, the words "one-third" occurring at the end be replaced by the words "one-fifth."

Sir, the object of the Government in incorporating sub-section (3) in the Bill, seems to be that the average rate of incidence on the cultivated area of the land revenue imposed on any assessment circle forming part of any area notified under sub-section (1) of the section 49, shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-third. But in moving this amendment my object is that the rate of the incidence of land revenue imposed at the last previous assessment shall not exceed by one-fifth. Sir, whenever the question of reduction has been brought forward in the Council, the Government has invariably trotted out the excuse that reduction is dependent upon the concurrence of the Government of India and the Secretary of State for India and unless their sanction is not available however much the Government may desire to accede to the unanimous wish of the Council, it is helpless in this matter. But fortunately, Sir, the reduction asked for in my amendment does not involve the necessity of getting the sanction or approval of the Government of India or the Secretary of State for India and the whole matter rests with the Punjab Government and I trust that in the interests of its people it would readily accept their genuine request.

Sir, as my amendment is liable to be misunderstood, I should like to explain and elucidate it. Some honourable members may be under the impression that the meaning of this sub-section is that increase in the gross land revenue of any assessment circle shall not exceed by one-third. Sir, if this were so, it would not have been so much objectionable and detrimental to the vital interests of the zamindars because in the meanwhile if the land under cultivation had increased by one-half or even doubled, the zamindars would have readily been able to pay the enhanced land-revenue. But the real significance of the proposed sub-section is quite different from it; it means that suppose land revenue is one rupee on every acre of land; in the next assessment it would be four rupees per acre.

¹ "That in clause 7 (1) (i) add :—

"Subject to the right of appeal given by section 58 the order under this sub-section will also be appealable to High Court on a point of law."

In short, assessment circle is not taken into consideration but individual holdings and areas. Since this is a very important point, I hope the honourable members would keep it in view while giving votes for or against the amendment. Some honourable members may ask me in this connection, that if my amendment is carried, there would be an enormous loss to the Government exchequer and how I would propose to make it good. Sir, in view of the explanation given by me just now, no such eventuality is likely to arise and the Government and its supporters should therefore have no worry about it. Sir, I have very cogent reasons in putting forth this amendment, and the most important of them is, that in case of those areas of lands which have already undergone three settlements, increase in the "nett assets" is possible only if the price of the produce is increased. Now the question to be considered is whether such increase in the price of produce is likely to take place in the near or distant future? For from all appearances, Sir, such eventuality is not likely to arise but the probability is that there would be decrease in the produce of lands situated in old areas inasmuch as the productive power of lands in these areas has very much decreased from long use and application. Under these circumstances, I would most respectfully submit, Sir, that there seems to be no reason why increase in land revenue should be fixed at one-third and not at one-fifth as proposed in the amendments. Sir, in this connection I would like to draw the attention of the Government and the House to another important point. The Government while assessing land revenue take too much notice of such things as increase in the produce, increase in the value of produce and other similar things which would help it in assessing maximum land revenue, but it does not care to take notice of matters which tend to increase the expenditure of the zamindars, i.e., increase in the price of cattle or seed, etc. Moreover, it is a well-known fact, and I believe that every honourable member of this House would be conversant with it, that rate of labour has so much increased that very little is left to the zamindar after paying wages to labourers. And, again, when once wages are increased, no earthly power can reduce them or bring them to the previous level, although, the temporary cause that brought about the increase may vanish. The condition of the prices before war time and during the war time and after the termination of the Great War is a very apt illustration of this assertion.

Sir, as increase in the "nett assets" is possible only if increase in price of produce takes place and as such eventually is not like to come off in the near future and as expenses of cultivation have enormously increased since the war and other factors are at work to reduce the income of zamindars, it would be most proper and equitable if my amendment is accepted by the Council. With these observations I commend my amendment for the favourable consideration of the House.

Mr. President : Clause under consideration amendment moved—

"That in clause 7 in the proposed sub-section (3) of section 51, the words 'one-third' occurring at the end be replaced by the words 'one-fifth.'"

The question is that that amendment be made.

Rana Firoz-ud-Din Khan : [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move—

"That in clause 7, section 51, sub-section (3), the words 'one-fourth' shall be substituted for the words 'one-third'."

Sir, I do not propose to inflict a lengthy speech on the House, inasmuch as most of the arguments that I wanted to give in support of my amendment have already been advanced by my learned friend Chaudhri Chhotu Ram while proposing his own amendment and I would, therefore, content myself with drawing the attention of the Government and the House to a few points only.

Sir, my first submission is that the question of the rate of enhancement of land revenue is the most important thing in the Bill and it has closest bearing on the zamindars. It is true, Sir, that clause (4) of the Bill dealing with the measure of incidence of land taxation is also very important, but as the Chief Secretary in the course of the debate on clause 4 remarked fixing of measure of incidence of land revenue at a low rate would not conduce much to the well being of the zamindars because the question of ascertaining the "nett-assets," which is the basis of land revenue, would rest solely in the hands of assessing officers, which would be great or small, according to the tendencies of those officers. In view of this consideration I submit, Sir, that the entire welfare of the zamindars rests on the rate of enhancement and the Government would earn the gratitude of the zamindars if it fixed it at 25 per cent. of the "nett assets." Sir, another reason why I move this amendment is that when the Council has decided to fix the measure of incidence of land taxation at 25 per cent., of the "nett assets" why not, in the interests of uniformity, the rate of enhancement be fixed at one-fourth.

Sir, it would not be out of place if I discuss in this connection what the effect of this sub-section would be on the zamindars. Sir, anybody who has even a nodding acquaintance with the conditions obtaining in the province would readily endorse my views that the Punjab is a land of petty peasant proprietors, and their holdings are very small and produce limited. According to Mr. Darling, as stated by him in "The Punjab Peasant," their holdings hardly averages about 5 acres each. Under these circumstances, would it be possible for these zamindars to conform to the provisions contained in sub-section (3) and would it conduce to their benefit and would it be possible for them to pay if the rate of enhancement is fixed at one-third? The answer clearly is an emphatic "No." I, therefore, trust, Sir, that the Government which expressed its concern and sympathy with petty zamindars, when my amendment re the exemption of small holdings from the payment of land revenue was being discussed, would translate its sympathy into practice and this is the most opportune time for the same.

Sir, there is one more point deserving close and serious attention in this connection. The prices of land produce are standardised and there is no likelihood unless extraordinary and abnormal conditions like those prevailing in 1914-1919 come into existence, that there may be any appreciable increase in them. And in areas which have already undergone three settlements and are

fully developed, the productive powers of land are virtually exhausted and there seems to be no prospect that yield from these lands would increase, but there is a likelihood that it may decrease. Under these conditions when there are no prospects of increase in the produce of lands nor any chance of rise in prices in the near future which is the sole factor on the basis of which rate of enhancement can be justifiably raised, would it be fair to fix the rate of enhancement at one-third as proposed in the Bill? Again, there is another point. In *barani* tracts, e.g., Hoshiarpur, etc., lands do not produce enough to supply the needs of their residents and eatables are imported from outside. If in their case the price of land produce is even increased, it would not obviously be of any help to them but would rather affect them adversely because they would have to pay more than before, on the imported articles. Again, Sir, during the Great War and even some time after it, the prices were high. But the revenue department during settlement operations of 12 districts which took place in the meantime fixed the measure of incidence of land revenue on the basis of those high prices, but now they are considerably low but the zamindars have to pay on that standard. If, under these circumstances the rate of enhancement of land revenue is fixed as high as proposed in the sub-section (3) the zamindars would be utterly ruined. Sir, hitherto there was no statutory provision for fixing the period of assessment, although it was generally fixed between 20 to 30 years. Now the Government has decided to fix 40 years as the normal period of assessment. Students of human psychology know that when any statutory limit is fixed for any taxation, the assessing officer has the natural tendency to be as exacting as possible, and collect the maximum taxation. Now that this statutory limit is fixed for land revenue the assessing officers would naturally be very exacting. The Government itself has acknowledged this fact in the Statement of Objects and Reasons. "One effect of the longer term of assessment will be that the revenue enhancements must be larger than they would probably have been had the term of assessment been shorter. Government realizes that the effect of a sudden large enhancement of revenue is likely to cause hardships and the amount by which the assessment can be increased should not, therefore, be left entirely to the judgment of executive officers but should be limited by the law."

Another consideration demanding low rate of enhancement in the land revenue is the fact that the proposed limit has never been exceeded in the past as the Government itself admits in the Statement of Objects and Reasons: "Accordingly the Bill limits the enhancement that may be taken at reassessment at one-third." Now when we are codifying existing practice we should, I submit, Sir, take a lenient view of the thing for the reasons stated above.

Last but not the least, if the proposed sub-section is accepted by the House it would involve greater hardships to estates than assessment circles and still greater hardships to holdings. In view of all these considerations, I respectfully submit, Sir, that my amendment be accepted by the Government.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, sub-section (3), the words 'one-fourth' shall be substituted for the words 'one-third'."

[Mr. President.]

The question is that that amendment be made.

Now both the amendments, the amendment of Rai Sahib Chaudhri Chhotu Ram and Rana Firoz-ud-Din Khan will be discussed together.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, I oppose both the amendments but I shall say only a few words in doing so. The last speaker made, to my mind, very remarkable statement. He said that prices have become standardised, and that there was no great probability that they will vary in the years to come. I do not know how far the honourable member has studied the economic position of the world. But I have done to some extent, and entirely disagree with him. If, say, in 1883 when wheat was selling at Re. 1-4-0 a maund and other food grains at even less than a rupee a maund Government had adopted the view held by the Honourable Member (and they would have had equal justification for doing so), they would have lost an immense amount of money. As I said yesterday, this Council is ever asking for increased expenditure: but Government cannot incur this increased expenditure unless this House provides the means of doing so. Finally, I wish to assure the Council that in deciding the assessments of districts such as those the last speaker referred to, that is, districts of particularly small holdings, or purely *barani* districts, Government is extremely careful to see how far a mere rise in prices justifies an increase of assessment. I have just been dealing with the assessment report of the Mianwali District. Although prices have risen over 35 per cent. the increase in assessment which I am proposing is very much less. I agree with the last speaker that when dealing with such districts as those I have mentioned a policy which may be suitably applied to canal colonies is unsuitable. But I cannot accept either of the amendments proposed.

Chaudhri Duli Chand [Karnal (Non-Muhammadan) Rural], (Urdu): Sir, even a lay man who has carefully studied the provisions of the Bill, would readily endorse my views that clause 4 dealing with the measure of incidence of land taxation and clause 7 dealing with the rate of enhancement of land revenue are the most important parts of the Bill and the welfare of zamindars solely rests on them. Hitherto, there was a statutory provision according to which the incidence of land taxation was fixed at 50 per cent. of the "nett assets," but actual collection of land revenue hardly exceeded 30 per cent. The Government taking advantage from the past experience accordingly fixed the measure of incidence of land taxation at 33 per cent. of the "nett assets" in the Bill. But this Council, in view of the appalling poverty of the zamindars, did not agree with the Government on this matter and proposed that land revenue should in no case exceed 25 per cent. of "nett assets" and I am glad to observe that at last wiser counsels prevailed and this proposal was carried. For the same reason, i.e., poverty and indigence of zamindars, the amendment to the effect that rate of enhancement of land revenue should be fixed at one fourth of the previous rate of land revenue instead of one-third as proposed in the Bill has been moved. I trust, Sir, that the Council will unanimously support the amendment, because if it is not carried it would involve great hardships to the zamindars and would prove very detrimental to their vital interests. Agriculture is the only occupa-

tion and means of living of the zamindars, but income from it has so much dwindled down that it has now ceased to be a profitable occupation and even in the demonstration farms opened by the Government, where most improved scientific implements are used and other facilities are available, the result is similar. If a person invests ten thousands rupees in Central Co-operative Bank at $6\frac{1}{2}$ per cent. his income therefrom would amount to Rs. 650 per annum and if he gives out this sum on interest in the villages at the rate of one pie per rupee, his income would be Rs. 1,875 per annum, but if he invests the same amount in agriculture and buys half a square of land, his income would hardly be beyond 800 rupees, which would not be sufficient for the support of his family.

Now, Sir, the question might be put, when agriculture has ceased to be a profitable occupation why do zamindars stick to it? Sir, the answer is a simple one. The zamindars are very poor and illiterate; they know no other profession except agriculture and therefore they stick to it.

Sir, another danger is facing the zamindars. Science has now-a-days made very rapid progress; new machinery and implements are being invented but though they help a great deal in production, their prices are so very exorbitant that barring a few solitary exceptions, no zamindar in the province can afford to buy them, while on the other hand, the zamindars of other countries are well off; they can afford to buy these things and are buying them, and in a very short time the result would be that they will be able to produce more and sell at lower prices than the zamindars of our province, who would therefore naturally dispose of their small holdings and would become tenants or resort to other means, because it would not pay them to cultivate.

I would, therefore, request the Government that it should kindly try to improve the lot of zamindars and enable them to buy machinery for agriculture, so that they may be able to compete with their rivals, and, I think, the best way to achieve this object is to lower down the rate of enhancement of land revenue to 25 per cent. as proposed in the amendment.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, I have risen to support the amendment moved by my learned friend Rana Firoz-ud-Din Khan, which asks the Government to reduce the rate of enhancement of land revenue from one-third to one-fourth. Sir, the honourable members who were present or have read the newspapers, would be aware of the fact that only two or three days ago, this Council passed the amendment fixing the land revenue at one-fourth of the "nett-assets". In the interests of similarity

10 A. M. and because of the greater importance of the rate of enhancement of land revenue, which has a very close bearing on the zamindars, I would request the Government, Sir, that it should kindly fix at one-fourth.

Sir, in this connection, I will discuss briefly the effects on the zamindars in case the amendment is not carried. Our province can be roughly divided into three classes, (a) areas under canal irrigation, (b) areas irrigated by means of well and rain water, and (c) areas that are likely to be irrigated by canals in the near future.

As regards (a), I beg to submit, Sir, that the conditions of the people inhabiting these areas are very miserable. Water-logging and the rise

[Sayad Muhammad Husain.]

of sub-soil water, have very much reduced the produce of lands, with the result that those areas which only recently greeted the eyes with fertile and green fields and the zamindars of these districts who looked like nabobs and had motors to convey them, have now fallen on evil days; and they have not enough to defray the wages of labourers and are, therefore, giving up their motors.

Now come those areas which have no canals to irrigate them but depend solely on rain water. Since the success of their crops mainly depends on factors beyond their control, i.e., rain fall, etc., they have become fatalists. They plough the lands, sprinkle seeds and sit waiting for rain. If the rain once fails them, their plight becomes most deplorable. They are already immersed in debt, but with the failing of crops, they have to borrow at exorbitant rates from *sahukars* to pay land revenue. The result is that for many years to come, and even for their life time, they are never free from the clutches of *sahukars* and can hardly eke out a precarious living.

Last comes those areas of land which are likely to be irrigated by canals in the near future. There are projects and as soon as they are finished there would be plenty of canals in them. But our far-sighted Government has already provided and arranged for such an eventuality.

Sir, it would be apparent from the above, that the zamindars of none of these areas, as detailed above, are in a prosperous and a flourishing condition, but on the other hand their condition is very deplorable and if the Government helped them a little, its generosity will not be misplaced. If, however, the proposed rate of enhancement of land revenue is accepted by this Council the result would be very very serious; the zamindars who are already very poor would be rendered simply destitute and would not be able to pay the Government dues. But I trust, Sir, that the Government in view of their glorious services in the last great war and in view of their readiness to shed their life blood in case again such an eventuality arises, would not leave them in the lurch, but very kindly lower down the rate of enhancement of land revenue. This in short, Sir, would be the economic effect of the proposed sub-section.

Now I will discuss briefly the moral effects on the zamindars in case the proposed sub-section is given effect to. Sir, it is a well-known fact that the rate of land revenue is generally fixed on the average produce of land for the few previous years. Now, Sir, when the zamindars know that if they spend more labour on their fields and produce more than before, one-third more will be taken from them than the previous amount of land revenue, the result would be that they would not labour to their maximum capacity and refuse to produce to the maximum limit, but on the other hand, do everything possible to minimise the share of the Government and this would not help in improving their morality but rather would act otherwise. It would make them idle and fraudulent.

In conclusion, Sir, I will discuss briefly the political aspect of this proposal. If the rate of enhancement of land revenue is not lowered, as proposed in the amendment, the result would be that there would be a widespread disaffection in the province and non-co-operation movement will receive an impetus. If, however, the amendment is carried, the

non-co-operation would receive a great set-back and the people would readily welcome and help the Simon Commission in its labours. I trust, Sir, that the Government would not disappoint the zamindars this time but accede to their unanimous request. With these remarks, I extend my heartiest support to the amendment.

Mr. H. W. Emerson (Chief Secretary): I think that everyone on the official benches admits that if conditions of agriculture remain stable an enhancement of 33 per cent. would certainly be as high as Government could reasonably expect to take and higher than what it would in nine cases out of ten take. I think the zamindars may be assured whether this Bill becomes law or not, that the same policy of moderation in land revenue assessments will be pursued by Government as in the past. I say in nine cases out of ten the clause will give reasonable enhancement to Government. In the tenth case the result of clause 7 of the Bill may be that there will be no enhancement at all where a reasonable enhancement ought obviously to be taken. This may appear to be contradictory to the intention of the Bill since the clause provides for enhancement of 33½ per cent., but I will give you an illustration of such a case. I will take the same tahsil and assessment circle that I took the other day. What has happened in that tahsil is this. Previous to the construction of the Sutlej Valley Project that tahsil was dependent for its irrigation on the inundation canals. Anybody who knows anything about inundation canals will know that a large area is cultivated, but that each year a comparatively small proportion of that area is sown and a still smaller proportion of that area is cropped. In this particular tahsil about 75 per cent. of the cultivated area is cropped each year. The rate on the cropped area is Re. 1-8-0 per acre. On the cultivated area it is, therefore, only Re. 1-2-0 per acre. The clause as it now stands will allow the Government to enhance it roughly by one-third. That will allow Government to bring the assessment up to Re. 1-8-0 per cultivated acre only. In the meantime, perennial irrigation will have been substituted for non-perennial. The immediate effect of that substitution will be a complete change in the system of cropping. At present very little cotton can be grown. In future the chief crop in the *kharif* will be cotton and probably American cotton. A certain amount of rice will be grown, and some sugarcane. These three crops will replace bajra and other cheaper varieties of grain. Also, because of the more secure supply of water the amount of area actually sown and matured in the two harvests will be much in excess of what it is now. In fact it is almost certain to be cent. per cent. of the cultivated area. The maximum new assessment will be Re. 1-8-0 per cultivated acre and the rate per cropped area will be also Re. 1-8-0, that is to say exactly the same as it is now, although Government will have given perennial irrigation to that area at very great expense. It will have enabled the zamindars to substitute more valuable crops for less valuable ones and yet even by the clause as it stands, Government will be prevented from having any increase of land revenue at all from that crop. That is, as I say, one instance in which this clause will operate with extreme, almost astounding, generosity. To take the general case. Honourable members assume—and in so assuming they pay a poor compliment to the energy and enterprise and progressive spirit of the class to which they belong, the zamindar class—that agriculture is going to remain stable, that there is going to be no im-

[Mr. H. W. Emerson.]

provement either in the system of cropping or in the yields which you get from your crops. I am quite sure that when the report of the Royal Commission on Agriculture is published, the members of that commission will not agree that the limit of production from the land has been reached in India. On the other hand I am perfectly certain that they will say that India has immense potentialities for increasing its production and they will make recommendations and suggestions which, if followed, will go a very long way towards the improvement of the condition of the zamindars. I will give you a practical illustration of what can be done. Two years ago I had to study certain figures in connection with agricultural production. In the year 1924 the extra value of crops due to discoveries by the agricultural department such as the substitution of American cotton for desi cotton and the propagation of certain improved varieties of wheat added four crores of rupees to the wealth of the province.

Those discoveries, generally speaking, have been confined in their applications to certain of the canal colonies. My own calculation was that even if the agricultural department discovered no new and better variety of seed, and even if they continued to confine their experiments to wheat and cotton, nevertheless by applying their discoveries to the whole of the province instead of to a comparatively small area of it an additional sum of eleven crores of rupees would be added to the wealth of the Punjab. That is to say fifteen crores, would on the whole, be added to the annual value of the agricultural produce. The fact of the matter is that we do not know and we cannot guess the limits of agricultural research. It seems in the nature of an impertinence on our part to look 40 years ahead and to assume that there is going to be no change in prices, no change in crops, that the old level of production is going to remain and that the zamindar will always have to meet the land revenue demand out of the same resources as he now possesses. Knowing how progressive the zamindars are, how ready they are to adopt any suggestion which will add to their profits, I cannot believe that this is going to be the case. From the point of view of the Council, especially from the point of view of your successors who will in all probability have a much larger voice in matters of this sort than you have, it seems to me a mistake to tie their hands by now fixing by legislation the amount of the enhancement at a low figure, regardless of the improvements and the changes there may be in agricultural economy. The Government has consented to my mind at considerable risk to limit the enhancement to 33½ per cent. It is unreasonable for you to ask that it should consent to limit it still further. With these words, I oppose the amendment.

Sardar Hira Singh [Lahore (Sikh), Rural] (Urdu) : Sir, I extend my heartiest support to the amendment moved by my honourable friend Rana Firoz-ud-Din Khan. Government would be justified in increasing the land revenue if there is an increase in the produce or if there is a rise in the price of the produce. Now as regards the first, there is very little hope that there would be any increase in the produce of *barani* lands. These lands as you know, Sir, depend entirely upon rainfall. If there is plenty of rainfall, there would be enough produce to fetch a price which would enable

the cultivator to pay the Government dues and to keep the wolf from his door. If, however, the rains fail, the cultivator hardly gets enough to keep body and soul together, and has to borrow money from the money-lender to pay the Government dues. As regards *nahri* lands, their power of bearing crops is daily deteriorating. If they are ploughed rather deeply it is possible that there may be an increase in the produce of the soil, but generally these lands are producing just enough to enable the cultivators to meet the Government demand. In short, there is little hope of an increase in the produce of the land, whether it is *barani* or *nahri*, and from this it follows that it would not be justifiable on the part of Government to increase the rate of the incidence of land revenue by more than 25 per cent.

Now I come to the second point. If there is an increase in the price of the produce of the land, there would be a justification for Government to increase the rate of incidence of land revenue. It is a fact that during the war time the prices of grains of all kinds went up to an unprecedented extent, and that the zamindars benefited by the same. But now, Sir, this rise in prices is proving a source of great loss, because the wages of labour rises with the rise in prices. The level of prices has come down but the wages of labour are still at their warlevel. Labourers who were paid only annas 4 before the war have got to be paid now annas 12. The cobblers, carpenters and iron-smiths, whose services could be had for next to nothing, now want to be paid Rs. 2 per diem, so that whatever profit is obtained from a rise in the prices is swallowed up by the high wages of labour. This goes to prove that there is hardly any justification for an increase in the incidence of land revenue. The hands of the settlement officer should be tied. Every settlement officer in order to win the good graces of the Government tries to fix the enhancement at the maximum. The prices of agricultural produce have gone down. The cultivators are not getting enough to pay for the means of their livelihood. A bullock which could formerly be had for Rs. 60 now costs Rs. 200. Where are the cultivators to get money from for the payment of land revenue? It is the bounden duty of Government to treat the zamindars more sympathetically. It ought not to demand more than 25 per cent. lest the zamindars should resort to undesirable methods. The zamindars want security from occasional enhancements. Under the present circumstances if the cultivators make their lands more fertile, the addition in their income is taken away by Government, and it is, therefore, inevitable that they should produce only so much as would suffice for their modest wants. With these words, Sir, I support this amendment.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan), Rural] (Urdu) : Sir, it has often been said in this Council that whenever there is a proposal to enhance taxation, the zamindar members of the Council always raise a hue and cry against it. But so far as this Bill is concerned, the members of the zamindar party have adopted an attitude which, in my opinion, is commendable. They have not supported a single amendment which may be termed useless or impracticable. The amendment moved by the honourable mover is, in my opinion, a very useful one, and deserves the support of all sections of the House. An increase in the rate of incidence of the land revenue would be justifiable if the prices

[Khan Bahadur Mian Muhammad Hayat, Qureshi.]
of agricultural produce were to go up. During the war there was an increase in the prices of agricultural produce, but the Government has already taken a share of the increased income of the land-owners at the time of various settlements. And if we add to it the increased rate of wages of labour there is very little left for the land-owner. The Financial Commissioner was pleased to remark in the course of his speech that in *barani ilaqas* there are no prospects of an increase in the produce of the land, but I wish to tell him that not only are there no prospects of an increase in the produce of land in *barani ilaqas*, but that the old *nahri ilaqas* like Sargodha and Lyallpur are also in the same position. There may be some prospects of an increase in areas where canal irrigation is going to be introduced in the near future, or it may happen in the case of urban assessment circles, but these are, I submit, Sir, exceptions, and moreover no limit has been fixed for such *ilaqas*.

Then, Sir, I wish to submit that if the people were certain that the limit of enhancement would not exceed 25 per cent., they would introduce improvements in their lands and carry on their work of cultivation more satisfactorily. There is one more point to which I wish to draw the attention of the Council, and it is this. The fertility of the soil is decreasing. The number of small holdings is increasing on account of the increasing population of the province, and in view of these facts also the zamindars are deserving of the proposed concession.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) :
Sir, the detailed speeches that have been made on the two amendments under consideration have dealt with matters which were not quite relevant to the debate and it would, therefore, be utterly useless for me to attempt to controvert the different arguments put forward by different speakers. Sir, I have not got up to deliver a speech on the general condition of the zamindars of the province, nor is it my purpose to prove or disprove that the zamindars of this province are poor or otherwise. If it is supposed that the clause under consideration relates to the rate of incidence of the land revenue, then the question arises how far this rate shall exceed the rate of incidence of the land revenue at the last previous settlement. If it is supposed that the rates of incidence of the land revenue shall vary according to the rise or fall in prices, it would be rather unsafe to say what would be the level of prices ten, twenty or a hundred-and-twenty years hence, and consequently it cannot be stated with any amount of certainty that the rate of incidence of the land revenue should be fixed at one-fifth or one-fourth or one-third. One cannot be sure as to what rate would be right and what rate would be wrong. Supposing that a settlement was taken in hand in the year 1900. The price of wheat in that year was Rs. 2, annas 8, and it is evident that, taking into consideration the price of wheat in the ten or fifteen preceding years the average price of wheat taken for purposes of settlement could not have exceeded Rs. 2, and it is also evident that if another settlement is taken in hand it would be perfectly just to fix the average price of wheat at Rs. 2, annas 10, owing to the rise in the price of wheat.

The progress and well-being of the agricultural classes not only consists in taking measures for reducing the burden of land revenue but also depends upon providing them with means whereby they can increase their income.

As regards the two amendments under consideration, all that I can say is that the one relating to an increase of one-fifth is not acceptable to Government, and that if it is allowed to form part of the Bill it is sure to put insurmountable obstacles in the way of Government recommending the Bill for assent. The other amendment relating to an increase of one-fourth is not so very bad as the previous one, but in view of the existing circumstances, I am constrained to say that this too would prove a stumbling block in the way of Government which cannot accept it.

(Voices : The question may now be put.)

Mr. President : The question is that the question be now put.
The motion was carried.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, the arguments advanced against my amendment are not so weighty as to require a reply from me. The Honourable Financial Commissioner, however, made one remark in the course of his speech which requires a little elucidation and I shall now proceed to deal with it. He agreed with me as far as the condition of *barani* areas is concerned, but as regards the canal colonies he was pleased to remark that they are much better off. I am afraid I cannot agree with him. When the lands in the canal colonies were first brought under cultivation, there was no dearth of water and consequently the produce of the land was also very great. In the year 1914, owing to the outbreak of war, the prices of agricultural produce rose to an unprecedented extent, and the proprietors of lands in colony areas made heaps of money. But now the conditions have changed. The productive power of the land is on the decrease. The amount of water-supply is also no longer the same, it has been curtailed to a very large extent. During the past four or five years thousands of acres of land have been brought under cultivation but there has been no corresponding increase in the supply of water. The result is, as I have already stated, that water-supply has had to be curtailed ; and it is on account of this that during the past two years the crops in canal irrigated areas have failed to produce as much as they used to produce in the preceding years. In Lyallpur on the Jhang Branch canal area the produce of the land has hardly been 25 per cent. of their former produce. The well-being of the agricultural classes is now a thing of the past, and it would not be desirable to fix the assessment on this supposed well-being of the zamindars.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, in the proposed sub-section (3) of section 51, the words 'one-third' occurring at the end be replaced by the words 'one-fifth'."

The question is that that amendment be made.

The motion was lost.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, sub-section (3), the words 'one-fourth' shall be substituted for the words 'one-third'."

The question is that that amendment be made.

The motion was carried.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General) (Urdu): Sir, I beg to move—

“That in clause 7, section 51 (3), after ‘one-third’ add ‘and on any estate by more than two-thirds.’”

Sir, my amendment proposes that where a maximum limit has been fixed for the assessment circles, limit should also be fixed for single villages. No village should be assessed at more than two-thirds of the previous assessment. This maximum limit will leave enough scope for showing leniency to poorer and less prosperous villages. This fixing of a limit is not a new procedure. When I first suggested it at a meeting of the select committee, objection was raised that this would be an innovation and would place an unnecessary check on the powers of the settlement officer. But since then I have made enquiries from other provinces and I find that a similar procedure is already being followed in more than one province. In Bombay though there is no statutory limit fixed, yet there is a long accepted convention whereby a limit of 66 per cent. is never exceeded. In the Central Provinces too there is a limit. In Bombay there is a maximum limit of enhancement even for holdings. But fixation of limit for holdings in the Punjab may create some difficulties, therefore, I have suggested no limit for holdings. Revenue in holdings is settled by internal distribution. I, therefore, hope that the honourable members will accept this suggestion, which is reasonable both from the point of view of the Government and the people.

It has been often stated that zamindars have to look up to the Government officers for many things and that they are dependent on them to a very large extent. One reason is that a settlement officer has the power to show favours or disfavours on a particular village.....

Sayad Muhammad Husain : And you have had an experience of this.

Diwan Bahadur Raja Narendra Nath : You do not talk of me. I really have been always treated specially by these gentlemen. But I was not talking of myself. I was talking of the people at large. I have been hearing in this Council demands for a permanent settlement of the province, and though my amendment is not as good as permanent settlement, it is at least a very near approach to it, in fact as near an approach as can be under the circumstances. Under this a land-owner can see for at least a hundred years what his total *jama* will be. If the powers of the Government in a certain matter are codified and given a specific form, the people can see and understand them and the Government and the people are in a better position to visualise their future. It may be taken that this limit of 66 per cent. is a bit excessive. But I submit that poorer villages should receive full benefit of the limit fixed for an assessment circle. For this reason the amendment should be acceptable to everyone.

Mr. President : Before I put this amendment from the chair, I would like to be satisfied that it is in no way inconsistent with or covered by the clause which the House has already agreed to.

Diwan Bahadur Raja Narendra Nath (Urdu): The amendment that has been adopted refers to assessment circles but I refer in my amendment to individual villages.

Mr. President : May I invite the attention of the honourable member to sub-clause (i) wherein the word 'estate' is specifically mentioned. It runs—

'After consideration of the proposals submitted by the Revenue officer under the provisions of section 50, the local Government the Revenue officer shall make an order determining the assessment proper for each estate concerned.....'

So the word 'estate' is there. Again, in clause (iii) the words 'any area' may cover an estate.

The Honourable Mian Sir Fazl-i-Husain : The reason why you are not quite clear is this. You are looking at the wrong place. If you look at 7 (iii) (3), last line, you will find that this proviso that the Raja Sahib wishes to introduce comes after the words 'one-third' which is now changed into 'one-fourth'.

Mr. President : If the Honourable Member in charge of the bill thinks that there is no inconsistency or overlapping, I have nothing to say. Clause under consideration, amendment moved—

"That in clause 7, section 51 (3), after 'one-third' add 'and on any estate by more than two-thirds'."

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain : This amendment is very nearly the same as another amendment. Would it not be better if both of them are taken up together?

Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move—

"That instead of Raja Narendra Nath's wording of the amendment, the following amendment be adopted :—

'Provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on that estate by more than two-thirds'."

Diwan Bahadur Raja Narendra Nath : I accept that amendment.

The Honourable Mian Sir Fazl-i-Husain : I do not oppose that amendment.

Mr. President : Clause under consideration, the original amendment proposed was—

"That in clause 7, section 51 (3), after 'one-third' add 'and on any estate by more than two-thirds'."

since which an amendment to this amendment has been proposed :

"That the following words be substituted for the words in the original amendment :—

'Provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on that estate by more than two-thirds'."

The question is that the proposed amendment to the amendment be adopted.

The motion was carried.

Rana Firoz-ud-Din Khan : Sir, I beg to move—

"That in clause 7, section 51, at the end of sub-section (3), the following sentence shall be added :—

'Subject to the condition that the increase in the case of any individual estate shall not exceed the land revenue imposed at the last previous assessment by more than forty per cent'."

Mr. President : This amendment is covered by the amendment which the Council has just agreed to. Does the honourable member wish that I should put his amendment as well, though it covers the same ground ?

Rana Firoz-ud-Din Khan : No doubt it does cover the same ground. There is only a difference in figures.

Mr. President : One is forty per cent., and the other sixty-six per cent. The latter has been carried by the House. So it is needless to put the former to vote.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I beg to move—

"That in clause 7, section 51, sub-section (1), line 6, all words beginning from 'or in the case of land' to the end of the sub-clause be omitted, and a new proviso be added as follows :—

'Provided also that in the case of land in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) of section 51 at the last previous assessment, or in the case of an area which has been declared by a notification to be an urban assessment circle, the average rate of incidence on the cultivated area of the land revenue imposed on any assessment circle may exceed the rate of incidence of the land revenue imposed at the last previous assessment by 66 per cent.'"

(Urdu) : The object of my amendment is also the same as that moved by my honourable friend Raja Narendra Nath Sahib. Raja Sahib proposed that the revenue of a village should not be increased by more than 66 per cent. Government has exempted two classes of holdings from the operation of this Bill. One is the urban assessment circle and the other the area where canal irrigation has only recently been started. I shall now try to discuss the effect of this on two or three areas where irrigation has only recently been started. I shall first take the case of Lower Bari Doab Canal. There are two districts, Montgomery and Multan, where the revenue rate at present is Rs. 2 per acre. If the revenue is increased by more than 66 per cent., not only will the people suffer but the Government will suffer as well. Government will certainly not suffer by fixing the limit of 66 per cent. It has always been the object of the Government to lay progressive rates of revenue. People have been paying for the last two years this fixed rate of revenue and by not including these areas in the Bill, the one effect that is patent on the face of it would be that the settlement officers, not that I mean that they will naturally and essentially do so, will tend to fix the rate at a fairly high pitch, thinking that after the expiry of twenty years these lands will come under the protection of the Land Revenue Act. Again let me say that I do not think that the settlement officer of our district, whom I consider above such things, will ever do so, but the temptation will be there before any officer who cares to take it up. There is a lot of difference in the Lower Bari Doab and Chenab Colonies. In the latter too the land revenue was progressive. But the land in the Chenab Canal Colony is much superior to the land in the Ganji Bar. Revenue in the Ganji Bar will not be as much as that obtainable from the lands in the Chenab Colony. The effect of it will be that better lands in the Ganji Bar will be assessed at a comparatively much higher level than those of inferior quality. Then, Sir, the owners in the Chenab Colony got possession and proprietary rights by payment of Rs. 18 only, but here in the Ganji Bar we could get it at first only by the

payment of Rs. 100 and now by payment of Rs. 40 immediately or every year interest at a certain rate will be added to the amount. I submit, Sir, the people of these two districts of Multan and Montgomery should have been shown more leniency in as much as that while the proprietors in the Chenab Colony got land by payment of money, in the Ganji Bar land has been granted to people for their military services to the Crown. Then again, revenue rates have been increased in the Ganji Bar, while in the Chenab Colony they have not been increased. The water-supply also is not very satisfactory in the Ganji Bar. During *rabi* people hardly get any water. A large part of their crops dries away for lack of water. I have had occasions to talk to all classes of landholders in the district and I understand that they can get little out of their *rabi* crops. They in fact hardly get enough to meet the land revenue demands and have to borrow. They get only enough yield during the *harif*. Under the circumstances, my proposal is only reasonable. Take the case of the Nili Bar. The rate of land revenue there is Rs. 3 and if that is increased by 66 per cent. it will come to Rs. 5. What more do you want? Is it not enough? There are very few places where it is more than that. But in those places people get *maufi* while in the Nili Bar they do not at all get any *maufi* whenever they purchase the land. Then, Sir, take the case of the two canals to be dug in future. Take the case of Bhakra Dam. People of that *ilaka* have been looking forward eagerly to the day when they will have canal water. But just imagine their disappointment when they find that the whole of their expectations have been falsified by the enhancement of land revenue beyond their power to pay. How can you expect them to pay off all at once more than twice their present rate of land revenue? The same will happen in the Sind Sagar if and when it is matured. Government does not stand to lose in any way. Government already has very graciously accepted so many amendments and very material amendments and I hope that it will be still more gracious to accept this one too. I hope that the Government will not deprive such tracts from the benefits of the Land Revenue Act. My people whom I consulted were not willing even to a limit of 66 per cent. It is on my own responsibility that I have fixed this limit. The second part of my amendment refers to the urban population. I am not only a representative of the ordinary villagers but I have also the pleasure and the honour of representing Ministers of the Government. I, therefore, submit that urban assessment circles should not be separated. These will not be benefited by the Land Revenue Act. No doubt they have certain facilities, the tracts that are in proximity to cities and mandis. But they have also certain disadvantages. They have also certain extra expenses to bear, which the people of villages have not to meet. They, therefore, should not be exempt from the operation of this Act in this respect. I regret that Raja Sahib who is a staunch supporter of such class of persons is not present in the House or he would bear testimony to what I say. This assessment circle will be deprived of the advantages accruing from this Act, both as regards the period of assessment and also as regards the rate of increase. No doubt they reap greater advantages on account of their being in the neighbourhood of cities, towns and mandis, but they certainly put in as much labour. They have also to spend a lot in the reception of guests, in meeting the demands of the officials, etc. I, therefore, submit that these circles should be allowed also to benefit from this limit of 66 per cent. I have fixed this

[Sayad Muhammad Hussain.]

to give the Government enough latitude. The Honourable Revenue Member is now a days in a very generous mood. He has already conceded so much even in the matter of accepting 25 per cent. instead of 33 per cent. and I hope that he will even accept this amendment also.....

The Honourable Mian Sir Fazl-i-Husain : Let me correct the honourable gentleman even now and here. He states that I have accepted any percentage of increase. This is not so. I have never accepted anything.

Sayad Muhammad Husain : Oh, is it so? I thought you had accepted it. I am sorry for the mistake.

Rana Firoz-ud-Din Khan : On a point of order, Sir. The amendment embraces two things. It presumes in the first instance that urban assessment circles are to be constituted under this clause, whereas there are amendments Nos. 7¹ and 8² to the effect that no urban assessment circles should be separately constituted. I submit, Sir, that if this amendment now moved goes ahead of the other amendments and is carried, then it will affect the other amendments and the rate of enhancement in that case is to be fixed at 66 per cent. So my point is that before this amendment is moved and considered, amendments 7 and 8 should be allowed to be moved, so that it may first be decided whether urban assessment circles are going to be formed or not, and the question as to what should be the rate of enhancement in the case of assessment circles might be decided later on.

Sayad Muhammad Husain : Luckily, Sir, the representative of the people most affected by this amendment has turned up and I hope he will lend his whole weight to the proposal. He has been very kind to have 66 per cent. accepted in the case of rural areas and I hope he will have the same maximum fixed for the urban areas as well. With these words I propose my amendment.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, sub-section (4), line 6, all words beginning from 'or in the case of land' to the end of the sub-clause be omitted, and a new proviso be added as follows:—

'Provided also that in the case of land in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) of section 51 at the last previous assessment, or in the case of an area which has been declared by a notification to be an urban assessment circle, the average rate of incidence on the cultivated area of the land revenue imposed on any assessment circle may exceed the rate of incidence of the land revenue imposed at the last previous assessment by 66 per cent.'

The question is that that amendment be made.

Diwan Bahadur Raja Narendra Nath (Landholders, general) : Sir, The honourable member for Montgomery wants the urban areas also to benefit by the maximum limit of 66 per cent. fixed. I submit that the two kinds of areas mentioned by the honourable member in his amendment should be treated separately because they fall under two distinct classes.

¹ Vide page 1180 *infra*.

² *Ibid*.

There are two kinds of lands. One where canal irrigation has been started for the first time. Assessment of land revenue in this kind of land is done on a different basis, and assessment in the second class of lands, that is, the land near towns and cities, is done in an entirely different manner. One thing I will suggest to the honourable mover and that is that he should agree to a limit of cent. per cent. increase in the case of the *nahri* lands, that is, lands situated in areas where irrigation has been started for the first time; then the proposal would meet, or at least it has greater chances of meeting with the approval of the Government, and that he should also agree to a less percentage of increase in the case of lands situated near towns and cities. This will have the effect of removing all glaring objections against the Bill. We should try to give the Bill a shape that no party should have any excuse to throw it out. If it is sent back to the Council for reconsideration, I am sure it will be difficult for us to have even this much. I, therefore, suggest that the honourable mover should agree to my suggestions.

May I, Sir, move my amendment?

Mr. President : If the House decides to omit all the lines proposed to be omitted by the honourable member from Montgomery all other amendments proposing smaller deletions will not be allowed to be moved and only the proviso proposed to be added shall be put to the House.

Diwan Bahadur Raja Narendra Nath : May I move my amendment?

Mr. President : The honourable member's amendment is practically covered by the amendment of the previous speaker.

Diwan Bahadur Raja Narendra Nath : It is not.

Mr. President : There are two parts of the amendment moved by Sayad Muhammad Husain. Part one is that a number of lines be omitted; Part two is that a proviso be substituted for those lines. The honourable member Raja Narendra Nath's amendment is that only five lines be omitted. Therefore, as regards the omission, the previous amendment covers the latter; this is perfectly clear. So the honourable member may move his amendment.

Diwan Bahadur Raja Narendra Nath : Sir, I beg to move—

"That in clause 7, section 51 (4) delete the concluding portion beginning with 'or in the case of an area which has been declared by notification' up to 'under the provisions of the Punjab Small Towns Act, 1921.'"

Sir, I beg to submit that there is no need for separating the urban assessment circles from the rural ones. Urban areas have always been assessed more than rural areas. They are close to markets and can, therefore, readily and easily sell their produce. They also get free and cheap manure. Intensive cultivation is easier in the areas situated close to towns and mandis. But these are constant factors and have been so for many years. During the sixty years or so these facts have always been taken notice of in assessing urban areas. It is, therefore, not just to deprive them of the benefit of the limit of *jama* as they have been deprived of the advantages of long period of settlement. You have already fixed a limit for rural assessment circles, the urban circles should also be allowed to benefit by this. Limit

[Diwan Bahadur Raja Narendra Nath.]

of 66 per cent. is quite suitable but if the Honourable Revenue Member wishes to fix a higher limit I am prepared to agree to it. I might submit that this is not a question of Hindus or the Muslims alone benefiting. It is a question which is common to all. There are urban circles where Muhammadans form the majority. In Lahore, Jullundur, Nikodar, Hoshiarpur, Hariana, Dasuha, and Garhdiwal Muslims form a majority of the landlords, the protection afforded by this amendment will be given to all. I, therefore, submit that this amendment may be adopted.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51 (4), delete the concluding portion beginning with 'or in the case of an area which has been declared by notification' up to 'under the provisions of the Punjab Small Towns Act, 1921'."

The question is that that amendment be made.

Rana Firoz-ud-Din Khan (South-East, Towns, [Muhammadan, Urban] (Urdu) : Sir, I beg to move—

"That in clause 7, section 51, sub-section (4), the words 'or in the case of an area which has been declared by notification to be an urban assessment circle' shall be deleted."

The amendment moved by the honourable member for Montgomery is faulty in one respect that he has moved the omission of all the words beginning from "or in the case of land" to the end of the sub-clause which has made the clause meaningless. The same is the case with the amendment of Raja Sahib. By omitting the last sentence namely, "and for the purposes of calculating the increase in the incidence of the land revenue for the purpose of sub-section (3), all such land shall be excluded from calculation;" they have rendered the first portion of sub-section (4) which they mean to retain quite meaningless. It is because of this defect that I have moved my amendment. It tends to exempt urban areas from the effect of sub-section (4), and urges that separate urban circles should not be formed. The arguments that can be advanced in its favour have already been advanced by my honourable friend Raja Sahib. I therefore, move my amendment and hope the House will agree to it.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, sub-section (4), the words 'or in the case of an area which has been declared by notification to be an urban assessment circle' shall be deleted."

The question is that that amendment be made.

The Honourable Sir Geoffrey de Montmorency (Finance Member) : Sir, as regards urban assessment circles, present urban assessment circles exist at present; and as we are embodying the main existing principles of the assessment of land revenue in a Bill, it is but right that we should embody the principles relating to the assessment of urban assessment circles also in the Bill. Urban assessment circles differ very widely from the rural assessment circles. That is why the wisdom of the past has seen fit to constitute such areas into separate circles. They are better provided with communications; they are better provided with manure; in many cases they have an ever growing and improving market for their produce. They produce sugarcane, vegetables and a number of things which are in daily use and the prices of which remain high and are not affected by export trade to other countries like cotton or wheat. They

therefore stand on a very different plane from the ordinary rural or agricultural circle.

Another consideration that has operated in the past has been that the value of the produce per acre on land in an urban assessment circle is far greater than that of an ordinary agricultural village. Therefore if you allow an urban area of this kind to form part of the adjoining rural circle, its first effect is to add a large sum of money to the net assets of that rural circle. That is unfair, because something like 75 per cent. or more of the inhabitants of the rural circles will not have had the opportunity of sharing in those conveniences as regards good communications, market and high prices for what is produced which inhabitants of the urban circle enjoy. That is the reason why separate urban circles were constituted and that is the reason why hitherto they have been treated separately. This procedure we are now seeking to embody in statute. We seek to except these particular circles from the operation of the general rule about enhancement, because the growth of profits in an urban assessment circle is out of all proportion to the growth of profits in the rural circles, and it is right that the State should have a free hand in taking a share of the very generous profits which are made in circles of this kind. I have alluded on more than one occasion to our difficulties as regards provincial finances in the future. I have alluded to the fact that at the rapid rates of development, at which we are proceeding and with very few new sources of revenue in sight, we shall require additional resources if we are to advance after about 1932 or 1933, when the Sutlej Valley expansion comes to an end; we shall have to husband our resources very carefully in this province in order to carry on these beneficent developments. In making that statement to this House on several occasions honourable members will have noticed that I have not in my forecast included any great expectation of additional resources accruing from the revision of ordinary land revenue settlements; but I have of course placed some expectations on the assessment of new canal areas and I have, I must confess, taken with consideration the fact that some degree of new income may come from the urban assessment circles and we should be justified in looking for something from them although that amount may not be very great. In view of this consideration I do not think that it is right to hamper the hands of the State in taking a share of such increment as may be derived from urban assessment circles.

Mr. President : Does Rana Firoz-ud-Din Khan wish to move amendment No. 12?

Rana Firoz-ud-Din Khan : I will have to insist on moving that amendment if the amendments now moved are rejected. If they are carried I need not move that amendment at all.

Mr. President : If he cares to move it now, he may do so.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, the matter is getting a little bit more confused. The two things, that

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are entirely distinct as pointed out by my honourable friend to my right, are all problems connected with urban assessment circles. Whether they should exist or not, if they should exist, how they should be constituted, and after constitution what should be the rate of advance in their case,

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

these are three problems connected with urban assessment circles. In the amendment proposed by Sayad Muhammad Husain and which is now under consideration, the urban assessment circles and canal irrigated areas are lumped together. As suggested by the honourable member to my right, it would be advisable if they are put separately, if I may venture to submit so, not only for the purpose of voting, but also for the purpose of discussion because we, at the best of times, are not very clear in our thinking and discussion. It appears that three or four different problems are going to be discussed together in one speech, and there is the possibility or rather the probability of these things getting confused. Therefore my submission is that, if it meets with your approval, the question of the canal irrigated areas moved by Sayad Muhammad Husain, and the other amendments moved by Raja Sahib and by Rana Firoz-ud-Din Khan be discussed separately and then voted upon separately.

Mr. President : If there is any misapprehension it is due to the proviso which has been moved by Sayad Muhammad Husain. In the first place we are concerned with the omissions. There are, say, fifteen items in the last part of sub-section (4). Sayad Muhammad Husain, proposes that all the 15 items be omitted. The Raja Sahib proposes that only 5 items be omitted ; while another member wishes that only 3 of them be omitted, and so on. I think, all amendments proposing the various omissions in the same part of the clause may be discussed together ; while the proviso proposing an addition may be dealt with separately. In fact all amendments subsequent to that of Sayad Muhammad Husain relate to omissions and are virtually amendments to amendments. Therefore, all omissions may be discussed together ; while the proviso may be treated separately.

The Honourable Mian Sir Fazl-i-Husain : In that case the subject having been discussed, the question as to how many may be omitted may be put to vote.

Mr. President : May I ask the Rana Sahib to move amendment No. 12, which relates to a partial omission.

Rana Firoz-ud-Din Khan (South-East Towns (Muhammadan), Urban), (Urdu) : Sir, I beg to move :—

“ That in clause 7, section 51, proviso to sub-section (4), the words and figures following the word ‘ Municipality ’ shall be omitted.”

Sir, sub-section (4) of section 51 proposes to exclude from the provisions of sub-section (3) of the same section, land which has not been previously assessed to land revenue, or of which the last previous assessment was made under the provisions of clause (b) of sub-section (1) of section 59, or land in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) of section 51 or an area which has been declared by notification to be an urban assessment circle. Now my amendment is concerned with the fourth kind of area which is defined in the proviso to sub-section (4) and it means that the area under small town committees and notified areas should not be deprived of the

protection provided for in sub-section (3) of section 51. Granting that the land near large municipalities has greater advantages, owing to the proximity, of the markets, the produce from such lands sells at a higher price. Further such lands have greater facilities in procuring manure. But certainly these advantages are not available to the lands situated in small town committees and notified areas in which there is little scope for development. These small town committees and notified areas are to all intents and purposes nothing more than big villages and it is only an account of administrative purposes that these villages have been given small town committees or declared to be notified areas. This question of not excluding the notified areas and small town committees from the provisions of sub-section (3) came under discussion in the select committee too and the objection taken to it was that because the small town committees and notified areas in the new colonies were rapidly developing, it would not appear reasonable to fix any limit of the average rate of incidence of the land revenue, as fixed in case of some other areas, in the case of all small town committees and notified areas. In my opinion this objection is not very serious and if Government is not shelving this proposition I can suggest one solution of this difficulty. There are very few such towns, for example Sangla Hill and Sheikhupura, in which, it can be said, there is scope for further development and if Government is anxious to realise as much revenue as possible from such areas, it can convert them into municipalities. In that case its discretion will not be fettered. But it is equally unreasonable to refuse protection of the limit of assessment provided for in sub-section (3) to all small towns and notified areas because in a few of them there is alleged to be some scope of further development. In many of the districts of the Punjab, for example, Hoshiarpur, Gurdaspur, Amritsar and the districts in the Ambala Division, there is no room for further development in the small town committees and notified areas. As I have already said these are nothing more than big villages. There are no markets near them and it would, therefore, be most unjust to fix no limit of assessment in their case. If my amendment is not accepted, Government will be entitled to as much land revenue as it would like on lands in small town committees and notified areas. The rate of this land revenue can be cent. per cent. or even thousand per cent. of the previous rate of land revenue because there is no limit fixed and the area so charged, I think, will not be more than 10 or 20 acres in extent. Now you can imagine what the owners of this area of land will feel when they will find that the rate of land revenue chargeable on the land adjacent to their land is not more than 25 per cent. of the previous rate particularly when such owners will have no peculiar advantages to serve even as an eye wash. I hope, therefore, that my amendment will be accepted without any opposition.

Mr. President: Clause under consideration, amendment moved—

"That in clause 7, section 51, proviso to sub-section (4), the words and figures following the word 'municipality' shall be omitted."

The question is that that amendment be made.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders, (General)]
(Urdu): Sir, I rise to support this amendment and I do so from an administrative point of view. Sir, it is my experience, though it is about 14

[Diwan Bahadur Raja Narendra Nath.]

years old, that the people of villages and small towns do not like to have notified areas or small town committees established in them. The reason is, as I knew then and I do not think circumstances have changed since, that there is a sort of feeling in their minds that as soon as a village is declared to be a notified area or a small town committee is established in a town, people will be required to pay some sort of tax. I remember, when I was Deputy Commissioner at Hoshiarpur, we wanted to declare Garhsankar in that district to be a notified area and before doing so we used all our power of persuasion to make the people agree to it. We tempted them with the prospects of their becoming members in which case they would be able to manage their own affairs themselves, but they appeared to be fortified against all persuasions and did not agree to the proposal. It is a different matter that Garhsankar was declared to be a notified area, but it was done so in spite of popular protest. Now that the Government is going to create urban assessment circles, as it intends doing according to sub-section (4), the administrative difficulty pointed out above will assume a more serious form because the villagers will have one more objection against the establishment of a small town committee or against declaration of a notified area. Therefore if Government does not grudge giving the people of the Punjab the advantages of small town committees and of notified areas, it will be well advised to accept the amendment moved by my friend Rana Sahib.

The Honourable Mian Sir Faiz-i-Husain [Revenue Member] (Urdu): Sir, according to the amendment moved by Sayad Muhammad Husain, it is desired that the land, in which canal irrigation has been introduced, should be exempted from the provisions of sub-section (4) of section 51, and that the protection afforded to lands in sub-section (3) of the same section be made applicable to canal-irrigated areas. So far as this amendment is concerned I may warn the House that the acceptance of it is very likely to affect adversely those areas in which canal irrigation is yet to be introduced and about which possibilities of other means of irrigation are remote. If the House will insist on the acceptance of this motion I am afraid it will be placing a great difficulty in the way of the Government giving effect to such expensive irrigation schemes as Bhakra Dam scheme, Thal Project and the Havelian Project which are, since long, under its consideration. Of course if the honourable members are of opinion that the canal irrigation so far introduced is sufficient or that it has proved harmful to the zamindars, they will be justified in supporting this amendment. But if that is not so and if they believe that canal irrigation is a boon to the zamindars, they will not be well advised to resist on taking away that power from Government which sub-section (4) gives it. Sir, it is quite a simple matter and I need not dilate on it. I have placed the difficulty of the Government in regard to this matter before the House and now the members are at liberty to form any opinion they like. They cannot have forgotten the discussion that took place on the floor of this House sometime ago on the Bhakra Dam scheme, and consequently it must be within their recollection that it was made clear that this scheme, if given effect to, will bring not much profits to the Government even if the present amendment is not accepted. But

if this amendment is accepted and the rate of incidence on the cultivated area of the land revenue exceeds by 66 per cent. of the previous rate of incidence of the land revenue as proposed, it will fetch $11\frac{1}{2}$ annas per acre to Government in the shape of land revenue from the land to be irrigated by Bhakhra Dam scheme because the amount of land revenue received from this land at present is, so far as I have ascertained, not more than 7 annas per acre. Now the members can judge for themselves whether Government, whose sources of income are limited to this Province, will be prepared to undertake such schemes with the prospects of this income.

As regards the second amendment requiring Government to exclude the urban assessment circles from the operation of sub-section (4) the same difficulty faces the Government, and it cannot afford to lose the income which will be derived from such areas. It has been said that it will be a great hardship to the zamindars in the urban assessment circles if they are deprived of the protection provided for in sub-section (3) of section 51. In reply to it I will put one question to the members of this way of thinking. If the Government is not to charge anything more on the lands in the rural areas because, as stated, the rural population is already nearly crushed under the present burden, and if it is not to impose enhanced rate of land revenue on the urban assessment circles because the people in the towns have adopted expensive habits, whence the money required for development schemes, for opening new dispensaries, for introducing primary education and for running the administration is to come. I should have very much liked to give every concession to the people in towns because the standard of their living has become very high of late, but the difficulty is that Government cannot do without money, and its officers are not so rich as to meet all the expenses from their own pockets. It should be realised, Sir, that towns are making rapid progress. New factories are coming into existence, and the value of the land near the town is increasing. Besides that the Council has given expression to this view more than once that Government will be justified in imposing higher rate of taxation on those who are richer and who can, therefore, pay, and the people in the urban assessment circles are certainly richer than their brethren in the rural areas. Under the circumstances I do not think it is any hardship to assess the urban assessment circles separately.

Sayad Muhammad Husain [Montgomery, (Muhammadan) Rural], (Urdu): Sir, I may be permitted to say a few words in reply to the objections raised by the Honourable Member for Revenue against my amendment and the amendment in regard to urban assessment circles. He was pleased to remark that if my amendment was accepted it was very likely that the irrigation schemes like the Bhakhra Dam scheme and the Havelian Project would have to be dropped. He tried to create a sort of fear in the minds of some of the members who were likely to support my amendment. Lest the honourable members should be carried away by that fear I may tell them that so far as the area to be irrigated by the Havelian Project is concerned, it has been assessed to land revenue three times before and, therefore, the provisions of sub-section (4) of section 51 will not apply to it even if canal irrigation is introduced. I may mention in passing that

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there is no likelihood of the Havelian Project ever maturing because the Chief Engineer has explained to us very clearly that this project can be given effect to only if the zamindars are prepared to give up some of their share of the water in the Chenab Canal. Now this is a condition which the zamindars will never find it easy to fulfil because they are already complaining of the insufficiency of water and they sow their crops in the hope of rains falling in time.

Mr. H. F. Ashton : My suggestion was in connection with the betterment of the Muzaffargarh district, not in connection with the Havelian Project.

Sayad Muhammad Hussain (continued in Urdu) : As regards Bhakhra Dam scheme, the honourable member has said that the amount of land revenue that would accrue to Government from the land to be irrigated by that scheme is not tempting enough to make the Government undertake that expensive scheme. I admit, for the sake of argument, that the amount of land revenue chargeable on that land will not be sufficient, but land revenue is not the only item that is to be considered. There is the amount of *abiana* which must also be taken into account, and which the Government can increase to any amount to make the scheme profitable. Therefore the fear that has been created is only imaginary.

In opposing the amendment regarding urban assessment circles, the Honourable Revenue Member was pleased to say that because the zamindars in such circles are rich, the Government was justified in imposing a higher rate of land revenue on them. That is in a way introducing the spirit of Bolshevism. It would mean that Government was trying to level down all its subjects. I might say that we would never tolerate such a thing and we will defend our right of property with our lives. Before I close I request that my amendment may be voted upon. I will not mind if it is lost. My constituents will, at least, know that I have done my duty towards them.

Mr. President : Clause under consideration, amendment moved—

“That in clause 7, section 51, sub-section (4), line 8, all words beginning from ‘or in the case of land’ to the end of the sub-clause be omitted.”

The question is that that amendment be made.

The Council divided : Ayes 2 ; Noes 21.

AYES.

Mr. Lakh Singh.

! Sayad Muhammad Hussain.

NOES.

Col. C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan, Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. C. M. G. Ogilvie.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. M. M. L. Currie.
 Rai Bahadur Lala Rattan Chand.
 Sardar Bahadur Captain Dalpat Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.

The motion was lost.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51 (4), delete the concluding portion beginning with "or in case of an area which has been declared by notification" up to "under the provisions of the Punjab Small Towns Act, 1921." "

The question is that that amendment be made.

The Council divided : Ayes 23, Noes 85.

AYES.

Diwan Bahadur Raja Narendra Nath.
 Dr. Gokul Chand, Narang.
 Mr. Labh Singh.
 Rai Bahadur Lala Sewak Ram.
 Lala Mohan Lal.
 Chaudhri Ram Singh.
 Chaudhri Kesar Singh.
 Pandit Nanak Chand.
 Chaudhri Baldev Singh.
 Rai Sabib Lala Ganga Ram.
 Lala Gopal Das.
 Lala Jyoti Prasad.

Lala Kesho Ram, Sekhri.
 Sardar Buta Singh.
 Dr. Sir Muhammad Iqbal.
 Sayad Muhammad Husain.
 Rana Firoz-ud-Din Khan.
 Raizada Hans Raj.
 Chaudhri Muhammad Abdul Rahman Khan.
 Sardar Hira Singh.
 Rai Bahadur Lala Dhanpat Rai.
 Sardar Ujjal Singh.
 Sardar Bishan Singh.

NOES.

Col C. A. Gill.
 Mr. H. D. Craik.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz
 Khan, Noon.
 Mr. W. R. Wilson.
 Mr. R. Sanderson.
 Mr. C. M. G. Ogilvie.
 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. H. M. Cowan.
 Mr. H. W. Emerson.
 Khan Bahadur Nawab Muzaffar
 Khan.
 Mr. M. M. L. Currie.
 Khan Bahadur Captain Sardar
 Sikander Hyat Khan.

Mian Ahmad Yar Khan, Daul-
 tana.
 Mr. Owen Roberts.
 Khan Sahib Khan Muhammad
 Saifullah Khan.
 Rai Sahib Chaudhri Chhotu
 Ram.
 Maulvi Sir Rahim Bakhsh.
 Malik Nawab Major Talib-
 Mehdi Khan.
 Chaudhri Duli Chand.
 Khan Bahadur Malik Muham-
 mad Amin Khan.
 Mian Saadullah Khan.
 Khan Bahadur Mian Muhammad
 Hayat, Qureshi.
 Chaudhri Umar Hayat.
 Makhdumzada Sayad Muham-
 mad Raza Shah, Gilani.
 Sardar Habib Ullah.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo-
 Narain Singh.
 Mr. E. Maya Das.

The motion was lost.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, sub-section (4) the words "or in the case of an area which has been declared by notification to be an urban assessment circle" shall be deleted."

The question is that that amendment be made.

The motion was lost.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, proviso to sub-section (f), the words and figures following the word 'municipality' shall be omitted."

The question is that that amendment be made.

The Council divided : Ayes 24, Noes 34.

AYES.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal.
Chaudhri Ram Singh.
Pandit Nanak Chand.
Chaudhri Baldev Singh.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Lala Joti Prasad.
Lala Kesho Ram, Sekhri.

Sardar Buta Singh.
Sayad Muhammad Husain.
Rana Firoz-ud-Din Khan.
Raizada Hans Raj.
Chaudhri Muhammad Abdul
Rahman Khan.
Sardar Hira Singh.
Sardar Hari Singh.
Sardar Partap Singh.
Sardar Harbakhsh Singh.
Rai Bahadur Lala Dhanpat Rai.
Sardar Ujjal Singh.
Sardar Bishan Singh.

NOES.

Col C. A. Gill.
Mr. H. D. Craik.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Mr. W. R. Wilson.
Mr. R. Sanderson.
Mr. C. M. G. Ogilvie.
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. H. M. Cowan.
Mr. H. W. Emerson.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. M. M. L. Currie.
Khan Bahadur Captain Sardar
Sikander Hyat Khan.

Mr. Owen Roberts.
Khan Sahib Khan Muhammad
Saifullah Khan.
Rai Sahib Chaudhri Chhotu
Ram.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib
Mehdi Khan.
Dr. Sir Muhammad Iqbal.
Chaudhri Duli Chand.
Khan Bahadur Malik Muham-
mad Amin Khan.
Mian Saadullah Khan.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muham-
mad Raza Shah, Gilani.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Shoo
Narain Singh.
Mr. E. Maya Das.

The motion was lost.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move—

"That in clause 7, section 51, at the end of sub-section (4), the following sentence shall be inserted :—

'but in the case of an urban assessment circle such increase shall not exceed the previous demand by more than one-half.'"

Sir, now that the Government has not agreed to exclude the urban assessment circles from the provisions of sub-section (4) of section 51 it is not unreasonable to ask that some limit should be fixed in their case, and that their fate should not be left entirely to the executive officers. I do not think I need give any further reasons for the acceptance of my amendment, and with these few words I request Government to fix the limit at one-half of the previous demand in the case of urban assessment circles.

The Honourable Mian Sir Fazal-i-Husain (Revenue Member) (Urdu) : Sir, I have only to say that this amendment is not acceptable to Government.

Mr. President : Clause under consideration, amendment moved—

"That in clause 7, section 51, at the end of sub-section (4), the following sentence shall be inserted :—

'but in the case of an urban assessment circle such increase shall not exceed the previous demand by more than one-half.'"

The question is that that amendment be made.

The motion was lost.

Sayad Muhammad Husain : My proviso should be put to the House.

Mr. President : The proviso could have been voted upon only if the House had agreed in the first instance to the first part of the honourable member's amendment. But as the omission proposed by him has not been agreed to no room is made for the proviso.

Sayad Muhammad Husain : It fits in, Sir.

Mr. President : The honourable member moved that the latter part of the proposed sub-section be omitted and a proviso added in its place. How can the proviso fit in when the whole sub-section is retained as it is ?

Sayad Muhammad Husain : In my opinion it fits in, and so this may be put to the House.

The Honourable Mian Sir Fazl-i-Husain : Is it open to any honourable member of the House to say that although what he wanted done in the matter of substitution of a clause to which it was to be substituted has been negatived, still the other thing might be put in ? Is it to meet the wishes of the honourable member that the Chair is bound to put it ?

Mr. President : How can I take the vote of the House when that part of the sub-section, which the honourable member meant to be replaced by the proviso, has been retained by the Council ?

Sayad Muhammad Husain : The House did not understand what it was voting upon.

Mr. President : The honourable member should not attack the intelligence of the House. I decline to put the proviso to the House. Now I will put the main clause.

The question is--

"That clause 7 as amended 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.

Mr. President : The question is--

"That the preamble stand part of the Bill."

The motion was carried.

Mr. President : Under Standing Order 50, I propose that a committee consisting of the following honourable members of the House do meet to examine the amended Bill and report as to what amendments of a formal or consequential nature should be made in the Bill in the form of drafting--

The Honourable Mian Sir Fazl-i-Husain,
Mr. M. M. L. Currie, and
Mr. Labh Singh.

Will the Honourable the Leader of the House state by what time the report can be made?

The Honourable Mian Sir Fazl-i-Husain : The report will be made ready by 1-30 p.m. this afternoon, and if you have no objection the report may be taken up at 5 p.m. to-day unless you propose to hold a session to-morrow.

Mr. President : We have to meet to-morrow for transacting the business left over from to-day's agenda. There is a resolution to be discussed.

The Honourable Mian Sir Fazl-i-Husain : Is it not possible to finish the resolution to-day?

Mr. President : Can the resolution be finished to-day?

The Honourable Mian Sir Fazl-i-Husain : The whole business can be finished to-day. The reason why I am making this suggestion is that I have called for a meeting to-morrow.

Mr. President : Is it the pleasure of the House to meet again at 5 p.m. to-day?

The House consented.

ELECTION OF A COMMITTEE TO CO-OPERATE WITH THE INDIAN STATUTORY COMMISSION.

Mr. President : Now, the Council will proceed to elect a committee of seven representatives of the Council to take part in the Joint Conference of the Indian Statutory Commission.

(The voting papers were then distributed).

At this stage the following three candidates handed in their withdrawals :—

Khan Bahadur Captain Sardar Sikandar Hayat Khan ;
Chaudhri Zafrullah Khan ;
Rai Shaib Chaudhri Chhotu Ram.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to withdraw my candidature to the committee.

Mr. President : Out of the eight candidates, whose names are printed on the voting paper, four wish to withdraw. What should be done ?

Dr. Gokul Chand, Narang : Sir, before this proposition is discussed from a legal point of view, I should like to know whether these gentlemen are withdrawing because they do not want to be elected at all or they are withdrawing on account of certain reasons and they want to stand again. If they are withdrawing because they do not want that this House should select any representatives to sit on the committee of seven, then the question would appear to bear quite a different aspect, and in that case others also may join them. But if their intention is to stand again and if they are seeking a more favourable opportunity, my submission is that this is not the time to withdraw when actually the voting papers had been distributed among the members and when some of us had actually cast votes.

Mr. President : Any reason or authority for the latter part of the argument ?

Dr. Gokul Chand, Narang : In fact, I did not know that this contingency would arise, and therefore I did not make any special study of this question. But arguing from analogy, I would submit that in every election a time is fixed for every candidate before which he can withdraw and after which he cannot withdraw. Election is bound to be held with the withdrawing candidates included among the candidates taking part in the election. This is the case in the municipal elections, this is the case in the elections to the various legislative bodies, and if any candidate does not withdraw within the prescribed time he will be deemed not to have withdrawn. What the consequences will be, it is not for this House to say at the present stage.

Mr. President : As regards the first part of the argument of the honourable Doctor, I am inclined to say that it is not within the province of this House to ask any member to explain or give his reasons why he has withdrawn. I think that is a matter which is within the sole discretion of the member concerned. It is open to any candidate to withdraw for reasons of his own. As regards the second part of the argument, I am aware that there is an artificial rule in Council Election rules as well as in election rules of municipalities and district boards. But this rule was made only recently. For about three quarters of a century no such rule existed in this province and candidates could withdraw not only before an election had commenced, but even after it had proceeded for a day or two, and that is the reason why Government felt the desirability of making such a rule. The very fact that such

1 P.M.

an artificial rule had to be made shows that in its absence a candidate could withdraw his candidature at any stage.

I may mention for the information of the House that there are rules and regulations made by the President of this Council with regard to elections by single transferable vote. But these rules and regulations relate only to elections to standing committees and the committee on public accounts. The question is whether there is any rule, standing order or any other authority under which these rules can be made applicable to the election now before the House. The resolution moved by the Government Member and accepted by this House was that the method of election shall be by single transferable vote. So the method of election is settled and that is to be followed, but not the rules and regulations to which that method is not expressly made subject.

I may further add that the question of withdrawal is absolutely in the hands of the candidates. Even after election they may say, 'we refuse to work on the committee.' It follows, therefore, that before they are actually elected it is open to any one or more of them to say that they do not wish to be elected. That appears to be a common sense view, unless there is some artificial rule, as in the case of some other elections.

Mr. Labh Singh : May I ask in the name of common sense whether it is proper to withdraw when practically the election is over and the votes have been cast? The ballot papers have already been put into the box.

Mr. President : It must be annoying, no doubt, to the honourable members of this House that some of the candidates should withdraw at this stage, but the question is whether the House has any power to compel such members to submit to the election. Their conduct may not be very commendable, but it does not render them liable to any punishment.

Dr. Gokul Chand, Narang : May I ask a question the answer to which may clarify the position? What will happen after this, if they are allowed to withdraw from the election at this stage? What is going to be the result?

The Honourable Mr. Manohar Lal : Page 94 of the Punjab Constitutional Manual, Volume II.

Dr. Gokul Chand, Narang : My friend the Honourable Minister for Education has something to say on this point; he has referred to page 94.

Mr. President : I have already pointed out that those regulations are meant to regulate elections to standing committees and the committee on public accounts. They do not relate to the kind of election the House wishes to make.

Dr. Gokul Chand, Narang : If there are rules for elections of half a dozen kinds and there are no rules for one kind of election, which is only an accidental affair and not a regular standing committee election or a recurring election, the question is whether the analogy of the elections for which rules are prescribed cannot be applied to this election also. As I have submitted, the election of this committee is purely an accident not provided for in any statute and not provided for under any rules. It is a pure and simple accident. A commission has been appointed. There is an agitation in the

[Dr. Gokul Chand, Narang.]

country, and in order to pacify the people they say, 'alright : we will appoint a number of assessors and we shall have some people who are prepared to serve as assessors.' An election is to be held for that purpose. This could not have been anticipated and no election rules have been provided for this purpose. But in case where there are no express rules, the rules which apply to other kinds of election should naturally apply. The illustration given by you that before any rules were framed candidates were at liberty to withdraw whenever they liked even after elections had proceeded for a day or two, I submit, does not apply to the present case. There, if a candidate thinks that his rival is likely to beat him and beat him hollow, he thinks it to be better part of valour to retire from election at that time, so that he might avoid the situation of being declared as badly beaten at the end of the election. Therefore he retires before the election is over. That retirement is not legal retirement and is not recognised as such. That is really leaving the field for fear of a bad defeat. That would not be recognised by any presiding or polling officer or any authority under the Municipal Act or any other Act. Therefore that analogy does not at all apply and in order to prevent that, as you have been pleased to state yourself, the Government has made definite rules fixing the time by which any candidate whether at the municipal election or any other election should withdraw and not after that. Not taking part in election does not mean retirement. That is a different matter.

Chaudhri Zafrullah Khan [Sialkot (Muhammadian), Rural]: Sir, I do not wish to argue one way or the other as to the legality or the commendability of our withdrawals. It is entirely in your hands to allow the withdrawals or not to allow them. My honourable friend, Dr. Gokul Chand, Narang, has, however, asked for an explanation. I cannot give him a detailed explanation, but I will say just this much. My honourable colleagues who have put in their withdrawals and myself had hoped that an election would not become necessary as unanimity might be achieved, and as a matter of fact I had made it a distinct condition that if unanimity was not achieved I was not willing to sit on the committee, for an election might engender a certain amount of friction which might reflect itself in the working of the committee. When at the last moment we discovered that unanimity had not been achieved we put in our withdrawals. It is within your discretion to accept them or not. There is not, however, the slightest hint that we want to non-co-operate. If my honourable friend, Dr. Gokul Chand Narang, had been present in this House on the occasion when the resolution was moved that this Council should elect a committee to co-operate with the Statutory Commission, and if he had heard my speech on that occasion, he would not have had the slightest suspicion that either myself or my colleagues had been influenced by any idea of non-co-operation in putting in our withdrawals.

Dr. Gokul Chand, Narang : There is one other question that my friends who have sent in their withdrawal slips may be pleased to answer.

Chaudhri Zafrullah Khan : I am not supposed to answer every question.

Dr. Gokul Chand, Narang : I do not say that the honourable member should answer. If he is pleased he may answer ; otherwise not. The question that I venture to ask is this. Supposing one of these four gentlemen who have sent in their withdrawal slips adheres to his withdrawal, are the other three gentlemen prepared to withdraw their withdrawals ?

Mr. President : Then the condition of unanimity would be satisfied.

Dr. Gokul Chand, Narang : That is what I was going to say.

The Honourable Malik Firoz Khan, Noon [Minister for Local-Self-Government] : Considering the poor attendance of the members of my party in the House we find that it is difficult for our party to get 4 men elected, and therefore we have agreed between ourselves that I should withdraw and make room for the other three colleagues. If you will kindly permit, my withdrawal may stand and the other three of my party may go in.

Mr. President : I think that decides the question. Unanimity will be secured. The Honourable Malik Firoz Khan, Noon, is prepared to make that sacrifice. Do the other members agree to this ?

Chaudhri Zafrullah Khan : Before that is decided on, on behalf of myself and my colleagues I wish to express our sense of appreciation of the course adopted by the Honourable Minister for Local Self-Government in order to enable this House to reach unanimity.

Mr. President : It appears that the general wish of the House is that he might withdraw. Therefore, the following seven gentlemen are declared duly elected—

Mr. Owen Roberts ;

Sardar Ujjal Singh ;

Khan Bahadur Capt. Sardar Sikandar Hayat Khan ;

Rai Sahib Chaudhri Chhotu Ram ;

Chaudhri Zafrullah Khan ;

Diwan Bahadur Raja Narendra Nath ; and

Dr. Gokul Chand, Narang.

The Council then adjourned till 5 P.M.

The Council re-assembled at five of the Clock, Mr. President in the Chair.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to present the report of the drafting committee on the Punjab Land Revenue (Amendment) Bill.

The Honourable Mian Sir Fazl-i-Husain : I beg to move that the report be taken into consideration and the consequential and formal amendments recommended by the committee be adopted.

The motion was carried.

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

“That the Punjab Land Revenue (Amendment) Bill be passed.”

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

Sir, it will be very obvious to this House that the amendments passed by the Council have modified the Bill in very important particulars. The Bill was originally introduced after discussion with and by permission of the Government of India, the points arising in that discussion being of general policy and coming within the purview of the Government of India under section 38 of the Government of India Act. In the circumstances though the Government will not oppose the passing of the Bill it will be necessary for it to consider the position which has arisen, and it will have to decide whether it will recommend to His Excellency the Governor that the Bill be returned by him for re-consideration on certain points under section 81-A (1) of the Act or that it be reserved under sub-section (2) of that section for the consideration of the Governor-General. In view of the great deal of discussion that has already taken place on this subject I have hardly anything more to add to what has already been said.

Mr. President : The question is—

“ That the Punjab Land Revenue (Amendment) Bill be passed.”

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] : Sir, I am quite dissatisfied to hear from the Honourable Revenue Member that there is still the possibility that the Bill will come back to the Council for re-consideration or the possibility of its being reserved for the Governor-General's pleasure. This means that there are still troubles in the way of this Bill becoming an Act. Every fair-minded person knows that the House took a broad-minded view, and it acquiesced with the decision of Government in the most vital matter. The House showed its broad-mindedness and its sense of responsibility in every possible way. The only amendment which is now said to have substantially modified the Bill is the change of the net assessment from 33 per cent. to 25 per cent. This is the change which has made the Bill to hang in the balance, either to come back to the House for reconsideration or to be referred to the Governor-General. Similar measures of identical nature have been before the Legislative Councils of other provinces and these Councils have adopted changes of a drastic nature in the Bill. They not only wanted the reduction of the assessment from 33 per cent. to 25 per cent. in accordance with the recommendation of the Taxation Committee, but they wanted provisions made in the Bill giving the Council entire control over the matter. The Punjab Council, on the other hand, will have to its credit that it tried to give every consideration to the Bill. It tried to give a lead to the other provinces, in fact it has set an example of broad-mindedness. It has not shirked the responsibility of taxation. It has left the hand of the Government unhindered in about more than one-third of the province where canal irrigation has been either in existence or there is a possibility of its coming into existence. Is there any man in this province who can say that some relief should not be given to these hard-worked people to whom well irrigation is the only source of livelihood and whose whole life is one of misery? Yet, even here the Council has given power to the Government to increase the assessment to 25 per cent. I still maintain that this land revenue is a tax and is one of the heaviest taxes and every effort should be taken to make the incidence as light as possible. It is in that hope that though the measure is not quite satisfactory the Council has made it

as satisfactory as possible and I am sure the House will bear me out when I say that it will not be prepared to make any modification if the Bill comes back for its reconsideration. A great agitation will be started if effect is not given to this measure. This is a measure which we, the zamindars, call the Magna Charta and if the assent of the Governor is not given to it we will have to lay the matter before the Simon Commission. Under the circumstances I hope that the Honourable Revenue Member will consider carefully before he recommends the withholding of the assent of the Governor.

The Honourable Mian Sir Fazl-i-Husain : Does the honourable member suggest that the Bill be not returned to this House for reconsideration? In that case the alternative course will be to reject the Bill.

Mr. President : The question is :—

“ That the Punjab Land Revenue (Amendment) Bill be passed.”

The motion was carried.

AMENDMENT OF STANDING ORDERS.

Sardar Habib Ullah : Sir, I beg to present the report of the Select Committee appointed to consider the draft amendments to the Punjab Legislative Council Standing Orders.

Sardar Habib Ullah : Sir, I beg to move.

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

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. III) to Standing Order be adopted :

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 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.”

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. IV) to Standing Order be adopted.

In Standing Order 32 re-number the existing clauses (2) and (3) as clauses (3) and (4), respectively.”

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. V) to Standing Order be adopted.

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 negative he shall put the original question forthwith without any further debate or amendment.”

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. VI) to Standing Order be adopted.

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. ’

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. VII) to Standing Order be adopted.

In Standing Order 42 (5) last line, delete the words ‘ of the report ’ and insert the words ‘ on which he signs the report. ’

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. VIII) to Standing Order be adopted.

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 ’.

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. IX) to Standing Order be adopted.

In Standing Order 59, first line, between the word ‘ give ’ and the word ‘ fifteen ’ insert the words “ not less than ”.

The motion was carried.

Mr. President : The question is :—

“ That the following amendment (Item No. X) to Standing Order be adopted.

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 his statement.

81. (1) A committee on petition 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.

Nomination of committee on petition.

- (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. 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.

Examination and report by committee.

84. Every petition shall—

(i) either be in English and in print or, if not in English, be accompanied by Printing countersignature and an accurate English translation in print; 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 forms of petitions.

The motion was carried.

Mr. President : The question is :—

“ That the following schedule be adopted.

SCHEDULE II.

FORMS OF PETITION.

(See Standing Order 87.)

To the Legislative Council, Punjab.

Here Title of Bill).

Whereas a Bill entitled a Bill

is now under the consideration of the Punjab Legislative Council the humble petition of

Here insert name of designation or description of petitioner or petitioners in concise form, e.g., I am Lal and others' or 'the inhabitants of _____ the municipality of _____)

Here insert a concise statement of case).

sheweth

Here insert 'that Bill be or be not proceeded with,' or 'that special provision be made in the Bill to meet the case of your petitioner' or 'other appropriate prayer regarding Bill.)

and accordingly your petitioner (or petitioners) pray that

and your petitioner(s) as in duty bound will ever pray.

Name of petitioner.

Address.

Signature or thumb impression.

Countersignature of member presenting ."

The motion was carried.

Sardar Habib Ullah : Sir, I beg to move—

“ That the draft amendments of Standing Orders be approved.”

The motion was carried.

ELECTION OF A MEMBER TO THE FOREST BOARD.

Mr. President : The Council will proceed to elect a non-official member to serve on the Forest Board in place of Sardar Kundan Singh, resigned.

(Voting papers were then distributed).

(After the voting was over and counting of votes finished).

Mr. President : The votes recorded are as follows :—

For Lala Mohan Lal : 27.

For Nawab Major Malik Talib Mehdi Khan : 24

For Khan Bahadur Malik Muhammad Amin Khan, 1.

I declare Lala Mohan Lal duly elected.

RESOLUTION.

RESOLUTION RE DAMAGE TO WHEAT AND GRAM CROPS.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural],
(Urdu) : Sir, I beg to move—

“ This Council recommends to the Government to investigate the nature and the extent of the damage done to wheat and gram crops of the season and to give immediate relief in the shape of necessary remission of *abiana* and land revenue.”

Sir, anybody who has read newspapers of the last fortnight or has in any way come into contact with the villagers would be aware of the fact that an unprecedented loss has been done to the wheat crop throughout the province by an unknown calamity and that it has affected, every village very seriously. The ‘ pachotri ’ crop is entirely destroyed and the same lot has befallen to more than 80 per cent. of the ‘ Aghatri ’ crop, and moreover it has not even spared fruit gardens. The zamindars of the Punjab are so poor that if once crop fails, they find it difficult to eke out even a precarious living. They do not possess enough money to pay land revenue and *abiana* and naturally resort to *sahukars* who lend them money at exorbitant rates. On account of this calamity the zamindars are in great trouble and naturally look to the Government for help and succour at this critical juncture and I trust Sir, that the Government like the kings of the past, would not leave them in the lurch but would come to their rescue. In this connection, I venture to submit Sir, that the best way of ameliorating their condition is that the whole land revenue be exempted and its suspension would not do them any substantial good in the long run.

Sir, another and a most important point to which I would like to draw the attention of the Government is that now most of the crops have been reaped and therefore, no time for inquiry is left. If the Government, however, insists on making enquiry and entrusts this work to patwaris, the result would be still more disastrous because as the crops have been reaped for fodder purposes, their reports would not reflect the true conditions obtaining in the province and over and above this, these patwaris would loot the poor zamindars of the little that is left to them.

In the end, I again tell the Government that a very great loss has been done to wheat crop in the province and no village or district is spared. The

[Sayad Muhammad Husain.]

zamindars are already very poor and immersed in debt and if the Government does not come to their rescue at this crisis and remit the whole land revenue, their destruction is a foregone conclusion. The whole of the province with one voice cries for immediate and effective relief and I trust that our benign Government would very kindly earn the gratitude of the people by remitting the whole land revenue.

Mr. President : The resolution proposed runs :—

"This Council recommends to the Government to investigate the nature and the extent of the damage done to wheat and gram crops of the season and to give immediate relief in the shape of necessary remission of *abiana* and land revenue."

The question is that that resolution be adopted.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu) : Sir, I should like to make it clear at the outset that I have a heartfelt sympathy with the object underlying the resolution before the Council and that I have risen to extend my heartiest support to it. Sir, the demand made in the resolution is so just, fair and equitable that I do not think that any lengthy speeches or arguments are necessary and I would, therefore, make a few observations on three points in this connection.

Sir, my first submission is that the calamity was so unexpected that barring a few persons, none could anticipate it. The result is that very few application bringing to the notice of the authorities the calamity, have been made. In view of the unexpected nature of the calamity and the illiteracy and simplicity of the zamindars, I would request the Government that whatever relief be given, it should not be given only to those who applied for it but also to others who did not apply but really deserve it.

Sir, the honourable mover has remarked that the crop sown late is entirely destroyed and that loss to crop formerly though very great, is not as great as to the former. But as the crop has been reaped by this time and thrashing operations are in progress there is no way of ascertaining the extent of damage done to early or late sowings. I would request the Government that it should not worry itself with an inquiry into this matter, but should give the relief irrespective of the time of sowings.

Sir, my last submission is that if any remission is to be made, it should be on a generous scale and both land revenue and *abiana* should be remitted because in some districts tenants pay only *abiana* and owners pay only land revenue. In others both are shared equally by the tenant and landlord. Therefore if both land revenue and *abiana* are not remitted either the landowners or the tenants would suffer.

With these remarks, I once more extend my wholehearted support to the resolution.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, Government received numerous complaints as to the damages done to wheat and gram crops. Instantaneously enquiries were instituted into these complaints. From the intermediary reports received Government is satisfied that a great deal of damage has been done by this widespread natural calamity (*hear, hear*). Government sympathises with all those who

have suffered from this calamity. What are the causes of this and what is the extent of this calamity, Government is bound to investigate—causes with a view to prevent its recurrence and the extent with a view to see how far it deserves, in the first place, remission of land revenue and in the second place, of *abiana*. In those cases where poor small landholders are concerned, not only is the question of remission of *abiana* and land revenue to be considered but Government is very much concerned of the future and is prepared to take steps to see that *taccavi* is distributed on a large scale. (*Hear, hear*). Therefore, Sir, Government is prepared to accept the resolution as it stands to the following effect :—

“ This Council recommends to the Government to investigate the nature and the extent of the damage done to wheat and gram crops of the season and to give immediate relief in the shape of necessary remission of *abiana* and land revenue.”

I should, however, inform the Council that while Government is most anxious to do what it can in the matter of remission as also in the matter of the distribution of *taccavi*, it must be only in the case of those people who have actually suffered damage and it must be in proportion to the extent of the damage done. I have more than once pointed out to my friends that a good case should not be spoiled by unnecessary exaggeration. (*Hear, hear*). Good cases should not be mixed up with bad cases to the prejudice of good cases. When it is alleged that there has been widespread calamity and widespread damage, Government is prepared to admit that statement ; but when a statement is made that in every nook and corner of the Punjab damage has been done, Government is not prepared to admit that, because Government has received reports already from the various officers stating that in such and such a place considerable damage is done, in such and such a place the damage is small and in some other places it is very little. As a matter of fact none of us can profess to have personal knowledge of the 29 districts of the Punjab considering the extent of each district.

We hear something about one district. We are asked to be very generous to that district. That is not fair. In order to find out the nature and extent of damage done, with a view to give the necessary remission Government has already not only instituted enquiries but has requested its district officers in the revenue department, its local officers in the irrigation department, its supervising officers in the irrigation department to be so good as to come to Lahore to-morrow to meet us and to tell us the extent of damage done and the nature of the damage done so that Government may be in a position to arrive at certain decisions as to its extent and the best way of meeting it, whether under the rules or if necessary even going a little outside the rules, so as to satisfy the claims of justice in the matter. In this work Government expects this Council to give it all the support it can, not by making the thing confused, but by making it clear so that such help as the state gives to the people may go to the most deserving men who need it. I may assure you that Government is most anxious to give this aid, but the Government is at the same time most anxious to give it to the extent that is most necessary and not a single pice should be spent unnecessarily. Having said these words of caution I repeat what I said in the beginning of my speech that Government is prepared to accept the resolution as it stands. (*Hear, hear and cheers*).

Mr. Owen Roberts (Non-official, nominated): Sir, I feel, I must express my sympathy with the honourable mover of this resolution. I had an opportunity a fortnight ago to examine a large number of samples of wheat collected from a number of districts and side by side with those samples I had the advantage of considering certain data and came to the conclusion that the damage to the wheat crop amounted probably to 25 per cent. If my assessment is correct the first consideration to strike one is that a damage of 25 per cent. represents far more than the entire profits of the crop to the province. This is unfortunately not a single bad season for zamindars. In 1922-23 the estimated crop was four and a half million tons. From that time up to the present it has never reached four million tons and I very much doubt if the damage of 25 per cent. to this crop will leave more than 2½ million tons which will be only sufficient to meet the actual needs for consumption of this province. The damage is very very serious and if there is anything in the nature of a monsoon failure, the result may be very serious indeed.

Mr. E. Maya Das: May I ask one question, Sir? If the damage is really so serious, how is it that the price is somewhat low and has not gone up?

Mr. Owen Roberts: The reason is that there is no outside demand on this province for the time being. At present the demand is restricted absolutely to local consumption.

Mr. President: The resolution proposed runs:—

"This Council recommends to the Government to investigate the nature and the extent of the damage done to wheat and gram crops of the season and to give immediate relief in the shape of necessary remission of *abiana* and land revenue."

The question is that that resolution be adopted.

The motion was carried.

The Council then adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Answers received after the publication of the debates of the dates on which the questions were put—*vide* page 1058 *ante*.

ANSWERS TO STARRED QUESTIONS.

VOL. X-A.

MEHTA WASSU RAM.

(Answer to Question No. 31,* page 159).

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes.

(c) Yes. But as the case had been fully investigated by the local police and a further enquiry made by the Magistrate Naqa without success, it was considered unnecessary to invite the assistance of the Criminal Investigation Department.

(d) This is the only murder case reported in the zail of Pir Bakhsh Kanjun since his appointment as zaildar and is therefore the only case that has remained untraced.

LICENSES FOR MOTOR VEHICLES IN THE HOSHIARPUR DISTRICT.

(Answer to Question No. 38,* page 162).

The Honourable Mian Sir Fazl-i-Husain : (i) Eighty-five.

(ii) Approximately the same number.

(iii) It is believed that several of the motor vehicles licensed to ply for hire upon the Hoshiarpur-Garhshankar and Hoshiarpur-Jullundur roads are not in good condition. This matter is now receiving attention.

(iv) Yes.

CONFISCATION OF IMMOVEABLE PROPERTY FOR POLITICAL OFFENCES.

(Answer to Question No. 45,* page 165).

The Honourable Sir Geoffrey deMontmorency : The answer to question No. 3497 is laid on the table.

(Answer to Question No. 3497, Volume IX-B., page 1632).

The Honourable Sir Geoffrey deMontmorency :

(a) and (b) (i). Government can only give the names of persons whose property was confiscated in connection with the Ghadr Conspiracy cases of 1914-15. A statement containing the required information in respect of these persons is appended below.

(b) (ii) It is not possible to say how much of the confiscated property was ancestral or self-acquired.

Statement showing the names of persons whose immoveable property has been confiscated in connection with the Ghadr Conspiracy cases of 1914-15.

Name.	Whether the property confiscated has been restored.
1. Chubar Singh	Three years ago his land and house were restored to his sons, Kishen Singh and Santa Singh.
2. Nand Singh	Nothing has been restored.
3. Rur Singh	The property was restored on appeal.
4. Balwant Singh	The property is now possessed by Gurdit Singh, a near relative of Balwant Singh.
5. Bakhshish Singh	Ten bighas were released for the maintenance of his wife and daughter.
6. Jowala Singh <i>alias</i> Santa Singh	The property is now possessed by his brother Surain Singh.
7. Sawan Singh	The property is now possessed by his wife.
8. Surain Singh	His land was totally under mortgage; hence it could not be auctioned and has now been mortgaged to some one else by his son.
9. Bishan Singh	His land has been released for the maintenance of his widow and children.
10. Bishan Singh	Nothing has been restored.
11. Hazara Singh	Ditto.
12. Kehar Singh	The land was released on his death.
13. Kesar Singh	Nothing has been restored.
14. Khushal Singh	Ditto.
15. Lal Singh	Ditto.
16. Udham Singh	The property was afterwards released.
17. Wasakha Singh	Only a part of his property was confiscated.

THARRAS IN SARGODHA AND LYALLPUR TOWNS.

(Answer to Question No. 61*, (vi) page 221.)

The Honourable Mian Sir Fazl-i-Husain : (vi) Answer to this part of the question is in the affirmative.

IMPRISONMENT IN DEFAULT OF PAYMENT OF FINES.

(Answer to the Supplementary questions to Question No. 79*, page 360).

The Honourable Sir Geoffrey deMontmorency: The figures which Government promised to supply in respect of persons sentenced to fine only and imprisoned in lieu of payment for the year 1926 in the districts of Lahore and Amritsar, are as follows:—

- | | | |
|--------------|---------|----|
| (a) Amritsar | .. .. . | 58 |
| Lahore | .. .. . | 46 |
- (b) Yes: in practically all these cases reasonable time was allowed for the payment of fine.
- (c) At Amritsar the time for payment was extended in 21 cases. At Lahore no extension was requested or granted.

HIRE CHARGES OF CARS BETWEEN CERTAIN STATIONS.

(Answer to Question No. 95,* page 366).

The Honourable Mian Sir Fazl-i-Husain: The average charges are reported to be as follows:—

- (i) 6 annas.
- (ii) Pathankot to Gaggal, 3 annas, Gaggal to Dharmasala, 6 annas.
- (iii) 5 annas 6 pies.
- (iv) 3 annas 10 pies.
- (v) 3 annas 7 pies.
- (vi) Government has no information.

The figures against (i) and (ii) are for first class seats, and the figure against (iii) is the maximum sanctioned charge.

MUNICIPAL COMMISSIONERS HOLDING LAND IN THE LOWER BARI DOAB COLONY ON ABADKARI CONDITIONS.

(Answer to Question No. 101,* page 370).

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

(b) They have been exempted from residence on the estates by the Collector for the reason that they are municipal Commissioners and as such their presence in the city is absolutely necessary.

MARTIAL LAW PRISONERS.

(Answer to Question No. 187,* page 539).

The Honourable Sir Geoffrey deMontmorency: (a) Yes.

(b) and (c) A statement giving the required information is laid on the table.

Name of prisoner with father's name.	Term of imprisonment	Probable date of release.	Place of confinement.	Whether suffered at any time from any serious illness.
	Rigorous imprisonment. Y. M. D.			
1. Amrik Rai, son of Lala Parbat Rai.	10 0 0	18th January 1928.	Central Jail, Lahore.	Lobar pneumonia in January 1921.
2. Khuda Dad, son of Nadir Khan.	10 0 0	1st January 1928.	Central Jail, Lahore.	
3. Jani, son of Muhammad Bux.	10 0 0	11th April 1928.	Central Jail, Lahore.	
4. Sadro, son of Mahkhan.	10 0 0	1st August 1927.	Central Jail, Lahore.	Had Appendicitis in 1924.
5. Devi Dial, son of Dewan Chand.	10 0 0	11th July 1927.	Central Jail, Lahore.	
6. Dewan Chand, son of Kishan Chand.	10 0 0	21st November 1927.	Central Jail, Lahore.	
7. Umar, son of Karim Bux.	10 0 0	4th November 1927.	Central Jail, Lahore.	
8. Muhammad Hussain, son of Abdul Manan.	10 0 0	30th October 1927.	Central Jail, Lahore.	
9. Feroze, son of Mola Bux.	10 0 0	2nd July 1927	Central Jail,	
10. Kisar Mal, son of Nanak Chand.	10 0 0	30th June 1927.	Central Jail, Lahore.	
11. Inayat, son of Pir Mal.	10 0 0	21st December 1927.	Central Jail, Lahore.	
12. Mahna Singh, son of Dhian Singh.	10 0 0	5th January 1928.	Central Jail, Lahore.	
13. Gujrati Mal, son of Thakar Dass.	10 0 0	2nd February 1928.	Central Jail, Lahore.	
14. Ali Muhammad, son M. H. Imam Din.	10 0 0	28th June 1928.	Central Jail, Lahore.	
15. Kanhaya, son of Ruldor.	14 0 0	1st November 1931.	Central Jail, Lahore.	
16. Kahna, son of Goman.	14 0 0	1st January 1932.	Central Jail, Lahore.	

Name of prisoner with father's name.	Term of imprisonment	Probable date of release.	Place of confinement.	Whether suffered at any time from any serious illness.
	Rigorous imprisonment.			
	Y. M. D.			
17. Gardhari Lal, son of Moti Ram.	16 0 0	17th April 1935.	Central Jail, Lahore.	
18. Nizam Din, son of Rustam Bux.	10 0 0	13th April 1928.	Central Jail, Lahore.	
19. Nizam Din, <i>alias</i> Dado, son of Kamal.	14 0 0	31st January 1932.	Central Jail, Montgomery.	
20. Gian Singh, son of Dial Singh.	Death sentence reduced first to transportation for life and later to 10 years' rigorous imprisonment.	28th February 1929.	Central Jail, Multan.	
21. Baga Mal, son of Pana Mal.	Death sentence reduced to transportation for life.	8th August 1932.	Central Jail, Multan.	Suffered twice from malaria; twice from Jaundice; once from influenza.
22. Sandagar Singh, son of Kala Singh.	Death sentence reduced to transportation for life.	29th October 1938.	Central Jail, Multan.	
23. Ganda Singh, son of Atma Singh.	Death sentence reduced to transportation for life and later commuted to 14 years rigorous imprisonment.	19th February 1932.	Central Jail, Multan.	
24. Ghulam <i>alias</i> Sap, son of Shamaa Din.	10 years rigorous imprisonment.	28th August 1927.	Sialkot.	

Name of prisoner with father's name.	Term of imprisonment.	Probable date of release.	Place of confinement.	Whether suffered at any time from any serious illness.
	Rigorous imprisonment. Y. M. D.			
25. Tirath Ram, son of Devki Ram.	10 0 0	1st November 1927.	Gujranwala.	
26. Dial Singh, son of Gian Singh.	10 0 0	22nd June 1927.	Lyallpur.	
27. Kahan Singh, son of Lal Singh.	10 0 0	29th September 1927.	Jullundur ..	Pneumonia, malarial fever and pleurisy while in Lahore Central Jail.
28. Amar Singh, son of Lachman Das.	Death but reduced to transportation for life.	30th April 1930.	Delhi.	

SCHOOLS IN THE RAWALPINDI DIVISION.

(Answer to Supplementary question to question No. 159*, page 548).

The Honourable Mr. Manohar Lal : List of Schools in the Rawalpindi Division which applied for recognition during the years 1925-26 and 1926-27, but have not been recognised.

Name of School.	Reasons for refusing recognition.
1. A. V. Islamia Middle School, Mukhad (Attock).	(a) Building unsuitable. (b) Staff untrained. (c) Equipment unsatisfactory. (d) Number on rolls in the 7th class too small to raise the school to Upper Middle standard.
2. A. S. Middle School, Karyala (Jhelum).	(a) Staff inefficient. Only one teacher trained. (b) Equipment and library inadequate. (c) A counter application was submitted by the Non-Sanatanists alleging that the school building was the joint possession of the public and not the exclusive property of the Arya Samaj, etc.
3. Islamia A. V. Middle School, Wara Alam Shah (Gujrat).	(a) Average attendance in the secondary classes poor. (b) Financial condition not satisfactory. (c) Staff not fully qualified. (d) Recognition was applied for on the ground that the school will become efficient after recognition is granted. This was against the instructions contained in paragraph 6 of Director of Public Instruction's D. O. No. 11640-G., dated the 22nd October, 1925.
4. Khalsa A. V. Middle School, Pindi Saidpur (Jhelum).	Staff and equipment inadequate.

SALE OF LAND TO S. KIRPAL SINGH.

(Answer to Question No. 165, pages 554-55.)*

The Honourable Mian Sir Fazl-i-Husain : (a) Five acres of land adjoining a garden he had planted were sold to Sardar Kirpal Singh in Chak No. 102/15-L., Tahsil Khanewal, in accordance with the general orders of Government for the disposal of such small plots. An offer of a higher price was made by another person after the sale to Sardar Kirpal Singh had been sanctioned.

(b) The only neighbouring grantee, one Bishen Singh, was not summoned by the S. D. O. as his offer had already been made.

Nothing was suppressed in the S. D. O.'s recommendation.

(c) Sardar Bishen Singh made an application to the Deputy Commissioner on the subject ten days after the latter had sanctioned the sale.

(d) No.

(e) Yes, mutation has been effected in favour of Sardar Kirpal Singh. No question of any action by Government arises as there has been no loss of revenue.

IRRIGATION IN MULTAN.

(Answer to Question No. 166, page 555.)*

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, the speech referred to has been seen. The possibility of giving a perennial supply to the Sidhnai from the Lower Bari Doab Canal was carefully examined in 1914-15 and had to be given up as impracticable.

The alternative scheme of feeding the Sidhnai under the Haveli Project was submitted to the Government of India in 1915 but was received back unsanctioned with the remark that it should be held over till the Sutlej Valley Project was complete. This scheme is now being re-examined and will be ready for sanction by the time the Sutlej Valley Project is complete.

(b) Complaints when received are dealt with on their merits.

MUSSAMMAT LACHHYA, PRISONER IN LAHORE FEMALE JAIL.

(Answer to Question No. 168, page 556.)*

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) The release warrant was received at the Muzaffargarh Sub-Jail on the 16th February 1927. The prisoner had by then been transferred to the Lahore Female Jail. The warrant was forwarded immediately and the prisoner was released on its receipt.

(c) There was evidently some delay in communicating the orders of the High Court to the Jail authorities. Further enquiry will be made concerning the cause of this delay and the official responsible.

(d) Without particulars as to the name, parentage, residence and offence of the other co-accused, it is impossible to answer this part of the question.

GRANT OF LAND FOR BREEDING OF CATTLE.

(Answer to Question No. 193,* Pages 572-73).

The Honourable Mian Sir Fazl-i-Husain :

	Area.
(1) Lala Bahadur Chand and Mahla Singh ..	3,131 acres.
(2) Khan Bahadur Risaldar-Major Fazal Dad Khan..	3,140 "
(a) { (3) Ch. Jahangir Khan	4,226 "
(4) M. Ghulam Qadir Khan	1,000 "
(5) Ch. Allah Dad Khan	3,800 "

(400 acres unculturable).

(b) Yes. Periodical inspections of the grants are made, and the reports show that on the whole the grantees are fulfilling the conditions satisfactorily. In one case where the grantee was found to be making no attempt to do so, the grant was resumed last year.

(c) This has been answered in the reply to part (b).

GOVERNMENT OFFICIALS AND CORRUPTION.

(Answer to Question No. 198,* page 629).

Statement showing action taken against corrupt officials in the Punjab for the year 1925-26.

Head of Department or Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Deputy Commissioner, Hissar.	2 Field Kanungos	1 Transferred to a Barani Circle. 1 Reverted to the post of Canal Munshi.	Appeal rejected by Commissioner.
	3 Patwaris ..	1 Name removed from the list of Patwari candidates. 2 Dismissed.	Appeal rejected by Commissioner.
Deputy Commissioner, Karnal.	2 Patwaris ..	Dismissed.	
	1 Field Kanungo	Suspended.	
Deputy Commissioner, Jullundur.	1 Field Kanungo	Suspended.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—(contd.)*

Head of Department or Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Deputy Commissioner, Ferozepore.	1 peon ..	Dismissed.	
Deputy Commissioner, Jhang.	1 Clerk ..	Increment withheld and transferred from a Judicial Court to the Record Room.	
Deputy Commissioner, Attock.	7 ..	4 Dimissed. 2 Resigned during course of enquiry into their case.	
		1 Absconded ..	Will be prosecuted when arrested.
Deputy Commissioner, Lyallpur.	3 ..	2 Dimissed. 1 Fined and reduced.	
Deputy Commissioner, Multan.	1 ..	Suspended.	
Deputy Commissioner, Lahore.	1 ..	Suspended for one month.	
Deputy Commissioner, Amritsar.	1 ..	Dismissed.	
Deputy Commissioner, Gujranwala.	2 ..	1 Made to retire. 1 Dimissed.	
District and Sessions Judge, Hissar.	1 Bailiff ..	Suspended for 2 months and transferred to another place.	
	1 Process-server	Suspended for 2 months.	
	1 Offg. Process-server.	Dismissed from service and name struck off the list of candidates.	
District and Sessions Judge, Karnal.	1 Clerk of Court	Reduced to the post of Reader and transferred.	
District and Sessions Judge, Lahore.	1 Bailiff ..	Fined one month's pay.	
District and Sessions Judge, Mianwali.	5 Process Servers	1 Dimissed. 3 Fined. 1 Suspended for four months.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—(contd.)*

Head of Department or Office.	Number of offi- cers punished.	Nature of punishment awarded.	REMARKS.
District and Sessions Judge, Lyallpur.	1 Process-server	Dismissed.	
District and Sessions Judge, Multan.	1 Reader to Sub- Judge.	Suspended pending an enquiry against him in a Criminal Court of Law.	
Public Works Depart- ment, Buildings and Roads Branch.	2 ..	Dismissed.	
Public Works Depart- ment, Irrigation Branch.	4 Patwaris ..	1 Bonus forfeited. 3. Dismissed.	
	1 Temporary sub- ordinate.	Dismissed and proscribed from future Govern- ment employment.	
	1 Assistant En- gineer.	Probationary period ex- tended, two increments withheld, permanent position on the seniority list reduced and trans- ferred.	
	1 Upper Subordi- nate Residue.	Two increments with- drawn, permanent posi- tion on the seniority list reduced and trans- ferred.	
	1 Overseer ..	Dismissed.	
Director of Agriculture	2 Bir Chaprasis belonging to the Government Cattle Farm, Hissar.	1 Dismissed. 1 Marked absent for ten days.	
Inspector-General of Police, Punjab.	3 Sub-Inspectors	Reduced.	
	1 Sub-Inspector	Warned under Police Rule 17-31.	
	1 Sub-Inspector..	Forfeiture of approved service.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—(contd.)*

Head of Department or Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Inspector-General of Police, Punjab— <i>contd.</i>	1 Sub-Inspector..	Increment stopped.	
	7 Head Constables	Dismissed.	
	3 Head-Constables	Warned under Police Rule 17-31.	
	23 Foot Constables.	Dismissed.	
	1 Foot Constable	Dismissed following Judicial punishment for corruption.	
	3 Foot Constables	Reduced.	
	6 Foot Constables	Awarded black marks.	
	1 Foot Constable	Discharged.	
	3 Foot Constables	Warned under Police Rule 17-31.	
	3 Foot Constables	Forfeiture of approved service.	
	1 Foot Constable	Increment stopped.	
INSPECTOR-GENERAL OF PRISONS, PUNJAB.			
Lahore Female Jail ..	1 Warder ..	Suspended for 1 month.	
Jhalum District Jail ..	Do. ..	Dismissed.	
Rohtak District Jail ..	2 Warders ..	1 Fined. 1 Dismissed.	
Gurdaspur District Jail	2 Warders ..	Both fined.	
Multan Central Jail ..	3 Head Warders	2 Reduced to warder's grade. 1 Fined $\frac{1}{2}$ month's pay.	
	6 Warders	2 Fined. 2 Suspended. 1 Reduced. 1 Leave stopped for six months.	
Multan District Jail ..	1 Warder ..	Dismissed.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—contd.*

Head of Department or Office.	Number of offi- cers punished.	Nature of punishment awarded.	REMARKS.
INSPECTOR-GENERAL OF PRISONS, PUNJAB— (concl.)			
Gurgaon District Jail ..	2 Warders ..	Both fined.	
Shahpur Tubercular Jail	1 Head Warder..	Fined ½ month's pay.	
	1 Warder ..	Suspended for 3 months.	
Capmbellpur District Jail	2 Warders ..	1 Leave stopped for six months.	
		1 Fined.	
Lahore Central Jail ..	1 Head Warder..	Dismissed.	
	4 Warders ..	1 Sent up for Judicial trial but absconded.	
		1 Fined.	
		1 Dismissed.	
		1 Sent up for Judicial trial.	
Borstal Institution Lahore	2 Warders ..	Both suspended for 1 month without allow- ances.	
Montgomery Central Jail	3 Warders ..	1 Dismissed.	
		1 Awarded 7 days' extra drill.	
		1 Suspended.	
Deputy Commissioner for Criminal Tribes, Punjab	1 Assistant Super- intendent In- dustrial Settle- ment, Chicha- watni.	Dismissed.	
	1 Superintendent Industrial Settle- ment, Chicha- watni.	Both were permitted to resign.	
	1 Assistant Super- intendent, In- dustrial Settle- ment, Chicha- watni.		

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—(contd.)*

Head of Department or Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Chief Secretary to Government, Punjab.	3 Extra Assistant Commissioners.	<p>One was dismissed on the result of a commission of enquiry under Act XXXVII of 1850. Another was removed from the service with a compassionate allowance on the result of a departmental enquiry.</p> <p>*The third was permitted to resign as an alternative to facing Public Enquiry.</p>	<p>*In this case the success of an enquiry was doubtful as the evidence was several years' old and Government had misgivings that the witnesses had been tampered with. The official in question had 20 years service and in resigning forfeited all claims to pension.</p>

The following officers and Departments have no cases to report :—

Deputy Commissioner,	..	Rohtak.
"	"	.. Gurgaon.
"	"	.. Ambala.
"	"	.. Simla.
"	"	.. Kangra.
"	"	.. Hoshiarpur.
"	"	.. Mianwali.
"	"	.. Muzaffargarh.
"	"	.. Sialkot.
"	"	.. Gurdaspur.
"	"	.. Ludhiana.
"	"	.. Gujrat.

*Statement showing action taken against corrupt officials in the Punjab
for the year 1925-26—(contd.)*

Deputy Commissioner	..	Shahpur.
" "	..	Jhelum.
" "	..	Rawalpindi.
" "	..	Montgomery.
" "	..	Dera Ghazi Khan.
" "	..	Sheikhupura.
Commissioner	..	Ambala Division.
"	..	Jullundur Division.
"	..	Rawalpindi Division.
"	..	Multan Division.
District and Sessions Judge	..	Ferozepore.
" " " "	..	Amala.
" " " "	..	Ludhiana.
" " " "	..	Jullundur.
" " " "	..	Hoshiarpur.
" " " "	..	Gurdaspur.
" " " "	..	Amritsar.
" " " "	..	Montgomery.
" " " "	..	Sialkot.
" " " "	..	Jhelum.
" " " "	..	Gujranwala.
" " " "	..	Rawalpindi.
" " " "	..	Attock.
" " " "	..	Dera Ghazi Khan.

Registrar, High Court of Judicature at Lahore.

Financial Commissioner.

Director of Land Records.

Director of Public Instruction.

Inspector-General of Civil Hospitals, Punjab.

Director of Public Health, Punjab.

Legal Remembrancer to Government, Punjab.

Chief Conservator of Forests, Punjab.

Registrar, Co-operative Societies, Punjab.

Director of Industries, Punjab.

Public Works Department, Hydro-Electric Branch.

Joint Secretary to Government, Punjab, Transferred Departments.

Curator, Central Museum.

Statement showing action taken against corrupt officials in the Punjab for the year 1925-26—(concl'd.)

Director, of Information, Bureau, Punjab.

Secretary, Rural Board, Punjab.

Secretary, Punjab Legislative Council.

Secretary, Communications Board, Punjab.

Warden of Fisheries, Punjab.

Private Secretary to His Excellency the Governor, Punjab.

Statement showing action taken against corrupt officials in the Punjab for the year 1926-27.

Head of Department or Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Deputy Commissioner, Hissar.	3 Patwaris ..	1 Compelled to resign but subsequently on an appeal for mercy was degraded to Patwari 3rd grade. 1 Transferred to another circle and fined. 1 Transferred to another circle.	
Deputy Commissioner, Rohtak.	1 Naib Tahsildar 1 Tahsil Wasil Baji Nawis. 1 Tahsil Jamadar 3 Tahsil peons ..	Suspended. Ditto. Reduced to Chaperassi's post and transferred. 1 Dismissed. 1 Transferred. 1 Compelled to resign.	
Deputy Commissioner, Gurgaon.	1 Clerk ..	Dismissed.	
Deputy Commissioner, Karnal.	1 Patwari.	Ditto.	
Deputy Commissioner, Ambala.	1 Registration Moharrir.	Suspended but honourably acquitted on appeal.	
Deputy Commissioner, Kangra.	1 Clerk ..	Increment stopped for a year.	
Deputy Commissioner, Hoshiarpur.	1 Passport Clerk	Dismissed.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1926-27—(contd.)*

Head of Department Office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
Deputy Commissioner, Jullundur.	1 Kanungo ..	Name struck off the list of Naib-Tahsildar can- dates.	
	1 Ahlmad ..	Increment stopped for a year.	
Deputy Commissioner, Lahore.	1 ..	Dismissed.	
	1 ..	Warned and transfer- red.	
	2 ..	Judicially prosecuted. Case still pending.	
Deputy Commissioner, Sialkot.	1 ..	Suspended and prosecut- ed.	
Deputy Commissioner, Gujranwala.	2 ..	1 Dismissed. 1 Suspended.	
Deputy Commissioner, Jhelum.	1 Patwari ..	Dismissed.	
	1 Statistical Writer.	Pension reduced by one-half.	
Deputy Commissioner, Attock.	1 Siah Nawis ..	Increment stopped for 2 years.	
Deputy Commissioner, Mianwali.	2 ..	Both dismissed.	
Deputy Commissioner, Lyallpur.	2 ..	1 Dismissed. 1 Reduced.	
Commissioner, Rawalpindi Division.	2 Naib-Tahsildars	Both suspended.	
District and Sessions Judge, Hissar.	1 Naib Shariff ..	Dismissed.	
	1 Process-server	Name shown at the bottom of the list of process-servers.	
District and Sessions Judge, Jhelum.	1 ..	Fined and further pro- motion stopped till he gives proof of good behaviour.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1926-27—(contd.).*

Head of Department or Office.	Number of offi- cers punished.	Nature of punishment awarded.	REMARKS.
District and Sessions Judge, Multan.	1 Reader ..	Sent up for Judicial trial and sentenced to three months rigorous im- prisonment and Rs. 50 fined.	
Public Works Depart- ment, Irrigation Branch.	1 Temporary Naib- Zilladar.	Dismissed.	
	2 Patwaris ..	1 Bonus confiscated. 1 Loss of bonus and re- duction in pay.	
Director of Agriculture ..	2 ..	Both dismissed.	
	1 ..	Compulsorily retired.	
Director of Public In- struction.	2 ..	Both dismissed.	
Inspector-General of Police, Punjab.	4 Sub-Inspectors..	Warned under Police Rule 17-31.	
	10 Head Con- stables.	Dismissed.	
	2 Head Constables	Reduced.	
	2 Ditto ..	Warned under Police Rule 17-31.	
	4 Ditto ..	Name removed from the list of Head Constables eligible for promotion to the rank of Sub-In- spector.	
	34 Foot Constables	Dismissed.	
	5 Ditto ..	Reduced.	
	3 Ditto ..	Awarded black marks.	
	5 Ditto ..	Warned under Police Rule 17-31.	
	1 Foot Constable	Forfeiture of approved service.	
	2 Foot Constables	Confinement to quarter guard.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1926-27—(contd.).*

Head of Department or office.	Number of offi- cers punished.	Nature of punishment awarded.	REMARKS.
INSPECTOR-GENERAL OF PRISONS, PUNJAB.			
<i>Jails.</i>			
Rohtak District ..	2 Warders ..	Both fined.	
Dera Ghazi Khan District	2 ditto ..	1 Reduced. 1 Fined and suspended from 7-7-26 to 14-7-26.	
Khewra Camp ..	1 Warder ..	6 months' rigorous im- prisonment.	
Gurdaspur ..	2 Warders ..	Both dismissed.	
Kasur ..	2 ditto ..	Both fined.	
Labore Central ..	6 ditto ..	1 Suspended for one month without pay. 1 Sent up for trial under Section 42 Prisons Act but absconded and is still at large. 1 Fined by a judicial court and dismissed from service. 1 Fined. 1 Convicted by the judi- cial court and sen- tenced to two years' rigorous imprisonment. 1 Convicted by judi- cial court and sen- tenced to three months' rigorous im- prisonment.	
Multan Central ..	8 Warders ..	Two awarded 7 days' extra drill. 1 Fined. 1 Severely warned. 2 Awarded one week's extra drill and warned. 1 Fined one week's pay. 1 Suspended for three months without pay.	
	1 Head Warder..	Fined and warned.	

*Statement showing action taken against corrupt officials in the Punjab
for the year 1926-27—(contd.).*

Head of Department or office.	Number of officers punished.	Nature of punishment awarded.	REMARKS.
INSPECTOR-GENERAL OF PERSONS.—contd.			
<i>Jails.</i>			
Multan District ..	8 Warders ..	6 Fined. 2 All leave stopped for one year.	
Lahore Borstal Institution.	2 Warders ..	Both fined.	
Jhang District ..	4 ditto ..	4 Fined.	
Montgomery Central ..	10 ditto ..	3 Dismissed. 3 Suspended. 2 Fined. 1 Awarded 7 days' extra drill, and fined and later sentenced to three months' simple imprisonment and Rs. 20 fine. 1 Awarded seven days' extra drill.	
Gurgaon Sub-Jail ..	2 Warders ..	Both fined.	
Inspector-General of Civil Hospitals, Punjab.	1 Sub-Assistant Surgeon.	Pay reduced.	
Deputy Commissioner for Criminal Tribes, Punjab.	(1) Superintendent, Agricultural Settlement.	Reduced to a lower grade.	
	(2) Chief Head Warder, Reformatory Settlement, Amritsar.	Reduced to Head Warder.	
Chief Secretary to Government, Punjab.	2 Extra Assistant Commissioners.	Both were dismissed on the result of a commission of enquiry under Act XXXVII of 1950.	In addition to these cases the Governor in Council has withheld from time to time the annual increments of Extra Assistant Commissioners whose reputation for honesty has been at all questionable.

Statement showing action taken against corrupt officials in the Punjab for the year 1926-27—(contd.).

The following officers and Departments have no cases to report :—

Deputy Commissioner, Simla.

"	"	Ludhiana.
"	"	Ferozepore.
"	"	Amritsar.
"	"	Gurdaspur.
"	"	Sheikhupura.
"	"	Gujrat.
"	"	Shahpur.
"	"	Rawalpindi.
"	"	Montgomery.
"	"	Jhang.
"	"	Multan.
"	"	Muzffargarh.
"	"	Dera Ghazi Khan.

Commissioner, Ambala Division.

" Lahore Division.

" Multan Division.

District and Sessions Judge, Karnal.

"	"	"	"	Ferozepore.
"	"	"	"	Ambala.
"	"	"	"	Ludhiana.
"	"	"	"	Jullundur.
"	"	"	"	Hoshiarpur.
"	"	"	"	Gurdaspur.
"	"	"	"	Amritsar.
"	"	"	"	Lahore.
"	"	"	"	Montgomery.
"	"	"	"	Sialkote.
"	"	"	"	Gujranwala.
"	"	"	"	Rawalpindi.
"	"	"	"	Attock.
"	"	"	"	Mianwali.
"	"	"	"	Shahpur.
"	"	"	"	Lyallpur, and
"	"	"	"	Dera Ghazi Khan.

Public Works Department, Buildings and Roads Branch.
Registrar, High Court of Judicature at Lahore.

Statement showing action taken against corrupt officials in the Punjab for the year 1926-27—(concl'd.).

Financial Commissioners.

Director of Land Records, Punjab.

Director of Public Health, Punjab.

Legal Remembrancer to Government, Punjab.

Chief Conservator of Forests, Punjab.

Registrar, Co-operative Societies, Punjab.

Director of Industries, Punjab.

Chief Engineer, Public Works Department, Hydro-Electric Branch.

Curator, Central Museum.

Superintendent, Government Printing, Punjab.

Director of Information Bureau, Punjab.

Secretary, Rural Sanitary Board.

Secretary, Legislative Council.

Secretary, Communications Board, Punjab.

Warden of Fisheries, Punjab.

Private Secretary to His Excellency the Governor, Punjab.

GOVERNMENT OFFICIALS AND CORRUPTION.

(Answer to Question No. 199,* page 634.)

The Honourable Sardar Jogendra Singh : (a) Two non-pensionable servants on the Hissar Cattle Farm.

(b) Nil.

(c) Nil.

LAND RENDERED UNCULTURABLE BY THE INDUS OR HILL TORRENTS.

(Answer to Question No. 243,* page 693).

The Honourable Shaikh Sir Abdul Qadir : 1. (a) Such zemindars are for the most part living in their own or adjacent villages, subsisting either on other proprietary land of their own or by agricultural labour.

(b) No.

(c) Government cannot commit itself to any general promise.

2. The existing orders in regard to peasant grants in the Nili Bar Colony include the following bases for selection :—

(i) The grantee must be likely to make a good colonist.

(ii) (a) His land has been ruined by water-logging or (b) his land has been lost by cho, nullah or river action or (c) he is an inhabitant of a congested area.

MUNICIPAL ADMINISTRATION OF BHIWANI.

(Answer to Question No. 251, page 695).*

The Honourable Malik Firoz Khan, Noon : (a) Yes, and the Commissioner has been instructed to see that proper steps are taken by the committee to remove the defects in the administration which have been pointed out.

(b) The committee has not accepted some of the recommendations made by Mr. Kirpalani, and the Commissioner has been instructed to see that proper steps are taken to remedy the defects pointed out by him.

THEFT CASES REGISTERED AT THE CITY POLICE STATION OF BHIWANI.

(Answer to Question No. 252, page 696).*

The Honourable Sir Geoffrey deMontmorency : (i) and (ii). In 1925, 8 cases of theft were registered in the Bhiwani City Police Station, and 7 were traced. In 1926, 8 cases were registered and 4 were traced, and in the current year 2 cases have been registered and 1 has been traced.

IRREGULARITIES IN THE BHIWANI MUNICIPAL COMMITTEE IN THE MATTER OF OCTROI REFUNDS.

(Answer to Question No. 255, page 697).*

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

(b) The Committee has been instructed to remove the defects in its octroi administration.

(c) The irregularities complained of in Bhiwani do not appear to exist in Multan. As regards other municipalities Government do not consider it necessary to examine the octroi administration of all the other municipalities in the province with a view to discovering and whether these particular defects exist or not.

VOL. X-B.

POLITICAL PRISONERS UNDER THE DEFENCE OF INDIA ACT.

(Answer to Question No. 265, page 722).*

The Honourable Sir Geoffrey deMontmorency : (a) No. I should be glad of a reference to the passage to which the honourable member refers.

(b) If by 'suffering' the honourable member means 'in confinement,' the answer is:

In Punjab jails 23; in jails outside the Province nil; in the Andaman Islands, 15.

(c) As regards prisoners in Punjab jails, I may refer the honourable member to the answer given to Council Question No. 1187.* As regards prisoners in the Andaman Islands, a statement is attached. All the prisoners in the Andamans were sentenced to transportations for life and their probable date of release cannot be stated.

*Vol. X—A, page 539 and pages 1207-1210 ante.

LIST.

1. Harnam Singh, son of Jiwan Singh.
2. Allah Din, son of Dusandi.
3. Nadir Ali Shah, son of Qaim Ali.
4. Walaiti, son of Daulat Ram.
5. Karm Chand, son of Fattah Chand.
6. Muhammadi, son of Aziz.
7. Sandhi, son of Hussain Bakhsh.
8. Ratan Chand, *alias* Ratto Mahasha, son of Sita Ram.
9. Manohar Singh, son of Lehna Singh.
10. Sadiq, son of Ibrahim.
11. Jalal Din, son of Sawan.
12. Dina, son of Wazira.
13. Raja Ram, son of Ganga Ram.
14. Sarwar, son of Mohammad Bakhsh.
15. Jairam Singh, son of Atma Singh.

SHAH NAHR MUKERIAN.

(Answer to Question No. 271*, page 726).

The Honourable Shaikh Sir Abdul Qadir. (a) Yes.

(b) No.

(ii) In accordance with paragraph 14 of the deed of transfer, dated the 21st July, 1890, the shareholders or their heirs, representatives or assigns are bound to supply free labour during the rains to repair breaches in the canal and main branches of damage to the headworks and bunds from Changarwan to Sariana or in default to pay to Government a fine.

(iii) Does not arise.

SCHOOLS.

(Answer to Question No. 303,* page 740).

The Honourable Mr. Manohar Lal : Such information as is available is given in the attached statement.

*Statement giving the information required in connection with Council Question No. 303.**

Name of the Division.	Number of adult schools on 31st March 1927.	Attendance in adult schools on 31st March 1927.	Number of village school libraries on 31st March 1927.	Number of scouts (1926-27).	Number of compulsion areas on 31st March 1927.
1. Ambala Division ..	1,207	36,066	345	7,220	368
2. Jullundur Division ..	582	13,387	221	2,977	3
3. Lahore Division ..	735	18,966	419	4,107	247
4. Multan Division ..	739	15,853	368	5,568	246
5. Rawalpindi Division ..	523	14,195	232	2,429	51

N.B.—These figures include Municipalities.

BUILDING GRANT FOR PRIMARY SCHOOLS.

(Answer to Question No. 805-(a),* page 741).

The Honourable Mr. Manohar Lal : (a) 84.

HONORARY MAGISTRATES.

(Answer to Question No. 315-(a)* and (b), page 831).

STATEMENT.

(a) <i>Zaildars.</i>	<i>Lambardars.</i>	<i>Zaildars as well as Lambardars.</i>
38	58	52

(b) The number of Honorary Magistrates who are members of any local body or District Board :—

<i>Elected Members.</i>	<i>Nominated Members.</i>
98	109.

CASES TRIED BY HONORARY MAGISTRATES.

(Answer to Question No. 318-(a),* page 832).

Statement showing the number of cases sent to Honorary Magistrates sitting on Benches in the Districts of the Punjab during the year 1926.

Serial No.	Name of district.	Number of cases sent to Benches of Honorary Magistrates.	REMARKS.
AMBALA DIVISION.			
1	Hissar	294	There is no Bench of Honorary Magistrates in Simla.
2	Rohtak	468	
3	Gurgaon	166	
4	Karnal	310	
5	Ambala	70	
6	Simla .. ..	..
LAHORE DIVISION.			
7	Gujranwala	443	There are no Benches of Honorary Magistrates in the Sheikhupura and Gurdaspur Districts.
8	Lahore	2,590	
9	Amritsar	756	
10	Slalkot	1,302	
11	Sheikhupura .. ..	..
12	Gurdaspur .. ..	..

Serial No.	Name of district.	Number of cases sent to Benches of Honorary Magistrates.	REMARKS.
JULLUNDUR DIVISION.			
13	Jullundur	926	} There are no Benches of Honorary Magistrates in the Kangra and Hoshiarpur Districts.
14	Ludhiana	554	
15	Ferozepore	526	
16	Kangra .. ..	..
17	Hoshiarpur .. ..	..
RAWALPINDI DIVISION.			
18	Attock	} There is no Bench of Honorary Magistrates in the Attock District.
19	Mianwali	186	
20	Jhelum	188	
21	Shahpur	500	
22	Rawalpindi	2,540	
23	Gujrat	862	
MULTAN DIVISION.			
24	Montgomery	} There is no Bench of Honorary Magistrates in the Montgomery District.
25	Lyallpur	244	
26	Jhang	371	
27	Multan	185	
28	Muzaffargarh	25	
29	Dera Ghazi Khan	162	

NORMAL SCHOOLS.

(Answer to Question 848,* page 841).

The Honourable Mr. Manohar Lal: (i) A statement giving the required information is attached;

(ii) No.

Statement showing the number of admissions, in the Normal Schools, of Agriculturist and non-agriculturist boys in 1927 as compared with 1926, according to divisions.

Name of Division.	1926.		1927.	
	Agri-culturists.	Non-Agri-culturists.	Agri-culturists.	Non-Agri-culturists.
Lahore	268	280	428	349
Jullundur	302	121	364	176
Multan	432	155	538	212
Ambala	370	159	568	297
Rawalpindi	332	59	400	153

GOVERNMENT CATTLE FARM, HISSAR.

(Answer to Question No. 390,* page 907).

The Honourable Sardar Jogendra Singh: (a) The farm was started in 1809 A.D., and it is regretted that records showing the conditions on which the Farm land was acquired are not available.

(b) The culturable commanded area of the Farm is approximately 2,130 acres.

Total irrigated area.				Of which leased to tenants.
			Acres.	Acres.
1924-25	{ Kharif 1924	1,109	244	
	{ Rabi 1924-25	1,032	315	
1925-26	{ Kharif 1925	1,084	333	
	{ Rabi 1925-26	1,032	431	
1926-27	{ Kharif 1926	1,203	438	
	{ Rabi 1926-27	1,173	450	

BEGAR.

(Answer to Question No. 418,* page 972).

The Honourable Mian Sir Fazl-i-Husain: 1. (a) No. The fact is that the Tahsildar, Ballabgarh, issued orders to the Tahsil Jamadar to arrange on payment through the Chowdhari of carts a few Ekkas and Behlis for the use of certain members of the Education Department visiting village Sunper to see the uplift work done there.

(b) No. On the other hand, the allegation is that a tahsil peon was beaten by Chhanga, Mali, and Bhikham Singh.

(c) No, but the police have sent up for trial under sections 353 and 352, I. P. C., Chhanga, Mali, and Bhikham Singh.

(d) Yes, but this circular has no bearing on the facts of this case.

2. Does not arise.

MURDER OF KARAM DAD OF LOHGARH GATE, AMRITSAR.

(Answer to Question No. 420,* page 973.)

The Honourable Sir Geoffrey deMontmorency : (i) There was a report to this effect.

(ii) No definite opinion was given.

(iii) No.

(iv) (a) Yes.

(b) The case has been investigated by a gazetted officer.

SECRETARY, TEXT-BOOK COMMITTEE.

(Answer to Question No. 424,* page 975.)

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

(b) No. But in his work he is assisted by a staff of editors consisting of two scholars, one Muhammadan and one Sikh, thoroughly conversant with the Oriental and Vernacular languages with which the Committee is concerned.

PERSONS CHALLANED UNDER SECTION 109, CRIMINAL PROCEDURE CODE.

(Answer to Question No. 425,* page 975.)

The Honourable Sir Geoffrey deMontmorency : (a) The number of persons challaned under section 109, Criminal Procedure Code, in the Rawalpindi District, during the months of January, February, March and April 1927 was 7, 12, 10 and 26, respectively.

(b) The number of challans this year is greater than in most previous years. The reason is that up to 1927, section 109, Criminal Procedure Code, was almost a dead letter in the Rawalpindi District. Measures were necessary to counteract the tendency of crime to increase and the wider use of section 109, Criminal Procedure Code, has produced a good effect.

STARTING OF HIGH CLASSES IN SCHOOLS.

(Answer to Question No. 427,* pages 975-76.)

The Honourable Mr. Manohar Lal : (a) Yes ; a copy of the circular has now been obtained.

(b) Yes ; advice was given to this effect.

(c) Yes.

(d) No.

HIGHER STUDY AND RESEARCH IN EUROPE.

(Answer to Question No. 487*, page 979.)

The Honourable Sardar Jogendra Singh: Three officers of the Agricultural Department, viz., one European, one Sikh and one Hindu, have been granted study leave in 1926 and 1927. There is no similar case in the Co-operative Department. No application for study leave was received by Government from any Muhammadan officer of these Departments.

RECRUITMENT TO POLICE FORCE.

(Answer to Question No. 441*, page 981.)

The Honourable Sir Geoffrey deMontmorency: (a) A statement is enclosed.

(b) No.

(c) Does not arise.

Statement showing the number of Constables or officers of higher rank recruited in the Punjab Police, during the months of May and June 1927.

	INSPECTORS.		SUB-INSPECTORS.		HEAD CONSTABLES.		CONSTABLES.	
	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.
Deputy Inspector-General of Police, Eastern Range.	2	1	63	68
Deputy Inspector-General of Police, Central Range.	3	1	72	47
Deputy Inspector-General of Police, Western Range.	1	..	..	93	14
Deputy Inspector-General of Police, Criminal Investigation Department.
Assistant Inspector-General, Railway Police.	2	12	4
Total	1	5	4	240	133

APPOINTMENTS IN THE SUBORDINATE EDUCATIONAL SERVICE.

(Answer to Question No. 452*, pages 985-86.)

The Honourable Mr. Manohar Lal: (a) The total number of new appointments made in connection with the Intermediate Colleges in the Subordinate Educational Service is 21. These appointments are given in the table attached with a statement of qualifications and teaching experience.

In addition four persons, who were holding officiating appointments, have received substantive appointments. Information as regards them is also given in the attached table.

(b) In making new appointments of this nature to Intermediate Colleges, the Director of Public Instruction interviews most of the applicants and records notes on the applications. All approved applications are then registered. The register of approved candidates was then sent to Mr. Hemmy, Principal, Government College, Lahore, who consulted Mr. Woolner, the Dean of University Instruction, and other professors. The nominations were then forwarded to the Director of Public Instruction who held a meeting of Mr. Parkinson, the Principal, Central Training College, and the three Principals of the Intermediate Colleges concerned, i.e., Mirza Muhammad Said and Professor Bhatia and Mr. Hervey. The utmost care was taken in selection at all stages, and the Director of Public Instruction interviewed many of the recommended and likely candidates himself and the advice of all leading Professors in Government Colleges, particularly in Science subjects, was obtained. Appointments in the top grade of Rs. 200—250 were given to men who had either obtained 1st class in their M.A.'s and M.Sc.'s or had considerable teaching experience to their credit. In most cases both qualifications are combined.

Promotions in the Subordinate Educational Service are made by the Director of Public Instruction on a consideration of the recommendations received from the Divisional Inspectors of Schools and Principals of Colleges :—

New Appointments.

No.	Name.	Qualifications.	Grade.
1	Lala Bhagwandas, Chhabra ..	M.Sc. in Physics, Class I, with teaching experience of over 10 years in a Degree College.	Rs. 200—10—250
2	Bh: Balwant Singh ..	M.Sc. in Zoology, with teaching experience of 3 years in a Degree College and University Laboratory.	200—10—250
3	Mr. Alfred M. Daula ..	M.A. in History, Class II, Alexandra Research Scholar, Punjab University, B.T., with 6 years' teaching experience in a Degree College.	200—10—250
4	Lala Shaukat Rai ..	M.A. in Philosophy, Class I, with one year's teaching experience.	200—10—250
5	Lala Jai Dayal ..	M.A. in English, Class II, with 7 years' teaching experience in a Degree College.	200—10—250
6	Lala Hari Ram, Sarna ..	M.Sc. in Physics, Class I, with 2 years' teaching experience.	200—10—250

No.	Name.	Qualifications.	Grade.
			Rs.
7	Chaudhri Mahanbir Singh ..	M.A. in English ..	140—10—190
8	Lala Ram Krishen, Bahl ..	M.Sc. in Chemistry, Class II ..	140—10—190
9	Lala Gian Chand, Bhatia ..	M.A. in Sanskrit, Class II, with 3 years' teaching experience.	140—10—190
10	Bhai Nihal Singh ..	M.Sc. in Chemistry, Class II, B.T. ..	140—10—190
11	B. Hardial Singh ..	M.A. in English, S. A.-V. with teaching experience of about 4 years.	140—10—190
12	M. Ali Mohd. Yasdani ..	M.A. in English, B.T., with teaching experience of over 3 years.	140—10—190
13	Lala Ram Lal, Handa ..	M.A. in History and Alexandra Research Scholar.	140—10—190
14	M. Mahbub Elahi ..	M.A. in History and M.A. in English	140—10—190
15	M. Karm Shah ..	M.A. in Persian, Class II, Mn. F., S. A.-V., M. O. L., with 5 years' teaching experience.	110—5—135
16	M. Abdul Aziz, Qureshi ..	M.A. in Persian, Mn. F., B.T. ..	110—5—135
17	L. Bedri Nath, Chadah ..	M.A. in Mathematics, B.T. ..	110—5—135
18	M. Rukun-ud-Din ..	M.A. in Persian, M. O. L., S. A.-V. and Mn. F. with 9 years' teaching experience.	110—5—135
19	M. Abdul Aziz ..	M.Sc. in Physics, B.T. with 3½ years' teaching experience.	110—5—135
20	Pandit Amba Datt ..	M.A. in Sanskrit, Class I, Shastri, M. O. L., with 4 years' teaching experience.	110—5—135
21	Mr. N. K. Banerjee ..	B.A., B.T. ..	110—5—135

Promotions.

No.	Name.	Qualifications.	Grade.
			Rs.
1	Lala Sita Ram, Sethi ..	M.A. in Mathematics, Class I, with seven years' teaching experience.	200—10—250
2	Bhai Hardayal Singh ..	M.Sc. in Zoology with teaching experience.	140—10—190
3	Lala Hans Raj, Jain ..	M.Sc. in Chemistry, Class II, B.T., with about 1 year's teaching experience.	110—5—135
4	M. Khanbahadur ..	Mn. F., Metric, with 1½ years' teaching experience.	110—5—135

DAM AT DAMTAL, SIRT AND MOHTLI.

(Answer to Question No. 454*, page 986.)

The Honourable Shaikh Sir Abdur Qadir: The Chief Engineer inspected the Dhamtal area in February last and considered the proposals for preventing further erosion by the Chakki. One of these proposals was the construction of bunds at an initial cost of over a lakh of rupees. The whole question was examined by a committee convened by the Honourable Member, Revenue, in April last, and it was decided that pending further investigation this expenditure should not be incurred.

In the meanwhile a sum of Rs. 10,822 has been spent on repairing the Dhamtal spur this year.

GOVERNMENT SCHOOLS, AND MATRICULATION AND SCHOOL LEAVING CERTIFICATE EXAMINATION.

(Answer to Question No. 459*, page 988.)

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

(ii) (a) The information is given in the statement attached hereto.

(b) No.

Statement showing the pass percentage of the Matriculation and School Leaving Certificate Examination results in 1927, of all Government institutions in the Punjab, up to 40 per cent. (i.e. 40 per cent. and all below it.)

Serial No.	Names of institutions.	District.	Division to which they belong.	Percentage.
1	Government Intermediate College.	Gujrat ..	Rawalpindi ..	40
2	Government High School.	Bhakkar (Mianwali) ..	Do. ..	25
	Ditto	Pindigheb (Attock) ..	Do. ..	36
4	Ditto	Jaranwala (Lyallpur) ..	Multan ..	30
5	Ditto	Hoshiarpur ..	Jullunder ..	29.4
6	Ditto	Ludhiana ..	Do. ..	22.9
7	Ditto	Tanda (Hoshiarpur) ..	Do. ..	32
8	Ditto	Gujjarwal (Ludhiana) ..	Do. ..	16
9	Ditto	Fazilka (Ferozepore) ..	Do. ..	23
10	Ditto	Patto Hira Singh (Ferozepore) ..	Do. ..	29
11	Ditto	Hissar ..	Ambala ..	20

Statement showing the pass percentage of the Matriculation and School Leaving Certificate Examination results in 1927, of all Government institutions in the Punjab, up to 40 per cent. (i.e. 40 per cent. and all below it).

Serial No.	Name of institution.	District.	Division to which they belong.	Percentage.
12	Government High School	Bhiwani (Hissar)	Ambala	31.5
13	Ditto	Hansi (Hissar)	Do.	22
14	Ditto	Jhajjar (Rohtak)	Do.	32
15	Ditto	Bahadurgarh (Rohtak)	Do.	34.5
16	Ditto	Gurgaon	Do.	27
17	Ditto	Palwal (Gurgaon)	Do.	38.8
18	Ditto	Karnal	Do.	36
19	Ditto	Kaithal (Karnal)	Do.	24
20	Ditto	Shahabad (Karnal)	Do.	35
21	Ditto	Ambala	Do.	25
22	Ditto	Chunian (Lahore)	Lahore	39
23	Ditto	Amritsar	Do.	39.3

CO-OPERATIVE SOCIETIES FOR DEPRESSED CLASSES.

(Answer to Question No. 464*, page 990.)

The Honourable Sardar Jogendra Singh: 1. The number of societies among the depressed classes is 547, but many members of these classes join other societies, and it is undesirable to separate them where they can work well with other classes.

2. No.

3. Does not arise.

SQUARES OF LAND TO MEMBERS OF THE PUNJAB COUNCIL.
(Answer to Question No. 467,* Page 991.)

The Honourable Mian Sir Fazl-i-Husain : (a) None.

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

Statement showing the number of squares given on lease to the Members of the Punjab Legislative Council since the Reforms were inaugurated.

District.	Name.	Area (acres).	Number of squares or rectangles.	Date of allotments.	Terms.
1. Shahpur ..	Chaudhri Muhammad Umar Hayat.	Acres Ka. Ma. 245 0 0	8 squares and 7 aces.	21-3-27 14-4-27	The area was given on temporary cultivation terms for one year in the first instance (Kharif 1927-Rabi 1928), free of rent on account of the lessee's proprietary land near Mona having been damaged by water-logging. Malikana at Re. 0-6-0 in the rupee of land revenue occupier's rates and cesses is to be paid by the grantees for the future.
2. Mianwali ..	Khan Sahib Muhammad Saif Ullah Khan of Isahel.	..	10 rectangles of 80 kanas each in Rakh Wan Bhachran.	12-10-20	The lease is subject to renewal every year and subject to payment of land revenue at Re. 1 per acre of the area leased or at Re. 2 per acre matured, whichever is greater plus rates and cesses.
3. Lyallpur ..	Khan Bahadur Sayyid Sir Mohd. Shah. Rai Sebdat Khan. Sayyid Muhammad Hussain.	3,513 4 14	130	4-6-26	Land revenue plus Malikana at Re. 15 per acre to be paid as lease money, 1st April 1926 to October 1927.
4. ..	Chaudhri Nur Din ..	149 5 11	5	Septem-ber 1926.	Land revenue plus Re. 0-6-0 per rupee of land revenue as Malikana to be paid as lease money for the years 1926 and 1927.
	Total ..	3,963 1 5	163 rectangles, 7 aces.		

*Held jointly by three gentlemen.

EMBEZZLEMENT OF AMBALA MUNICIPAL FUNDS.

(Answer to Question No. 470, Page 991.)*

The Honourable Malik Firoz Khan, Noon : (a) No; an embezzlement of Rs. 1,952-9-1 was discovered.

(b) The clerk responsible was prosecuted and has been sentenced to three years' rigorous imprisonment, and the municipal committee has appointed a sub-committee to enquire into the question as to whether the embezzlement was made possible by any one's negligence.

DAKHIL BACHH.

(Answer to Question No. 477, Page 995.)*

The Honourable Shaikh Sir Abdul Qadir : (a) Yes.

(b) Yes.

(c) Lands are not entered in the column of ownership: that column is meant only for the names of owners and their shares. The area of the land in each case with its description is shown in the appropriate column as was done before the Settlement of 1917-18, while the names of owner or owners with their shares are shown in the column of ownership. There has been no change in the system.

(ii) and (iii) Do not arise.

CO-OPERATIVE SOCIETIES.

(Answer to Question No. 478, Page 996.)*

The Honourable Sardar Jogendra Singh : Seventeen Societies keep their accounts entirely and 30 partly in the Nagri character.

LAHORE MUSEUM AND ZOO.

(Answer to Question No. 480, Page 998.)*

The Honourable Sardar Jogendra Singh : (As regards Zoo.) No. The name plates are in English, Urdu and Gurmukhi. The reason for not also having the names written in Hindi is the extra expense involved.

FACILITIES TO ZAMINDARS FOR MAKING AGRICULTURAL IMPLEMENTS.

(Answer to Question No. 481, Page 999.)*

The Honourable Shaikh Sir Abdul Qadir : The number of trees, given free to zamindars for making agricultural implements since the

abolition of the Civil Forest Department, *viz.*, from November 1924 to March 1927, is as follows:—

Nurpur tahsil	..	..	..	91
Kangra tahsil	..	..	..	249
Palampur tahsil	..	..	..	669
Hamirpur tahsil	..	..	..	15,616
Dehra tahsil	..	..	..	Figures not available.

VEDIC AND UNANI AUSHADHALIYAS AND MATABS.

(Answer to Question No. 488,* Page 1003.)

The Honourable Malik Firoz Khan, Noon:
Statement showing the names of places where Vedic and Unani Aushadhalis and Matabs have been established by local bodies in the Punjab.

District.	The names of places where Vedic Aushadhalis have been established.	The names of places where Unani Matabs have been established.	REMARKS.
1. Hissar ..	(1) Patna, tahsil Hissar (2) Mithapur, tahsil Hansi. (3) Badli, tahsil Hansi. (4) Kharar, tahsil Hissar.	Nil	But the following local bodies pay allowances to Vaidas and Hakims as shown below— Per mensem. Rs. A. P. Municipal Committee of .. 1 Vaid .. 10 0 0 Rohtak Municipal Committee of .. 1 Vaid .. 15 0 0 Beri Municipal Committee of .. 1 Vaid .. 22 8 0 Bahadurgarh Municipal Committee of .. 1 Hakim 25 0 0 Jhajjar plus 5 0 0 for medicines. Municipal Committee of .. 10 0 0 Bahadurgarh
2. Rohtak ..	Nil	Nil	
3. Karnal ..	(1) Pali, tahsil Kaithal (2) Timori, tahsil Karnal	(1) Jatiana, tahsil Thanesar. (2) Bhalsi, tahsil Panipat.	

4. Kangra	..	NII	NII	But five valds, one for each tahsil in the district, have been entertained by the district board.
5. Amritsar	..	Amritsar city	..	Amritsar city
6. Sialkot	..	NII	NII	But the municipal committee of Sialkot pays an allowance to a <i>kakim</i> at the rate of Rs. 20 per mensem <i>plus</i> Rs. 10 per mensem for medicine and Rs. 5 per mensem for house-rent.
7. Gujranwala	..	NII	Wasirabad	The district board of Gujranwala also has engaged a <i>kakim</i> on Rs. 20 per mensem, but has not opened any <i>sanat</i> .
8. Shahpur	..	NII	NII	(1) The district board of Shahpur pays two allowances of Rs. 25 each to two qualified <i>kakims</i> who are practising at Chak No. 127-S.B. and at Hujjan. (2) The town committee of Shahpur city pays an allowance of Rs. 20 per mensem to a local <i>kakim</i> .
9. Rawalpindi	..	NII	NII	The municipal committee of Rawalpindi has recently appointed a <i>kakim</i> .
10. Multan	..	(1) Chack Mahal (2) Nawabpur.	(1) Mahdum Rashid (2) Mahdumpur Pahoran.	

MUNICIPAL COMMITTEE, KASUR.

(Answer to Question No. 488, Page 1005.)***The Honourable Malik Firoz Khan, Noon :** (i) (a), (b) and (c) Yes.

(d) Yes, but it appears that the Deputy Commissioner's advice was not communicated to the committee.

(e) Yes, but the committee directed that ice should be prepared under the supervision of the local Assistant Surgeon. The manufacture and sale of ice was however ultimately stopped on 24th June 1927.

(f) Yes.

(ii) A committee was appointed by Government to enquire into the circumstances which led to the last outbreak of cholera at Kasur and a press *communiqué* of which a copy is attached has been issued intimating the orders that have been passed by Government in this connection.

Press Communiqué.

An outbreak of cholera began at Kasur on the 8th May 1927 and towards the end of the month assumed alarming proportions; from the 28th May to the 11th June there were 136 cases, from 12th June to 20th June 376 cases. The matter was then brought to the notice of Government and a notification was issued under the Epidemic Diseases Act, 1897, conferring special powers upon the Deputy Commissioner and the Sub-Divisional Officer. The epidemic was thereafter brought under control: from 21st June to 29th June there were 184 cases and the disease finally disappeared on 14th July. Meanwhile, however, as a result of the outbreak not only was there heavy mortality in Kasur itself but the disease spread to the surrounding districts and caused the loss of hundreds of lives. From the reports of officers of the Public Health Department it appeared that the severity of the outbreak was largely due to the failure of the municipal committee of Kasur to take the advice of the District Medical Officer of Health and adopt measures which might at an early stage have prevented the spread of the disease, and the results of this failure were so serious that the Punjab Government (Ministry of Local Self-Government) considered that it was desirable to hold a public enquiry to establish the extent to which the municipal committee was in fact, if at all, culpable. A Commission was accordingly appointed consisting of the Commissioner of Lahore as Chairman and Sir Muhammad Iqbal, M.L.C., and Lala Mohan Lal, M.L.C., as members. The Commission met at Kasur on the 19th August and recorded evidence and another meeting was held at Lahore on the 10th when certain members of the Kasur municipal committee put in supplementary statements and made representations. The report of the Commission which was unanimous was forwarded to Government on the 5th September.

2. The Commission finds that though in respect of certain matters the municipal committee cannot be blamed for failing to adopt measures recommended to it as it had not the necessary statutory powers, it was guilty of serious neglect in respect of three matters.

(a) On the 18th May the District Medical Officer of Health recommended that all the wells in the municipal area should be

disinfected within a week. Within the week, however, only 71 were disinfected while by the end of June (when control had been largely taken out of the hands of the committee) over 700 were dealt with. The Commission considers that in view of the urgency of the situation the municipal committee was seriously to blame for the delay in carrying out the District Medical Officer's instructions.

(b) On the 18th June the District Medical Officer of Health asked that the ice factory should be closed and that the soda-water factory should either be closed or made to use boiled water only. The ice factory was not closed and, in view of the fact that bacteriological examination revealed that it was seriously infected by filth bacilli, failure to do this was in the Commission's opinion a serious defect.

(c) On the 18th May the District Medical Officer of Health advised that the refuse, which was collected in heaps all over the town, should be burnt or that lime should be thrown on it. The municipal committee met on the 20th May and passed the resolution that the Medical Officer of Health's instructions should be carried out; no instructions were however issued for the burning of the refuse, but on the contrary on the 1st June directions were given for the removal of the refuse. The committee met again on the 2nd June and two members urged that the refuse should be burnt at once; this however was not sanctioned. The matter came up again on the 10th June and the committee again refused to have the rubbish burnt. The Commission considers that it is probable that the refuse was the exciting cause of the spread of the disease and the advice to burn it which was pressed on the committee by some of its own members also, was not a precaution which the committee had any right to disregard. By neglecting to burn it the committee preferred its income to its responsibility for preservation of human life and was, therefore, in the opinion of the Commission guilty of a grave neglect of duty.

3. The Commission desires to except from its general condemnation of the committee the President, Khan Sahib Sardar Muhammad Shahbaz Khan, who did his best to induce the committee to carry out the measures recommended to it, and Messrs. Dev Raj Jaini, Harbhagwan Das and Gokal Chand, members, who supported the proposals of the District Medical Officer of Health as to the burning of the rubbish.

4. The Punjab Government (Ministry of Local Self-Government) have accepted the findings of the Commission and consider the dereliction of duty by the committee so serious that they have ordered the seats of members who are not exonerated by the Commission to be vacated. Meanwhile, however, fresh elections have been held and the following members of the old committee have been re-elected:—

M. Rahim Bakhsh,

M. Hidayat Ullah Khan,

M. Sardar Ali Khan,
 Khan Sher Nawab Khan,
 M. Muhammad Shafi,
 M. Khushi Muhammad,
 M. Muhammad Amin, Gora,
 Lala Labha Ram.

The Punjab Government (Ministry of Local Self-Government) have accordingly also passed orders sanctioning under the proviso to section 24 of the Punjab Municipal Act, 1911, the refusal of the Commissioner of the Lahore Division to notify the re-election of these members. Their re-election thus becomes void and under sub-section (2) of section 16 of the Act they will remain disqualified for election unless and until the Local Government otherwise direct. Government are of opinion that those who have been shown to have so little sense of the responsibilities of their position are not fit to be members of a municipal committee.

LAHORE :

MUZAFFAR KHAN,

19th November 1927.

Director, Information Bureau, Punjab.

ADDITIONAL POLICE FORCE FOR LAHORE.

(Answer to Question No. 489, Page 1006.)*

The Honourable Sir Geoffrey deMontmorency : (a), (b) and (d)
 (i) A full answer has been given to the honourable member's question in the speech of the Finance Member in the debate in Council on the supplementary demand for Rs. 1,01,008 on account of additional police for Lahore, dated 18th July 1927.

(c) Under none of these groups.

(d) (ii) No.

(d) (iii) No.

AMBALA CANTONMENT BOARD.

(Answer to Question No. 494, Page 1009.)*

The Honourable Sir Geoffrey deMontmorency : (b) The Cantonment Magistrate is a party to prosecutions sanctioned at a meeting of the Cantonment Committee, but not to prosecutions instituted on complaint by officers of the Board to whom authority to file complaints has been delegated.

(c) Yes, but there is no breach of principle, when the case falls within the purview of the explanation to Criminal Procedure Code, section 556.

(d) The Cantonment Magistrate will be instructed not to try cases which he is not legally qualified to try.

AMBALA CANTONMENT BOARD.

*(Answer to Question No.*495*, Pages 1009-10.)***The Honourable Sir Geoffrey deMontmorency :** (a) to (e) Yes.

(f) Government have no power under section 44 of the Cantonments Act, 1924, to disapprove of such provisions.

SLAUGHTER OF ANIMALS AND SALE OF MEAT IN JAGADHRI.

*(Answer to Question No. 501, *Pages 1013-14.)*

The Honourable Sir Geoffrey deMontmorency : (a) Slaughter within the town has been prohibited but the sale of meat at the slaughter-house has always been allowed.

(b) No.

(c) No.

(d) No.

(e) No.

OPENING OF SIRHIND CANAL.

(Answer to Question No. 513, Page 1022.)*

The Honourable Shaikh Sir Abdul Qadir : (i) It has recently been reported that the villages mentioned have been partly water-logged.

(ii) The climate of these villages is in no way different from that of other water-logged areas.

(iii) Proposals for remedying the condition of these villages have been called for and necessary action will be taken promptly.

SMALL TOWN COMMITTEE, JALALPUR PIRWALA.

(Answer to Question No. 557 (i) (b) and (ii), Page 1091.)*

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

(ii) Muhammad Pawah was never in the service of the committee but was licensed by the committee for the preparation of plans, an arrangement which has now been terminated.

JALALPUR PIRWALA COMMITTEE.

(Answer to Question No. 559 (b), Page 1092.)*

The Honourable Malik Firoz Khan, Noon : (b) The honourable member is referred to the reply to starred question No. 560¹. No encroachment took place and no deed is referred to in the resolution in question.

PUNITIVE POLICE IN KALA KHATAI TAHSIL.

(Answer to Question No. 568*, Page 1095.)

The Honourable Sir Geoffrey deMontmorency : (a) The post was located from March 1928.

(b) The sum of Rs. 1,600 was collected for two years only, i.e., Rs. 8,200 in all.

(c) Yes.

(d) Yes.

(e) Yes.

(f) The matter is under the consideration of the local officers. Government will consider favourably any recommendations they may make provided certain arrears due under other heads are paid.

(g) In all 34 persons were exempted from the payment of tax. Of these 29 were village menials who could not afford to pay the tax, the others were men of good character who had been helping the Administration.

(h) In levying the tax the financial position of each person was duly considered.

(j) Those who were unable to pay were exempted by Government.

MOTOR FARES BETWEEN ZAFARWAL AND NAROWAL.

(Answer to Question No. 598*, Pages 1109-10.)

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

(b) The law empowers District Magistrate to fix rates, and the maximum rates fixed are not exceeded.

(c) and (d) No complaints to this effect have been received, but steps are now being taken to ensure that overloading, if it takes place, shall be stopped.

ABOWAL EXCISE CASE.

(Answer to Question No. 614*, Page 1115.)

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Yes.

(c) The Indian Assistant Superintendent of Police, Ludhiana, at once held an exhaustive enquiry which lasted over two months, as a result of which the Superintendent of Police, Ludhiana, held that the charges of misappropriation against the Sub-Inspector and Head Constable had not been proved.

(d) There was no delay.

SUCHA SINGH, CONVICT IN FEROZEPUR JAIL.

(Answer to Question No. 624*, Page 1160.)

The Honourable Sir Geoffrey deMontmorency: (a) Yes.

(b) Yes.

(c) An enquiry was held and the police were found not to blame.

GRANT TO MUSLIM RAJPUT HIGH SCHOOL, KALANAU (ROHTAK).

(Answer to Question No. 623*, Page 1165.)

The Honourable Mr. Manohar Lal: The honourable member is referred to the answer to question No. 626¹. As a fact no such application has been made by the school referred to, and parts (b) and (c) of the question do not arise.

LOCAL ALLOWANCE TO POLICE SUB-INSPECTORS.

(Answer to Question No. 642*, Page 1172.)

The Honourable Sir Geoffrey deMontmorency: (a) Local allowances, i.e., allowances to compensate for expensiveness of living in Lahore, are granted to the Senior Superintendent of Police, to all Head Constables and to all Constables working at headquarters. No Inspector gets such an allowance, though all Inspectors engaged on duty at headquarters are granted other allowances in the form of special pay to remunerate them for the arduous nature of their duties.

(b) (i) That the responsibility for the station charge of the city and Lahore extra mural areas rests with the Inspector (Honorary Deputy Superintendent of Police), Kotwali, and the Inspector (Honorary Deputy Superintendent of Police), Anarkali, respectively, the Sub-Inspectors working under them and not in independent charge, and

(ii) That the emoluments of Sub-Inspectors were substantially raised a short time ago.

AGE, ETC., OF PRISONERS FLOGGED IN MONTGOMERY JAIL.

(Answer to Question No. 648*, Page 1174.)

The Honourable Sir Geoffrey deMontmorency: No prisoners were flogged for rioting in the Montgomery Central Jail. A statement is, however, enclosed showing the required information regarding certain prisoners who were flogged for jail offences arising out of events connected with the riots, viz., "Disobeying Superintendent's order to come out one by one from barrack No. 8 for being searched and separated for lock-up purposes in other quarters of the Jail."

¹Volume X-B., page 1164.

Statement showing the age, the state of health and the weight of the prisoners flogged in connection with offences connected with rioting in the Montgomery Jail.

Serial No.	Jail Register No.	Name.	Father's name.	Age.	Health.	Weight.	REMARKS.
				Years.		Lbs.	Stripes.
1	7538	Ahmad ..	Agru ..	31	Good	132	30
2	6335	Allah Rakha ..	Qutab Din ..	41	"	114	10
3	6124	Mohd. Ali ..	Jhanda ..	27	"	139	30
4	3588	Alam Khan ..	Nur Khan ..	32	"	134	30
5	8427	Shamas Khan ..	Awab Khan ..	33	"	140	15
6	8381	Nur Ahmad ..	Raihind Din ..	35	"	126	30
7	3059	Sabz Ali ..	Zaru ..	40	"	124	30
8	7816	Hussain ..	Alam ..	27	"	140	30
9	7835	Sami Ullah ..	Wali Ullah ..	29	"	132	30
10	4306	Abdur Rahman ..	Lal Khan ..	45	"	150	30
11	7519	Saraj ..	Buddha ..	31	Good ..	122	30
12	7637	Ghulam Qader ..	Jhanda ..	31	"	128	15
13	9818	Hadyatt Ullah ..	Inaft Ullah ..	36	"	130	18
14	5304	Basham ..	Mazar ..	33	"	138	30
15	5256	Sawara ..	Imam Bakhsh ..	34	"	114	20
16	9038	Khuda Bakhsh ..	Bhalla ..	55	"	132	30
17	4343	Rahmat Ali, alias Mohd. Afzil.	Mohd. Ramzan ..	41	"	128	30
18	7904	Mithu ..	Sori ..	31	"	130	30
19	9017	Khuda Bakhsh ..	Mian Mohd. ..	24 & 4 mos.	"	140	30
20	9051	Sheikh Nabi ..	Mohabbat ..	36	"	130	30
21	3799	Bane ..	Malhi ..	36	"	140	30
22	4470	Rahman ..	Abdul Hakim ..	38	"	113	30

PROSECUTION OF PRISONERS IN MONTGOMERY JAIL, FOR RIOTING.

(Answer to Question No. 649, Page 1174.)*

The Honourable Sir Geoffrey de Montmorency: No prisoners in the Montgomery Central Jail were prosecuted for rioting and also given jail punishments for one and the same offence, but some prisoners who were prosecuted for rioting were given jail punishments for one or other of the offences enumerated in the statement of jail offences following:—

Jail Offences.

- (1) For contumaciously refusing to go to work on 25th and 26th April 1927.
- (2) For instigating and exciting others to strike work on 25th and 26th April 1927.
- (3) For disobeying Superintendent's orders to come out one by one from barrack No. 8 for being searched and separated for lock-up purposes in other quarters of the Jail.
- (4) Disorderly behaviour, defiance of orders and exciting others to defiance on other occasions.
- (5) Making groundless complaint against the Jailor to the District Magistrate, an official visitor.
- (6) Showing disrespect and using insolent language towards the Superintendent and abusing Head Warder when being searched.

INTRODUCTION OF COMPULSORY PRIMARY EDUCATION ACT INTO WAZIRABAD MUNICIPAL COMMITTEE.

(Answer to Question No. 651, Page 1175.)*

The Honourable Mr. Manohar Lal: (a) Such a resolution was passed in March 1926.

(b) Yes.

(c) Provision was made in the budget, and the introduction of compulsory education has now been sanctioned.

2. (a) See (c) above.

(b) This concerns the Municipal Committee and the Ministry of Education has no information on the point.

TRANSFER OF A TEACHER FROM THE AGRICULTURAL COLLEGE, LYALLPUR, TO THE EXECUTIVE SIDE AS A DEPUTY DIRECTOR OF AGRICULTURE.

(Answer to Question No. 666, Pages 1181-82.)*

The Honourable Sardar Jogendra Singh: (a) Yes. Two students secured higher marks.

(b) After due regard to both seniority and merit.

(c) S. Labh Singh has been appointed to carry on the duties of the post.

(d) S. Labh Singh was drawing pay at the rate of Rs. 350 per mensem, as Assistant Professor of Agriculture, and he will draw the same pay *plus* the special pay of Rs. 30 pending the creation of the new provincial service.

(e) Chaudhri Abdul Wahid was still a probationary E. A. D. A. standing 24th on the list. Labh Singh is his senior by six years.

APPOINTMENTS TO THE SUPERIOR AGRICULTURAL SERVICE.

(Answer to Question No. 668*, Page 1182.)

The Honourable Sardar Jogendra Singh: Six appointments have been made to the Superior Agricultural Service since December 1925. All incumbents to these appointments are direct recruits, who were considered to be the most suitable applicants by the Selection Committees appointed for this purpose.

A statement showing the names and qualifications of the gentlemen appointed is laid on the table. The compilation of similar information in respect of qualifications of unsuccessful candidates for these posts would entail an amount of labour, which would not be commensurate with the value of the results obtained, but if the honourable member desires to ascertain the qualifications of any particular unsuccessful candidate, this information can be supplied.

The following substantive appointments have been made to the Superior (Higher Provincial) Agricultural Service since December 1925 (to 31st October 1927):—

Serial No.	Name.	Post to which appointed.	Qualifications.
1	Sardar Ram Singh ..	Bacteriologist (30-7-26) ..	B.Sc., Agri., M.Sc. (Iowa).
2	Sardar Lal Singh ..	I Fruit Specialist (28-7-26) ..	B. Sc., Honours, M.Sc. (Calif).
3	Dr. Dalip Singh ..	II Agricultural Chemist (2-8-26)	M.Sc. (Punjab). Ph.D. (Cantab).
4	Mr. S. D. Loomba ..	II Fruit Specialist (15-10-27) ..	B.Sc. Agri. M.Bac. B.B.A. (Oregon).
5	Mr. B. S. Sawhney ..	Botanist for Millets (19-10-27) ..	B.A. (Cantab).

EDUCATIONAL INSTITUTIONS IN AMRITSAR DISTRICT.

(Answer to Question No. *678, Page 1189.)

The Honourable Mr. Manohar Lal : (a) —

	Government.	Local Board.	Muslim.	Hindu.	Sikh.	Christian.
High Schools	2	1	1	5	5	..
Middle schools (Anglo-Vernacular Full).	..	5	2	2	4	1
Lower Middle Schools (Anglo-Vernacular).	1	..
Vernacular Middle schools with optional English classes. (Full).	..	7	..	..	..	..
Vernacular Middle schools without optional English classes. (Full).	..	6	..	..	..	..
Vernacular Lower Middle schools.	..	65	..	..	..	..
Primary schools	284 ¹	14	10	24	10
Adult schools	144 ²	..	..	..	..

(b) 7.

(d) 6 (excluding those with optional English classes and referred to in (b).

(e) Muslims 2.

Non-Muslims 4.

MUNICIPAL BOARD NIGHT SCHOOLS, AMRITSAR CITY.

(Answer to Question No. 679*, Page 1189.)

The Honourable Mr. Manohar Lal : The information referred to by the honourable member in his Council Question No. 679* is appended herewith.

Statement showing information regarding Municipal Board Night Schools Amritsar City.

(a) Number of Students of Municipal Board Night Schools on 31st March 1926 ..	854
Number of students of Municipal Board Night Schools on 31st March 1927 ..	1,061

¹Including 1 Reformatory school and 129 branches.²Including 19 Night schools.

Number of adults on 31st March, 1927, over the age of 18	183
(b) Expenditure for the year 1926 ..	Rs. 1,202-6-8
Expenditure for the year 1927 ..	„ 2,563-11-9
(c) Number of students who were recommended for literacy certificates	251

Students of four schools were not recommended for literacy certificates, as they were started in December, 1926, January, 1927 and March, 1927.

SHAH NAHAR MUKERIAN.

(Answer to Question No. 713*, Page 1202.)

The Honourable Mian Sir Fazl-i-Husain :

- (i) (a) and (b) A statement is laid on the table giving the information required by the honourable member.
- (ii) A statement is laid on the table giving the information required by the honourable member.
- (iii) (a) No.

(b) 17. No action was possible in respect of *Kharif* 1927, the shortage of water being due to a change in the course of the river, and the best efforts having failed to ensure a regular supply. The Executive Engineer, Gurdaspur, has now been asked to visit the head of the Shah Nahar and to advise as to the possibility of ensuring a reliable supply. The Shah Nahar is an inundation canal, and is at the mercy of marked changes in the Beas.

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Hadbast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
1	148	Ganga Chak ..	22	22 100	..	20	16 80	4 20	
2	149	Sahgai ..	34	64 100	..	40	38 95	2 5	
3	152	Pandori ..	34	34 100	..	33	10 30	23 70	
4	153	Jamapore Kalan ..	28	28 100	..	25	6 25	19 75	
5	154	Lanin ..	33	33 100	..	..	..	..
6	155	Urchi Bast ..	..	..	..	..	..	..
7	157	Baga Chak ..	9	9 100	..	2	2 100	1	

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Hadbast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
8	198.	Devi Dass ..	..	..	..	..	..	..
9	199.	Gonspore ..	..	..	..	..	..	..
10	200	Makha ..	..	..	..	..	..	..
11	201	Pind Sahibka ..	..	..	..	..	..	..
12	202	Langah ..	..	..	..	..	..	..
13	203	Shuhan ..	..	..	..	..	..	..
14	204	Teririana ..	..	..	..	..	..	..
15	207.	Aulia ..	..	..	..	..	..	..
16	208	Jamalpore ..	..	..	..	..	..	..
17	209	Umarpore ..	..	..	..	..	..	..
18	210	Alipore ..	..	..	..	..	..	..
19	211	Tagar Khurd ..	1	1	..	..	..	..
				100					

20	212	Khanpore ..	..	11	100	..	5	..	5	100
21	213	Aima, Alias Mangat ..	..	23	100	..	10	..	10	100
22	214	Sherpore ..	..	26	100	..	17	2	15	88
23	215	Manserpore ..	..	63	100	..	23	7	18	72
24	216	Mehtapore ..	..	40	100	..	39	4	35	90
25	217	Panjidheran Kalan ..	..	58	100	..	26	6	20	77
26	218	Panjidheran Gazi ..	..	20	100	..	3	1	2	67
27	219	Panjidheran Rai ..	..	35	100	..	28	16	12	43
28	220	Barotha, Alias Paronangal ..	..	..	..	..	..	..	..	..
29	229	Itian ..	..	2	100	..	3	3	..	..
30	230	Bhimbowal ..	..	7	100	..	7	4	3	43

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Hadbas,	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
			Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	
31	231	Siagowal ..	16	16 100	..	13	4 31	9 69	
32	232	Dhircowal ..	3	3 100	..	10	3 30	7 70	
33	233	Marsapur ..	30	29 97	1 3	22	6 27	16 73	
34	234	Mehi-ud-Dinapore Dailai ..	368	361 98	7 2	231	79 34	152 66	
35	235	Bishanpore ..	7	7 100	..	4	..	4 100	
36	236	Chak Alah Baksh ..	26	26 100	..	22	10 49	12 51	

37	237	Dogra Rajputan	..	..	1	100	..	..	..	..	..	..
38	238	Latipore	..	..	2	100	..	..	..	..	..	..
39	239	Lolah	..	..	..	..	..	..	..	..	..	..
40	246	Tanda Ram Sahi	..	..	..	..	..	..	..	..	..	..
41	247	Bhatian Jattan	..	..	..	..	..	..	..	..	..	..
42	248	Selebrian Khurd	..	..	31	31	100	..	20	20	100	..
43	249	Atal Garh	..	..	139	138	99	1	101	17	17	84
44	259	Kala	..	..	74	72	97	2	37	4	11	83
45	251	Golarah	..	..	24	23	96	1	9	3	33	33
46	253	Tolwandi Khurd	..	..	..	..	..	..	..	..	..	89
47	258	Kolian	..	..	13	13	100	..	..	..	..	6
48	259	Purika	..	..	..	..	..	..	..	..	..	67
49	260	Bahian Rajputan	..	..	12	12	100	..	2	..	..	2

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Hadbast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
50	261	Khichian ..	60	59 98	1 2	5	2 40	3 60	Acres.
51	262	Tikhowal ..	23	23 100	..	18	15 83	3 17	Acres.
52	263	Bahgawal ..	135	135 100	..	97	77 79	20 21	Acres.
53	264	Mukerian ..	2	2 100	..	..	..	..	Acres.
54	265	Kala Manj ..	98	96 98	2 2	39	2 5	37 95	Acres.
55	266	Pawar ..	33	29 88	4 12	4	..	4 100	Acres.

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56	267	Man	11	10 91	1 9
57	270	Talwandi Kalan	130	123 95	7 5	8	..	8 100	..
58	271	Ghatpore	119	118 99	1 1	46	2 4	44 96	..
59	272	Fatuwal	..	..	116	110 95	6 5	100	29 29	71 71	..
60	273	Padhaiwal	..	..	72	72 100	..	57	17 28	40 72	..
61	274	Kharak Baharda	..	..	129	129 100	..	125	102 81	23 19	..
62	275	Gahharolan	..	..	45	45 100	..	40	30 75	10 25	..
63	276	Farangalian	..	..	140	140 100	..	127	90 71	37 29	..
64	277	Jalelah	..	..	195	194 100	1	119	19 16	100 84	..
65	278	Darapore	..	..	58	58 100	..	38	27 68	11 32	..

Statement showing the area of land in acres in each village situated in Shah Nahr Mutarian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Headbest.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
66	270	Pern Chak ..	45	45 100	..	26	14 54	12 46	
67	280	Dhido Katrala ..	36	36 100	..	18	14 78	4 22	
68	281	Gujar Katrala ..	126	126 100	..	85	29 34	56 66	
69	282	Singoo Katrala ..	114	114 100	..	67	41 61	26 39	
70	283	Chimeh ..	66	66 100	..	39	10 26	29 74	
71	284	Potah ..	72	72 100	..	67	66 69	1 1	

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72	285	Harnali Chabang
73	286	Malhuwal
74	287	Kalu Chabang	18	18 100	13	6 46
75	288	Patial	22	21 95	1 5	..	20	17 85
76	289	Jalandpore ..	..	45	44 96	2 4	..	34	17 50
77	290	Daghan ..	..	11	11 100	..	..	46	44 96
78	291	Dahuwal ..	..	21	21 100	..	..	28	25 89
79	292	Baigpore Kamloh ..	..	104	104 100	..	..	32	41 50
80	293	Lohari Chak ..	..	64	63 98	1 2	..	42	39 95
81	294	Dhamian ..	..	94	94 100	..	..	105	100 95
82	295	Beriah ..	..	134	134 100	..	..	87	58 69

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Hadbast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
83	296	Nansotah ..	89	89 100	..	74	58 78	16 22	
84	297	Guhluwal ..	79	79 100	..	77	72 94	5 6	
85	298	Beekhowali ..	86	86 100	..	80	80 100	..	
86	299	Jiwaniwal ..	42	42 100	..	37	37 100	..	
87	300	Beriana ..	58	58 100	..	42	42 100	..	
88	301	Bedhan ..	118	118 100	..	122	122 100	..	

88	302	Saroah ..	..	101	101	100	..	96	96	100	..
89	303	Arthaiwal ..	..	101	101	100	..	93	91	98	2 2
90	304	Lidhar ..	..	89	89	100	..	86	86	100	..
91	305	Dhisian ..	..	61	61	100	..	56	56	100	..
92	306	Sidbari ..	..	55	55	100	..	61	59	96	2 4
93	307	Sahali ..	..	82	82	100	..	80	80	100	..
94	308	Bato Chuhau ..	..	67	67	100	..	65	43	67	22 33
95	309	Chak Saiwani ..	..	139	139	100	..	131	77	69	54 41
96	310	Dhula Khara ..	..	256	253	99	3 1	260	190	73	70 27
97	311	Mehlud-Dipar Ghazi ..	..	84	84	100	..	68	26	38	42 62

Statement showing the area of land in acres in each village situated in Shah Nahr Multerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Haddast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
99	312	Masabilpur ..	224	223 100	1	136	55 40	81 60	
100	314	Chhamian Rai Ide Khan	48	48 100	..	16	..	16 100	
101	316	Manjowal ..	60	89 98	1 2	56	53 95	3 5	
102	317	Maujipore ..	28	28 100	..	11	11 100	..	
103	322	Bhangala ..	542	541 100	1	442	215 49	227 51	
104	325	Sahota ..	16	16 100	..	38	38 100	..	

106	326	Nathuwal	..	78	76 97	2	78	60 82	13 18
106	327	Als Bhand	..	110	110 100	..	105	105 100	..
107	328	Tolpara Khurd	..	56	54 100	..	86	51 93	4 7
108	329	Kalax	..	71	71 100	..	75	70 93	5 7
109	330	Khushi Nagar	..	170	170 100	..	168	168 100	..
110	331	Maharandpur	..	188	186 100	..	189	186 93	14 7
111	332	Batala	..	88	82 99	144	86	86 100	..
112	333	Ferozepore	..	158	158 100	..	200	103 51	97 49
113	334	Kaibla	..	101	101 100	..	89	48 53	41 47
114	335	Naharpore	..	109	106 100	..	97	76 70	22 30

Statement showing the area of land in acres in each village situated in Shah Nahr Multerian in which rice was cultivated in Kharif 1926 and Kharif 1927—continued.

1	2	3	4	5	6	7	8	9	10
	Number Haddast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
			Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	
115	336	Nangal Awanan	175	175 100	...	138	87 63	51 87	
116	337	Sarwa	69	69 100	...	62	20 31	42 69	
117	338	Dugri Waman	83	83 100	...	60	41 46	49 54	
118	339	Bahel Marj	409	409 100	...	399	389 97	10 3	
119	340	Kassawan	126	126 100	...	112	104 93	8 7	
120	341	Sabakwal	230	230 100	...	230	230 100	...	

121	342	Bhogwal	..	..	210	210	..	208	193	16
					100	100			93	7
122	343	Barrowal	..	..	140	140	..	123	131	2
					100	100			98	2
123	344	Bharwal	..	..	301	301	..	301	302	..
					100	100			100	
124	345	Bhazga	..	..	80	80	..	79	79	..
					100	100			100	
125	346	Jamnapore	..	..	9	9	..	8	8	..
					100	100			100	
126	347	Kishinore	..	..	37	37	..	40	40	..
					100	100			100	
127	349	Sariana	..	..	22	22	..	23	23	..
					100	100			100	
128	350	Dawal	..	..	14	14	..	15	15	..
					100	100			100	
129	351	Saido	..	..	13	13	..	13	13	..
					100	100			100	
130	387	Budhabar	..	..	1,024	1,021	3	1,035	994	41
						100			96	4

Statement showing the area of land in acres in each village situated in Shah Nahr Mukerian in which rice was cultivated in Kharif 1926 and Kharif 1927—concluded.

1	2	3	4	5	6	7	8	9	10
Serial No.	Number Headbast.	Village.	KHARIF 1926.			KHARIF 1927.			REMARKS.
			Area under rice crop.	Matured.	Failed.	Area under rice crop.	Matured.	Failed.	
131	388	Pandori Musa	16	16 100	..	16	16 100	..	Acres.
132	389	Hardoo Dhandpore	328	328 100	..	298	298 98	5 2	Acres.
133	391	Mehadpore	5	5 100	..	..	..	..	Acres.
134	395	Sir Chak	56	56 100	..	52	48 92	4 8	Acres.
135	396	Badial	90	88 99	1 1	87	87 100	..	Acres.
136	401	Heatpore	150	150 100	..	144	131 91	13 9	Acres.

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127	402	Chani Nand Singh	..	3	3	100	..	3	3	100	..	2,137
128	403	Koti Khar	..	53	53	100	..	26	18	62	38	77
129	421	Lodhpore	..	1	1	100	..	..	..	..	..	23
140	422	Chak Bhejan	..	53	53	100	..	32	27	84	16	
141	432	Abdullapore	..	1	1	100	..	1	..	..	1	
		Grand Total	..	10,833	10,781	100	52	9,150	7,013	77	23	

APPOINTMENT OF A HINDU JAT AS INSPECTOR OF POLICE.

(Answer to Question No. 718,* page 1204.)

The Honourable Sir Geoffrey deMontmorency : (a) No. The reply was that the Inspector-General is always prepared to consider the claims of any Hindu Jat candidates who have the necessary qualifications.

(b) and (c) That assurance holds good, now as then.

(d) Government accepts the statement.

(e) Government can give no promise of the kind. Appointments are made by a selection committee from among accepted candidates and the best material available is chosen with due regard to communal balance.

POWER OF MINISTERS RE APPOINTMENTS AND DISMISSALS.

(Answer to Question No. 723,* page 1264.)

Mr. H. W. Emerson : (a) and (b) The honourable member is referred to rule XII (a) of the Classification Rules published in appendix B to Volume II of the Punjab Financial Handbooks.

(c) The honourable member is referred to rules XIII, XIV and XV of the Classification Rules. The question of the delegation of powers by the Local Government under Classification Rules XII (a) and XV is now under consideration.

SCHOOLS RECEIVING GRANT-IN-AID.

(Answer to Question No. 733,* page 1269.)

The Honourable Mr. Manohar Lal : The information referred to by the honourable member in his Council Question No. 733* is appended herewith.

THE NAMES OF PRIVATELY MANAGED ANGLO-VERNAACULAR SECONDARY SCHOOLS OR DEPARTMENTS OF SCHOOLS THAT HAVE RECEIVED RECOGNITION FOR THE FIRST TIME THIS YEAR.

1. Gurm Har Gobind Khalsa School, Guru Sar Sadhar, district Ludhiana--(High Department).
2. Sanatan Dharam Anglo-Vernacular Middle School, Jejon, Doaba, district Hoshiarpur.
3. Khalsa Anglo-Vernacular Middle School, Sarhala Mundian, district Hoshiarpur.
4. Cantonment Anglo-Vernacular Middle School, Rawalpindi Cantonment.
5. G. N. Hira Nand Anglo-Vernacular Middle School, Narag, district Jhelum.
6. Mission Anglo-Vernacular Lower Middle School, Chak 148/9-L., district Montgomery.

7. Bijipur Criminal Tribes, Kacha Khu, district Multan.
8. Sanghar Anglo-Vernacular Middle School, Taunsa, district Dera Ghazi Khan.
9. D. A.-V. High School, Dhariwal, district Gurdaspur.
10. D. A.-V. High School, Daulatpur, district Hoshiarpur. (High Department).
11. D. A.-V. Middle School, Patti, district Hoshiarpur.
12. D. A.-V. Middle School, Road Mazara, district Hoshiarpur.

THE NAMES OF PRIVATELY MANAGED ANGLO-VERNACULAR SECONDARY SCHOOLS OR DEPARTMENTS OF SCHOOLS THAT HAVE BEEN PLACED ON THE GRANT-IN-AID LIST THIS YEAR.

1. Sanatan Dharam School, Simla (Upper Middle).
2. Doaba Arya High School, Jullundur City (Middle).
4. Khalsa High School, Anandpur, district Hoshiarpur.
5. D. A.-V. High School, Batala, district Gurdaspur (Lower Middle).
6. Mission High School, Dhariwal, district Gurdaspur (High Department).
7. Christian Training Institute, Sialkot (High Department).
8. Anglo-Sanskrit High School, Pundri, district Karnal (High Department).
9. D. A.-V. High School, Shahabad, district Karnal (High Department).
10. Anglo-Sanskrit Middle School, Sadharua, district Ambala (Upper Middle).
11. Sud Anglo-Sanskrit Middle School, Garli, district Kangra.
12. Khalsa High School, Baddon, district Hoshiarpur (High Department).
18. Khalsa High School, Jaspalon, district Ludhiana (High Department).
14. D. A.-V. High School, Dehra Gopipur, district Kangra.

THE NAMES OF PRIVATELY MANAGED ANGLO-VERNACULAR SECONDARY SCHOOLS OR DEPARTMENTS OF SCHOOLS THAT APPLIED TO THE INSPECTORS FOR RECOGNITION DURING 1927-28 AND TO WHICH RECOGNITION HAS NOT BEEN YET GRANTED.

1. Khalsa High School, Rupar, district Ambala.
2. Dev Samaj Middle School, Raipur-Rani, district Ambala.
3. Quvat-ul-Islam Lower Middle School, Jhajjar, district Rohtak.
4. G. N. Public High School, Majitha, district Amritsar (Middle Department).
5. Mission High School, Majitha, district Amritsar (High Department).

6. Khalsa Middle School, Dehra Sahib, district Amritsar (Upper Middle).
7. Mahajan Middle School, Dorangla.
8. Khalsa Middle School, Gurdaspur.
9. Anglo-Sanskrit Middle School, Wadala, district Sialkot (Upper Middle).
10. Anglo-Vernacular Middle School, Mitranwali, district Sialkot. (Upper Middle).
11. Muslim Middle School, Ghatianlian, district Sialkot (Upper Middle).
12. Khalsa Middle School, Sihawal, district Sialkot (Upper Middle).
13. Anglo-Sanskrit Middle School, Karyala, district Jhelum.
14. Islamia Middle School, Wara Alam Shah, district Gujrat.
15. Islamia Middle School, Makhad, district Attock.
16. D. A.-V. School, Khanewal, district Multan.
17. Khalsa High School, Khanewal, district Multan (High Department).
18. Khalsa Middle School Kamalia, district Montgomery.
19. H. B. Anglo-Sanskrit High School, Shujabad, district Multan (High Department).

THE NAMES OF THE PRIVATE ANGLO-VERNAACULAR SECONDARY SCHOOLS OR DEPARTMENTS OF SCHOOLS THAT APPLIED TO THE INSPECTORS FOR GRANT-IN-AID FOR THE FIRST TIME IN 1927-28 AND WHICH HAVE NOT BEEN PLACED ON THE GRANT-IN-AID LIST.

1. Sanatan Dharma High School, Pundri, district Karnal (High Department).
2. Khalsa Middle School, Katni Kalan, district Ludhiana.
3. Khalsa Middle School, Chuhan Chak, district Ferozepore.
4. Gujrat Middle School, Thopia, district Hoshiarpur.
5. Rajput Doaba High School, Nadalon, district Hoshiarpur.
6. D. A.-V. High School, Mahilpur, district Hoshiarpur (Middle Department).
7. Khalsa High School, Ramdas, district Amritsar (High Department).
8. Islamia Middle School, Ramdas, district Amritsar.
9. Khalsa High School, Tarsika, district Amritsar.
10. Khalsa Middle School, Kalaswala, district Sialkot.
11. Islamia Middle School, Lalamusa, district Gujrat.
12. Sanatan Dharma High School, Jalalpur-Jattan, district Gujrat.
13. Khalsa Middle School, Kahuta, district Rawalpindi.

14. Khalsa School, Pindigheb, district Attock.
15. Khalsa Middle School, Pindi Bahauddin, district Gujrat.
16. D. A.-V. High School, Montgomery.

NUMBER OF WORKING DAYS IN THE SECRETARIAT, ETC., OFFICES.

(Answer to Question No. 737,* page 1270.)

The Honourable Sir Geoffrey deMontmorency :

Secretariat—

(a) 281.

(b) If the state of work permits, clerks in the Secretariat are allowed to leave at 2 p. m. on Saturdays ; and on the last Saturdays in each month during the cold weather a full holiday is given on the same condition. The maximum number of half holidays is 47—but it may be observed firstly that many clerks cannot enjoy these owing to pressure of work and secondly that even when they are enjoyed the curtailment of the usual hours of office is by two hours only.

(c) Yes.

High Court—

(a) and (b) The High Court is closed on the days publicly notified by the High Court at the commencement of each year, and the High Court office observes the same holidays as are notified for other Government offices.

(c) Does not arise.

Government College—

(a) 197.

(b) Half holidays are occasionally given to students in connection with the University Tournament Final matches in cricket, etc.

(c) No.

SUB-JUDGES.

(Answer to Question No. 740,* page 1271.)

Mr. H. W. Emerson : Instructions were issued in 1920 by the High Court to all District Judges to give preference to zamindars in submitting rolls of candidates for the post of Munsif. These instructions are now being repeated by the High Court with reference to candidates for the post of Sub-Judges.

RESULTS OF INTERMEDIATE EXAMINATION FOR GOVERNMENT COLLEGE AND D. A.-V. COLLEGE.

(Answer to Question No. 742,* page 1272.)

The Honourable Mr. Manohar Lal : (a) No ; 57 Second Division candidates were admitted to the first year class of the Government College, Lahore, in 1926 and 48 in 1927.

(b) The number of students sent up by the two colleges for the Intermediate Examination, and the number of successful candidates are as follows:—

	1916.		1920.		1924.		1927.	
	No. sent up.	No. passed.	No. sent up.	No. passed.	No. sent up.	No. passed.	No. sent up.	No. passed.
Government College	123	86	123	99	134	99	132	83
D. A.-V. College	339	173	207	130	450	197	387	165

PRIVATE TUITION.

(Answer to Question No. 744,* page 1278.)

The Honourable Mr. Manohar Lal: The percentages are as below:—

(1) Lahore Division .. ..	..	..	..	6.5
(2) Jullundur Division .. ..	..	..	..	3.6
(3) Ambala Division .. ..	..	..	..	13
(4) Multan Division .. ..	..	..	..	6.5
(5) Rawalpindi Division .. ..	..	..	..	1.1

WELL BORING BY AGRICULTURAL ENGINEER, LYALLPUR.

(Answer to Question No. 748,* page 1274.)

The Honourable Sardar Jogendra Singh: (a) and (b). The Agricultural Department undertakes boring of tube wells on applications from Zamindars but as every person who has a well installed by the Department requires that it should be capable of giving a fixed discharge of water, it is necessary that the Department should provide a plant designed to give the requisite discharge. As a rule the pumps and engines already in the possession of applicants are out of date and useless, and such applicants have to be informed that the Department cannot hold itself responsible for the success of installations on completion without replacement of old pumps and engines.

BHATTU-FATEHABAD-JAKHAL RAILWAY.

(Answer to Question No. 760,* page 1279.)

The Honourable Mian Sir Fazl-i-Husain: 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.

**FACILITIES FOR THE EDUCATION OF GIRLS IN HISSAR, KARNAL,
ROHTAK AND GURGAON DISTRICTS.**

(Answer to Question No. 762, page 1279.)*

The Honourable Mr. Manohar Lal: The information referred to by the honourable member in his Council question No. *762, is appended herewith.

Statement showing the information regarding facilities for the Education of Girls in the Hissar, Karnal, Rohtak and Gurgaon districts.

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	2.96
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 re-organization 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 1,800 girls are thus receiving education.

(e) The question of affording further facilities by providing Anglo-vernacular secondary education for girls is under consideration.

SUGAR AND OIL INDUSTRY.

(Answer to Question No. 765,* page 1284.)

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

(b) Yes in the south-east of the province.

(c) Subject to the vote of the Council Government proposes to assist in the establishment of a modern sugar factory at Sonapat.

SALUTING GOVERNMENT SERVANTS.

(Answer to Question No. *769, page 1286.)

The Honourable Sir Geoffrey deMontmorency : (i) (a) No.

(b) Yes.

(ii) (a) An enquiry was made into the accusation which proved to be false.

(b) No.

(iii) First part—Does not arise.

Second part—No such orders are required.

FAILURE OF CROPS IN THE SANGHAR TAHSIL.

(Answer to Question No. 772,* page 1287.)

The Honourable Mian Sir Fazl-i-Husain : (a) The Kharif harvest in the south of the Sanghar tahsil, from the Sanghar torrent itself, was above the average but owing to the short supply of hill torrent water the crops elsewhere in the tahsil were poor. Government has no reason for concluding that the economic condition of the zamindars in the Sanghar tahsil is deteriorating.

(b) It is understood that the Deputy Commissioner was approached for the remission or suspension of the revenue demand in certain villages.

(c) No.

(d) The Deputy Commissioner is competent to deal with such applications himself and there was no need for him to send them up to the Government.

RELIEF TO POOR ZAMINDARS AND LAMBARDARS.

(Answer to Question No. 773,* page 1288.)

The Honourable Mian Sir Fazl-i-Husain : (a) Government is aware that Dera Ghazi Khan is not a wealthy district but Government is not aware that there has been any decline in the resources of the district.

(b) The collection of land revenue in the Dera Ghazi Khan district had always been a matter of some difficulty.

(c) It is understood that a few lambardars recently presented applications of the kind.

(d) and (e) No statistics are available. Government does not consider it necessary to institute special enquiries.

(f) During the four harvests—Rabi 1925 to Kharif 1926 the Lambardars' fees were withheld in whole or in part in 569 cases of late collection. No fines have been imposed on lambardars for failure to collect land revenue.

(g) The assessment is partly fluctuating and where fixed has been framed with due regard to the economic condition of the district.

HINDU REPRESENTATION IN THE ADDITIONAL POLICE, MULTAN.

(Answer to Question No. 776,* page 1289.)

The Honourable Sir Geoffrey deMontmorency : (a) The number of places allotted to Hindus in the Multan City Additional Police is 10 Head Constables and 64 Constables. The number of Head Constables is complete, but 47 Hindu Constables only have so far been recruited. Of the balance 12 Hindus are expected from Hoshiarpur and Kangra districts very shortly and efforts are being made to recruit the balance locally.

(b) All the Constables belong to other districts as no suitable Hindus have so far offered themselves for enlistment from Multan district.

As regards Hindu Head Constables 5 belong to other districts and the remaining 5 have been promoted from the district strength and are residents of this district.

(c) The total strength of the additional police is :—

Deputy Superintendent of Police	..	..	1
Sub-Inspectors	..	..	5
Head Constables	..	..	16
Constables..	..	..	125

APPOINTMENTS IN CHINIOT MUNICIPAL COMMITTEE.

(Answer to Question No. 779,* Pages 1290-91.)

The Honourable Malik Firoz Khan, Noon : (a) Yes but the orders of the committee referred to related to the transfer of, or the grant of allowances or increments to officials. It is however not correct to say that the District Inspector of Schools alone was competent to make the appointments as the power which he exercises was delegated to him by the committee, and there was nothing to prevent the committee from exercising similar powers itself.

(b) No appointments were made.

(c) No.

(d) The orders referred to in (a) above were passed in the time of the old committee.

**DAMAGE TO GINNING FACTORIES OF CHAUDHRI SHREE SINGH, ETC.,
BY RAIN WATER.**

(Answer to Question No. 782, page 1292.)*

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.

(ii) The matter is under consideration.

**COMMUNAL REPRESENTATION IN THE POLICE STAFF OF THE
EASTERN RANGE.**

(Answer to Question No. 786, page 1293.)*

The Honourable Sir Geoffrey de Montmorency : (a) The following table shows the total number of Sub-Inspectors, Head Constables and Constables of Police recruited in the districts 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	19	10	
Constables	492	862	95	
Total	521	895	111	

(ii) It is a fact that during the last 5 years a number of applications for Sub-Inspectorship and Head Constablenesship 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.

INDIGENOUS SYSTEMS OF MEDICINE.

(Answer to Question No. 788, page 1924.)*

The Honourable Malik Firoz Khan, Noon : (a) The Civil Surgeon wrote to the Chairman of the district board advising the board in this sense. A copy of the letter is attached.

(b) No.

(c) Yes.

(d) The Inspector-General of Civil Hospitals has already received a copy of the statement of views referred to and copies are being furnished to Civil Surgeons.

No. 8337, dated 23rd August 1927.
 From—The Civil Surgeon, Hissar,
 To—The Chairman, District Board, Hissar.

With reference to your endorsement No. 723-D. B., dated 17th August 1927, I have the honour to state that the Vaidis and Hakims are very expensive and are not more competent generally than our compounders of the 4th and 3rd grade. Moreover they cannot give aid in cases of accidents or surgical diseases. I would advise the district board to utilize the services of intelligent dispensers.

INDIGENOUS SYSTEMS OF MEDICINES.

(Answer to Question No. 789,* page 1294.)

The Honourable Malik Firoz Khan, Noon: (a) Anushadaliyas were opened and the daily average attendance at Balsmand was 26 and at Tisham 25.5.

(b) Yes.

(c) No.

(d) The average daily attendance at the dispensaries at Tisham and Balsmand is 19 and 15.8 respectively.

(e) The dispensary at Kairu is not working satisfactorily but the building is not lying deserted.

ELECTRIFICATION OF HISSAR.

(Answer to Question No. 790,* page 1295.)

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.

CONFISCATION OF A NAQQARAH FROM KHILAFAT VOLUNTEERS.

(Answer to Question No. 808,* page 1299.)

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

(ii) On July 4th, 1927, when all public meetings in Lahore were forbidden under section 144, Criminal Procedure Code, one Ghulam Muhammad, the Secretary of the Khalifat Committee, was seen proclaiming by beat of drum a public meeting. He was arrested under section 188, Indian Penal Code, and the drum was confiscated.

(iii) The drum has since been sold by public auction.

(b) No.

(c) and (d). The honourable member is referred to the answer to part (a) (ii) and (iii) above.

COMPLAINT OF ILLEGAL EXTORTION AGAINST POLICE OFFICERS.

(Answer to Question No. 807,* page 1301.)

The Honourable Sir Geoffrey deMontmorency : (i) Yes ;

(ii) Allegations have been made against Police and Revenue officials generally but no names of any particular officials have been given ;

(iii) No.

COMPOUNDING OF AN OCTROI CASE.

(Answer to Question No. 810,* page 1302.)

The Honourable Sir Geoffrey deMontmorency : (a) The reference to section 69 of the Cantonments Act is not understood. Under Section 101 of that Act which deals with composition of taxes the Cantonment authority has compounded with the firm of Jamsetjee and Sons for octroi as it has previously done for 14 years and the requisite sanction had been obtained.

(b) The amount accepted from the firm was Rs. 420 per annum. This is considered to be in excess of what the firm would have paid in the ordinary way.

(c) The resolution was passed by a majority.

MEASURES FOR EDUCATIONAL IMPROVEMENT IN LAHORE CANTONMENT.

(Answer to Question No. 813,* page 1303.)

The Honourable Mr. Manohar Lal : The reply is in the affirmative. Prior to 1924 (when the cantonment board was constituted) the cantonment committee maintained one school in this area, viz., a high school. Since that year, however, the cantonment board has opened two primary schools and has placed three others (of which two are boys' schools and one a girls' school) on the grant-in-aid list.

COMMUNAL REPRESENTATION IN POLICE FORCE AT LAHORE CANTONMENT.

(Answer to Question No. 814,* page 1303.)

The Honourable Sir Geoffrey deMontmorency: The sanctioned strength of the Lahore Cantonment Police station is :—

Inspector. Sub-Inspector. Head Constables. Constables.

1 1 9 93

and the communal representation is—

	Christian.	Hindus.	Muslims.	Sikhs.
Inspector	1	..	..	..
Sub-Inspector .. ..	..	..	1	..
Head Constables .. ..	..	..	9	..
Foot Constables .. ..	..	9	83	1
Total	1	9	93	1

PRISONERS CONVICTED BY THE DEFENCE OF INDIA TRIBUNAL.

(Answer to Question No. 816,* page 1304.)

The Honourable Sir Geoffrey deMontmorency: (a) and (b)
A list is laid on the table.

(c) A number have already been released. The probable date of release of the 16 remaining in confinement cannot be stated with accuracy, as it will depend upon the orders of Government after due consideration at the proper time.

Name of prisoner.	Offence for which convicted and date of sentence.	Term of imprisonment.
1. Sohan Singh ..	121, 121-A, 124-A, and 131, Indian Penal Code—13th September 1915.	Transportation for life.
2. Hirde Ram ..	121, 121-A, 122, 131, 397, 398, 395/109, 302/109, Indian Penal Code—13th September 1915.	Death, commuted to transportation for life.
3. Harnam Singh ..	121, 121-A and 131, Indian Penal Code—13th September 1915.	Ditto.
4. Kesar Singh ..	121, 121-A, 124-A and 131, Indian Penal Code—13th September 1915.	Ditto.
5. Permanand ..	121, 121-A, 122 and 124-A, Indian Penal Code—13th September 1915.	Transportation for life.

Name of prisoner.	Offence for which convicted and date of sentence.	Term of imprisonment.
6. Madan Singh ..	121 and 121-A, Indian Penal Code—13th September 1915.	Transportation for life.
7. Sher Singh ..	121, 121-A/124-A and 131, Indian Penal Code—13th September 1915.	Ditto
8. Rur Singh ..	121, 121-A and 131, Indian Penal Code—13th September 1915.	Ditto.
9. Jagat Ram ..	121, 121-A, 122, 124-A and 131, Indian Penal Code—13th September 1915.	Ditto.
10. Sawan Singh ..	121, 121-A and 396, Indian Penal Code—13th September 1915.	Ditto.
11. Nidhan Singh ..	121, 121-A, 124-A, 131, 395/109 and 326, Indian Penal Code—13th September 1915.	Ditto
12. Nand Singh ..	(1) 121, 121-A, 122, 395 and 396, Indian Penal Code—13th September 1915. (2) 224, Indian Penal Code—3rd June 1923.	(1) Ditto. (2) 6 months' rigorous imprisonment.
13. Chuhan Singh ..	121, 121-A, 122, 395, 397 and 398, Indian Penal Code—13th September 1915.	Transportation for life.
14. Jawala Singh ..	Ditto	Ditto.
15. Balwant Singh ..	121, 121-A, 132, 395, 397, 398 and 302/109, Indian Penal Code—13th September 1915.	Ditto.
16. Khushal Singh ..	121, 121-A and 396, Indian Penal Code—13th September 1915.	Ditto.

MUHARRAM RIOTS, MULTAN.

(Answer to Question No. 822,* page 1857.)

The Honourable Sir Geoffrey deMontmorency: (a) The number of Hindus and Muhammadans challaned under section 188, Indian Penal Code, during the recent Muharram riots was 89 and 14 respectively.

(b) 24 Hindus and 8 Muhammadans were convicted.

(c) No. In 92 cases reports were made by the Muhammadan Police officials.

PUNITIVE POLICE POST AT KALA KHATAI.

(Answer to Question No. 836,* page 1864.)

The Honourable Sir Geoffrey deMontmorency: (a), (b) The honourable member is referred to the answer to question No. *568.¹

(c) Rs. 15,345-2-6.

(d) Rs. 12,185-13-0.

(e) As for (a) and (b).

(f) The criterion for fixing the tax was as follows:—

(1) Persons restricted under the Habitual Offenders Act Rs. 140 per head.

(2) Persons known or suspected to be of criminal tendencies Rs. 60 to Rs. 180 per head.

(3) Well to do persons Rs. 35 to Rs. 50 per head.

(4) Others Rs. 3 to Rs. 30 per head according to their means.

(5) Widows and minors Re. 1 per head.

(g) No. Action is being taken under section 16 of Police Act V, 1861, to recover arrears.

BUILDING FOR THE RESIDENCE OF PUNITIVE POLICE, KALA KHATAI.

(Answer to Question No. 887,* page 1864.)

The Honourable Sir Geoffrey deMontmorency: The honourable member is referred to the reply to question No. *568¹.

DOGRA RAJPUTS.

(Answer to Question No. *841, page 1867.)

The Honourable Malik Firoz Khan, Noon: There is at present one Dogra Rajput in the Provincial Medical Service. Government are not prepared to examine the composition of the Provincial Medical Service from its start in order to ascertain how many Dogra Rajputs have been members of the Service before.

RESTORING OF OUTLETS GIVING CANAL WATER TO DISTRICT BOARD, FEROZEPORE.

(Answer to Question No. 845,* pages 1871-72.)

The Honourable Mian Sir Fazl-i-Husain: (a) The honourable member presumably refers to the two temporary outlets which were allowed to the district board, Ferozepore, at their request for consolidation of Giddarbaha-Lambi Road, namely:—

(i) at R. D. 19620-L., Lalbhai Distributary,

(ii) at R. D. 31225-R., Lambi Distributary.

These were fixed on 18th September 1927 and 5th October 1927, and removed on 23rd September 1927 and 5th November 1927, respectively, on completion of work.

(b) No. The work for which they were given is completed.

¹Vol. X-B., page 1085 and page 1246 ante.

**APPOINTMENT OF STATUTORY HINDU ZAMINDARS AS HEAD CONSTABLES
IN KARNAL DISTRICT.**

(Answer to Question No. 848, page 1873).*

The Honourable Sir Geoffrey deMontmorency : (a) 31.

(b) 21.

(c) 1.

(d) 87.

(e) 6.

(f) The number of Head Constables directly appointed is strictly limited. The bulk of appointments are made by promotion, which goes by merit. Deficiency of a particular community can most speedily be remedied if the members of that community qualify themselves for promotion.

DAMAGE BY FLOODS IN THE JUMNA TO LANDS AND WELLS.

(Answer to Question No. 850, page 1874.)*

The Honourable Mian Sir Fazl-i-Husain :—

(a)	Name of Tahsils.	Area in acres.	Wells.
	Panipat ..	3,014	41
	Thanesar ..	1,166	5

(b) Land revenue assessed on the land and wells washed away by the river Jumna has been remitted under the Alluvion and Diluvion Rules and liberal *taccavi* advances have been made to the owners concerned.

GRANT OF LAND IN NILI BAR TO ZAMINDARS OF CERTAIN WATER-LOGGED VILLAGES.

(Answer to Question No. 851, page 1874.)*

The Honourable Mian Sir Fazl-i-Husain :—

(a)	Tahsil Thanesar.	Tahsil Karnal.
1.	Dhaulra.	1. Sheikhpura.
2.	Potli.	2. Chhaprian.
3.	Singipur.	3. Tapparian.
4.	Jhandhera.	4. Hanuri.
5.	Khurdban.	5. Santhri.
6.	Chhalaundi.	6. Badheri.
7.	Bani.	7. Indri.
8.	Badarpur.	
9.	Muradnagar.	

(b) Yes ; in the following :—

Tahsil Karnal.

- | | |
|--------------|---------------|
| 1. Gor Gadb. | 4. Munak. |
| 2. Barauta. | 5. Rer Kalan. |
| 3. Gagsina. | 6. Mor Majra. |

(c) The attention of the honourable member is invited to the reply given to Council Question No. 281¹ in the July 1927 session of the Council.

OUTLETS ON THE MAKHDUM RASHID DISTRIBUTARY OF THE
SIDHNAI CANAL.

(Answer to Question No. 861,* pages 1379-1380.)

The Honourable Mian Sir Fazl-i-Husain : (a) There are 35 outlets on the Makhdum Rashid Distributary, out of which 27 were adjusted and on 8 there were no changes.

(b) They were built according to sanctioned design. The haq 'abpashi' of this distributary is 65 per cent. and 26 outlets were doing irrigation from 86 to 125 per cent. of their haq.

(c) The reduction was not based to supply more water to the tail only but these were reduced for proper and economical use of canal water for the distributary, and the 13 *minors* which take off from it.

(d) Yes, the distributary was run to its full supply or as near to it as possible according to the supply available.

(e) Yes, and while proposing 65 per cent. haq 'abpashi' it was taken on the *gross area* of the outlet, instead of *culturable area* which was a mistake : so that actual reductions should have been *more* than that done.

(f) (i) No. Makhdum Rashid Distributary is a *semi-perennial* distributary and question does not arise. The Kharaba is not taken into account as it may be due to many other causes and not solely to lack of supply given.

(ii) If zamindars put more area under cultivation than that for which water is allowed, it stands to reason that such area cannot get sufficient supply and must therefore suffer and fail, or not be matured. This channel being a *semi-perennial* one the cultivators are *expected* to supplement the supply given by wells, and *abiana* rates are fixed accordingly which are much less than other canals.

(iii) Already replied to under (e).

WALI MUHAMMAD, MATI THAL AND SEUNDERABAD NULLAHS.

(Answer to Question No. 862,* page 1381.)

The Honourable Mian Sir Fazl-i-Husain : (i) (a) and (b). The required information is given in the attached statement.

(ii) The period of flow is entirely dependent on a favourable or unfavourable river. The river Chenab along with most Punjab rivers including the Indus has remained very low and unfavourable this year, the supply levels being abnormally low throughout the season. Government is already undertaking the necessary works for seasonal supplies to these canals for next flow season but their adequate supplies and dates of opening and continuing in flow are entirely dependent on favourable river levels which Government is not in a position to control.

Statement showing dates of opening and closing of Wali Muhammad, Mati Thal and Secunderabad Canals prior to the opening of the Triple Canals Project and in 1927.

YEAR.	WALI MUHAMMAD.		MATI THAL.		SECUNDERABAD.	
	Opening.	Closing.	Opening.	Closing.	Opening.	Closing.
(a) 1900-01	15-4-00	16-10-00	12-4-00	7-10-00	20-4-00	14-10-00
1901-02	26-4-01	1-10-01	26-4-01	20-9-01	23-4-01	1-10-01
1902-03	23-5-02	22-9-02	11-5-02	23-9-02	13-5-02	27-9-02
1903-04	2-5-03	25-9-03	5-5-03	1-10-03	1-5-03	15-10-03
1904-05	9-5-04	5-9-04	18-5-04	29-8-04	8-5-04	29-5-04
1905-06	6-5-05	12-10-05	18-5-05	26-9-05	5-5-05	12-10-05
1906-07	15-5-06	11-10-06	11-5-06	26-9-06	23-4-06	26-9-06
1907-08	17-5-07	7-10-07	14-5-07	30-8-07	5-5-07	14-9-07
1908-09	30-4-08	17-10-08	31-5-08	16-9-08	21-4-08	26-9-08
1909-10	11-5-09	25-10-09	15-5-09	19-9-09	11-5-09	12-10-09
1910-11	22-5-10	24-10-10	12-5-10	31-8-10	8-5-10	4-10-10
1911-12	2-5-11	19-9-11	9-5-11	20-9-11	20-5-11	23-10-11
1912-13	28-4-12	4-9-12	15-5-12	8-9-12	17-4-12	30-9-12*
1913-14	14-5-13	16-9-13	16-5-13	12-9-13	28-4-13	4-10-13†
1914-15	28-4-14	22-9-14	13-5-14	25-9-14	28-4-14	28-11-14
1915-16	29-4-15	14-9-15	5-5-15	11-9-15	18-4-15	26-10-15‡
1916-17	5-5-16	23-9-16	11-6-16	25-9-16	14-5-16	16-10-16
1917-18	22-5-17	7-11-17	2-6-17	4-11-17	18-5-17	9-11-17
1918-19	8-5-18	13-9-18	31-5-18	7-9-18	6-5-18	21-9-18
(b) 1927-28	22-5-27	5-9-27	16-5-27	15-9-27	22-5-27	3-10-27

*Upper Chenab Canal opened on 12th April 1912.

†Lower Bari Doab Canal opened on 12th April 1913.

‡Upper Jhelum Canal opened on 9th December 1915.

CIRCULAR OF SUPERINTENDENT OF POLICE, HISSAR, RE LETTING
ACCUSED ON BAIL.

(Answer to Question No. 863,* page 1380.)

The Honourable Sir Geoffrey deMontmorency : (a) No.

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

COMPLAINT OF CULTIVATORS ON 11-L., MONTGOMERY CANAL DIVI-
SION AGAINST A CANAL OFFICER.

(Answer to Question No. 864,* page 1381.)

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.

(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 discharges. 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.

CLAIMS OF RAI SIKHS TO LANDS IN KITCHEN CANAL.

(Answer to Question No. 866,* page 1382.)

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 uncommended. 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 lessees, the distribution of which is nearing completion.

REGRANTING THE RIGHT OF TIRNI TO JAGIRDARS.

(Answer to Question No. 871,* page 1384.)

The Honourable Mian Sir Fazl-i-Husain: (i) (a) With a single exception *tirni* charged on goats and sheep in the Kangra district is not given to jagirdars or Ala Maliks nor have they any right to it.

(i) (b) No.

(ii) Does not arise.

AGRICULTURAL COLLEGE, LYALLPUR.

(Answer to Question No. 878,* pages 1385-86.)

The Honourable Sardar Jogendra Singh: (a) The honourable member is referred to Table XX of Volume XV of Census of India Report 1921, Part II where the figures for the Punjab including Punjab States are given. No other up-to-date statistics on the subject are available.

(b)	Community.	No. selected for admission.		
	Muhammadans	..	..	27
	Hindus	..	..	18
	Sikhs	..	..	24
	Christians	..	..	1
	Total	..	..	70

The figures do not include admissions from Indian States and other Provinces.

(ii) (a), (b) and (c) The honourable member is referred to the answer given to part (b) of question¹ No. 541* by Rana Firoz-ud-Din Khan.

S. LABH SINGH AS ASSOCIATE PROFESSOR IN THE PUNJAB AGRICULTURAL COLLEGE, LYALLPUR.

(Answer to Question No. 874,* page 1386.)

The Honourable Sardar Jogendra Singh: (a) Sardar Labh Singh holds current charge of the duties of the Associate Professor of Agriculture, which involves a transfer from one post to another.

(b) Yes, pending the creation of the Provincial Service.

(c) Does not arise.

(d) Sardar Labh Singh's present pay is Rs. 375, plus a special pay of Rs. 30, and he receives an annual increment of Rs. 25.

(e) The answer to this part of the question is given in reply to (a).

**COMMUNAL REPRESENTATION AMONG OFFICERS OF SUPERIOR PROVINCIAL
SERVICE IN AGRICULTURAL DEPARTMENT.**

(Revised Answer to Question No. 875, page 1886).*

The Honourable Sardar Jogendra Singh :

(a) and (c) Name with designation.	Scale of pay.	Starting pay offered.
	Rs. Muhammadans.	Rs.
1. Ch. Abdul Wahid, Extra Assistant Director of Agriculture.	200—25—550/25—750	200
2. K. B. Maulvi Fateh-ud-Din, Assistant Director of Agriculture.	50—1,250	His time-scale pay plus a special pay of Rs. 150.
3. Malik Amanat Khan, Extra Assistant Director of Agriculture.	200—25—550/25—750	200
4. M. Mohammad Hassan Khan, Assistant to Cerealist attached to Cotton Research Botanist.	200—25—550/25—750	425
5. Mr. Ghias-ud-Din, officiating Assistant Professor of Botany.	200—25—550/25—750	200
6. Mr. K. A. Rahman, Assistant Professor of Entomology.	200—25—550/25—750	200
(b) and (c).	Sikhs.	
1. Sardar Lal Singh, Fruit Specialist to Government, Punjab.	300—40	300
2. Sardar Ram Singh, Bacteriologist ..	300—40	300
3. Dr. Dalip Singh, 2nd Agricultural Chemist.	300—40	300
4. Sardar Harnam Singh, Assistant to Cerealist.	200—250—25—550/25—750 Temporary.	375 plus 50
	Hindus.	
1. L. Hans Raj, Sani, Fodder Specialist ..	200—250—25—550/25—750.	200
2. L. Lal Chand, Suri, Workshop Superintendent.	250—20—750	250

EXPLANATORY NOTE.

Muhammadans.

2. K. B. M. Fateh-ud-Din was appointed to the newly created post of Assistant Director of Agriculture.

4. M. Muhammad Hassan Khan, Assistant to Cerealist attached to Cotton Research Botanist was temporarily in the Provincial Service, prior to his appointment to the permanent post in that service.

5. Mr. K. A. Rahman, Assistant Professor of Entomology was selected in December 1926, but actually joined on 27th May 1927.

Sikhs.

4. Sardar Harnam Singh, Assistant to Cerealist, holds a temporary post sanctioned for five years under the Cotton Research Scheme.

AGRICULTURAL COLLEGE, LYALLPUR.

(Answer to Question No. 877,* page 1888.)

The Honourable Sardar Jogendra Singh : (a) Two.

(b) A statement showing the number of Muslims, Hindus and Sikhs, admitted by each committee respectively is given below :—

DIVISION.	STUDENT SELECTED.			
	Muslims.	Hindus.	Sikhs.	Christians.
Ambala	1	5	6	..
Jullunder	8	2	5	..
Lahore	4	5	4	..
Rawalpindi	4	3	5	1
Multan	10	3	4	..
Total	27	18	24	1

AGRICULTURAL ENGINEER.

(Answer to Question No. 878,* pages 1888-89.)

The Honourable Sardar Jogendra Singh : (a) 1915.

(b) By invention is understood novelty recognized by competent authority.

On this definition the Agricultural Engineer claims to have invented only three Agricultural implements.

(c) None of these have been placed on the open market but one hundred parallel cultivators have been issued by the department for trial throughout the province.

(d) Does not arise in view of (c) above.

PROVINCIAL EDUCATIONAL SERVICE.

(Revised Answer to Question No. 879,* page 1839.)

The Honourable Mr. Manohar Lal: The honourable member is referred to the attached statement in which the required information is given.

Serial No.	Name of officer appointed to the P. E. S. since H. M. E. S. appointment as Minister.	Whether or not the officer was already in the Punjab Education Department.	Religion.	Members of notified Agricultural tribes and others.
1	Lala Hardyal Chopra	Already serving in the department.	Hindu ..	Other.
2	Dr. Vishwa Nath	Recruited from outside the department.	Hindu ..	Other.
3	Dr. Gulshan Lal, Chopra	Already serving in the department.	Hindu ..	Other.
4	M. Chiragh-ud-Din	Ditto	Muslim ..	Other.
5	Mr. Gouti Parshad	Ditto	Hindu ..	Other.
6	Dr. Vidya Sagar, Puri	Recruited from outside the department.	Hindu ..	Other.
7	S. Shiv Charan Singh	Ditto	Sikh ..	Member of a notified agricultural tribe.
8	Lala Bhagwan Das, Bahl	Ditto	Hindu ..	Other.
9	Sheikh Muhammad Sharif	Ditto	Muslim ..	Other.
10	Lala Vidya Chandra	Already serving in the department	Hindu ..	Member of notified agricultural tribe.
11	M. Muhammad Munir	Ditto	Muslim ..	Ditto ditto.
12	Lala Denlat Ram, Bhatia	Ditto	Hindu ..	Other.

OVER COLLECTION OF TIRNI IN SHORKOT TAHSIL.

(Answer to Question No. 882,* page 1390.)

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

(b) No.

(c) No.

(d) No.

(e) Yes.

(f) Does not arise.

RECONCILIATION OF NAZIR HUSSAIN WITH TALIB HUSSAIN AND ANOTHER,
THROUGH SUB-INSPECTOR OF POLICE.

(Answer to Question No. 884,* page 1390.)

The Honourable Sir Geoffrey deMontmorency : (a) Yes, but the Sub-Inspector's action was not inspired by any person.

(b) No.

COMPLAINT AGAINST TALIB HUSSAIN, ZAILDAR, GARH MAHARAJA.

(Answer to Question No. 885,* page 1391.)

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

(b) Yes.

(c) and (d) The list was filed on the very day of the visit of the Revenue Assistant and mostly contained the names of officers, who had left the district. It was impossible for him to summon and examine them on that day.

(e) Yes.

DIRECT RECRUITMENT OF HEAD CONSTABLES.

(Answer to Question No. 888,* page 1391.)

The Honourable Sir Geoffrey deMontmorency : Statement showing number of directly appointed Head Constables in each district of the Multan Division during the last 5 years is given below.

District.	Hindus.	Muhammadians.	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

DRAINAGE SYSTEM, JHANG.

(Answer to Question No. 890*, parts (e), (d) and (e), page 1892).

The Honourable Malik Firoz Khan, Noon : (c) Rs. 2,54,665.

(d) Rs. 85,216. The project has now been completed, but experience has shown that the cost of efficiently maintaining the Nalla, which passes through considerable portions of sandy soil, will be prohibitive, as in addition to the removal of silt regularly a large amount of vegetation, which grows up rapidly in places where the soil is not sandy, has to be removed. If the Municipal Committee can arrange to have this done, there is no reason why the Nalla should not function properly.

(e) The cost of the Project has so far been met from funds provided by both the municipal committee and Government.

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PROFESSION TAX IN SEVA SIDHU.

(Answer to Question No. 913*, page 14).

The Honourable Malik Firoz Khan, Noon : (a) Profession tax is levied from the inhabitants of Sarai Sidhu and not Seva Sidhu.

(b) The various professions which the inhabitants in question follow have not as yet been reported to local officers, but the scale of the tax is given in notification No. 28447, dated 16th August 1926, of which a copy is laid on the table.

“PUNJAB GOVERNMENT GAZETTE,” PART I,—THE 16TH AUGUST
1926.

No. 28447.—In pursuance of the provisions of sub-section (7) of section 81 of the Punjab District Boards Act, 1888, it is notified that the district board of Multan has, with the sanction of the Punjab Government (Ministry of Education), imposed the tax described below within the area, exclusive of notified areas, subject to its authority. The tax shall come into force on the 24th day of November 1926.

Description of Tax.

A tax at the rate shown in column 3 of the annexed schedule on the persons carrying on the trade or following the profession or calling shown in column 2 thereof, provided that no tax shall be leviable from any person whose annual income is less than three hundred and sixty rupees or who is a widow or is mainly dependent on agriculture for his livelihood.

APPENDIX.
SCHEDULE.

Group No.	Trade, profession or calling.	Amount of tax payable per annum.
1	The trade, profession or calling of Sahukar, grain dealer, cloth-merchant, owner of mills or factories, timber or wood merchant, lawyer, money changer, owner of brick-kilns or a worker thereof or petition-writer.	Six rupees.
2	The trade, profession or calling of contractor, confectioner, wine merchant, opium seller, hakim, commission agent, general merchant, goldsmith, cattle and horse dealer, grocer, provisions seller, private servant, seller of country medicines, bones, or ghee, sugar merchant, Jaggery merchant, kabary, hay dealer, milk seller, book seller, stationer, lime merchant, wool merchant or maker or seller of metal utensils.	Four rupees.
3	The trade, profession or calling of carpenter, blacksmith, weaver, tanner, oil presser, mason, wool teaser, potter, sheep and goat dealer, tailor, hawker, tinsmith, dyer, washerman, baker, seller of aerated waters, ice, or pan, manufacturer of hukkas, or of portions thereof, maker of glass bracelets, butcher, barber or hirer of camels, donkeys, mules, ponies or carts.	Two rupees.
4	Any other trade, profession or calling not already specified.	Two rupees.

DRINKING WATER SUPPLY IN KOT KASRANA.

(Answer to Question No. 914*, page 14).

The Honourable Malik Firoz Khan, Noon : (a) There are some 750 houses in Kot Kasrana. There is one well only for the supply of drinking water.

(b) No, but if the people wish to ask for Government help they should get into touch with the Secretary, Rural Sanitary Board.

SMALL TOWN COMMITTEE, KOT ADU AND ROAD TAX.

(Answer to Question No. 919-(c),* page 16).

The Honourable Malik Firoz Khan, Noon : (c) Yes though the Deputy Commissioner gave no order but merely referred the committee to rule a requiring it to observe the general principles which Government has approved in the several departments of administration.

HAIRIYAT TAX.

(Answer to Question No. 948 (i) (b) and (ii)*, pages 189-40.)

The Honourable Malik Firoz Khan, Noon : (i) (b) The amount of the tax after revision is, in the case of Hindus about double and in the case of Muslims less than fifty per cent. of what it was before.

(3)

Year.	AMOUNT OF HAIRIYAT TAX IMPOSED.		AMOUNT REMITTED ON APPEALS.	
	Hindus.	Muhammads.	Hindus.	Muhammads.
	Rs.	Rs.	Rs.	Rs.
1926-27	1,069	870	NIL	NIL
1927-28	2,908	797	817	NIL

CATTLE-FAIRS.

(Answer to Question No. 960*, page 176).

The Honourable Malik Firoz Khan, Noon : The attached statement gives the required information.

Statement showing the number of cattle fairs held by various district boards in the Punjab during the financial year 1926-27, the income realised, and the expenditure, if any, incurred by them on the improvement of cattle-breeding.

Serial No.	Name of district board.	Name of fair.	Number of cattle fairs held during the financial year 1926-27.	Income derived from each fair.	Expenditure incurred during the financial year 1926-27 on the improvement of cattle-breeding apart from prizes given at fairs.	REMARKS.
1	2	3	4	5	6	7
1	Hissar	Autumn fairs at— Sirsa .. Hissar .. Hansi .. Bhiwani .. Spring fairs at— Sirsa .. Hissar .. Hansi .. Not given	7	Rs. 5,011 12,576 1,867 5,282 4,035 15,109 1,877 22,046 19,487	Rs. 10,119	*Includes Rs. 8,000 on account of Government grant.
2	Rohtak	..	2	{ 22,046 19,487	*11,572	

No.	Station	Revenue	Grants	Other Income	Total	Remarks
3	Gurgaon	4,500	6	22,820		
4	Karnal	700	1	4,477		†There was no income as the fair proved to be a failure on account of excessive rains.
5	Ambala	100	..	5,207		
6	Hoshiarpur	10	4			†There was no income from it as the fair was newly started and no fees were levied.
7	Jullundur	40	5			
8	Ferozepore	2,118	5			
	Bangas (Sept.)	792				
	Bangas (March)	1,717				
	Nakodar	833				
	Phillaur	845				
	Kartarpur	838				
	Ferozepore	558				
	Baghapurans					

There was no income as the fair proved to be a failure on account of excessive rains.

There was no income from it as the fair was newly started and no fees were levied.

Statement showing the number of cattle fairs held by various district boards in the Punjab during the financial year 1926-27, the income realized and the expenditure, if any, incurred by them on the improvement of cattle-breeding.—contd.

Serial No.	Name of district board.	Name of fair.	Number of cattle fairs held during the financial year 1926-27.	Income derived from each fair.	Expenditure incurred during the financial year 1926-27 on the improvement of cattle-breeding apart from prizes given at fairs.	REMARKS.
1	2	3	4	5	6	7
				Rs.	Rs.	
5	Ferozepore—contd.	Bhucha ..	..	484		
		Badhni ..	..	1,109		
		Abohar ..	..	1,572		
		Moga ..	..	8,904		
		Talwandi ..	..	1,590		
		Giddarbaha ..	..	1,098		
		Fazilka ..	..	293		
		Multan ..	..	45		
		Ferozepore (2nd)	..	653	1,067	
		Guru Har Sahai	..	148		
		Dharm Kot	..	1,054		
		Bhucha (2nd)	..	285		
		Moga (2nd)	..	2,636		
		Giddarbaha (2nd)	..	640		
		Ferozepore (3rd)	..	119		

Bajherana (2nd)					
9	Lahore	Zira	778		
		Kahna Nau	5,447		
		Kasur	1,905		
		Pattoki	748		
		Shahmaner	1,700		5,880
			422		
10	Amritsar	Tarn Taran (On Bhudown Amawas)	8,486		
		Tarn Taran (On Chet Chowdas)	2,664		5,864
11	Gurdaspur				
12	Shalkot	Thurh	9,131		3,374
		Gullin Shab	18,406		
		Shalkot (Autumn)	2,238		
		Parkal	871		1,746
		Baryar Narowal	5,094		
		Shalkot (Spring)	3,344		
		Sambrial	485		
13	Gujranwala	Baisath at Eminabad	6,664		
		Dirwall at Gujranwala	5,805		
		Hafesabad	458		4,612
		Wazirabad	122		
		Gujranwala	1,820		

•Excluding income from horses show.

Statement showing the number of cattle fairs held by various district boards in the Punjab during the financial year 1926-27, the income realized and the expenditure, if any, incurred by them on the improvement of cattle-breeding—concl'd.

Serial No.	Name of district board.	Name of fair.	Number of cattle fairs held during the financial year 1926-27.	Income derived from each fair.	Expenditure incurred during the financial year 1926-27 on the improvement of cattle-breeding apart from prizes given at fairs.	REMARKS.
1	2	3	4	5	6	7
14	Sheikhpura ..	Sheikhpura .. Shahkot .. Pir Babar Shah. .. Bhuchh .. Khangah Dogran .. Chaharkana ..	6	Rs. 1,551 148 108 1,917 24 9 ..	Rs. 4,263 ..	
15	Attock ..	Fatehjang (annual cattle fair). Gondal (weekly cattle fair). Hasanabdal (weekly cattle fair). Hatti (weekly cattle fair)	209	7,272 3,416 60 824 425	* 5,145	* Includes Rs. 4,338 out of Government grant.
16	Mianwali ..	Pindi Gheb (weekly cattle fair). Mianwali Horse and Cattle fair.	1	425	† 6,671	† Includes Rs. 4,000 out of Government grant.

17	Shahpur	Sargodha Cattle fair ..	3	266	1,725
		Shahpur Sader Cattle fair.		..	
		Mitha Tiwana Sheep and Goat fair.		..	
18	Gujrat	Gujrat Cattle Show ..	1	129	3,284
19	Jhelum	Chakwal ..	2	6	8,247
		Dina ..		10	
20	Rawalpindi	Names not given ..	2	211	6,355
21	Montgomery	Names not given ..	1	347	..
22	Lyalpur	Cattle fairs at Lyallpur	..	22,476	
		Cattle fairs at Gojra	22	25,941	15,767
		Cattle fairs, Chak Jhumra		393	
		Cattle fairs at Tandlian-wala.		829	
23	Jhang	Not given ..	1	5	3,172
24	Multan	Not given ..	2	..	10,000
25	Muzaffargarh	Not given ..	1	..	..
26	Dera Ghazi Khan	Not given ..	..	..	3,897

This represents the expenditure spent on the purchase of bulls only.

MUSLIM AIDED MIDDLE SCHOOL, TAHSIL DASKA.

(Answer to Question No. 988, page 280).*

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

(b) No.

(c) Does not arise.

SPECIAL CLASS PRISONERS.

(Answer to Question No. 995, page 282.)*

The Honourable Sir Geoffrey deMontmorency : The statement giving the required information is placed on the table :—

(I).—Statement showing the names of those prisoners undergoing imprisonment at the present time who are treated as Special class prisoners.

Serial No.	Jail Register No.	Name of prisoner.	Father's name.	Caste.	Religion.	NATIVE OF WHAT PLACE.			Trade or profession.	Crime.	Date of sentence.	Period of sentence.	By what Court sentenced.
						Town or village.	Thana.	District.					
Confined in Lahore Central Jail on 16-2-1928.													
1	7485	Miraj Din ..	Karim Beksh.	Kashmiri.	Muhammadan.	Lahore	Lahore	Lahore	Editor	153-A, I. P. C.	4-1-28	3 months R. I. ..	Additional District Magistrate, Lahore.
2	7486	Muhtd. Yaqub Khan.	Mir Alam Khan.	Pathan	Do.	Lahore	Lahore	Lahore	Do.	Do.	4-1-28	1 year and 3 months' R. I. and fine Rs. 1,000 or 1 year R. I.	
3	7487	Rahmat Khan	Siraj Din	Rajput	Do.	Lahore	Lahore	Lahore	Pub. lisher.	Do.	4-1-28	3 months' R. I. ..	
4	5861	Ram Chand ..	Kirpa Ram.	Khatris	Hindu	Lahore	Lahore	Lahore	Editor.	124-A, I. P. C.	15-9-27	6 months' R. I. and fine Rs. 150 or 3 months' R. I.	

(11).—The names of those accommodated in the European wards confined in the Lahore Central Jail.

Serial No.	Jail Register No.	Name of prisoner.	Father's name.	Caste.	Religion.	NATIVE OF WHAT PLACE.			Trade or profession.	Crime.	Date of sentence.	Period of sentence.	By what Court sentenced.
						Town or village.	Thana.	District.					
1	..	B. Fernandes	..	..	..	..	..	..	..	400-477-A, I. P. C.	30-4-26	3 years' R. I. Rs. 12,000, fine, in default 1 year's R.I.	..
2	..	J. Snowdon	..	..	..	..	..	..	..	457-380, I. P. C.	22-9-27	2 years' R. I. Rs. 100 fine, in default 3 months' R. I.	..
3	..	J. Storey	..	..	..	..	..	..	..	457-380, I. P. C.	22-9-27	Do.	..
4	..	G. Anderson	..	..	..	..	..	..	..	457, I.P.C.	1-9-27	1 year's R. I.	..
5	..	L. Woolford	..	..	..	..	..	..	..	Do.	1-9-27	Do.	..
6	..	F. H. Petts	..	..	..	..	..	..	..	379-175, I. P. C.	1-12-26	4 years' R. I.	..
7	..	M. L. Pritchard	..	..	..	..	..	..	..	400-214, I. P. C.	8-1-28	6 years' R. I. Rs. 3,200, fine in default 2 years' R. I.	..
8	..	J. Morris	..	..	..	..	..	..	..	420, I. P. C.	23-8-27	9 months' R. I.	..
9	..	E. Middlecoat	..	..	..	..	..	..	..	307, I. P. C.	3-5-26	10 years' R. I. Rs. 1, fine in default 1 day's R. I.	..
10	..	J. G. Reach	..	..	..	..	..	..	..	457, I. P. C.	Admitted on 31-12-27.	as under-trial on	..
11	..	Sokolaki Tyneki	..	..	..	..	..	..	..	..	..	..	..

Interned in this Jail from 4-2-28 and awaiting orders of Government.

HANGING IN JAILS.

(Answer to Question No. 996*, page 232.)

The Honourable Sir Geoffrey deMontmorency : (a) 89.

(b) 9.

PATWARIS AND GIRDAWAR QANUNGOS.

(Answer to Question No. 1002*, page 234.)

The Honourable Mian Sir Fazl-i-Husain : (a) A statement is laid on the table.

(b) The honourable member's attention is drawn to the census of Government servants, 1st April 1927, wherein the provincial figures for Patwaris and Qanungos are given. One uniform principle will apply to all districts.

Statement.

	Muhammadans.	EXISTING STAFF.		TOTAL.
		Hindus.	Sikhs.	
Patwaris	235	139	54	428
Qanungos	13	8	4 1 Christian.	26

AMBALA CITY MUNICIPAL COMMITTEE.

(Answer to Question No. 1017*, page 289).

The Honourable Malik Firoz Khan, Noon : (a) About Rs. 80,000.

(b) Owing to a decrease in the revenue expected from terminal tax, and extraordinary expenditure on measures to combat plague, on provision of drains and on the cost of obtaining additional water supply from Sarangpur.

(c) Yes.

STUDENTS IN TRAINING INSTITUTIONS.

(Answer to Question No. 1026*, page 292).

The Honourable Mr. Manohar Lal : The required information is given below :—

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)	1,256	1,287
5	Gyani Training class .. ..	..	24
6	O. T. Class	38	20
7	J. A. V. Classes (Private)	113	90
8	J. A. V. Classes for men teachers (Government).	27	63
9	Training schools for men teachers under local bodies or private management.	78	109
10	J. A. V. Class for women teachers (Private).	1	17
11	Normal Schools for women (Government)	151	312
12	Normal Schools for women (Private) ..	..	49

MOTOR SERVICE ON THE TALAGANG-INJRA ROAD.

(Answer to Question No. 1070*, page 350).

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

(b) Does not arise.

AREA SOWN IN CHAK ARA.

(Answer to Question No. 1073*, page 351).

The Honourable Mian Sir Fazl-i-Husain :

	Acres.
Rabi 1927	52,826
Rabi 1928	47,069

IMPROVEMENT OF AGRICULTURE.

(Answer to Question No. 1121*, page 448).

The Honourable Sardar Jogendra Singh : (a) Staff added during the last three years:—

			<i>Agricultural Assistants.</i>	<i>Mulckadams.</i>
Hissar	..	..	4	6
Gurgaon	..	..	2	6
Karnal	..	..	..	1
Rohtak	..	..	2	3

Comparison of areas under improved types of—

DISTRICT.	WHEAT.		COTTON.	
	1924-25	1926-27	1924-25	1926-27
	Acres.	Acres.	Acres.	Acres.
Hissar —	8,000	18,500	27,000	34,000
Gurgaon	4,000	36,700	2,500	9,700
Karnal	12,300	53,300	1,800	20,000
Rohtak	4,000	24,500	4,000	7,200
Total	28,300	133,000	35,300	70,900

Work in other directions includes sale of modern implements, well boring, work on minor crops, campaigns against insect pests, rats, etc., etc.

(b) In the Hissar district an experimental farm of 425 acres has been started at Sirsa, and an area of 100 acres has recently been acquired for opening a Government demonstration farm at Gurgaon. Arrangements are in train for acquisition of 100 acres for a farm in Karnal. At Rohtak the District Board demonstration farm has been taken over by Government during this year and its area has been increased by 60 acres to make it a 100 acres farm.

On experimental farms, experiments are carried out with a view to discovering the more profitable seeds, implements, methods of cultivation, rotations, manures, etc. On demonstration farms the comparative values of these over the local seeds, implements, methods, etc., are demonstrated. Both experimental and demonstration farms are useful as sources of supply of pure seeds to zamindars, and centres at which they can address the Agricultural staff for advice and assistance.

For further details the Honourable Member is referred to the annual reports of the Department of Agriculture.

HEAD CONSTABLES.

(Answer to Question No. 1192*, page 452).

The Honourable Sir Geoffrey deMontmorency : (a) Nine.

(b) One Hindu, six Muslims, two Sikhs.

(c) Nil.

LANDS WASHED AWAY BY FLOODS.

(Answer to Question No. 1193*, page 452).

The Honourable Mian Sir Fazl-i-Husain : (a) There are no such villages.

(b) Does not arise.

MOTOR ACCIDENTS.

(Answer to Question No. 1196*, page 491).

The Honourable Mian Sir Fazl-i-Husain : Record is kept only of such motor accidents as result in cognizable offences. The number of these was 14 in 1926 and 11 in 1927. Since January 1928 a system of regular inspections of all motor vehicles plying for hire in the district has been instituted by the Deputy Commissioner at which the mechanical condition of each vehicle is thoroughly tested.

Government has also recently appointed a committee to consider measures necessary for control of motor traffic throughout the Province including prevention of accidents.

DRAINAGE SYSTEM.

[Answer to Question No. 1197 (c)*, page 491].

The Honourable Malik Firoz Khan, Noon :

Serial No.	(c).	Population, 1901.	Population, 1911.	Population, 1921.
1	Diwana	1,088	909	994
2	Pahladpur	457	383	361
3	Manana	2,785	2,571	2,449
4	Dhodpur	378	382	473
5	Namamdah	965	897	867
6	Kiwanana	1,442	1,362	1,441
	Total	7,115	6,504	6,585

MOTOR TRAFFIC ON THE TALAGANG-INJRA ROAD.

(Answer to Question No. 1144, page 498).*

The Honourable Mian Sir Fazl-i-Husain : (a) This part of the question is not understood, as no lease has been given.

(b) Yes.

(c) Some were accepted, some refused ; the latter on the ground that the road could not safely bear additional traffic.

CHAUBARA-LEIAH ROAD.

(Answer to Question No. 1148, page 500).*

The Honourable Malik Firoz Khan, Noon : (a) No. It has only been repaired.

(b) No.

LAND ACQUISITION IN MULTAN AND SUTLEJ VALLEY PROJECT.

(Answer to Question No. 1158, page 501).*

The Honourable Mian Sir Fazl-i-Husain : (a) As a general rule, the procedure laid down in the Land Acquisition Act is followed. In some cases, however, where it was necessary to take over land in anticipation of the notification in the interests of the cultivators, land has been entered into with their consent.

(b) No.

(c) All applications received are dealt with on their merits and compensation, when due, allowed.

GURGAON PLOUGHS.

(Answer to Question No. 1175, page 604).*

The Honourable Sardar Jogendra Singh : (a) Yes, in accordance with the instructions contained in the Financial Commissioners' Standing Order No. 32.

(b) No.

(c) Yes.

ELECTION OF THE OFFICE-BEARERS OF THE SMALL TOWN COMMITTEE,
SHEIKHUPURA.*[Answer to Question No. 1187-(b)*, page 607.]*

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

DRINKING WATER.

[Answer to Question 1201, parts (ii) and (iii), pages 706-07.]*

The Honourable Malik Firoz Khan, Noon : (ii) There are 4 depressions round about Nuh in the Gurgaon District, viz. :

- (1) Indri.
- (2) Chandani.
- (3) Kotla.
- (4) Ujina.

(iii) Proposals for making sailaba bunds to prevent the hill torrents reaching the Indri depression have been sanctioned and when these are constructed, practically no water should reach this depression.

As regards the other three depressions, the Rural Sanitary Board have decided that a comprehensive scheme should be prepared for a central drainage channel for the District beginning from Bharatpur State jhil upwards branching out both to Palwal Sikri and towards Nuh. This scheme will provide for the drainage of the depressions, and surveys are in hand.

DEPRESSED CLASSES.

(Answer to Question No. 1203*, page 707).

The Honourable Mr. Manohar Lal : It is not true that admission is not allowed to the children of the depressed classes in the primary schools, Lahore. Further the Municipal Committee is also maintaining special schools for these children.

MILITARY TRIBES IN THE GURGAON DISTRICT.

(Answer to Question No. 1204*, Pages 707-08).

The Honourable Sir Geoffrey deMontmorency :

Names of Principal Military tribes in the Gurgaon District.	SANCTIONED STRENGTH OF DISTRICT POLICE.			NOS. OF EACH TRIBE MENTIONED IN COLUMN No. 1 SERVING IN THE GURGAON DISTRICT.		
	Sub-Inspers. 27	H. Cs. 83	F. Cs. 489	Sub-Inspers.	H. Cs.	F. Cs.
Muhammadian Rajputs	3	6
Hindu Gujars	5
Hindu Rajputs	1	12
Minas	1	..	22
Khanzadas	6
Ahirs	1	48
Hindu Jats	2	29
Meos	1	8
Pathans	4	50
Sayeds	6	29
Brahmins	3	61

PRIMARY SCHOOLS IN THE GURGAON AND HISSAR DISTRICTS.

(Answer to Question No. 1205*, page 708).

The Honourable Mr. Manohar Lal : (a) Gurgaon 80; Hissar 212.

(b) Gurgaon 20,000; Hissar 50,000.

SUPERINTENDENT OF POLICE, HISSAR.

(Answer to Question No. 1213*, page 710).

The Honourable Sir Geoffrey deMontmorency : (a) No such complaint has been received by Government.

(b) No.

POLICE AND CORRUPTION.

(Answer to Question No. 1221,* page 788).

The Honourable Sir Geoffrey deMontmorency : Will the honourable member please state his question more definitely and give further particulars? In the absence of more definite particulars the officer in question finds difficulty in identifying to what question it relates.

HIGH SCHOOLS.

(Answer to Question No. 1259*, page 800).

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

(b) No enquiry was made from the District Boards, Hissar and Karnal; but the Inspector was asked to draw up a programme in consultation with the district boards concerned for the provision of high schools in the backward districts of the Ambala Division.

(c) A programme was drawn up and is being acted upon. The District Board schools at Hansi, District Hissar and Shahabad, District Karnal, were raised to the high standard in pursuance of the programme.

ANSWERS TO UNSTARRED QUESTIONS.

VOL. X-A.

RELIEF TO INHABITANTS OF VILLAGE PHULRA.

(Answer to Question No. 11, page 34.)

The Honourable Mian Sir Fazl-i-Husain : (a) The village was flooded in the year 1924, but there was no loss of cattle through the floods.

(b) The village is not worse off than many riverside villages. Of a total area of 1032 acres, 480 acres were cultivated in 1922-23, 503 acres in 1923-24, 384 acres in 1924-25 and 411 acres in 1925-26.

(c) The co-operative society went into liquidation in 1920-21. Its failure was not due to the floods of 1924.

(d) Taccavi amounting to Rs. 70 was advanced for the purchase of seed in November 1925. No general measure of relief is necessary.

CO-OPERATIVE SOCIETIES AND TEACHERS OF SCHOOLS IN JULLUNDUR.

(Answer to Question No. 12, page 35.)

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

(b) There is no evidence of teachers joining a Co-operative Society otherwise than of their own free will.

(c) Government has no information on the subject.

"RAM GAUS" AND DESTRUCTION OF CROPS IN GAGRAON.

(Answer to Question No. 24, page 40).

The Honourable Mian Sir Fazl-i-Husain : (a) (i) Only about a hundred and the damage done by them is reported to be not great.

(ii) No.

(iii) No.

(iv) They are generally believed to be sacred.

(b) Does not arise.

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

(Answer to Question No. 301, page 42).

The Honourable Shaikh Sir Abdul Qadir : (a) Yes.

(b) Some of the khads and nalas form part of forests and some belong to private owners.

(c) Yes.

(d) and (e) The Public Works Department charge as royalty from contractors annas 4 per 100 c.ft. of metal and not 6 per cent. Nothing has been received by the Forest Department on account of royalty. The amounts collected are insignificant and are only collected from contractors where Government rights exist. The question of distribution to villagers, therefore, does not arise.

(f) to (h) Do not arise.

ESCAPES FROM JAILS.

(Answer to Question No. 34, page 62).

The Honourable Sir Geoffrey deMontmorency : (a) 5.

(b) There were 79 such cases distributed as follows :—

Lahore Central Jail	7
Montgomery Central Jail	20
Lahore Borstal Institution	9
Multan Central Jail	17
Rawalpindi District Jail	6
Ambala District Jail	3
Multan District Jail	8
Sialkot District Jail	1
Ferozepore District Jail	2
Gujranwala District Jail	1
Lyallpur District Jail	2
Jhelum District Jail	2
Dera Ghazi Khan District Jail	1

LIBRARIES IN THE LAHORE CENTRAL JAIL.

(Answer to Question No. 35, page 62).

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

(b) No, both the libraries are well kept and properly looked after.

(c) No. There have been no complaints. The books are issued regularly; 802 having been circulated from the vernacular library during January 1927 alone.

(ii) Does not arise.

ABZAIJA IN THE MONTGOMERY AND LYALLPUR DISTRICTS.

(Answer to Question No. 37, page 63.)

The Honourable Mian Sir Fazl-i-Husain : The figures for the last five years of income derived from *Abzaija* in the Montgomery and Lyallpur districts are detailed below :—

Year.				Lyallpur district.	Montgomery district.
				Rs. A. P.	Rs. A. P.
1921-22	..	..	..	1,321 1 0	2,316 11 0
1922-23	..	..	..	1,193 1 0	2,220 13 0
1923-24	..	..	..	2,303 8 0	1,253 12 0
1924-25	..	..	..	3,307 14 0	2,064 13 0
1925-26	..	..	..	3,635 7 0	1,575 3 0
Total				11,760 15 0	9,431 4 0

BANDI SYSTEM.

(Answer to Question No. 41, page 64.)

The Honourable Mian Sir Fazl-i-Husain : (a) and (b).—The honourable member is informed that there is no village Miani Beg in the Multan tahsil, but there is one called Miani Rawa, which is presumably the village referred to by him in part (a).

He is referred to the reply given to Council question No. 3680 copy enclosed. Since that reply was given a further representation was received on the 25th February 1927, and after making enquiries from the local officers, Government has nothing further to add to the reply already given.

(c) The revenue assessment of these two estates and of the Sidhnai Circle of the Multan tahsil in which they are situated consists of two parts :—

(i) a fixed assessment on wells, and

(ii) a fluctuating assessment on chahi-nahri and nahri land.

For the Sidhnai Circle as a whole, the fluctuating assessment is more than 90 per cent. of the total demand. The fluctuating assessment in any harvest depends on the matured area, and, if the reduction of over-drawing outlets in the villages in question has been followed by a reduction in the matured area automatic relief will be given in the fluctuating assessment which represents more than 90 per cent. of the total demand. In these circumstances no relief appears necessary in the fixed assessment which represents less than 10 per cent. of the total demand. It may be observed that the crop statistics for the period of years selected by the Settlement Officer for assessment purposes represented one factor only out of several which determined the assessment.

BANDI SYSTEM.

3680. **DR. GOKUL CHAND, NARANG :** (a) Will the Government please state if any representation was made in the current year to the canal authorities by the zamindars of Mauzas Kot Rab Nawaz Khan and Miani Beg in Multan tahsil against the Bandi system of their Mogas ?

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

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

THE HONOURABLE MIAN SIR FAZL-I-HUSAIN : (a) Yes.

(b) Yes ; reductions of all overdrawing outlets have been sanctioned with the consent of the Deputy Commissioner and these will be carried out at the usual time during April and May 1927 just after the maturity of the present crop and the beginning of the next crop.

(c) Yes, but no special case for a concession exists as the outlets are doing permissible irrigation or even more.

HONORARY MAGISTRATES.

[Answer to Parts (i) and (ii) of Question No. 46, page 67].

The Honourable Sir Geoffrey deMontmorency : (i) One.

(ii) Eleven, excluding the Bench of Honorary Magistrates at Abohar, district Ferozepore, which has been abolished.

HONORARY MAGISTRATES.

*(Answer to Question No. 48, page 68.)***The Honourable Sir Geoffrey deMontmorency :** (a) 374.

(b) 78.

(c) 854.

REPRESENTATION OF INHABITANTS OF VILLAGE QASBA AGAINST
CERTAIN CLASS OF ZAMINDARS.*(Answer to Question No. 68, page 178.)*

The Honourable Sir Geoffrey deMontmorency : Representations to this effect have been received by the local officers from the inhabitants of village Qasba, tahsil and district Multan. After careful enquiry held by the Revenue Assistant it was ascertained that no disputes existed in the village which could not be settled by civil litigation and that neither the lives nor the property nor the honour of any of the inhabitants was in danger. In the circumstances no action has been deemed necessary by the local officers.

CATTLE SLAUGHTER AT TOHANA.

(Answer to Question No. 70, page 175.)

The Honourable Sardar Jogendra Singh : (a) About 100 cattle mostly kattas are slaughtered every day during the four winter months.

(b) No.

POLICE POSTS CALLED LAMBI AND USMAN KHERA.

(Answer to Question No. 72, pages 175-76.)

The Honourable Sir Geoffrey deMontmorency : (a) Yes. Usman Khara Police Post is situated at a distance of 21 miles from Police Station Abohar and Lambi Police Post at a distance of 12 miles from Police Station Malout.

(b) Yes. There are 20 villages attached to Usman Khara Post and 80 villages attached to Lambi Post.

(c) Yes.

(d) The suggestion is engaging the attention of Government.

BRIDGE OVER A NALAH ON THE ROAD FROM KOT SULTAN TO TAUNSA
SHARIF.*(Answer to Question No. 77, page 179.)*

The Honourable Mian Sir Fazl-i-Husain : The channel is a natural and uncontrolled nalah of the river Indus. Some years back when it was of smaller extent, a bridge existed but owing to heavy floods in 1914, it was irreparably damaged and dismantled, since which date a ferry under private agency has been working this crossing during flood seasons. Whilst

the Irrigation Department utilises this river creek to feed some of its inundation canals in the Muzaffargarh district it has no control over its supply. Owing to its wide, unrestricted and uncontrolled flow during times of high supply in the River Indus, it is impossible for this Department to bridge this creek except at an exorbitant cost which is unwarranted by the traffic which is purely seasonal as mentioned by the questioner, and for which a private ferry already provides a means of crossing during high river supply conditions.

CIVIL AND CRIMINAL CASES IN CONNECTION WITH THE LUHANI MOSQUE
CASE.

(Answer to Question No. 98, page 235).

The Honourable Sir Geoffrey deMontmorency: On the 20th March 1925 a case was reported by the Hissar Police under section 107, Criminal Procedure Code, involving 17 Hindus and 6 Muhammadans. On the 12th May 1925, Chaudhri Jai Narain Singh, Magistrate, 1st Class, Hissar, ordered the 17 Hindus to execute security bonds with one surety for Rs. 1,000 to keep the peace for one year. The case against the 6 Muhammadans was withdrawn.

On the 15th May 1925 the District Magistrate cancelled the security bonds of the 17 Hindus abovementioned on the understanding (1) that they would file a civil suit within 6 months for proprietary rights of the building known as Luhani mosque, and (2) that the Muhammadans would make no alterations to the existing structure. A suit was accordingly filed, but in the course of hearing further differences arose between the Muhammadans and Hindus interested, from which a criminal case resulted.

The following judicial proceedings are now pending :—

Number of case.	Date of institution.	Name of Court.	Names of parties.	Section of law.
CIVIL CASE.				
2056	28th October 1925	Chaudhri Kanwar Singh.	Sampat Singh and 51 others of Luhani versus Nawab Ali and 3 others of Luhani.	Suit to issue a perpetual prohibitory order to the defendants not to use the house as mosque.
CRIMINAL CASES.				
87/2	1st June 1926	Mr. Lewis, Magistrate, 1st Class.	Crown through Najoo versus Lalji, etc., 16 men of Luhani.	Section 147/325, Indian Penal Code Chalan.
23/1	25th February 1926	Ditto	Boali Bakhsh versus Mohan, etc.	Section 147/394, 325 Indian Penal Code.

CATTLE SLAUGHTER AT TOHANA.

(Answer to Question No. 100, page 236).

The Honourable Sardar Jogendra Singh: (a) About 100 cattle mostly kattas are slaughtered every day during the four winter months.

(b) No.

(c) Does not arise.

KHAD CHAKKI.

(Answer to Question No. 108, Page 297.)

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Council question No. 522.*1

RAISING OF MONEY FOR ERECTION OF SERAI AND DESTRUCTION
OF RATS IN GURGAON DISTRICT.

(Answer to Question No. 128, page 378).

The Honourable Mian Sir Fazl-i-Husain : No money was compulsorily raised for the purpose in question : a certain amount was voluntarily subscribed for them.

The remaining parts of the question do not arise.

POSTS IN THE SENIOR GRADE.

(Answer to Question No. 189, page 388).

The Honourable Mian Sir Fazl-i-Husain : (i) (a)—(d).—A statement containing the required information is laid upon the table.

(ii) It is regretted that the purport of this part of the Council question is not understood. Under the orders referred to by the honourable member even as modified by Punjab Government letter No. 2900 (Finl.-Genl.), dated the 28th January 1926, substantive promotion from the junior to the senior grade can take place only in special cases.

Division.	District.	Number of posts in the senior grade which fell vacant.	VACANT POSTS, REFERRED TO IN (c) FILLED BY JUNIOR CLERKS.		Number of candidates appointed to officiate in vacancies referred to in (c).	Junior clerks appointed to the senior post substantively without even officiating in that grade.	REMARKS.
			In an officiating capacity.	Substantively.			
MULHAN. RAWALPINDI. LAHORE. JULLUNDHUR. AMBALA.	Hissar ..	4	..	1	3	1	
	Rohatak ..	9	3	1	4	..	
	Gurgaon ..	11	..	1	10	1	
	Karnal ..	15	6	1	8	..	
	Ambala ..	33	8	3	22	..	
	Simla ..	3	..	2*	1	1	
	Kangra ..	11	2	5	4	2	
	Hoshiarpur ..	15	2	1	9†	..	
	Jullundur ..	86‡	95	..	..	..
	Ludhiana ..	13	..	1	11§	1	
	Ferozepore ..	15	..	3	11	2	
	Lahore ..	30	9	1	20	..	
	Amritsar ..	32	16	3||	12	..	
	Gurdaspur ..	16	..	1	15¶	1	
	Sialkot ..	12	7	2	3	..	
	Gujranwala ..	13**	3	..	7	..	
	Sheikhupura ..	23**	12	..	10	..	
	Gujrat ..	33**	..	..	25	..	
	Shahpur ..	22	10	1	8	..	
	Jhelum ..	17	4	4	6	..	
	Rawalpindi ..	10	..	..	9	..	
	Attock ..	18	18	..	..	..
	Mianwali ..	17††	..	..	15	..	
	Montgomery ..	9	2	2††	3	1	
	Lyallpur ..	3	1	1	2	..	
	Jhang ..	4	2	6	1	..	
	Multan ..	8	..	3	2	6	
	Muzaffargarh ..	13	7	..	3	2	
	D. G. Khan ..	9	4	..	5	..	
GRAND TOTAL		514	211	43	229	..	

*Includes one clerk in the senior grade whose post was converted from non-pensionable to a pensionable one.

†Excludes two officiating posts filled by permanent kanungos and 1 post that was not filled up.

‡A permanent vacancy was absorbed to reduce the number to the sanctioned scale.

§These 11 vacancies were filled by 6 candidates off and on.

||A permanent vacancy was absorbed to bring the number down to the sanctioned scale.

¶The vacancies were actually filled up by 23 candidates, more than one candidate having officiated in one and the same vacancy.

**The permanent vacancies were absorbed to the sanctioned scale.

††Of the two permanent vacancies one was absorbed to bring the number down to the sanctioned scale while the second post was given to a clerk of the Namal Canal establishment whose post came under reduction and who was already in the senior grade.

‡‡Two outsiders were taken in addition.

SUPPLY OF WRITING MATERIALS TO PRISONERS.

(Answer to Question No. 140, page 383.)

The Honourable Sir Geoffrey deMontmorency: It is regretted that the information required by the honourable member cannot be supplied, as requests by prisoners for writing materials are verbal and no record is kept of them. All such requests are complied with.

PETITION OF APPEALS AND REVISIONS IN THE COURT OF COMMISSIONER, MULTAN.

(Answer to the latter part of Question No. 176, page 574.)

The Honourable Mian Sir Fazl-i-Husain: The number of petitions of appeals or revisions or other miscellaneous applications that have been pending for over six months in Commissioner Multan's Court remained pending is sixteen.

MARTIAL LAW PRISONERS.

(Answer to Question No. 184, pages 583-84.)

The Honourable Sir Geoffrey deMontmorency: (i) (a), (b) and (c) The attention of the honourable member is invited to the answer given to Question No. 137*1, asked at the last session of the Council.

(d) One Din Muhammad was released on the 15th December 1926, after serving his full sentence.

(ii) No.

POLICE FORCE IN FEROZEPUR CITY.

(Answer to Question No. 189, page 585.)

The Honourable Sir Geoffrey deMontmorency: (1) (a) Yes.

(b) Yes.

2. Government will examine the point. It has already taken up the more pressing problem of increasing the Police in small towns and rural areas of the Ferozepur district.

CONSTABLES AT THE FEROZEPUR CANTONMENT JUNCTION.

(Answer to Question No. 190, page 586.)

The Honourable Sir Geoffrey deMontmorency: (a) The Police staff deputed for duty at Ferozepur Cantonment Railway Station is one Head Constable and four Foot Constables. During the day the Head Constable and three Foot Constables are on duty from 8 A.M. to 6-30 P.M. with an interval from 12 noon to 2-30 P.M., when there are no trains. During the night from 8 P.M. to 6 A.M., one Constable alone is on duty, and he rests between midnight and 4 A.M., when there are no trains. From 6 A.M. to 8 A.M. and from 6-30 to 8 P.M., there are no trains. These duties are changed once a week, so that the Constables have their proper share of day and night duty respectively.

(b) Not at present, as the needs of other railway stations in the Punjab are greater.

SUPERINTENDENTS TO DEPUTY COMMISSIONERS.

(Answer to Question No. 195 (b), page 588.)

The Honourable Mian Sir Faz-i-Husain : (b) The vacancy in the Rohtak district was not filled by a candidate from the Ambala division as no suitable official was available. The best man from outside the division was, therefore, selected.

POLITICAL PRISONERS.

(Answer to Question No. 200, page 590.)

The Honourable Sir Geoffrey deMontmorency : The attention of the honourable member is invited to the answer given to question No. 187¹* asked at the session of the Council held in March 1927.

LALA RAMSARAN DAS OF KAPURTHALA.

(Answer to Question No. 201, page 591.)

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) Transportation for life.

(c) Eleven years and 4 months on the 23rd March 1927.

(d) Two years, 10 months and 20 days.

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

IMPRISONMENT OF SUNDAR SINGH OF MARI THAKRAN.

(Answer to Question No. 212, page 699.)

The Honourable Sir Geoffrey deMontmorency : (i) (a) and (b) Yes.

(c) The amount of the fine was Rs. 300 and Rs. 174 have been recovered.

(ii) The honourable member is referred to section 70, Indian Penal Code, which authorises the procedure adopted. The prisoners were subjected to no unusual hardship.

CRIMINAL CASE UNDER SECTION 384, INDIAN PENAL CODE, AGAINST
ISHAR SINGH, HEAD CONSTABLE AND ARJAN SINGH, FOOT
CONSTABLE.*(Answer to Question No. 213, pages 699-700.)*

The Honourable Sir Geoffrey deMontmorency : (i), (a) and (b) Yes, but the case was not concocted by the Police. It appears from the judgment of the case (No. 124/2 of 1925 of the Gujranwala district), that the case, if concocted, was concocted by Karam Chand and Ganda Singh of Wazirabad. An extract from the judgment is given below :—

" Now there is one question that remains to be answered, why this case against accused. Ganda Singh is a retired Sub-Inspector of Police and Karam Chand is a postal pensioner, both of

whom are connected with Prabh Dial who was likely to be challaned under section 411, Indian Penal Code. Both of them took prominent part in this case; they admittedly were present when accused was proceeding against Prabh Dial; they both tried to save him, and Prabh Dial, P. W. 2, admits in cross-examination that both of them told the accused that he (Prabh Dial) was innocent and accused replied that they were out to spoil his case. It was not a village but it was a town of Wazirabad whose people are expected to be enlightened. The occurrence took place on 31st August 1925, but the report was lodged on 1st September 1925. Thus Karam Chand and Ganda Singh who formed the brains of this conspiracy against the accused had the whole of night at their disposal and hatched the plot against the accused, it seems, in order to save their skin and they concocted this cock and bull story during the course of night to serve as a counter blast to the mischief which they thought the accused was working upon them, because to all intents and purposes accused left them giving them the impression that they were bound to be challaned when he took possession of the stolen property, took their personal cognizance and prepared recovery lists in respect of such stolen property."

The departmental enquiries were made in September 1925 by the Officiating Superintendent of Police, Sialkot, who forwarded the file to Gujranwala, the district in which the offence was alleged to have been committed. The case was investigated and tried in Gujranwala; therefore it appears improbable that its development was affected by the unfavourable atmosphere of Sialkot.

(c) The case which was decided on appeal by the Deputy Inspector-General of Police was a different one.

(ii) (a) No Police officer of the Sialkot Police was found guilty of misconduct.

(b) The accused were given their pay for the period they remained under suspension.

(iii) Does not arise.

CATTLE EXPORTED FROM THE PUNJAB BY RAIL AND SOLD AT CATTLE FAIRS AT BHIWANI, HISSAR, HANSI, SIRSA AND JHAJGARAH.

(Answer to Question No. 215, Page 701.)

The Honourable Sardar Jogendra Singh: (i) (a) It is regretted that the information asked for by the honourable member is not available.

(b) Statements showing the details of the animals sold at the cattle fairs at Bhiwani, Hissar, Hansi, Sirsa and Jhajgarah, respectively, are laid on the table.

(ii) The honourable member is referred to paragraph 31 of the Annual Report of the Veterinary Department for the year 1925-26. Government is doing all that it can to improve the breed.

Statement showing the number of animals sold at Cattle Fairs at Bhiwani during 1922-26.

Descriptions.	1922.	1923.	1924.	1925.	1926.
Bulls .. ..	..	..	..	..	..
Bullocks	2,061	3,159	1,919	4,756	2,898
Cows	111	87	29	146	154
Female buffaloes ..	358	889	679	906	717
Male buffaloes ..	603	708	599	1,152	767
Horses	19	33	24	55	75
Mares	94	39	29	102	94
Donkeys .. ..	..	..	..	..	..
Camels	193	268	170	510	309
Mules .. ..	..	..	..	..	..
Sheep	1	..	..	..	..
Goats	1	..	..	..	..
Others .. ..	..	86	..	..	..
Total	3,441	5,269	3,449	7,627	5,014

Statement showing the number of animals sold at Cattle Fairs at Hissar during 1922-26.

Descriptions.	1922.	1923.	1924.	1925.	1926.
Bulls	16	..	..	..	3
Bullocks	28,793	21,665	19,504	27,781	23,691
Cows	215	199	2	19	21
Female buffaloes ..	97	67	10	31	106
Male buffaloes ..	290	411	159	350	386
Horses	89	65	59	39	104
Mares	80	82	95	81	228
Donkeys	2	..	..	..	..
Camels	978	883	1,059	897	743
Mules	2	1	1	1	..
Sheep	13	1	1	1	..
Goats .. ..	..	..	..	..	..
Total	30,575	23,324	20,890	29,200	25,582

Statement showing the number of animals sold at Cattle Fairs at Hansi during 1922-26.

Descriptions.	1922.	1923.	1924.	1925.	1926.
Bulls	..	..	..	..	..
Bullocks	4,322	2,087	2,830	5,950	5,297
Cows	212	19	2	24	8
Female buffaloes	89	18	45	36	12
Male buffaloes	114	25	68	107	36
Horses	17	13	27	24	7
Mares	75	37	39	18	59
Donkeys	2	..	1	..	..
Camels	64	26	74	125	93
Mules	..	..	..	..	..
Sheep	..	..	3	..	..
Goats	..	..	11	..	..
Total	5,395	2,825	3,069	6,290	5,511

Statement showing the number of animals sold at Cattle Fairs at Sirsa during 1922-26.

Descriptions.	1922.	1923.	1924.	1925.	1926.
Bulls	..	..	..	..	..
Bullocks	7,401	6,593	5,617	9,281	12,857
Cows	28	62	26	57	24
Female buffaloes	34	28	16	22	28
Male buffaloes	20	64	55	74	60
Horses	18	33	11	11	7
Mares	34	27	48	45	51
Donkeys	11	7	6	10	1
Camels	580	494	875	445	466
Mules	..	..	..	1	..
Sheep	4	..	3	..	..
Goats	1	4	6	9	1
Total	8,131	7,311	6,662	9,655	13,495

*Statement showing the details of animals sold at the Jhajgarh Cattle
Fairs during 1922-26.*

Year.	Bullocks.	Cows.	BUREALORE.		Horses.	Mares.	Camels.	Goats.	Total.
			Female.	Male.					
1922	28,743	1,933	5,397	1,649	194	188	12	..	39,118
1923	33,241	1,711	7,658	2,239	284	208	13	..	45,454
1924	28,456	1,373	12,622	2,105	243	276	12	1	45,068
1925	32,444	718	9,837	1,465	187	223	18	..	44,892
1926	25,650	861	7,918	1,010	175	193	12	..	35,319
Total	149,634	6,096	43,432	8,468	1,083	1,088	67	1	209,869

MASTER KABUL SINGH, AN AKALI PRISONER.

(Answer to Question No. 217, page 701.)

The Honourable Sir Geoffrey deMontmorency : (a) and (b) No such request of prisoner Kabul Singh was ever refused.

(c) Does not arise.

VOL. X-B.

SUPPLY OF COPIES OF JUDICIAL RECORDS FOR PRIVATE USE.

(Answer to Question No. 225, pages 745-46.)

The Honourable Sir Geoffrey deMontmorency : (a) and (b) Attested copies of judicial records for "private use" are not supplied either by the High Court or by subordinate courts on a reduced rate of fee. If however the honourable member refers to the supply of unattested copies for "private use", I may explain that this practice prevailed in the Lahore Chief Court up to 1914, but was abolished thereafter.

(c) Presumably the honourable member refers to a demand for unattested copies for "private use" at the reduced rates which were prevalent prior to 1914. Government have been informed that there is some demand for such copies.

(d) Government have no precise information on the point.

(e) Government have the suggestion described in (c) above under consideration, but have arrived at no decision so far.

POLICE STATION FOR MOGA.

*(Answer to Question No. 229, page 747.)***The Honourable Sir Geoffrey deMontmorency :** (a) 71.

(b) Yes, but there are only 8 High Schools.

(c) Government has no such intention at present, but will examine the suggestion.

POLICE POST AT FERROZPORE CITY RAILWAY STATION.

*(Answer to Question No. 230, page 747.)***The Honourable Sir Geoffrey deMontmorency :** (a) Yes.

(b) The suggestion will be examined.

RAWALPINDI MUNICIPAL COMMITTEE.

*(Answer to Question No. 242, pages 752-53.)***The Honourable Malik Firoz Khan, Noon :** (a) (i) Yes, according to the census figures.

(ii) No.

(iii) They have remained in a minority, but whether it was hopeless or not is a matter of opinion.

(iv) No.

(b) The honourable member is referred to the answer given to question No. 240¹.

WATER-SUPPLY TO CERTAIN VILLAGES ON RAJAHANA KEOHALL.

*(Answer to Question No. 244, page 753.)***The Honourable Shaikh Sir Abdul Qadir :** (a) Villages Korian, Ghawindi, Padri, Barki, Hassanabad, Narainbulwala and Sangatpura have received water since August 1926, but the working of the Distributary was not satisfactory. Village Bahadur Singhwala is not irrigated by Kohali Distributary.

(b) Occupier's rates were imposed on the areas actually irrigated.

(c) Proposals to remodel the Kohali Distributary are being worked up to improve the conditions of water-supply. The Heads of two minors have already been remodelled.

OCTROI TAX.

*(Answer to Question No. 245, page 754.)***The Honourable Malik Firoz Khan, Noon :** (i) (a) Government have no precise information, but in any case this part of the question is irrelevant to the honourable member's purpose, as octroi is a tax which in most cases is ultimately paid by the consumer.

(b) There are only 228 Sikh voters out of a total of 2,276. It is a fact that no seat has been reserved on the Kasur municipal committee for Sikhs.

(ii) As according to the formula which has been adopted for fixing the number of seats to be allotted to different communities in places where communal electorates have been sanctioned the Sikhs are entitled to less than .5 of a seat, Government see no reason for reserving a seat for Sikhs on the Kasur municipal committee.

POLICE INSPECTORS.

(Answer to Question No. 250, page 756.)

The Honourable Sir Geoffrey deMontmorency: The attention of the honourable member is invited to the answer given by the Honourable Minister for Agriculture to Council Question No. 3536¹ of the 22nd October 1926.

ABOHAR BRANCH, SIRHIND CANAL.

(Answer to Question No. 256, page 921.)

The Honourable Shaikh Sir Abdul Qadir: (a) During the period 19th February 1927 to 19th March 1927 all the Distributaries of the Abohar Branch got full supplies for periods varying from 6 to 18 days. The Abohar Branch itself got full supply for 11 days during the above period 19th February 1927 to 19th March 1927.

(b) Yes.

(c) There was a larger failure of crops than usual, but this was due to the abnormally low river in April 1927. The mean discharge of the canal at Head was only 4,864 against an average of 6,293.

(d) Does not arise.

(e) Remissions of water rates were granted where necessary under the Kharaba rules.

(f) It is a fact that according to the printed list of rotational turns, the Abohar Branch should have had full supply from 10th to 20th March 1927, but this was given to Patiala Feeder because the rotational turns had been altered for closure works. It is also a fact that Abohar Branch was given full supply from 22nd to 27th March 1927 when according to printed list it should have had a balance. It is also a fact that up to the end of March 1927 the Abohar Branch had received more than its share of water during the Rabi crop as shown by the water accounts, therefore the suggestions that any preference was given to Patiala State is in no way based on the truth.

HASIAT TAX.

(Answer to Question No. 286, page 925.)

The Honourable Malik Firoz Khan, Noon: Government see no reason why teachers of private schools should receive more favourable treatment than other classes.

BADHIS LIVING IN THE KANGRA DISTRICT.

(Answer to Question No. 276, page 928.)

The Honourable Shaikh Sir Abdul Qadir : (a) Badhis are found only in the Kangra and Palampur tahsils of the Kangra district and in the Kulu sub-division. They own some land, but the total area held by them is very small. They also work as agricultural labourers, but their principal means of livelihood is carpentry.

(b) Yes. The Badhis made a representation to the Deputy Commissioner, but he refused to entertain it as their principal source of livelihood is carpentry.

GOORKHA INHABITANTS OF THE KANGRA DISTRICT.

(Answer to Question No. 277, page 929.)

The Honourable Shaikh Sir Abdul Qadir : Goorkhas are not included amongst the agricultural tribes of the Kangra district, as the area owned and possessed by them is very small and there is nothing to show that they require the protection provided by the Land Alienation Act. Permission to purchase land in the district is given to Goorkha soldiers and ex-soldiers when recommended by their Commanding Officers.

GRANT OF LAND TO PETTY HOLDERS IN THE SUN ILAQA.

(Answer to Question No. 280, page 931.)

The Honourable Shaikh Sir Abdul Qadir : (a) Holdings in this Ilaga are undoubtedly small, but Government has no information that the plight of the inhabitants thereof is as miserable as the honourable member implies.

(b) Claims of individual small holders of the Sun Ilaga will not be overlooked under the Nili Bar Colonization Scheme.

LAND REVENUE IN THE SHAHPUR AND KHUSHAB TAHSILS.

(Answer to Question No. 287, page 1026.)

The Honourable Shaikh Sir Abdul Qadir : (i) (a) Rs. 38,984.

(i) (b) Rs. 4,962.

(ii) Rs. 1,968.

(iii) No. The recoveries were made after a very careful investigation into the circumstances of each case.

(iv) Paragraph 576 (i) of the Land Administration Manual contains general instructions on the point.

JUDICIAL LOCK-UPS.

(Answer to Question No. 289, page 1026.)

The Honourable Sir Geoffrey deMontmorency : (a) Yes.

(b) In some cases.

(e) It is impossible to observe the limit in cases of emergency but where accommodation often proves inadequate, Government is considering the question of extending the building.

(d) Yes.

(e) This cannot be arranged keeping in view the necessity for effective watch and ward.

PROVINCIAL SERVICES.

(Answer to Question No. 815, page 1034.)

Mr. H. W. Emerson : No such proposal is at present before Government.

LAND REVENUE IN SANGHAR TAHSIL.

(Answer to Question No. 320, page 1036.)

The Honourable Shaikh Sir Abdul Qadir : (a) Total land revenue for 1926-27 was Rs. 1,08,681, of which Rs. 94,198 represent fixed land revenue.

(b) 48,142 acres.

(c) 84,783 acres.

(d) The tahsil had 26 inch of rain during Rabi 1927.

(e) Locusts visited the tahsil in December and did some damage to the standing crops in the hill torrent area.

(f) Rs. 4,240 out of the land revenue in the tail villages on the Sanghar torrent were suspended.

COMMUNAL REPRESENTATION IN THE EDUCATION DEPARTMENT.

(Answer to Question No. 821, page 1036.)

The Honourable Mr. Manohar Lal : The honourable member is referred to the reply to Council Question No. 417.

RELIEF TO THE PEOPLE OF MONTGOMERY AND MULTAN DISTRICTS.

(Answer to Question No. 325, page 1038.)

The Honourable Shaikh Sir Abdul Qadir : (a) No noticeable damage is reported to have been caused to wheat crops in the Multan district by the duststorms in the months of May and June last. There was some damage done in the Montgomery district, which is estimated at between two and three annas in the rupee. In the Montgomery district it is estimated that three-quarters of the crops were harvested before the worst storms.

(b) There were several cases of such fires in the Montgomery district, but none in Multan.

(c) As a result of the fire 46 huts were reduced to ashes. Five women lost their lives and 6 more were injured by burning. Approximately 22 cattle were destroyed and 1,200 maunds of grain and other household furniture were burnt.

(d) The assessment of land revenue in the tracts affected in the Montgomery district is on a fluctuating basis. The people whose crops had been badly damaged applied for remission of land revenue which was allowed after full enquiries, and taccavi loans are being freely distributed.

COLLECTION OF REVENUE IN TAHSILS DIPALPUR AND OKARA.

(Answer to Question No. 926, page 1039.)

The Honourable Shaikh Sir Abdul Qadir : (a) Yes.

(b) The date for the payment of revenue of the whole of the district was postponed for a fortnight.

GRANT OF LAND IN THE NILI BAR.

(Answer to Question No. 931, page 1042.)

The Honourable Shaikh Sir Abdul Qadir : (a) Commanding Officers were not called upon to make such recommendations but in many cases ex-soldiers applied for these grants supported by the recommendations of their Commanding Officers. No record of these recommendations has been kept, nor are any such lists pending in the colony office.

(b) Does not arise.

THEFT CASES IN SHAHABAD.

(Answer to Question No. 945, page 1047.)

The Honourable Sir Geoffrey deMontmorency :

(a)	(i)	Thefts	..	..	..	18
	(ii)	Burglary and kindred offences	..	..	..	7
(b)	(i)	Thefts—The average for the two preceding years was	..	..	..	17
	(ii)	Burglary—The average for the two preceding years was	..	..	..	5
(c)	(i)	Thefts	..	..	..	4
	(ii)	Burglary	..	..	..	Nil

WELLS IN JULLUNDUR DISTRICT AFFECTED BY WATER TABLE.

(Answer to Question No. 961, page 1120.)

The Honourable Sardar Jogendra Singh : The honourable member is referred to the answer given to Council question No. 404.¹

GOVERNMENT OR STATE-AIDED SCHOOLS.

(Answer to Question No. 987, page 1136.)

The Honourable Mr. Manohar Lal : The information referred to by the honourable member is appended herewith in the form of a statement.

District.	No. of GOVERNMENT OR STATE-AIDED SCHOOLS SPECIALIZING IN—		Places where they are situated.	Standard up to which education is imparted there.	No. of students attending these schools.	Whether any fee is charged or not.	The amount of fee charged, if any.	Remarks.
	Labour classes. (a).	Depressed classes. (b).						
Lahore	16	1	Lahore, Munsif, Kasur, Baghbanpura, Patoki, etc.	Up to the 4th primary class. (In one school up to middle standard).	648 in (a) 18 in (b)	NIL.	NIL.	
Amritsar	22	4	Amritsar City	Up to 4th primary class.	1,198 in (a) 50 in (b)	"	"	
Gurdaspur	NIL.	2	Gurdaspur town, Pathankot town	Primary	41	"	"	
Sialkot	"	8	Kot Jandu, Kot Goidahia, Kot Mohal, Kot Nangal, Kot Mandianwala, Chakiala.	Up to 4th Primary class.	213	"	"	
Gujranwala	{ 91 adult schools. 2 industrial school.	NIL	Vic D. I.'s. list attached.	Up to 4th primary class. (In one school up to 6th vernacular class.)	2,508	"	"	
Sheikhpura	NIL.	NIL.	NIL.	NIL.	NIL.	"	"	
Montgomery	"	"	"	"	"	"	"	
Ludhiana	1,618		"	"	"	"	"	
Jhang	219		"	"	"	"	"	
Multan	327		"	"	"	"	"	
Rawalpindi	NIL.	NIL.	"	"	"	"	"	
Dera Ghazi Khan	2 adult schools	"	{ (1) Is attached to Government High School, Rawalpindi. (2) Is attached to District Board Middle School, Rawalpindi.	Primary	20 at Rawalpindi 40 at Fajalpur.	"	"	
Rashtreeya	NIL.	"	NIL.	NIL.	NIL.	"	"	

[illegible]

LIST OF SPECIAL AND ADULT SCHOOLS.

Special Schools.

1. Government Industrial School, Gujranwala.

Adult Schools.

2. Gakhar with Normal School.
3. Akalgarh with Government High School.
4. Deori.
5. Papnakha.
6. Gondlanwala.
7. Sadhu Goraya.
8. Chahal Kalan.
9. Kila Didar Singh.
10. Talwandi Khajur Wali.
11. Mandhianala Waraich.
12. Manhndo.
13. Naushehra Birkan.
14. Dogranwala.
15. Abdal.
16. Gagewali.
17. Darghai Wala.
18. Mattu Bhaike.
19. Garmula.
20. Gobind Pura.
21. Arup.
22. Aulakh Bhai Ke.
23. Kot Bhawani Dass.
24. Gagarke.
25. Lala Pur.
26. Talwandi Rahwali.
27. Lihian Wala.
28. Lambanwali.
29. Dhariwal.
30. Pathanwali.
31. Chak Dadan.
32. Natt Kalan.
33. Ghagga Mitar.
34. Wayanwali.
35. Kot Jafar.
36. Kakka Kaulo.

37. Ram Nagar.
38. Kazrat Killianwala.
39. Saroke.
40. Sohdra.
41. Khanke Head.
42. Ladhewala Chima.
43. Balewala.
44. Bagrialwala.
45. Aujala Kalan.
46. Dodanwali.
47. Khivewali.
48. Gakkhar.
49. Thatta Chhina.
50. Chaura.
51. Kot Yusaf.
52. Jaura.
53. Khusar.
54. Jokhiana.
55. Gilwala.
56. Mandiala Chatha.
57. Nadala Pakka.
58. Sahrn Khurd.
59. Laveriwala.
60. Kot Hara.
61. Rani Ke.
62. Bainka Chima.
63. Wadala Chima.
64. Warpal Kalan.
65. Mochiwala.
66. Vinni.
67. Madhrianwala.
68. Mirza Bhattian.
69. Jandrika.
70. Sukheke Village.
71. Hardo Ratta.
72. Babbar.
73. Jalal Pur Bhattian.
74. Sukheki Mandi.
75. Sagar Kalan.
76. Kachu.

77. Mian Rahman.
78. Kot Sarwar.
79. Parlakhan.
80. Pindi Bhattian.
81. Thatta Kalian.
82. Bhakke Bhattian.
83. Kalianwala.
84. Kaulo Trar.
85. Khide.
86. Vanike Tarar.
87. Mangat Uche.
88. Kot Sujana.
89. Hafizabad with M. B. Middle.
90. Mission, Gujranwala.
91. Islamia, Wazirabad.
92. Qazi School, Wazirabad.

WORKMEN'S COMPENSATION ACT.

(Answer to Question No. 393, Parts (b) (i), (c) and (d), Page 1189.)

The Honourable Mr. Manohar Lal :

(b) (i) Number of cases instituted under the Workmen's Compensation Act before 30th June 1927	53
(c) Number of cases decided in favour of Labour (out of above)	39

(One case compromised.)

Number of cases decided in favour of Capitalists ..	17
(d) Number of cases pending on 1st July 1927 ..	13

BRIDGES ON RAJBHAHAS ON MOGA-KOT KAPURA ROAD.

(Answer to Question No. 399, Pages 1205-06.)

The Honourable Mian Sir Fazl-i-Husain : (a) The bridges are safe for cart traffic for which they were designed, but they are not safe for fast travelling motors because the approach curves are sharp. When these bridges were built, there was no motor traffic on the road.

- (b) Government has no information on the subject.
- (c) The matter is under consideration.

COMPENSATION FOR LAND SPOILT BY SEEPAGE.

(Answer to Question No. 410, Page 1210.)

The Honourable Mian Sir Fazl-i-Husain : An area of 3,500 acres in the Jaranwala tahsil of the Lyallpur district, and 97 acres in the Nili Bar have been given in exchange to certain owners of water-logged areas in the Gujranwala and Sialkot districts, for spoilt land acquired for experimental purposes.

BAJWAT ILAQA IN THE SIALKOT DISTRICT.

(Answer to Question No. 418, Pages 1215-16.)

The Honourable Mian Sir Fazl-i-Husain : (a) (i) The honourable member has not mentioned any date for purposes of comparison, and therefore this part of the question cannot be answered.

(ii) No. On the contrary the price has risen since the last settlement by about 54 per cent.

(iii) Yes.

(iv) No.

(v) Without careful investigation this part of the question cannot be answered.

(vi) No.

(vii) Yes. A temporary reduction of land revenue has been sanctioned in 38 villages of the Bajwat Ilaka.

(viii) No.

(ix) No.

(x) The matter is under investigation.

(b) There is no such correspondence.

SCHOOLS FOR DEPRESSED CLASSES.

(Answer to Question No. 423, Page 1221.)

The Honourable Mr. Manohar Lal : The information referred to by the honourable member is appended herewith.

Statement showing the names of districts where schools have been opened for depressed classes, also the number of schools per district, as well as the percentage of boys of the depressed classes of school-going age attending such schools.

District.	Number of schools specially for depressed classes.	Percentage of boys of the depressed classes of school-going age attending such schools.	REMARKS.
<i>Ambala Division.</i>			
Hissar	5	49.3	686, 1186, 1275, 249, 1,410, 446 boys in the Hissar, Rohtak, Gurgaon, Karnal, Ambala and Simla attend the ordinary schools.
Gurgaon	2	31.2	
Ambala	4	76	
Rohtak	1	Information not available.	
Karnal	3 with roll 74	Ditto	
Simla	Nil	Ditto.	
<i>Lahore Division.</i>			
Lahore	4	46	1,605 boys in Gurdaspur district attend the ordinary schools.
Amritsar	5	30	
Gurdaspur	2	25	
Sialkot	9	Information not available.	
Gujranwala	Nil	Nil.	
Sheikhpura	Nil	Nil.	
<i>Jullundur Division.</i>			
Jullundur	Nil	Nil	5,209 boys of the depressed classes attend the various schools.
Kangra	Nil	Nil	
Ferozepore	Nil	Nil	
Hoshiarpur	2 with roll 75	Nil.	
Ludhiana	1 with roll 15	Nil.	
<i>Multan Division.</i>			
Multan	Nil	Nil.	Information not available.
Dera Ghazi Khan	2 with roll 60	Nil.	
Montgomery	Nil	Nil.	
Lyallpur	Nil	Nil.	
Jhang	Nil	Nil.	
Muzaffargarh	Nil	Nil.	
<i>Rawalpindi Division.</i>			
Gujrat	Nil	Nil.	Information not available.
Shahpur	Nil	Nil.	
Jhelum, Rawalpindi, Attock	Nil	Nil.	
Mianwali	Nil	Nil.	

MAINTENANCE CHARGES AND YIELD OF MILK OF COWS AND BUFFALOES.

(Answer to Question No. 428, Pages 1223-24.)

The Honourable Sardar Jogendra Singh : Accurate information is not available, and cost of maintenance varies according to prices of concentrates and fodder ruling from time to time. Approximate figures on the basis of the present prices probably are —

- (i) (a) Rs. 220.
 (b) Rs. 100.
 (c) Rs. 350.
 (d) Rs. 150.

It may be mentioned that in villages stall feeding of cows and buffaloes is not usually practised.

- (ii) (a) 1,500 to 2,000 lbs.

Value Rs. 187-8-0 to Rs. 250 at Re. 0-2-0 per lb.

- (b) 1,500 to 2,000 lbs.

Value Rs. 140-10-0 to Rs. 187-8-0 at Re. 0-1-6 per lb.

- (c) 2,000 to 3,000 lbs.

Value Rs. 312-8-0 to Rs. 468-12-0 at Re. 0-2-6 per lb.

- (d) 1,500 to 3,000 lbs.

Value Rs. 187-8-0 to Rs. 375 at Re. 0-2-0 per lb.

PLIGHT OF ZAMINDARS IN FLOODED AREAS.

(Answer to Question No. 435, Page 1227.)

The Honourable Mian Sir Fazl-i-Husain : (a) *Hoshiarpur.* Yes.—*Ludhiana.*—Reports were received in 1924-25 and 1925-26 but not in 1926-27.

(b) The areas flooded are normally exposed to floods. In 1927 the floods in Hoshiarpur were unusually high. No exceptional damage was done and no relief measures were considered necessary.

GRANT OF CROWN LANDS TO FLOOD-AFFECTED VILLAGERS.

(Answer to Question No. 438, Page 1305.)

The Honourable Mian Sir Fazl-i-Husain : (a) A list of the villages in the Hoshiarpur and Ludhiana districts whose lands have been totally washed away by flood is given below :—

District.	Tahsil.	Villages washed away.
Hoshiarpur	.. Dasuya	(1) Awana. (2) Abha } Re. 1 land revenue (3) Khara } only remains.

Hoshiarpur— <i>concl'd.</i>	Garhshankar ..	(1) Topana.
		(2) Laban Garh.
		(3) Bhaipur.
		(4) Nanowal.
		(5) Kohar.
		(6) Bhaidian.
		(7) Aima.
Ludhiana ..	..	(1) Gopalpur.
		(2) Sainsowal Khurd.
		(3) Daulatpur.
		(4) Mand Jarandi.

(b) Land has at various times been given to the residents of villages Khara, Laban Garh, Bhaidian and Aima in the Hoshiarpur district. No land has been given to the zamindars of the villages mentioned above in the Ludhiana district.

I should like to take this opportunity of definitely and accurately stating the position of the proprietors whose lands have been washed away by river action, in the scheme of the distribution of peasant grants in the Nili Bar. No area of land in the Nili Bar is being reserved for villages which have suffered from river action but the persons who have suffered from diluvion will be considered, among others, in making grants on peasant terms. The claims of these villages will accordingly be considered among others.

MUSLIM SUPERINTENDENTS AND HEAD VERNACULAR CLERKS OF
THE DEPUTY COMMISSIONERS' OFFICES.

(Answer to Question No. 449, Page 1309.)

The Honourable Mian Sir Fazl-i-Hussain :

	Total No.	Number of Muhammadans.
Superintendents, Deputy Commissioners' Offices	29	4
Head Vernacular Clerks, Deputy Commis- sioners' 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.	Mohammedans.	Sikhs.	Others.
Kasauli ... Number 6 Educational qualifications.	2 (Not known).	3 2 B. As. 1 Metric.	1 Metric.	...	...
Jullunder ... Number 5 Educational qualifications.	(Not known)	(Not shown)	NU	(Not shown)	(Not shown).
Multan ... Number 6 Educational qualifications.	(Not shown)	1 P. A. 4 Metric.	...	...	...
Lahore ... Number 6 Educational qualifications.	3 1 B. A. 1 P. A., picked in Physical Science.	3 Metric.	...	1 Metric.	2 Metric.
Anbala ... Number 6 Educational qualifications.	5 1 studied up to Metric 1 Matriculate. 1 Read up to P. A. 2 High School Examination.	1 ...	2 (Both Metrics)	1 Metric.	...
			1 Passed Metric and studied up to P. A.	...	...

STATEMENT SHOWING THE NUMBER, CASTE AND QUALIFICATIONS OF HEAD VERNACULAR CLERKS OF DEPUTY COMMISSIONERS' OFFICES BY DIVISIONS.

Divisions.	Christians.	Hindus.	Muhammadians.	Sikhs.	Others.
Rawalpindi ... Number 2 ... Educational ... tions.	3 1 F. A. 2 Metric. ...	3 1 F. A. 2 Metric. ...	... ... ... ...	... ... ... ...
Jullunder ... Number 5 ... Educational ... tions.	(Not shown)	(Not shown)	3 1 B. A. 2 F. A. 3 Metric. ...	(Not shown)	(Not shown).
Multan ... Number 6 ... Educational ... tions.	1 (Middle Pass)	5 All Metrics...	............	............
Lahore ... Number 6 ... Educational ... tions.	2 Both Metric ...	4 3 Metrics 1 Non-Metric. ...	... ... ... ...	... ... ... ...
Amritsar ... Number 6 ... Educational ... tions.	3 2 Metrics 1 Anglo-Vernacular Middle. ...	2 1 F. A. 1 Metric. ...	1 F. A. Also passed Kanungos' Naib-Talsildars' and Talsildars' Examina- tion. ...	... ... ... ...

DEATH OF ANIMALS DUE TO HÆMORRHAGIC SEPTICÆMIA.

(Answer to Question No. 468, Page 1818.)

The Honourable Sardar Jogendra Singh: (a) A statement showing mortality from hæmorrhagic septicæmia in each district of the Punjab during the year 1926-27 is laid on the table.

(b) and (c) Yes.

(d) Propaganda work is being extensively employed by the Civil Veterinary Department to induce more careful disposal of infected carcasses by villagers.

Statement showing mortality from Hemorrhagic Septicæmia in each district of the Punjab, during the year 1926-27.

Division.	No.	District.	Equines.	Bovines.	Others.
Ambala ..	1	Delhi .. ..	..	..	..
	2	Hissar .. ..	..	793	2
	3	Rohtak .. ..	..	1,436	24
	4	Gurgaon .. ..	..	244	..
	5	Karnal .. ..	..	1,242	..
	6	Ambala .. ..	..	116	..
	7	Simla .. ..	..	..	..
Jullundur ..	8	Kangra .. ..	..	132	..
	9	Hoshiarpur ..	..	164	..
	10	Jullundur ..	..	429	..
	11	Ludhiana ..	..	199	..
	12	Ferozepore ..	..	232	..
Lahore ..	13	Lahore .. ..	..	909	..
	14	Amritsar ..	..	411	..
	15	Gurdaspur ..	..	227	..
	16	Sialkot .. ..	..	508	..
	17	Gujranwala ..	..	139	..
	18	Sheikhupura ..	..	418	..
Rawalpindi ..	19	Gujrat .. ..	..	615	..
	20	Shahpur .. ..	..	649	..
	21	Jhelum .. ..	..	117	..
	22	Rawalpindi ..	..	107	..
	23	Attock .. ..	..	126	..
	24	Mianwali .. ..	..	105	..
Multan ..	25	Montgomery ..	..	408	..
	26	Lyallpur .. ..	..	382	..
	27	Jhang .. ..	..	62	..
	28	Multan .. ..	..	181	..
	29	Muzaffargarh ..	..	254	..
	30	Dera Ghazi Khan ..	..	175	..
Total ..			..	10,780	26

INSPECTION OF THE GOVERNMENT RAILWAY TECHNICAL SCHOOL,
LAHORE.

(Answer to Question No. 472, Page 1819.)

The Honourable Mr. Manohar Lal : (a) The school has not been inspected by any Inspector of Industries or Education Department, since March 1923. The Director of Industries, who is the controlling authority of the school, visits it off and on. Annual inspections of the school are also carried on by the Divisional Rolling Stock Officer of the North-Western Railway.

(b) Yes.

(c) Does not arise.

HEADMASTER OF GOVERNMENT RAILWAY TECHNICAL SCHOOL,
LAHORE.

(Answer to Question No. 473, Page 1819.)

The Honourable Mr. Manohar Lal : The answer to the first part of the question is in the negative. The second part does not therefore arise.

HEADMASTER OF GOVERNMENT RAILWAY TECHNICAL SCHOOL.

(Answer to Question No. 474, Pages 1819-20.)

The Honourable Mr. Manohar Lal : (a) For the whole year excepting one week.

(b) The Headmaster took charge of the Assistant Inspectorship on 13th September 1926 and remained on tour in districts, other than Lahore, as below :—

(i) For a fortnight at the time when the school was closed for the summer vacation.

(ii) For a week in November 1926.

(c) Office work was done by the Headmaster, on his return from tour whereas, the teaching work was carried on in his absence by the remaining members of the school staff.

HEADMASTER OF THE GOVERNMENT RAILWAY TECHNICAL SCHOOL.

(Answer to Question No. 475, Page 1820.)

The Honourable Mr. Manohar Lal : The honourable member is referred to the answer given to a similar question No. 366¹ asked by Dr. Shaikh Muhammad Alam in July last.

¹ Vol. X-B, pages 897-98.

NUMBER OF SUSPENSIONS, ETC., BY THE CIRCLE REGISTRAR,
SHAHPUR.

(Answer to Question No. 478, Page 1894.)

The Honourable Sardar Jogendra Singh: The present Circle Registrar, Gujrat, took over charge on the 12th May 1927, since when no one has been either suspended or degraded or had his promotion stopped. But one Inspector candidate has been removed from the list of candidates by the Registrar and one employee of the Punjab Co-operative Union has had his increment stopped. Both the candidate and the employee were Muhammadans.

EXPENDITURE ON NIGHT SCHOOLS.

(Answer to Question No. 479, Page 1894.)

The Honourable Mr. Manohar Lal: The information referred to by the honourable member is appended herewith.

Statement showing information regarding expenditure, etc., on night schools in Hissar, Rohtak and Gurgaon districts.

District.	AMOUNT OF MONEY SPENT ON EDUCATION OF ADULTS BY MEANS OF NIGHT SCHOOLS IN		NUMBER OF ADULTS THAT HAVE BEEN GIVEN ANY CERTIFICATE OF LITERACY IN		Has the amount in column 2 been spent through local bodies?	HOW MUCH WAS PAID TO PRIVATE INSTITUTIONS OF THIS TYPE IN THE FORM OF AID IN		REMARKS.
	1925-26.	1926-27.	1925-26.	1926-27.		1925-26.	1926-27.	
Hissar	Rs. 8,194	Rs. 7,376	Nil.	Nil.	Yes	Rs. 253	Rs. Nil	The practice of giving literacy certificates has not been adopted in this district.
Rohtak	14,374	15,793	Nil	*72	Yes	389	535	*The certificates are being prepared and will be issued shortly.
Gurgaon	4,541	6,557	Nil	9	Yes	Nil	Nil	

INDIANISATION OF SERVICES.

(Answer to Question No. 491, Page 1402.)

Mr. H. W. Emerson : The statements attached give the necessary information. It may be explained that under the orders of the Secretary of State no appointments have been made since 1925 to the Indian Service of Engineers (Buildings and Roads Branch), Indian Educational Service, Indian Agricultural Service, Indian Veterinary Service. Pending the creation of Superior Provincial Services to take the place of these all-India Services the current duties of appointments rendered vacant by retirements, casualties, etc., have been performed in many cases by Indians belonging to the Provincial Services. Such appointments are not included in the statement, which, therefore, underestimates the extent of effective Indianisation.

Statement I showing the progress of Indianisation of the Superior Services in the Punjab.

YEAR.	INDIAN CIVIL SERVICE.			INDIAN POLICE SERVICE.		INDIAN SERVICE OF ENGINEERS (IRRIGATION BRANCH).		INDIAN FOREST SERVICE.	
	Number of posts excluding those which remained unfilled.	Number held by Indians, Anglo-Indians and domiciled Europeans.		Number of posts excluding those which remained unfilled.	Number held by Indians, Anglo-Indians and domiciled Europeans.	Number of posts excluding those which remained unfilled.	Number held by Indians, Anglo-Indians and domiciled Europeans.	Number of posts excluding those which remained unfilled.	Number held by Indians, Anglo-Indians and domiciled Europeans.
		Members of the Indian Civil Service.	Members of the Provincial Civil Service.						
1st October 1923	140	13	30	112	17	137	49	32	6
1st October 1924	137	15	30	118	20	138	54	37	11
1st October 1925	120	16	29	115	20	140	57	38	13
1st October 1926	120	17	30	106	19	139	59	37	13
1st October 1927	124	20	32	105	20	142	63	36	13

Statement I showing the progress of Indianisation of the Superior Services in the Punjab—concluded.

YEAR.	INDIAN MEDICAL SERVICE.		INDIAN EDUCATIONAL SERVICE.		INDIAN AGRICULTURAL SERVICE.		INDIAN VETERINARY SERVICE.		INDIAN SERVICE OF ENGINEERS (BUILDINGS AND ROADS BRANCH).	
	Number of posts excluding those which remained unfilled.	Number held by Indians.	Number of posts excluding those which remained unfilled.	Number held by Indians.	Number of posts excluding those which remained unfilled.	Number held by Indians.	Number of posts excluding those which remained unfilled.	Number held by Indians.	Number of posts excluding those which remained unfilled.	Number held by Indians, Anglo-Indians and domiciled Europeans.
1st October 1923..	36	8	35	12	11	7	10	1	42	17
1st October 1924..	36	10	34	12	11	7	10	1	39	17
1st October 1925..	36	12	33	12	11	7	9	1	37	16
1st October 1926..	36	12	29	12	11	7	7	1	35	15
1st October 1927..	36	14	27	12	11	7	6	1	35	15

Statement II showing Superior Posts on the Indian Civil Service Cadre and the number held by Indians.

YEAR.	NUMBER OF SUPERIOR INDIAN CIVIL SERVICE POSTS HELD BY INDIANS (INCLUDING ANGLO-INDIANS AND DOMICILED EUROPEANS).						
	Permanently.			In an officiating capacity.			
	Number of superior posts on the Indian Civil Service cadre in the Punjab (excluding 7 posts under the Government of India.)	Indian Civil Service officers.	Provincial Civil Service officers and members of the Bar.	Total.	Indian Civil Service officers.	Provincial Civil Service officers.	Grand Total.
1st October 1922	81	3	12	15	2	9	26
1st October 1927	81	5	12	17	2	16	34

MEMBERS OF EXECUTIVE COUNCIL.

(Answer to Question No. 505, page 1410.)

Mr. H. W. Emerson : It may be explained for the information of the honourable member that in regard to some of the appointments included in his question, the number of sanctioned appointments differ from the number of officers of corresponding rank, since some of the cadres include provision for leave and deputation reserves. For the above reason it is not possible to compile the statement in the form desired by the honourable member. For instance, while there are 29 charges only of Deputy Commissioners, the number of officers of that rank at any given date is much in excess of that number. The statement has, therefore, been modified so as to give the number of sanctioned appointments on the 1st of January 1928, and particulars in regard to the officers who were actually performing the duties of those appointments on that date, whether in a substantive or in an officiating capacity.

Name of office.	NUMBER OF SANCTIONED APPOINTMENTS.			Number of appointments reserved to members of Indian Civil Service.	DETAILS IN REGARD TO OFFICERS WHO WERE ACTUALLY FULFILLING THE DUTIES OF THE APPOINTMENTS ON THE 1ST JANUARY 1928.					
	Permanent.	Temporary.	Total.		Number held by Europeans.			Number held by Indians.		
					Members of Indian Civil Service.	Military officers.	Members of Bar.	Others.	Members of Indian Civil Service.	Members of Provincial Civil Service.	Others.
1. Members of Executive Council.	2	..	2	1	..	..	..	1	..	..
2. Judges of the High Court.	8	5	13	3	..	..	..	1	1	..
3. Financial Commissioners.	2	..	2	2	..	..	..	..	..	..
4. Commissioners ..	5	..	5	3	..	..	2	..	1	..
5. Secretaries ..	9	2	11	4	..	..	..	..	2	..
Deputy Secretaries Under Secretaries ..	3	1	4	2	..	..	..	..	2	1
6. Heads of Departments.	(a) 14	..	14	3	..	..	7	..	2	2
7. District and Sessions Judges.	22	..	22	7	1	..	..	2	(b) 12	..
8. Deputy Commissioners.	29	..	29	17	..	..	..	3	(c) 9	..
9. Settlement and Colonization Officers.	2	..	2	2	..	..	..	..	..	..
10. Assistant Commissioners.	29	..	29	13	..	..	16	..	..	..

(a) Excludes those Heads of Departments who are also Secretaries to Government.

(b) Includes 3 Anglo-Indians or domiciled Europeans.

(c) Includes 2 Anglo-Indians or domiciled Europeans.

(d) Includes 1 Anglo-Indian or domiciled European.

**EXAMINATION OF SUB-INSPECTOR CLASS (CO-OPERATIVE
DEPARTMENT).**

(Answer to Question No. 508, page 1412.)

The Honourable Sardar Jogendra Singh :

(a) Number of Muslims	..	..	..	22
Number of Non-Muslims	..	..	..	21
(b) Number of Muslims	..	..	..	14
Number of Non-Muslims	..	..	..	10
(c) Muhammadan.				

**DEPARTMENTAL PUNISHMENTS AWARDED BY CHAUDHRY ABDUL
HAMID KHAN, CIRCLE REGISTRAR.**

(Answer to Question No. 509, page 1412.)

The Honourable Sardar Jogendra Singh : (a) One.

(b) One.

(c) One. (He was reverted on his own request as he had better prospects in the Revenue Department).

(d) No.

(e) None. (Two temporary clerks were reverted by the Deputy Registrar for further training).

(f) None.

(g) None.

NOTE.—Sub-Inspectors employed by the Punjab Co-operative Union are not included in the above, as they are not Government servants. If they were to be included, the number against (a) would be 3 and against (g) 1, the latter being included in the former.

SCARCITY OF WATER IN WELLS IN REWARI.

(Answer to Question No. 517, pages 1425-26.)

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

(ii) The Rural Sanitary Board is surveying the Sahibi Nadi.

CONSOLIDATION OF HOLDINGS.

(Answer to Question No. 518, page 1426.)

The Honourable Sardar Jogendra Singh :

(a) Yes, but the progress is slow.

(f) At present 8 Inspectors and 85 Sub-Inspectors are employed on consolidation work as against 2 Inspectors and 20 Sub-Inspectors employed 3 years ago. Next year 80 more Sub-Inspectors are likely to be employed.

(c) At the present moment Government does not contemplate legislation.

PRESERVATION OF HARIANA BREED OF COWS.

(Answer to Question No. 519, page 1426.)

The Honourable Sardar Jogendra Singh : (a) The answer to the first part of the question is in the affirmative. Enquiries made through the Cattle-Breeding Department indicate, however, that the drain on this account has not so far affected the Haryana breed as the supply is amply sufficient to meet the demand for these cattle.

(b) Government gives annually grants-in-aid to District Boards of Hissar, Rohtak and Gurgaon for the promotion of Haryana cattle-breeding in these districts.

RECRUITMENT OF HINDU ZAMINDARS TO THE POLICE.

(Answer to Question No. 521, page 1427.)

The Honourable Sir Geoffrey deMontmorency :

	Total strength.	Hindu zamindars.
(a) Deputy Superintendents of Police ..	47	2
Inspectors	184	9
Sub-Inspectors	845	87
Head Constables	2,849	236

(b) No. Government has no reason to believe that there is any lack of keenness on the part of Hindu zamindars to take up service in the police in these ranks.

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LOWER PRIMARY SCHOOL AT CHANGNAULI.

(Answer to Question No. 539, page 23.)

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

(b) Yes.

(c) Yes.

(ii) An additional condition was that the school should have a second teacher before it could be raised in status. The district board has not been able to fulfil this condition. The case of the school for a higher status is therefore pending.

ROADS IN THE AMBALA DISTRICT.

(Answer to Question No. 540, parts (a) (ii) and (iii) and (b) (i) and (ii), pages 23-4.)

The Honourable Sardar Jogendra Singh : (a) (ii) The number of metalled roads under the direct charge of the district board in each tahsil of Ambala district :—

Name of tahsil.	Number of metalled roads.	Total metalled mileage of each road.	Total.
Ambala	2	9.5 + 9.5 ..	19.0
Narsingarh	1	5.75 ..	5.75
Jagadhri	3	24.25 + 2 + 8.25 ..	34.50
Kharar	1	21.31 ..	21.31
Rupar	2	9.69 + 10.06 ..	19.75
			100.31

(iii) The length of each one of the roads is given in the attached list as well as in (a) (ii).

(b) (ii) The number of unmetalled roads under the direct charge of the district board in each tahsil of Ambala district :—

Name of tahsil.	Number of unmetalled roads.	Total unmetalled mileage of each road.	Total.
Ambala	8	12+13+2.25+33+7.75 +10.5+2.0+2.0	49.83
Narsingarh	5	12+32+13+14+5 ..	86.0
Jagadhri	12	2.25+14+21.50+12+10 +18.5+7.0+6.0+ 14.25+10+2.0+11	117.61
Kharar	4	3+13+4+10.0 ..	30.0
Rupar	4	8+13+7.75+12.0 ..	33.75
			317.19

(iii) The length of each one of the roads is given in the attached list as well as in (b) (ii).

Statement showing mileage of metalled and unmetalled

Serial No.	Names of Roads.	AMBALA.			NARAINGARH.			JAGAD	
		Met.	Unmet.	Total.	Met.	Unmet.	Total.	Met.	Unmet.
	CLASS II ROADS.								
1	Rupar-Chandi-garh.	..	..	..	..	..	..	..	..
2	Sanawal-Samrala-Morinda-Kharar.	..	..	..	..	..	..	..	..
3	Ambala Narain-garh-Kala Amb.	9.50	..	9.50	5.75	12.0	17.75	..	..
4	Adhoc-Barara-Sa-dhaura-Kala Amb.	..	..	..	..	..	..	24.25	2.25
5	Shahbad-Adhoc-Chaprar.	..	..	..	..	..	..	..	14.0
6	Ambala Jagadhri with link to Mustafabad and railway station.	..	12.0	12.0	..	..	..	2.0	21.50
7	Ambala-Kaithal	..	13.0	13.0	..	..	..	..	..
8	Abdullahpur (on Provil. Arty. No. 21) Buria with link to Jagadhri.	..	..	..	..	..	..	8.25	..
9	Provil. Arty. No. 20 Ramgarh Naraingarh-Sa-dhaura-Bilaspur Chhachrauly.	..	..	..	..	32.0	32.0	..	12.0
10	Sirhind-Morinda-Kaurali.	..	..	..	..	..	..	..	..
11	Bilaspur-Khizarabad-Kalesar.	..	..	..	..	..	..	..	18.5
12	Ambala-Kharar	..	..	..	..	..	..	..	..
13	Rupar-Bharatgarh Kiratpur.	..	..	..	..	..	..	..	..
14	Bilaspur-Jagadhri	..	..	..	..	..	..	..	10.0
	Total ..	9.50	25.0	34.50	5.75	44.0	49.75	34.50	78.75

roads in each tahsil of Ambala district.

HBL			KHARAR			RUPAR			GRAND TOTAL		
Total.	Met.	Unmet.	Total.	Met.	Unmet.	Total.	Met.	Unmet.	Total.		
..	21.31	..	21.31	9.69	..	9.69	31.00	..	31.00		
..	..	3.0	3.0	..	8.0	8.0	..	11.0	11.00		
..	15.25	12.00	27.25		
26.50	24.25	2.25	26.50		
14.0	14.00	14.00		
23.5	2.0	33.50	35.50		
..	13.0	13.0		
8.25	8.25	..	8.25		
12.0	44.0	44.0		
..	10.06	..	10.06	10.06	..	10.06		
18.5	18.5	18.5		
..	..	13.0	13.00	..	..	..	..	13.0	13.0		
..	13.0	13.0	..	13.0	13.0		
10.0	10.0	10.0		
112.75	21.31	16.00	37.31	19.75	21.0	40.75	90.31	164.25	275.06		

Statement showing mileage of metalled and unmetalled

Serial No.	Names of Roads.	AMBALA.			NARAINGARE.			JAGAD.	
		Met.	Unmet.	Total.	Met.	Unmet.	Total.	Met.	Unmet.
	CLASS III ROADS.								
1	Station Roads ..	9.50	..	9.50	..	..	..	..	..
2	Ambala-Sabathu ..	..	2.25	2.25	..	..	..	..	..
3	Ambala-Garden ..	..	.33	.33	..	..	..	..	..
4	Sutlej ferry ..	..	..	..	..	..	..	..	..
5	Mullana-Bilaspur ..	..	7.75	7.75	..	..	..	..	7.0
6	Buria-Kharwan-Chhachrauli.	..	..	..	..	..	..	..	6.0
7	Sadhaura-Shahzadpur.	..	..	..	..	13.0	13.0	..	..
8	Raipur-Rani-Tilokpur Morni.	..	..	..	..	14.0	14.0	..	..
9	Mani Mazara-Mubakpur.	..	..	..	..	..	..	..	..
10	Rupar-Morinda ..	..	..	..	..	..	..	..	..
11	Jagadhri-Khizarabad.	..	..	..	..	..	..	..	14.25
12	Jagadhri-Kharwan-Jaidhri.	..	..	..	..	..	..	..	10.0
13	Kurali-Siswan ..	..	..	..	..	..	..	..	..
14	Ambala-Sadhaura ..	..	10.5	10.5	..	15.0	15.0	..	..
15	Ambala-Patiala ..	..	2.0	2.0	..	..	..	..	..
16	Ambala-Ludhiana ..	..	2.0	2.0	..	..	..	..	..
17	Chappar-Mustafabad.	..	..	..	..	..	..	..	2.0
18	Hathni Kund-Kalesar.	..	..	..	..	..	..	..	11.0
	Total ..	9.50	24.83	34.33	..	42.0	42.0	..	39.30
	GRAND TOTAL ..	19.0	49.83	68.83	5.75	86.0	91.75	34.50	117.61

roads in each tahsil of Ambala district—concluded.

RS.	KHARAR.			RUPAR.			GRAND TOTAL.		
	Total.	Met.	Unmet.	Total.	Met.	Unmet.	Total.	Met.	Unmet.
..	9.50	..	9.50
..	2.25	2.25
..33	.33
..	75	.75	..	.75	.75
7.0	14.75	14.75
6.0	6.0	6.0
..	13.0	13.0
..	14.0	14.0
..	..	4.0	4.0	..	..	..	..	4.0	4.0
..	12.0	12.0	..	12.0	12.0
14.25	14.25	14.25
10.0	10.0	10.0
..	..	10.0	10.0	..	..	..	..	10.0	10.0*
..	25.50	25.50*
..	2.0	2.0*
..	2.0	2.0*
2.0	2.0	2.0*
.1111	.11*
39.36	..	14.0	14.0	..	12.75	12.75	9.50	132.84	142.44
152.11	21.31	30.0	51.31	19.75	33.75	53.5	100.31	317.19	417.50

*Not included in list in office of Secretary, C. B.

PUNISHMENT IN POLICE

(Answer to Question

The Honourable Sir Geoffrey deMontmorency :*Statement showing punishments awarded to Police Officials*

District.	Year.	Name, Rank and number of Officer punished.	Nature of offence.
Ludhiana ..	1921 ..	Sher Muhammad, Head Constable, No. 16, Police Station Ludhiana Sadr.	Section 330, Indian Penal Code.
Montgomery ..	1921 ..	Muhammad Nawaz Khan, Head Constable, No. 329, of Montgomery	Section 331, Indian Penal Code.
Hoshiarpur ..	1922 ..	Daulat Ali, Foot Constable, No. 177	Section 330, Indian Penal Code.
Hoshiarpur ..	1925 ..	Miran Bakhsh, Foot Constable, No. 27, Rahmat Ullah, Foot Constable, No. 12.	Section 330, Indian Penal Code.
Sialkot ..	1927 ..	Bashir Ahmad, Head Constable, No. 82, of Sialkot District.	Section 330, Indian Penal Code, F. I. R. No. 36 of 1927, Police Station Sadr Sialkot.
Do. ..	1927 ..	Chirag Din, Foot Constable, No. 117, of Sialkot District.	Ditto ..
Ferozepore ..	1927 ..	Faiz Muhammad, Head Constable, Police Station Ghall, Ismail, Foot Constable, Police Station Ghall.	Section 330, Indian Penal Code.
Attock ..	1927 ..	(1) Sub-Inspector Moratab Ali, S.H.O., Pindigheb, No. W.-237. (2) Head Constable Prithmi Chand, No. 158. (3) Foot Constable Abdul Ghani, No. 422. (4) Foot Constable Haider Khan, No. 271. (5) Foot Constable Gokal Chand, No. 67. (6) Foot Constable Ajab Ali, No. 479 (7) Foot Constable Lal Khan, No. 450 (8) Foot Constable Samunder Khan, No. 203.	Section 330, Indian Penal Code.

TORTURE CASES.

No. 556, page 30.)

(under sections 330 and 331, Indian Penal Code.)

Nature of torture committed.	Nature of punishment awarded.	REMARKS.
<p>While investigating a case under section 464, Indian Penal Code, detained two persons suspected to have committed the offence and used violence to them to extort confession of guilt.</p> <p>Caused grievous hurt resulting in the fracture of a rib of one suspect and slight injuries to two others.</p> <p>Slightly injured a suspect in an enquiry with an ordinary cane.</p> <p>Went on striking a suspect with shoes on the head till he became unconscious and subsequently died.</p> <p>Simple injuries caused with sticks, fists, shoes, etc.</p>	<p>18 months' rigorous imprisonment including two months' solitary confinement with a fine of Rs. 100 or in default to undergo six months' further rigorous imprisonment.</p> <p>Three years' rigorous imprisonment by Senior Sub-Judge, Montgomery, on 24th January 1921.</p> <p>One-and-a-half years rigorous imprisonment on 17th August 1922.</p> <p>Four years' rigorous imprisonment under section 304 and two years' rigorous imprisonment under section 330, Indian Penal Code, on 5th October 1925.</p> <p>Nine months' rigorous imprisonment.</p>	
Ditto ditto	Ditto ditto.	
<p>Caused 11 simple injuries on the complainant to extort a confession and money.</p>	<p>Under section 327, Indian Penal Code. Head Constable to five years' rigorous imprisonment and under section 330 to four years. Under section 327, Indian Penal Code, Foot Constable to four years' rigorous imprisonment and under section 330 to three years' rigorous imprisonment.</p> <p>Both sentences to run concurrently.</p>	
<p>To extort confession caused extensive injuries resulting in the death of a suspect during the course of investigation of a murder case.</p>	<p>Sub-Inspector to seven years' rigorous imprisonment, Head Constable to three years' rigorous imprisonment, six Foot Constables Nos. 3—8, to six months' rigorous imprisonment each.</p>	<p>Application for an enhancement of the sentence has been made by Government.</p>

SEARCH OF BOARDING HOUSE, NORMAL SCHOOL, FEROZEPUR CITY.

(Answer to Question No. 565, pages 149-50.)

The Honourable Mr. Manohar Lal : (a) It is a fact that the boxes, etc., of all students of all communities were searched.

(b) Certain articles were missing and it was suspected that unauthorised books had found their way into the hostel. The missing articles and certain unauthorised books were found. The master in charge of the Normal School made the search.

(c) No.

(d) B. Shiv Singh, Bedi.

(e) Yes.

PANCHAYATS.

(Answer to Question No. 581, page 155.)

The Honourable Malik Firoz Khan, Noon : (a) Applications in respect of 48 villages were received.

(b) Yes, ten applications were received.

(c) Requests for the establishment of panchayats in 33 villages specified in the attached list were rejected on account of the existence of factions in those villages.

(d) In all the villages specified in the attached list.

The following villages were refused panchayats on account of party factions :—

(1) Jodhan, (2) Ghungrana, (3) Madpur. (4) Humayunpura. (5) Khanpur. (6) Sunet. (7) Hissowal. (8) Chupki. (9) Jaspal Bangar, (10) Kohara. (11) Bhanohar. (12) Chak. (13) Hambran. (14) Khanjarwal. (15) Nathowal. (16) Bangsipura. (17) Nurpur. (18) Baddowal. (19) Gura. (20) Sidhwan Bet. (21) Sahauli. (22) Seddarpura. (23) Man. (24) Rasulra. (25) Ghalib Kalan. (26) Porain. (27) Halwara. (28) Bopa Rai Kalan, (29) Pohir. (30) Ayali Kalan. (31) Sadhar. (32) Bharowal. (33) Kamalpura.

GAMES IN RURAL AREAS.

(Answer to Question No. 591, page 548.)

The Honourable Malik Firoz Khan, Noon : The period in respect of which figures have been supplied by local officers is not the same in all cases but a statement giving the information received is enclosed.

Statement showing the number of district boards in the Punjab which spent any amount of money for the encouragement of games in rural areas and the sum spent for the purpose.

Division.	District Board.	Amount.
		Rs. A. P.
Ambala	Hissar	250 0 0
Do.	Rohtak	434 0 0
Do.	Gurgaon	4,107 0 0
Do.	Karnal	378 0 0
Do.	Ambala	50 0 0
Do.	Simla .. .. .	.. .. .
Jullundur	Kangra	654 0 0
Do.	Hoshiarpur .. .. .	.. .. .
Do.	Jullundur	1,434 11 4
Do.	Ludhiana .. .. .	.. .. .
Do.	Ferozepore	3,405 0 0
Lahore	Lahore	3,529 0 0
Do.	Amritsar	370 0 0
Do.	Gurdaspur	300 0 0
Do.	Sialkot	700 0 0
Do.	Gujranwala	426 0 0
Do.	Sheikhpura	229 0 0
Rawalpindi	Gujrat .. .. .	.. .. .
Do.	Shahpur	2,151 0 0
Do.	Jhelum	157 8 0
Do.	Rawalpindi	50 0 0
Do.	Attock	250 0 0
Do.	Mianwali	1,707 0 0
Multan	Montgomery	475 0 0
Do.	Lyallpur .. .. .	.. .. .
Do.	Jhang	1,255 0 0
Do.	Multan	500 0 0
Do.	Muzaffargarh	211 0 0
Do.	Dera Ghazi Khan .. .. .	.. .. .
	Total	23,776 3 5

SMALL-POX IN THE KARNAL DISTRICT.

(Answer to Question No. 608 (d), page 559.)

The Honourable Malik Firoz Khan Noon : (d) Government are not aware of any reasons but they understand that the opposition to vaccination is due partly to party feeling prevailing among the people of the village and partly to belief in the goddess of small-pox.

UNIVERSITY AND GOVERNMENT SCHOLARSHIPS.

(Answer to Question No. 626, page 656.)

The Honourable Mr. Manohar Lal :

(a) Government	..	..	..	42
University	..	..	..	40
(b) Government	..	..	..	10
University	..	..	..	Nil

(c) Government scholarships were established in 1864, University scholarships in 1882.

(d) The encouragement of higher education.

(e) 702 boys appeared for the Matriculation Examination of the Punjab University in 1885, and 16,870 boys in 1927. Earlier records are not available.

BORING PIPES.

(Answer to Question No. 629, pages 656-57.)

The Honourable Sardar Jogendra Singh : (a) No. The price charged for pipes by the Agricultural Department is based on their cost landed in the Punjab plus a percentage to cover the cost of establishment.

(b) The pipes usually supplied by Zamindars are usually inferior in quality and unsuited for sinking with the departmental boring plant. Their use would probably lead in most cases to the failure of the well.

POPULATION OF RAHON.

(Answer to Question No. 638, page 672.)

The Honourable Malik Firoz Khan, Noon : (a) The gradual decline of trade which resulted in the emigration of workers.

(b) No, it is not possible to force trade to places to which it is not naturally attracted, and the position of the town is unfavourable to its again becoming a trade centre. If the honourable member can put forward any useful suggestion Government will be pleased to look into it.

DAMAGE DONE BY THE RIVER SUTLEJ.

(Answer to Question No. 648, page 674.)

The Honourable Mian Sir Fazl-i-Husain : (a) (i) A statement is laid on the table.

(ii) None.

(b) Relief in the form of remission of land revenue has been granted to the sufferers in accordance with Alluvion and Diluvion Rules. This feature of erosion is nothing new, though Government has under consideration the general question of granting lands in the Nili Bar Colony, if available, to persons who have suffered badly from river action.

Statement showing the names of villages in the Ludhiana and Jullundur districts with their respective areas that have been partially washed away by the River Sutlej during 1927.

Serial No.	Name of village.	Area in acres that has been washed away.
LUDHIANA DISTRICT.		
1	Mand Jodhwal	19
2	Isewal	13
3	Kot Umra	46
4	Khera	28
5	Bholewal Jadid	71
6	Mangat	4
7	Shajatwala	109
8	Mand Chaunta	9
9	Dholanwal	64
10	Salempura	97
11	Kalewal	6
12	Sheikhuwal	13
13	Garhi Fasil	54
JULLUNDUR DISTRICT.		
14	Malikpur	147
15	Chak Ilahi Baksh	1
16	Shamaspor	5
17	Bahloor Khurd	9

Serial No.	Name of village.	Area in acres that has been washed away.
<i>JULLUNDUR DISTRICT—continued.</i>		
18	Mangal Shanga	15
19	Phulwulwri	31
20	Thathiala	2
21	Hussainpur	44
22	Rutnana	6
23	Bairsal	2
24	Mirzapur	2
25	Ibrahimpur	1
26	Lalewal	1
27	Ghari Sheru	19
28	Burj Tahl Das	2
29	Man	93
30	Ramgarh	7
31	Panjdheru	18
32	Achan Chak	22
33	Chhawalu	290
34	Parana	13
35	Nasirpur	8
36	Madhalu	39
37	Mano Machli	41
38	Tibbi Tayah	6
39	Mandi Realu	1
40	Mandi Shehrian	89
41	Mandi Chokhan	173
42	Mandi Qasa	2
43	Gattu Mandi Qasa	52
44	Janian Chehl	44
45	Mahrajwala	17
46	Jukopur Kalan	6
47	Kakar Kalan	4

Serial No.	Name of village.	Area in acres that has been washed away.
JULLUNDUR DISTRICT—concluded.		
48	Chak Baburian	10
49	Gand	37
50	Bhadoo	1
51	Rame Tehpur	2
52	Gati Gatun	5
53	Bahadurke	12
54	Dunewal	3
55	Burewal	19
56	Bhagian	9
57	Hiyatewal	22
58	Kanian Hussain	62
59	Khair Ullahpur	62
60	Khaira Mushtarka	13
61	Singhpur	12
62	Parjian Kalan	1
63	Parjian Khurd	1
64	Parjian Beharipur	2
65	Mahadipur	3
66	Kharshaidpur	3
66-A	Hujra	16
67	Ghag Kalan	2
68	Akkuwala	36
68-A	Bhar	58
69	Bhagelu	2
70	Raipur Raian	16
71	Raipur Gujran	75
72	Bithlan	4
73	Ghaunsewal	2
74	Banglwal	43
75	Jhungian	14

HEADMASTER, ANGLO-VERNAICULAR MIDDLE SCHOOL, MACHIWARA.

(Answer to Question No. 646, page 712.)

The Honourable Mr. Manohar Lal: A memorial was received by the Chairman, District Board, Ludhiana, in January last praying for the appointment of a Senior English teacher in the Machiwara school (which is a vernacular middle school with optional English classes) from the year 1928-29. A provision for the purpose has been made in the budget of the district board.

PRIMARY GIRLS' SCHOOL, MACHIWARA.

(Answer to Question No. 647, page 712.)

The Honourable Mr. Manohar Lal: The present building occupied by the girls' school is not in good condition. It does not belong to a district board, but it has been given by the people free of rent to the district board. The attention of the district board is being invited to the need of effecting necessary repair.

ELECTION SYSTEM IN ISA KHEL MUNICIPAL COMMITTEE.

(Answer to Question No. 655, page 714.)

The Honourable Malik Firoz Khan, Noon: (a) No: the circumstances of the town are peculiar and it is not proposed to introduce the elective system until clear indications are given that a majority of the population desires a change.

(b) No, six members belong to one mohalla, and the other six are distributed in the other 4 mohallas.

(c) Yes.

(d) No, one is a petition-writer and another a very small land owner.

(e) (i) Yes.

(ii) No.

(f) No.

SHAM LAL, PATWARI, RAHON.

(Answer to Question No. 661, page 808.)

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

(ii) The applicant was asked to produce evidence in support of his allegations, which he failed to do.

(b) No. The transfer was made for other reasons.

(c) No.

(d) See (a) (ii).

(e) No. Does not arise.

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